

Annual Review 2015



Promoting Better Outcomes for Children of Separated Parents



Chairperson's Foreword

As I conclude 2014-2015 year of Chairing FMNI, I am conscious that there has been little strategic movement around supporting families at a time of separation.

There is still a widespread lack of recognition of the far reaching consequences of the impact of parental separation on children and young people's lives. That under-acknowledgement is notable by the absence of the issue in policy and planning.

FMNI would wish to see that the evidence from research about the benefits of mediation and the fall-out for children and young people when separation occurs, widely known and used as the basis for developing mediation services.

At present, it seems to be the case that many people are confused as to the role of mediation. As an organisation which delivers mediation within our capacity we are constantly explaining and clarifying the role and purpose of mediation.

However, if there were a co-ordinated plan in Northern Ireland to promote family

mediation that would not only support the early intervention agenda but through increased uptake would make considerable savings by avoiding cases going to court and would reduce the chances of children's outcomes being affected.

“With the figures of couple breakdown increasing we need to stem the tide of the unhappiness for children that can follow.”

Promotion of mediation can only be taken forward if we have sufficient practitioners to deliver a quality service. While there seem to be more people emerging who are offering mediation the growing number of different providers raises issues of quality and how those wishing to avail of mediation know that the provider they choose will reach professional standards.

With its own approved Foundation Training Programme for mediators and with a

proven track record for successfully managing the throughput of trained mediators for many years, FMNI is well placed to develop further its training element, if funding permitted.

In parallel to the developments of increased providers we have the review of access to justice which a focus on the reduction of the legal aid bill clearly impacting on some parents' ability to have legal representation in the courts.

This seems to make it all the more necessary that couples are made aware of FMNI in the hope that they can be spared the cost and the stress.

Minimising the effect of a separation on the children is essential. It is an area of family support that we know if handled well, children can maintain their stability. However the contrary is true when mismanaged, leading to children being disadvantaged in their childhood through no fault of their own. With the figures of couple breakdown increasing we need to stem the tide of the unhappiness for children that can follow.

At a recent Strategic Planning meeting I was struck by the enthusiasm, passion and resourcefulness of the FMNI team. There was no shortage of ideas as to how the service could be further developed. That depends on funding. While acknowledging fully that resources are stretched, I believe it behoves the funders to support this work so that some of the most vulnerable children in our society are not further disadvantaged.

Finally, well done to all in FMNI. I am impressed by the immense achievements of the organisation in the last year, evidenced by increase in demand and clients reporting improved outcomes. This is a reflection of the hard work of the team of mediators, co-ordinators, supervisors who are lead so ably by the Director.

The Board has, as ever, shown their continued commitment to the governance of FMNI and as we conclude this year I wish to thank the trustees for their considerable contribution and support.

Chairperson,
Pip Jaffa OBE

Director's Report

Mediation is not a new concept, parties in dispute turning to someone else to help them 'sort it out' is so obvious that historically it can be traced back to Ancient Greece and in China it can be traced back to the time of Confucius. Despite this, it is only in recent years that governments across the world have begun to embrace this method of resolving disputes as a viable option to avoid or reduce civil litigation in disputes encompassing family law issues. However, in Northern Ireland our Government has failed to appreciate and capitalise on its usefulness. This is despite the fact that for over three decades our neighbours in the Republic have embraced and developed the process to assist families manage family breakdown. Ongoing academic discussion and popular articles alike have argued for an increased use of mediation in the UK for determining family law related disputes.

FMNI has delivered on the HSCB tender across NI since late 2009, however, the numbers of families covered by the tender

are small when compared to the numbers accessing the Family Proceedings Court annually to resolve contact and residency disputes. In Jan-Mar 2015 alone, 1954 children were subject of the 1023 applications to Family Proceedings Court, 39% under 4 years old, with an average waiting time to disposal of 25.5 weeks. As awareness of our service grows, we have overreached on our targets in recent quarters and will again by the end of this financial year. This is clear evidence that urgent decisions are required to agree a funding strategy for Northern Ireland that will divert parents away from the court system and into a service that empowers them to find agreement and achieve the best outcomes for their children.

