

WHAT IS AN INITIAL MEDIATION MEETING (MIAM)?

At The Mediation Space our initial mediation meeting (sometimes called a MIAM) is in two parts:

A one-hour individual meeting with a specially qualified family mediator

A one-hour individual meeting with our in-house therapist.

The aim of the initial meeting is:

- to explain to you how mediation is an alternative to the court process available to separating or divorcing couples.
- to explore whether mediation would be a safe and effective alternative to court for you.
- to explore with the therapist whether there are any emotional issues that may be an obstacle to reaching financial proposals or a parenting plan through mediation.
- to give you an opportunity to decide whether going to court would be the best way of resolving the issues surrounding your relationship or marriage breakdown (e.g., children, property and financial issues).

HOW IS A MIAM RELEVANT TO THE COURT PROCESS

Since 22 April 2014, almost all divorcing and separating couples in England and Wales who want to use the court process to resolve any disagreements about children or money must prove that they have had a referral to a MIAM first. You cannot issue an application at court without either (a) a record of a MIAM referral having been made or (b) claiming one of the specific exemptions explained in the form. If there has been a referral for a MIAM, the mediator has to sign the court application form. A judge may choose not to hear a case until both people have shown that they have

considered mediation. This means that, even if you are quite sure that mediation or one of the other alternatives to court is not for you, attending a MIAM will help you avoid unnecessary delays whether you are the person who is applying to the court, or the other person. Far more positively, the meeting gives you a chance to decide, with professional assistance, how best to conduct your separation or divorce in the interests of yourself and your family.

You should advise your solicitor, if you have one, that you are attending an initial meeting. If you decide to progress to mediation, you should inform your solicitor of the appointment of a mediator. It is very helpful for you to obtain advice from a legal adviser during the mediation-process.

PROFESSIONAL ACCREDITATION

Your mediator is a member of Resolution and the therapist is an Associate Member of Resolution and is accredited by the British Psychoanalytic Council. More details of the relevant member organisations can be found on our website www.themediationspace.co.uk

WHAT CAN I EXPECT FROM THE INITIAL MEETING?

The first part of your initial mediation meeting will be conducted by a mediator. Before the meeting takes place, you will have been requested to complete a confidential questionnaire.

The mediator will explain the principles upon which the mediation in the joint sessions would proceed, encourage you to talk about the matters that you would like to resolve, consider whether there are any issues that may make mediation unsafe or unsuitable (such as power imbalances, fear of harm from your former partner, emotional readiness to participate in a joint session) and consider with you any alternatives to mediation to resolve your matter. You will be able to ask

questions that you may feel inhibited to ask in front of your former partner. Everything discussed in the meeting will remain confidential to you, the mediator and the therapist.

The second part of your individual meeting will be a separate meeting with the therapist. This will be an opportunity for you to speak confidentially about any emotional and relationship issues that might be an obstacle to achieving a resolution of your matter. The therapist will discuss with you what support you may need to participate in the joint sessions.

Once the individual meetings have concluded the mediator, in consultation with the therapist, will make a recommendation about next steps. This may be that mediation is suitable for you and your former partner with the mediator alone, or only suitable if the therapist also attends at least the first joint session to support you both in the process, or a recommendation that the therapist attends at least the first joint session or that mediation is not suitable in your circumstances. To proceed to the joint sessions both you and your former partner and The Mediation Space must agree on a process that is safe and suitable for you both.

EXCEPTIONS TO CONFIDENTIALITY

Everything discussed in the individual sessions with either the mediator or therapist is confidential and will not be shared with your former partner subject to the following exceptions:

- Where any person (particularly a child) is at risk of serious harm, the mediator or therapist has a duty to contact the appropriate authorities;
- In common with all other relevant professionals, the mediator or therapist may be required to disclose to the appropriate government authority

information with regard to the commission of any relevant, previously undisclosed, criminal offence. The mediator or therapist may also be under a linked obligation to make such disclosure without informing you and may have to discontinue the meeting without further notice.

- Exceptionally, the mediator or therapist may disclose personal data in connection with the alleged or established commission of an unlawful act.
- The Mediation Space is a 'processor' of personal data for the purposes of the Data Protection Act 1998. You consent to The Mediation Space processing your personal data for the purposes of this Agreement. You understand that this includes them retaining and storing your personal data for as long as is necessary in connection with this Agreement. They may retain data for research and statistical purposes but on the understanding that if used it has been stripped of all features from which you could personally be identified.
- Periodically, the other members of The Mediation Space may have sight of files for training and supervision purposes but access is strictly controlled and on a similar confidential basis.
- The file may be considered by any complaint's handler if you make a complaint about your initial meeting. That will not extend to any parts of the file concerning your former partner.

CHARGES AND PAYMENT TERMS FOR THE INITIAL MEETING

Fees are charged separately per client and full details will be provided before meeting.

CONCERNS AND COMPLAINTS

Our practice is governed by various professional bodies and details can be found



on our website and copies of the relevant codes of conduct are available on request. We have a complaints procedure, a copy of which may be obtained from us. Any concern you may have as to our practice should be raised with us in the first instance and thereafter, if unresolved, in writing to the appropriate professional body. In the event of a written complaint, you agree to the release of your file to any complaint's handler.

By attending the mediation information and assessment meeting, you agree to the terms set out here.