

SK | STONE KING

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Mediation services

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Mediation services

When a relationship breaks down, we understand the uncertainty and anxiety that you may be facing. Our team of experienced family mediators are widely regarded for their family mediation work.

Mediation is a process that enables people to come to decisions, whether in relation to children, financial matters or indeed all issues arising on family breakdown. Mediation can be especially helpful in reducing conflict and finding amicable solutions, benefiting you and your family.

Our family mediators are experts at handling all aspects of relationship breakdowns, taking a family-focused approach that encourages all participants to find the best solution. We are also able to offer child inclusive mediation, enabling the children's voices to be heard within the mediation process.

Mediation gives you more control over the decisions affecting your family and can be more cost and time efficient than going to court.

How does mediation work?

Family mediation can be used to address a range of family issues and not just relationship breakdown. It will usually take place with you, your partner, and one of our trained mediators, either in person or via video link. Before joint mediation sessions commence, we will meet with you individually in a Mediation Information and Assessment Meeting (MIAM) to ensure that mediation is indeed the right process for you.

The aim of the process is to help you achieve longer-lasting considered solutions that enable you and your family to move forward with minimal stress or conflict.

Mediation can be more emotionally sensitive as it enables both participants to explore solutions together rather than through costly legal correspondence and negotiation. Although your solicitor will not normally be present, you can, however, take legal advice at any time, to help you reach or record a joint decision.

Our mediators are all family law solicitors but remain neutral throughout the discussion, with the key objective being a resolution for you both and for the family as a whole.

Stone King team



Rebecca Eels,

Partner

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Rebecca is a Partner in our family and mediation team and has been at Stone King since 2002. Rebecca is an accredited mediator, supervisor of mediators, Collaborative Lawyer and is able to consult with children. She is also a member of the Board of Family Mediators Association. Rebecca is experienced in complex children and financial matters and has particular expertise in dealing with children cases where there is an international element or where violence, mental health, substance use, complex criminal issues or implacable hostility may be issues. Rebecca also has excellent expertise in being able to deal with high net worth asset cases, including those where there may be a business.



Caroline Fell,

Partner

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CarolineFell@stoneking.co.uk

Caroline is a Partner in our family and mediation team and has been at Stone King since 2005. She is an accredited mediator and Collaborative Lawyer. In both her legal and mediation work, Caroline specialises in cases involving both children and financial matters including high net worth and complicated financial structures, businesses, pensions and foreign assets.

Both Caroline and Rebecca are able to offer mediation where third parties may also be present during the mediation, such as solicitors, IFAs and pension experts. This form of mediation is sometimes known as “hybrid mediation”.

How can we help?

Our family mediators can help you with:

- Arrangements for children
- Financial settlements, to include dividing property and the family home, pensions and income
- Resolution of complex financial matters, to include international aspects
- Ongoing communication with your partner

What does it cost?

The initial meeting with each individual (MIAM) costs £175 plus VAT. The joint mediation sessions cost £175 plus VAT per hour per person and sessions usually last 1.5 to 2 hours. The number of sessions required depends on the issues involved but on average you would expect to have between 2 and 6 sessions. In the event that there are 2 mediators involved (co-mediation) the cost will be £250 plus VAT per hour per person. Preparation of documents are also charged at £175 plus VAT per hour per person. A without prejudice summary will be prepared at the end of each session to enable clients to obtain legal advice and this will be charged at our hourly rate of £175 plus VAT per person.

Child inclusive mediation

When a relationship breaks down, navigating your way through can seem complicated, however mediation can help you to see things in a more child-focused way, benefiting you and your family.

Our family mediators are experts at handling all aspects of relationship breakdowns, taking a family-focused approach that encourages participants to find the best solution and concentrate on the needs of any children you may have.

Government expectation is for all children over the age of 10 to be given the opportunity to have their voices heard when arrangements between their parents are being discussed. At Stone King we offer child inclusive mediation and are able to provide this not only to our mediation clients but also to those who may be seeing mediators who aren't child inclusive trained.

Is child inclusive mediation for you?

Child inclusive mediation should be offered if there are any children involved over the age of 10, it may also be possible for younger children to take part if they have an older sibling/s or they are at an age where they would want their voice to be heard. Child Inclusive Mediation requires not only the consent of the parents but also the consent of the child.

How does it work?

Hearing your child's voice is one of the most important things you can do for your child. Often children will tell their parents what they think they want them to hear. Child Inclusive Mediation gives your children the message that their voice is important and that you want them to be heard.

If you have decided to go ahead with Child Inclusive Mediation, your child will first receive a letter from our child inclusive trained mediators, Rebecca Eels or Caroline Fell, introducing themselves and explaining a bit more about what the process will entail. The letter will be approved by you first and we will ask you to sign an agreement to confirm your consent to us seeing your child.