Family breakdown and disputes are unique in that they involve heightened emotional considerations which encompass feelings of hostility, bitterness, resentment, fear and embarrassment. Therefore, the Law alone cannot resolve the presenting complex issues that ultimately involve a new

Director's Report Cont'd

approach to communication and parenting post separation, there is a necessity for the preservation of an on-going relationship post breakup when children are involved. To ignore this challenge is to store up multiple societal issues for the future.

FMNI continues to contend that it is imperative that separating parents have the opportunity to consider their problems and find their own solutions in family mediation before they are subjected to the adversarial and confrontational atmosphere of the court-process. We continue to lobby for a fully resourced service in conjunction with a publically funded awareness campaign and a recognition of professional mediators and the standards that exist to ensure public safety.

It is estimated that the total cost of family breakdown in Britain today is well in excess of £20bn each year, (Family Breakdown; Social Justice Policy Group 2007). Unfortunately due to the lack of research on this in Northern Ireland, figures related to costs in Northern Ireland are not available.

The National Audit Office in 2007 stated that outcomes for families who attend mediation are less acrimonious and longer lasting than would have been achieved without mediation. They estimate that if only 14% of cases that proceeded to court had been resolved through mediation, there would have been a resulting saving of around £10m each year.

FMNI eagerly awaits the recommendations that will come from the report led by Colin Stutt into the review of access to justice and the outcome of discussions between the Department of Justice and the Department of Health and Public Safety. It is generally accepted by all who have an interest in the best outcomes for children, that worldwide evidence and our own internal evidence confirms, that access to mediation reduces the emotional and financial costs of family breakdown when parents have an awareness of the process and engage on a voluntary basis.

FMNI has built upon excellent working relationships with a number of solicitors

practices who recognise the benefits to children when parents engage in mediation. We continue to offer information seminars to solicitors associations to demystify the process and reassure legal practitioners that our unique services can complement their legal advice services.

We are privileged to work with a dedicated expert panel of mediators who are ably supported by Professional Practise Consultants (PPC's) ensuring high standards and access to continuous professional development. Two more mediators with a service level agreement have, in this year, reached accredited status through the Family Mediation Council, following two years of practical experience and support.

In this year we were delighted to be awarded funds from Awards for All to assist in the development of a unique pilot that will seek to prepare parents for engaging in the process of mediation and therefore may achieve better outcomes for children. This pre-mediation preparation programme was

some time in the developing stage and we look forward to analysing the outcomes later this year.

FMNI suspended delivery of its approved foundation training programme in this year to concentrate on supporting and consolidating the current panel. The only programme of its kind in Northern Ireland will be available again later in 2015. We continue to consider, from a strategic perspective, how this programme could be funded to assist in capacity building throughout the community rather than the programme being available to the small numbers of prospective trainees who can afford to finance the programme. This is another aspect of developing access to such a service in the future as demand increases, that we believe the government can take the lead on. Ensuring a good supply of professional mediators is in place to minimise waiting times and provide access Northern Ireland wide, is a long term strategic challenge.

In this year we began the task of reviewing

our strategic plan and have been inspired and motivated by the enthusiasm of mediators, trustees, staff and stakeholders. We are optimistic in the face of challenging funding times that we can, by accessing diverse funding opportunities, working in partnership with agencies who support families and engaging with family mediation champions, continue to develop our services to parents, children, grandparents, general family disputes and elder mediation. I am pleased to present this report that celebrates the work that makes a difference to the lives of children and I appreciate all who contributed to the delivery, including the Board of Trustees, with particular thanks to the support and leadership of Chairperson Pip Jaffa OBE, staff, mediators, PPC's and volunteer, without their commitment and belief the public would not benefit.

Joan Davis
Director

Evaluations

Dad, Belfast.

“ I found the service very helpful. The mediators were very fair with us both and our son has benefitted enormously. I want to say thank you to our mediators for helping us come to an agreement we can try to stick to.”

Mum, Antrim.

“ Our mediator came across as very well experienced in this area. Professional and unbiased but at the same time, very kind and understanding, the mediator had a lovely way of dealing with us. I felt at ease, safe and comfortable talking during the sessions. Going through a break up is very painful. Disclosing information about personal and sensitive areas is very difficult but with our mediator I felt that I was able to speak. On occasions of potential misunderstanding our mediator made it easier for us to be clear with our negotiations.”

