

## CONSULTATION WITH CHILDREN IN MEDIATION

Where both parents are already in mediation and agree, then it is possible for an appropriately qualified mediator to invite their children to a separate meeting on their own to enable the children to discuss with the mediator their feelings and wishes about the situation in which they find themselves.

The children have to agree to this meeting and if they are unwilling to attend, it would not take place. What the children tell the mediator is confidential except to the extent that they agree that what they say can be relayed back to their parents. It also must be age appropriate. Generally the children would not be younger than 10 years.

The purpose of the meeting is to enable children to have a voice in the process. It is not appropriate for the children to be asked to make any decisions about what happens to them but research has shown that children very often appreciate the opportunity of voicing their opinions.

It is often helpful for parents to hear through a third party how the children see the situation and to hear what is important to their children about the arrangements which may be being made for them. As sometimes parents cannot hear clearly what their children are saying.

Following the mediator's meeting with the children, the mediator would have a further meeting with the parents and would relay back to the parents anything that the children wanted them to know.

If the children do not consent to the release of information then the mediator would respect their wishes. The information gained at such a meeting may however assist the mediator in conducting further mediation meetings with the parents in a way that focuses on the interests of their children.

Consultation with children in mediation will not be appropriate in every case but there are occasions when it can be helpful and it is important option to parents who are separating.