The mediator will want to find out from you more about your child to help create a relaxed and friendly atmosphere, this may be your child/ren's likes, hobbies, what they're good at or enjoy, etc. A meeting will then be set up between the mediator and the child/ren usually in person but it can also be via video call. The session will usually last around an hour and may explore a variety of techniques and scenarios depending upon the age of the child such as drawing, discussing how things look to the child and where they see themselves. The aim of the mediation session is to help children feel heard, respected and listened to and not to ask the child what they want to happen with future arrangements.

During a direct consultation with a child, what the child/ren disclose is completely confidential. However, during the session the mediator will discuss with the child/ren what information they would like shared with their parents, this feedback serves to help parents to focus on what their

child is saying but it is important that it is understood that the overall decision making is still the responsibility of the parents.

At Stone King, our mediators are all family law solicitors but remain neutral throughout the discussion, with the key objective being a resolution for the family as a whole.

Online mediation policy

Stone King Family Mediation is committed to expanding the opportunities for resolving family conflicts; we are happy to mediate online provided this does not compromise the mediation process. As with all matters of suitability, this will be the subject of initial and ongoing assessment. Considerations especially relevant for the suitability of online mediation include the following (these form part of the Agreement to Mediate, which you will be asked to sign if you wish to proceed).

1. Both clients have access to at least one type of suitable technology.
2. Both clients agree on the use of technology for the mediation and explicitly accept an invitation to meet using that technology.
3. Both clients are able to use technology effectively.
4. Any difference in clients' ability to use technology can be effectively managed.
5. It is unlikely that using technology for the mediation will impact in a negative way on the clients' continuing relationship.
6. Technology use does not pose a high risk in terms of the clients' safety or confidentiality of information.
7. If we consider it necessary, a safety plan has been developed for the clients from an online perspective.
8. The use of technology will not be a hindrance in resolving the dispute.
9. The use of technology is neutral or offers a benefit in resolving the dispute. The suitability of online mediation is an ongoing process. Information may come to light, or developments may occur, over the course of an online mediation which may change our assessment of the suitability of a case for online mediation.

Before the mediation begins:

1. We will introduce the clients to our preferred online technology (Zoom/Teams) and discuss whether or not this or some other technology is suitable in the individual case.
2. We will ask the clients about concerns they may have specific to the use of technology, and identify ways to manage these concerns.
3. We will explore with the clients their relative adeptness at using technology, and ask how any differences might impact the mediation.
4. We will discuss with clients the need to let everyone know if they cannot see or hear properly during the session; if such issues cannot be resolved swiftly, the session will have to come to an end.
5. We will discuss what the absence of body language in the mediation may mean for the clients, and for the mediators and how to manage this. These discussions must take place before we begin the actual mediation online, as they help us to set clear ground rules for the mediation, including rules relating specifically to technology use. The general rules set for the online mediation apply at all times, and using all technologies.

Rules that we always apply to online mediation include:

1. Online mediation must be conducted in a private setting. For instance, if the technology is audio or video-enabled, and children are to be nearby, we will discuss the need for child care, to ensure the safety of the children as well as to prevent them from overhearing or seeing the discussions.
2. Unlike traditional mediations, clients in online mediation are often participating from their home or sometimes from their work place. It is essential that clients arrange to have their environment free of distractions, such as other people wandering by. In addition to issues relating to confidentiality, noise and multi-tasking — addressed below — distractions can result in less than full and meaningful participation in the mediation.
3. The importance of “arriving” on time will be impressed upon clients, particularly since accessing the technology — for example, the teleconference or web-based platform — may take them longer than they expect. We may ask clients to arrive early so that any technical problems can be worked out in advance of the meeting time.
4. The basic rules of etiquette when using technology will apply. If clients are unfamiliar with online conferencing, we will explain these rules. Clients should be aware in particular of the importance of meeting in a quiet place. Background noise can be extremely distracting

and can seriously disrupt the flow of discussions. Just one participant's background noise can seriously affect the sound for everyone. At a minimum, telephones should be turned off. Not only is the noise created by telephones particularly disturbing, but the temptation to respond to calls can be overwhelming for some people. Many audio-based technologies have a feature that allows participants to mute their sound. In addition to helping eliminate background noise, proper use of the mute feature can also reduce "echo".

5. Turn-taking is especially important when using teleconferencing or web conferencing and crucial with audio-based technologies that capture and transmit the voice of only one speaker at a time. With such technologies, the words of one client may be completely lost when the other client "talks over" them.
6. Multi-tasking (working on side-activities) is not acceptable when engaged in an online mediation.
7. We limit sessions conducted via web conference to two hours and by teleconference to one-and-a-half hours. We will discuss how clients are going to let the mediator know if they are experiencing technology fatigue.



Contact us

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