Mum, Armagh.

“ Overall, an excellent service. It has greatly changed our lives for the better. We got a lot of co-parenting problems sorted out. Our mediator was very professional, excellent at her job. I am glad we went to Family Mediation Northern Ireland. Thank you.”

Coordinator's Report

FMNI has experienced an unprecedented demand this year for the free mediation service. This demand is due to a combination of factors; increased public awareness, a greater awareness among professionals, particularly Social Workers and Solicitors and our strong, professional, highly skilled, Mediation Panel.

Professionals are referring people to FMNI in the early stages of separation to resolve contact disputes. In certain Trust areas Judges are insisting clients try mediation first before commencing legal proceedings. This has undoubtedly led to an increase in the number of people accessing our free service, as part of the early intervention strategy.

Changing the public's perception of family conflict and promoting mediation as the first option in dispute resolution has always been a challenge. After years of FMNI beating the same drum, the message that early intervention produces the best outcomes for children, is at last filtering down to the families who need it most. The message has been reinforced by a number of TV programmes this year. Incorporating

family mediation into popular soaps has culminated in an understanding and acceptance of the concept of mediation. While greater public awareness and an increase in demand for the service is a positive development, this has led to an unprecedented demand in enquiries.

FMNI taking the decision to consolidate the Mediation Panel has been beneficial. Investing time in developing the newer Mediators by providing them with more co-working opportunities has increased their confidence and skill.

We have received a lot of positive feedback from clients and professionals this year. Below are a few comments that illustrate what commitment from clients and a skilled Mediator can achieve;

“Many thanks for this, and please thank the mediator. This has been incredibly important work, and we are already seeing the benefits.”

This case was referred by Social Services as part of the service we offer to other family disputes. The Social Worker who referred the case was ecstatic our Mediator had assisted

the family she was working with. The Mediator helped to improve their communication and move them forward to achieve a Mediated Agreement. The Social Worker verbally reported that life had changed for both children, their mother and grandfather. Mediation in this case averted potential legal proceedings by the Trust and grandparent.

“Many thanks for this. Mediation has achieved significant movement that, despite our best efforts, the lawyers involved were not able to achieve.”

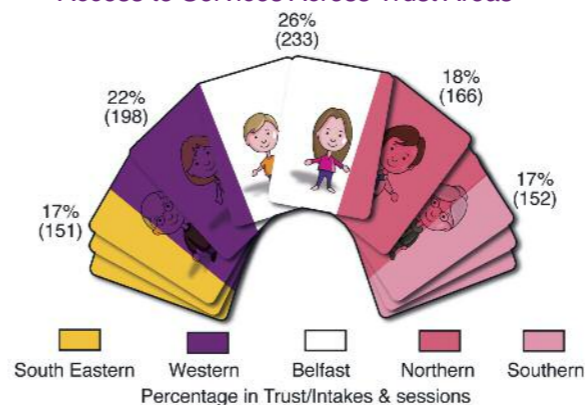
Comments received from a solicitor who was happy our service helped her client, a grandparent, mediate with her estranged daughter for increased access with her grandchild.

Mediation empowered the mother and daughter to address the root causes of family breakdown and the Mediator managed the emotion to enable both clients to break the cycle of conflict.

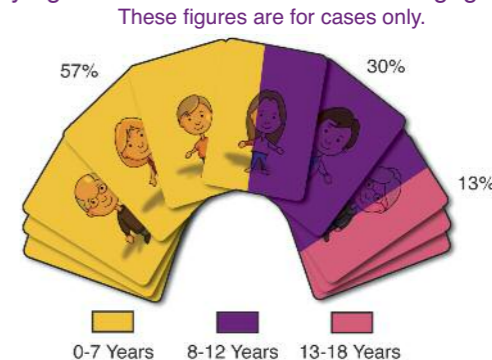
Mediation is not an easy option however clients quickly learn that our skilled Mediation Panel can, and do change lives.

Statistics

Access to Services Across Trust Areas



Breakdown by age of Children whose Parents engaged in the process. These figures are for cases only.



