



March 2012

THE FUTURE OF MEDIATION IN KENT

Our first anniversary in this building has now passed and what exciting times we all continue to live in!

Our last newsletter in August shared details of how interest in mediation has been growing in Kent and the success we have all shared in improving the lives of families through the Parenting Information Programme.

Mediation has now become a positive and active part of the judicial response to Family Matters in the courts.

This has been aided by the solicitors' growing enthusiasm for encouraging mediation, as well as the Family Court Judges and the Magistrates' Family Panels directing parties to the Parenting Information Programmes.

The growing interest in our work has been evidenced by the invitations we have received from bodies who wish to increase their knowledge and awareness of our activities.

27 September: At the Royal Courts of Justice

The Family Mediators Association invited Joan, as a member of national organisation, to speak about the visions we have for the long term development of mediation. This focused upon the need for mediation to be more pro active, looking to assist families to avoid legal action by seeking information about the inadvertent consequences of their actions, prior to cohabiting, marrying or remarrying. This presentation acknowledged the importance of those who are able to assist all family members in the preparation for these major events; not only lawyers and mediators but will writers and those who facilitate the arrangement of wedding ceremonies.

There was particular interest in the problems which can ensue following remarriage and the possible negative affects this may have upon children and step children.

18 October

Nadia Beckett of Beckett Solicitors, and the local branch of the Law Society invited Mark and Joan to speak to their invited guests about our work. We were delighted to provide a Power Point presentation about the process of mediation and an in depth explanation of the facilitation of the PIPs workshops. The Chambers were given copies of the slides so that they could circulate these among those who were unable to attend and, for those who did, to be able to cascade information to their fellow practitioners.



4 November: Family Justice Council, Maidstone

We were delighted to receive an invitation from His Hon Judge Polden Designated Family Judge for Kent to take part in a session of the Annual Conference of the Kent Family Justice Council aimed at emphasising the role of mediation in settling disputes between parents over children.

This was most fortuitous timing, as Cafcass had just invited KFMS to become one of country's two providers of the PIPs PLUS programme. Mike Coote, Head of Commissioning at Cafcass and Joan jointly addressed the Council on the proposed development, its purpose and application.

This PLUS element is intended to bring about an increase in the uptake of mediation.

Early experience of the earlier version of the PIP has been that whilst participants said that they found the programme helpful and informative, very few had then decided to move away from the Court in order resolve their differences.

The new initiative provides an additional element to the PIP in which the Court is able to order attendance at the PIP workshop and the attendance at a mediation information meeting. Cafcass are hopeful that this will result in more couples opting for mediation.

This is a pilot study which is being monitored by Liz Trinder of Exeter University. The results we obtain will help to inform the governments thinking on the future of mediation nationally.

Joan's presentation was followed by a role play led by District Judge Green aimed at highlighting the role of the Court in promoting the early identification by the Court of the issues in dispute between parties to private law proceedings and an early examination of whether those issues could be resolved through mediation, whether Court based or via such organisations as KFMS. District Judge Green emphasised the importance in appropriate cases of a referral for a PIPs Plus course at the earliest possible time.

The list below shows the number of referrals received from each County/Magistrates Court and we would like to thank all the Judges, Magistrates and other court workers for their continued support in promoting the PIPs Plus initiative.

Total Referrals 01/12/11 – 12/3/12 **207**

Canterbury Combined Court	4
Canterbury County Court	43
Canterbury Family Proceedings Court	1
Central Kent Family Proceedings Court	12
Colchester Family Proceedings Court	1
Dartford County Court	7
East Kent Family Proceedings Court	52
Folkestone Magistrates Court	1
Gloucester & Cheltenham County Court	1
Hastings County Court	1
Ipswich County Court	1
Luton County Court	1
Maidstone Combined Courts	1
Maidstone County Court	18
Medway Civil & Family Court	1
Medway County Court	35
Milton Keynes County Court	1
North Kent Family Proceedings Court	12
Principal Registry of the Family Division	
Court London	1
Tunbridge Wells County Court	11
Scarborough County Court	1
Wandsworth County Court	1

Malcolm Dodds, Clerk to the Justices of Kent, received an email from a solicitor quoting positive feedback from an attendee of a PIPs workshop. It read:

*"Mr *** was an applicant father in my court today and he had attended a PIP with KFMS and he was thoroughly impressed with the programme. He said that it was really helpful to speak with the other attendees about their experiences and learnt a lot from what the group leader had to say. Mr *** said that he now appreciated the "appearance" of communication and was grateful for the advice on how to deal with discussing contact and court procedures with his child."*

Mike Coote and Judge Murdoch have recently indicated that where a Court date has been set, the purpose of this meeting is as a review only and during this review hearing, a Judge will want to know how they got on in mediation.

