

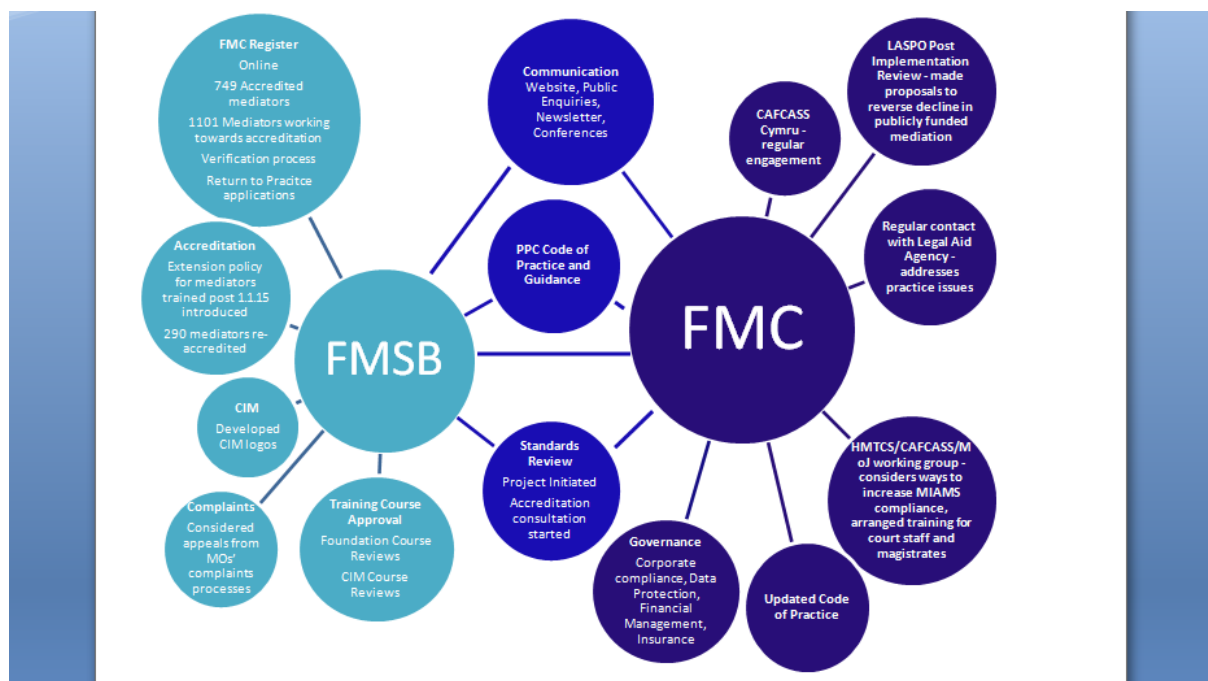
FMC Newsletter

November 2018

As it is nearing the end of the year, this newsletter gives our annual overview of the work that the FMC, including the FMSB, has carried out in 2018, as well as keeping you up to date with recent developments and forthcoming events.

The work outlined below wouldn't be possible without hundreds of hours of time put in, on a voluntary basis, by dozens of people. The FMC would therefore like to extend a big thank you to everyone who has helped its work this year.

A snapshot of the work of the FMC and FMSB in 2018



Recent FMC Developments

Family Mediation Roundtable with the Family Justice Minister

John Taylor, FMC Chair, and Helen Anthony, FMC/FMSB Executive officer, recently attended a family mediation roundtable meeting with Lucy Frazer MP, the Family Justice Minister. Representatives of the FMC's MOs also participated, as did some practising mediators (who were invited in an individual capacity). Participants were invited to share their ideas for increasing the take-up of family mediation. The following matters were discussed:

- not requiring respondents to attend MIAMs limits the ability of mediators to reach both parties to a dispute – it was suggested that this be changed;
- the courts appear to apply inconsistently the current requirement to attend MIAMs, and so directions from the Ministry of Justice, reinforced by directions from the senior judiciary, that rules need to be complied with would be welcome;
- a culture change is needed so that courts don't just expect people to have a 'signed form' but to have really considered mediation, and judges should take every opportunity to put this point across to parties before them;
- legal aid rates have not gone up for 20 years, and this should change;
- making MIAMs free for both parties (paid out of either the legal aid budget or HMCTS' budget) would increase respondents' attendance at MIAMs and therefore increase rates of mediation;
- greater awareness of legal aid for family mediation is needed – it would help if social services, the police and other professionals were aware of this;
- parties are sometimes put off by the fact that end of mediation documentation cannot always be presented to the court to be made into an order – the MoJ, courts, mediators and the FMC ought to work together to address this;
- parties have to pay a full application fee to submit an order to be made by consent in child arrangements cases - a reduced fee should be available.

The Minister stressed that she felt that family mediators undertook important work, and thanked mediators for this. The FMC found the Minister to be receptive to many of the ideas. She didn't however (and probably couldn't) commit to specific actions at the meeting. The FMC will follow up by writing to the Minister, by continuing to work with her and her team, and by pressing for changes that will benefit separating families.

Standards Review

Work continues on the Standards Review – a summary of the areas the review will cover is available [here](#). The first area of focus is the process of becoming accredited. We are starting this work by gathering mediators' views about the current process, and looking to identify any points in the process which present a barrier to accreditation. Mediators will have the opportunity to share their thoughts on this

through a written consultation or video conferences arranged for this purpose. FMC Member Organisations may also be gathering their members' views.

Legal Aid

The FMC is continuing to work with its key partners, with quarterly meetings taking place with the Legal Aid Agency and by participating in the LASPO post-implementation review. We have recently submitted arguments to the MoJ's Legal Aid policy team for separate legal aid payments to be made for Child Inclusive Mediation and for producing Open Financial Statements.

MoJ Consultation on Divorce Reform

The FMC will respond to the MoJ's consultation, Reducing Family Conflict, which concerns divorce reform. The FMC's response will:

- welcome the proposals for 'no-fault divorce', saying that the current law concerning divorce has a negative impact on the culture of divorce in England and Wales and that removing the element of blame from the legal aspect of a divorce is therefore welcome
- say that conflict could be further reduced if divorcing people were urged to consider mediation whenever they needed to make arrangements for children or finances
- say that if an application for divorce could be made jointly, that could not only change the culture (i.e. "we're divorcing" rather than "s/he's divorcing me" or "I'm divorcing him"), but also pave the way for other joint applications (such as re child arrangements and finances) as well as allow for rules to require both parties to attend MIAMs - and so help increase the take-up of mediation.

CIM Logos

The FMSB is developing new logos for CIM qualified mediators. These will be available to any DCC trained mediators who have attending the CIM Update day, or to mediators who pass an approved CIM course. The logos will be distributed for the first time in early 2019. When mediators have completed these courses and sent their relevant certificates to the FMC, the register can then be updated.

FMC Code of Practice

The FMC published an amended Code of Practice earlier this year. However, it contains errors in cross-references. A corrected version (v1.3) has now been published on the FMC website and can be seen [here](#).

Registration with the FMC for 2019

As mediators will be aware, registration with the FMC takes place annually in January. The registration form for 2019 remains the same as for 2018, and PPC sign-off will once again be required. The FMC has however made some changes to

the way that payment works: registration forms will need to be completed and returned, and once this has taken place, invoices for the annual fee will be issued, to be paid within a month. It is hoped that this change will reduce the number of payments being made without references or for the wrong amount, which slows down the re-registration process for everyone. Forms for 2019 registration will also be made available in mid-December 2018, so that mediators can make an early on the process of completing them.