Breakdown of Funding Source April 2014 - March 2015



Increase in Cases compared to 2013-2014 **13%**

Court Referred Cases as a percentage of Total Cases..... **11%**

Increase in Enquiries compared to 2013-2014 **92%**

2013/14 – 1406 enquiries (incl. professional)
2014/15 – 2698 enquiries (incl. professional)

Professional Practice Consultants Review

“ We had the experience, but missed the meaning ”

T.S. Eliot, Four Quartets

As you can read from our colleagues' reports, it has been another busy, challenging and successful year for FMNI. And as always it's a privilege to work with such a committed and dedicated team both in our Belfast office and across Northern Ireland.

When people ask about our role in the Service, we tend to take a deep breath first not least because of our lengthy job title – Professional Practice Consultant (PPC). And as we describe that role, we also add in that we work as Trainers and that we contribute to policy development. However the heart of our work is quite simple: Inspiring best practice.

To do this we unashamedly borrow from the supervision theories of Schön and others. However where the word 'supervision' is more commonly known in its line management function, the work that we do might be better understood when described

as reflective practice. Simply put reflective practice is “a dialogue of thinking and doing through which I become more skilful” (Schön 1983).

In mediating with separating couples and with other family members in conflict, common themes emerge. We witness loss, grief, anger and fear. We also observe expectation and hope. Against this multi-hued backdrop of emotions, we help people make the small and the big decisions about their children, their money and about their future. To do this well, we as mediators need support.

As PPCs, we provide that support and space for reflective practice in various ways: in one-to-one meetings with mediators; facilitating the mediator team group case discussion; (as Trainers) running Continual Professional Development days; and by taking crucial time at year end to reflect on lessons learnt and ongoing development needs. Notwithstanding the common issues of the work we do, every single case is unique.

So we take every opportunity to learn from each one, so that we may be even better prepared for the next one.

Aedin Bradley,
Eimear Hayden &
Janni Knox.

Activity Overview

FMNI is represented on Parenting NI's Parenting Forum, QUB CCCR Forum, NI Child Maintenance Stakeholders Forum, Belfast Court Users, West Belfast Locality Planning Group Inner East Belfast Family Support Hub, College of Mediators Standards Committee and 'Dads Direct' steering group

We have contributed information sessions to a variety of groups and agencies including Lay Magistrates, Solicitors Associations, Further Education Colleges & Contact Centres

Two CPD events and Two Group supervisions were provided to the Panel of Mediators

A variety of small funding contributions were accessed in this year to enable upgrades in IT, office furniture, to assist in the development of a parent information pack and towards costs of Administration. Thanks to Ulster Bank Staff, Lloyds Foundation, Esme Mitchell Trust and Edith Ellis.

We obtained funds from Awards for All to develop a pre-mediation coaching

programme for separated parents to help them prepare for entry into the process and this is to be rolled out over the summer

This year we began the process of application to Big Lottery in partnership with another high profile Charity.

As a member of the Dads Direct group we had an active part in the partnership with QUB's 'Improving Children's Lives' programme of events in conjunction with the School of Education. The objective was to deliver an event to professionals who work with families and to raise the profile of the importance of Father's in the lives of children.

FMNI drafted a response to the second review of Access to Justice and met with Colin Stutt the review Chairperson. FMNI also responded to Department of Finance & Justice Consultation document on Parental Responsibility for Unmarried Fathers and Contact with Children Postseparation.

Annual reviews on all mediators working under a service level agreement have been completed at end of March. This assists the

PPC's to identify further training needs and ensures that mediators are maintaining the standards of both MII and College of Mediators.

We have registered under the new legislation with the Charities Commission.

FMNI have taken time out from delivering the Foundation Training Programme in 2014 to concentrate on building the experience of trainees from previous training years. It was also timely to review the training policy and adjust the process of options and entry into the 10 hours supervised practice to provide choice to trainees depending on their needs. This College of Mediators & MII approved programme will be delivered in autumn of 2015.

During this year we have been approached by number of other organisations keen to access 'skills' training and the PPC's have developed a two days skills programme that may assist other professionals who work with families in stress.