No matter what their Solicitors say, that will be the purpose of the meeting and it is important that this is emphasised to the clients.

24 November: Local Family Mediators' Information Meeting, KFMS Headquarters

As a direct response to the Cafcass initiative, it was apparent that all family mediators in Kent should be able to offer mediation to those ordered onto the PIPs PLUS course.

As a consequence KFMS hosted an information and training evening to which all local family mediators were invited. Following the presentation and information the mediators were invited to be included in the list of mediators. We shall be providing this list for those who attend the PLUS element. In this way we hope that the participants will be

able to choose their mediation provider and that the work will be spread more evenly throughout the mediation community.

Our list so far consists of the following mediators:

Nadia Beckett	Beverly Giannoni	Cathy O'Mahoney	Helen Adam
Andrew Field	Helen Biggerstaff	Hilary Filmer	Dawn Harrison
Toweetha Shah	Sue Towndrow	Sue Holmes	Graham Jones
Elliot Green	Pam Hatfield	Daniel Bennett	Fred Gibbons
Susie Barter	Patsy Sayers	Ben Walters	
Sarah Heywood	Kirstie Law	Marlene Penning	

Since creating this list, other mediation providers have indicated an interest in being included and we shall be organising another training event later in the year.



24 February

Dawn Harrison, Chairperson of the local branch of Resolutions, requested that Mark Bohan and Debbie Hillman provided an update on the development surrounding PIPs PLUS to their membership.

The East Kent Family Panel has requested an update on the PIPs PLUS programme on 21 June.

During the coming months we shall be offering meetings to our local Judges, solicitors and mediators, in order for them to receive the opportunity to obtain further information about the reaction and outcome of this new initiative.

Malcolm Dodds has arranged for these events to attract CPD which will be provided by the HRMCTS.

We are now providing approximately 14 workshops per month, and these have an average attendance of 9 people.

Our first PIPs PLUS meetings are about to happen, and we are hopeful that they will be successful.

Our preparation for this court ordered mediation is complete, and we shall naturally monitor its delivery and adjust to the needs of those attending.

In order to cope with the increasing demand for mediation we have increased the number of mediators and are delighted to have been joined by Martha Monday, Tom Lawson and Sarah Emanuel, who will all play an active part in both mediation and the PIPs programmes.

It is gratifying to see that Kent is leading the way and enjoying the challenges and the cooperation of the wider judicial community.

Donation

We were very grateful to receive a donation of £100 from the Bromley Law Society and would like to thank them for this kind appreciation of our service.

Future Challenges

Apart from those presented by the PIPs PLUS we are all aware of the possible removal of Legal Funding for the majority of Family Matters.

As a response to this we are hoping to work in closer partnership with referring solicitors and during the coming months will be inviting them to help us to explore alternative ways of working, for example, fixed price packages for our clients.

We believe that in times of hardship people may prefer to know exactly what their divorce costs will be.

It is our hope that we shall be able to provide a list of local solicitors who will be able to provide services of support during mediation and advice on the proposals reached by clients. In addition to this a clear summary of the Court costs will enable an informed choice should clients no longer receive Legal Funding.

In order to develop a more balanced overview of developments in family mediation in the Kent area, we hope that future newsletters will contain contributions from fellow family workers. Should you wish to provide an article, comment or letter we hope to be able to include it in the next newsletter.

Within the next few weeks we would have finalised the creation of our new website and would hope that you will visit us on www.kentfms.co.uk.

We would like to thank Judge Green for his contribution in overseeing part of the content of this newsletter.

Thank you once again for your support and encouragement.

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