



Could Mediation Help My Family Situation

By Sarah Beskine

I am Sarah Beskine, a partner, divorce/separation solicitor and family mediator at Hopkin Murray Beskine, www.hmbsolicitors.co.uk. Whilst as a solicitor my job is to represent and advise one party only, as a family mediator my role is to be an independent third party to help you both – to reach an agreement to settle a family dispute. It is often the case that there is an agreement in the air anyway, but you just cannot grasp or finalise it because emotional issues that caused the relationship to break up are stopping good communication. When the relationship is breaking up is the worst time to try to reach agreement – and that is the time you have to do it.

Whilst meeting with your ex with nothing but a mediator between you might sound unthinkable, talking to an independent person who is trained to sort out disputes can be really effective. Mediation enables both parties to explain and then discuss what their needs and concerns are to each other in the presence of an independent third party – the mediator – so that they reach an agreement between themselves. You will need to get legal advice too eg to make sure an agreement about money is going to be sound and will be approved by a court

The aim of mediation is to enable you to reach agreements on practical arrangements and other matters for the future – including living and visiting arrangements for the children, property and financial matters, the process of divorce itself, and international issues e.g. change of country of residence. Family mediation can help reduce hostility and improve chances of long-term co-operation.

Children can come to mediation

Not many people realise that children can also come to mediation. When families split children

regularly feel pushed to say what one parent wants. Maybe your child is refusing to see the other parent – often their father; or the new partner; or you are being told this by the other parent – often their mother. You may suspect that your child has been coached, pushed or persuaded into saying things. Sometimes they have, and sometimes it's just the hard truth. Maybe the child just wants their own social life and won't co-operate with contact plans, or they are just too upset at the changes to cope, but 'blame' is being put on the other parent unfairly, and if trust is at an all time low this can often happen. Your child will talk separately with the mediator and this gives the child a chance to say what they really think, and to send a 'message' back to you both. Young people expect to be listened to and often relish the idea of a meeting; before it is set up you will discuss what to do with if your child says things that you do not expect.

Children are always caught between their loyalties and love for both parents. At its extreme, children can become completely distant from the parent they are not living with and it is really important if you think this is happening to do something about it fast and don't let the situation get worse. At Hopkin Murray Beskine as well as a family legal team, we have one of London's largest and most established solicitors' mediation services and we offer all types of family mediation. If I can be of help, e mail me on reception@hmbsolicitors.co.uk.

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