Case Study

CASE SUMMARY:

The parents were married for eleven years and were divorced. They have three children who live with their mother full time and have some contact with Dad. There were allegations of domestic violence and the ongoing parental conflict was becoming difficult for the children. One of the children has significant medical complications.

Co-worked/Solo	Co-worked
Type of client	Child focused
Married/Relationship/Casual	Married - 11 years
Reason for break up	Unhappy in the marriage
Number of children (including half/step siblings)	3 n/a
Other family members involved	n/a
Level of understanding of Mediation Process	Reasonable
Did intake raise appropriate issues?	yes
Capacity to Mediate (including where each person is emotionally?)	Dad keen to move on and implement change immediately Mum more cautious and mistakes were not tolerated by mum
Supervision required?	no
Agreements Reached	MA
MA in how many sessions?	6
Obstacles to agreements	Timekeeping for contact, what was happening in the contact, default criticism of each other by parents was a barrier to communication. Very different personalities and different parenting styles

No common ground on	n/a
Mediation methods to overcome impasse etc.	Caucus and shuttle both used - mediators encouraged clients to generate options and free up negative communication cycle. Reframing of expressions and highlighting normal concerns and anxieties that beset parents. Best interests of the children a reminder for parents when their conversations came back to themselves too often.
Positive Outcomes	Parents showed ability to communicate better and expressed their concern at being on their own after mediation finished. They had been in conflict for so long they did not have confidence to go it alone. Their review appointment illustrated that they could and have maintained the parenting roles they worked hard to establish.
Parenting plan what was covered	Best interests of all three children. Needs of child with medical complications when out of the house, contact, both weekday and weekends, healthy diet of children, supporting the children in their various sporting activities, communication, how, and what they both consider appropriate for the children. Supporting the each other's relationship with the children.

Endings

Very moving for the mediators as the clients had made significant progress despite several setbacks along the way and entrenched behaviours by both. Clients very pleased with their own progress and mediators acknowledged significant progress.

Did case end prematurely do we know why?	n/a
Did mediator end the case	n/a
Unsuitable Case?	n/a
Highlight Assessment Criteria	
Other reasons	
Level of Conflict	
Trust	The clients worked hard to establish trust and this was managed by making small agreements and both sticking to them. This gradually moved them to a place where they could focus on the future with more confidence.
Future Focus	This improved as their confidence in one another developed.
Any External Influence (solicitor, wider family, friends etc)	n/a
Impact of social media?	n/a

FMNI Board Members April 2014 to March 2015

Chairperson: Pip Jaffa OBE
Treasurer: Tony Barclay (resigned May 2015)
Company Secretary: Joan Davis

Board Members:
Liam Mackle
Fiona O'Donnell
Glynis Mulholland
Clare Bates
Darren Magee
Alana Fisher

FMNI Staff:
Joan Davis: Director
Polly Rowan Hamilton: Accredited Mediator
Diane Hammond: Coordinator
Etain O'Kane: Coordinator (P/T)
Siobhan Harding: from Jan 2015 (Maternity leave cover)

Volunteer Finance Officer Victor Coleman

Professional Practice Consultants:
Aedin Bradley
Eimear Hayden
Janni Knox

Mediators:
Davina Clements, Malachy Hagan, Patricia O'Kane,
Rosalind Dunlop, Jackie Sharkey, Carolyn Poots,
Louise Goodman, Teresa Fallon, Laura Doran, Chris Lunn
Carmel McGilloway, Carol Blackwell-Smyth,
Eamon O'Connor, Gerard Maguire, Anne Miller,
Colette Forrester, Valerie Pattie, Mary McAnulty,
Liz McCorkell, Aedin Bradley & Janni Knox.

Front Pictures:

Left: The FMNI Mediation Panel Members
at a Continuous Professional Development event
with external trainer Paul Hutchinson

Centre: Single mother and children.

Right: 'Importance of Fathers' event hosted by
QUB School of Education
with Joan Davis, Dr Liam O'Hare QUB
and the then Junior Ministers
Jennifer McCann and Jonathan Bell,
Current Minister of Department of Enterprise,
Trade and Investment, and Pip Jaffa OBE.



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