Contact details and Christmas closing

A reminder of the FMC's address and phone number:

Family Mediation Council, International Dispute Resolution Centre
70 Fleet Street, London EC4Y 1EU

01707 594055

The FMC office will be closed from 3pm on 24th December 2018, re-opening at 9am on 2nd January 2019. E-mails and voicemails received during this time will be replied to in early January.

Developments from Elsewhere

Family Justice Council Annual Debate

The Family Justice Council is having its annual debate in Leeds on Monday 3 December in Leeds. The motion is: 'Nothing to hide – what's wrong with covert recordings?' Click [here](#) for more information and information on how to apply to attend.

Pension Advisory Group

The Pension Advisory Group (PAG) was convened in mid-2017 with the purpose of producing a good practice guide for lawyers and financial experts about the issues relating to pensions on divorce. It has produced [two draft reports for consultation](#), held focus groups with family lawyers and pension experts, conducted an on-line survey and given presentations at numerous events around England and Wales. PAG is very grateful to all those who have participated in these exercises, as they have provided invaluable insights into day-to-day practice. The group has now reached the stage of analysing all the feedback and discussing revisions to the final, combined, professional guide, with a target date for publication of 31st March 2019, and with a simplified guide for non-specialists and the public to be published online at the end of June 2019.

Notices for Mediators

Practice Placement Opportunities

[South East London Family Mediation Bureau](#) (SELFMB) is offering observation / practice placement and co-working opportunities in London and the South East. These are aimed at offering recently-trained family mediators an opportunity to gain experience and to start building confidence to practise. Placements could be taken up prior to starting, or during the portfolio/accreditation process.

Upcoming Events & Training

The FMC aims to bring you information about training, courses and workshops related to family mediation, to aid professional development. Courses are also listed on our [website](#), where you will find more details about submitting events to be included.

- 1 December (and later dates), NFM: [Foundation Training](#), London/distance learning
- 6 December, NFM: [Introduction to Mediation](#), Birmingham
- 6 December, FMA: [PPC Update of Theory and Practice](#), Manchester

2019

- 31 January, NFM: [Introduction to Mediation](#), London
- 7 – 9 February, NFM: [Child-Inclusive Mediation](#), London. **NB This course is subject to obtaining FMSB approval**
- 20 February, Family Matters Mediate: [PPC Event](#), Doncaster
- 25 – 27 February (and later dates), FMA: [Family Mediation Foundation Training](#), London
- 27 February, College of Mediators: North West Mediation Network Event, Manchester. For more information, please contact info@solutiontalk.co.uk
- 27 February (and later dates), Resolution: [Family Mediation Foundation Training](#), London

- 28 February, FMA: [Child Inclusive Mediation \(CIM\) Awareness and Understanding Day](#), London
- 1 March, FMA: [Child Inclusive Mediation \(CIM\) Update Day](#), London. **NB This course is subject to obtaining FMSB approval**
- 1 March (and later dates), NFM: [Family Mediation Foundation Training](#), London
- 6 – 8 March, FMA: [Refresher Training](#), London
- 11 March, FMA: [PPC Update of Theory and Practice](#), London
- 11 – 13 March, Resolution: [Refresher Training](#), London
- 13 March, College of Mediators: South East Mediation Network Event, London. For more information, please contact magrob521@msn.com
- 13 March, NFM: [Introduction to Mediation](#), London
- 3 - 5 April, FMA: [Child Inclusive Mediation](#), London. **NB This course is subject to obtaining FMSB approval**
- 2 May, NFM: [Introduction to Mediation](#), London
- 8 May, FMA: [Dealing with Conflict](#), London
- 8 – 10 May (and later dates), Ataraxy Mediation Training: Family Mediation Foundation Training Course, London. For more information please contact crea.resolution@gmail.com
- 1 June (and later dates), NFM: [Family Mediation Foundation Training](#), London
- 5 July, NFM: [Introduction to Mediation](#), London
- Ongoing, NFM Training: [Professional Practice Consultancy Training](#) (distance learning)

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