



From 2011, AIFLAM has been leading the way in Family Law Mediation in Australia.

- **2011** – introduced **Mediation Style Conferences** across the country.
- **2011** – introduced the concept of **Mentalizing** into its trainings to assist mediators understand the neuroscience of people in relational conflict.
- **2013** – developed the MSC training to **NMAS Mediation Accreditation** level.
- **2018 – 2019** - provided the Chief Justice of the Family Court of Australia with its list of **NMAS Accredited Mediators** for the **Family Court ‘blitzes’** of 2018/19.

Now, in 2019, AIFLAM is working to equip Family Mediators with advanced skills in pre-mediation, evaluative mediation, and working with complex conflict. To that end it is introducing the AIFLAM Advanced Mediation Course, which can lead to **AIFLAM Specialist Accreditation in Mediation**.

AIFLAM NMAS Accreditation

The importance of NMAS accreditation in mediation is well established.

The training is of national standard in terms of the knowledge, skills and understanding of the facilitative mediation model that mediators require. Nationally Accredited Mediators are listed on the National Register as well as the AIFLAM list. NMAS accredited mediators can hold themselves out as nationally accredited through AIFLAM and can use the NMAS certification trademark during the period of their accreditation.

“NMAS accreditation demonstrates that you are part of a system that is concerned with consistency, credibility, and quality, and with ensuring that

participants are given the opportunity to engage mediation professionals who exhibit and uphold these values.”

AIFLAM Advanced or Specialist Mediation Training

AIFLAM has recognised that the NMAS standards and training do not adequately cover Pre-Mediation. AIFLAM will include this in the Advanced Training and in the specialist accreditation course being developed. The research now shows that a well-conducted Pre-Mediation can create a more efficient mediation for the parties and the lawyers.

In practice, many mediators use a blended or evaluative style of mediation that can enhance the facilitative style. AIFLAM has recognised this blended approach and is introducing it in the Advanced Mediation Training to equip AIFLAM mediators with the extra skills required to conduct an evaluative mediation.

The final component of the advanced training is the need for mediators to have a greater understanding of the dysfunction and disorder that can accompany clients in family law conflict. Over the past decade, the understanding and training in the Mentalized-based approach to treating people who present with a high

level of disorder when in conflict has advanced. AIFLAM is now including this deeper knowledge into its training model. We call this approach MBT-M and give further details below.

What will the training cover?

Pre-Mediation

Many mediators already conduct rich Pre-Mediation sessions that can significantly enhance the effectiveness of the Mediation Proper. The Pre-Mediation is more than an intake session. This part of the training will demonstrate how an effective Pre-Mediation session can prepare parties to attend the mediation with an early shift in thinking.

The team at the UWA Mediation Clinic have been conducting MBT-M pre-mediations for the past year. The early evidence is that this approach to pre-mediations can significantly improve the relationship between the parties and reduce the time needed in mediation.

Evaluative Mediation

The NMAS standards already describe the ethical principles involved in using a Blended/Evaluative process. These are to:

- a) obtain consent from participants to use the blended process;
- b) ensure that within the professional area in which advice is to be given, they have current knowledge and experience; and
- c) ensure that they provide the advice in a way that maintains and respects the principle of self-determination.

The AIFLAM training will provide participants with techniques to use to include these evaluative components into mediation. The training will include role-plays to develop participant's evaluative mediation skills in knowing what, when, why and how to provide advice, information, and challenge party (and lawyers) behaviour in mediation in constructive ways.

Working with emotional and interpersonal dysfunction

Understanding the neuroscience of family and attachment related conflict is important as many family law clients present with the unhealthy interpersonal behaviour that accompanies relational conflict and disputes. We will provide techniques to assist mediators to assess non-mentalizing behaviour and choose interventions that suit. This part of the course will consist of role-plays so that participants can use the mentalizing stance to help bring equilibrium to the parties in the heat of the mediation.

AIFLAM Specialist Mediator Accreditation

AIFLAM is in the process of drafting the **AIFLAM Family Law Mediation Standards** that will include both the NMAS Standards and the Advanced Mediator Standards. More details to follow soon.

AIFLAM's Advanced Mediation Training course will be run in

[SYDNEY - 28 & 29 August 2019](#)

facilitated by Prof Jill Howieson and Belle Lane, Barrister.