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Mediation Uptake in BAME Families

Cyrenians Mediation and Support Service (CMSS) has been operating in Scotland since 2006 offering mediation and whole family support for young people at risk of homelessness. In the summer of 2021, CMSS received a grant to conduct a small-scale research to determine the uptake of the mediation and support service from those of BAME backgrounds living in Edinburgh.

I am a mediator with CMSS and from a BAME background. I was closely involved in the design and implementation of the study, as well as in the ensuing conversations and steps taken to implement the recommendations of the research. In this paper, I highlight some of the barriers that are particular to BAME communities accessing services, which could be relevant to a mediation service that seeks to break down barriers to its services. The research and its findings are also described below, as well as the steps taken to implement the findings. One key point which emerged is the importance of mediation services/practices being rooted in intersectionality. But first, below I provide some context and background to CMSS and mediation service.

Youth Homelessness and Cyrenians Mediation and Support Service (CMSS) Edinburgh Cyrenians Trust was formed in 1968 to address the causes and consequences of homelessness in Scotland's capital city. Today, CMSS operates throughout Scotland using a combination of mediation, whole family support, and conflict resolution

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workshops. The aim has been and is to prevent relationship breakdown which is a leading cause of youth homelessness in Scotland. In 2019, Cyrenians working collaboratively with the Rock Trust, a youth homelessness charity, set up the Early Intervention Partnership (EIP) in Edinburgh. The project ended in March 2023.

In 2020/2021, the total number of young people assessed as being homeless standing at 6,643 (Scottish Government, 2022). Of those young people who presented as homeless in 2020/21, 64% cited relationship breakdown with their family as the main reason they were asked to leave their home (Scottish Centre for Conflict Resolution, 2022). When young people are asked to leave home, this is often after months and years of difficulties in the relationships, by which time disagreements and arguments may have become entrenched. The breakdown of relationship is in itself a traumatic experience for young people.

BAME communities and access related barriers to mediation support services

To date there is only one significant research into BAME communities in Scotland and their access to mediation services, in the context of separation and child contact arrangements (Pankaj, 2000). Looking more broadly, a study by Memnon et al into BAME communities and barriers for accessing mental health services found two broad inter-related themes, which were: (i) personal and

environmental, and (ii) the relationship between service user and service provider (Memnon et al, 2016, 3). Personal and environmental factors that influenced access to services included foremost a recognition that there is a problem, social networks, gender differences, cultural identity and stigma. When considering relationship dynamics between service user and service provider, factors that negatively impacted access to services included cultural

naivety on the part of the provider, insensitivity and discrimination, and linguistic challenges.

A strong network of extended family relations and community, which characterises many BAME families, has been found to provide a more 'natural' space to discuss problems, lessening the need to seek out any professional 'external' support (Memnon et al, 2016). This factor could hold true for BAME families, to rely on close and extended family for resolving family conflicts rather

than searching for external professional assistance.

It is also more inhibiting for BAME families to access mediation where conflicts are related to protection of family honour. The concept of honour is not necessarily present in all BAME communities, but the notion of honour, or otherwise known as 'izzat' or 'namus' is important within specific BAME communities.



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The ability to deal with conflict is a key skill in the modern workplace. The UK's leading postgraduate programme in Mediation and Conflict Resolution at Strathclyde Law School provides a thorough, practical and exciting introduction to this developing area. Our alumni are working as freelance mediators and in law firms, public sector bodies, NGOs and mediation organisations, in Scotland and overseas.

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Honour codes define and distinguish appropriate behavior from inappropriate, particularly for women and girls, within the community. The family’s honour is maintained when the family is seen to have a ‘positive image’ in the eyes of others within the community. In the context of mental health services, Gilbert and Sanghera (2004) found that ‘reflected shame and loss of izzat’ was a key reason for South Asian women not accessing mental health services. It is conceivable that BAME young people may be reluctant to disclose what is going on at home to any professional-outsider, for fear of repercussions from their parents and community finding out. Young people may be equally hesitant to disclose difficulties at home to protect their parents, as they may fear external agencies, such as social work, becoming involved and enforcing drastic measures.

To surmise, there is a gap in our understanding of how restrictive attitudes are to accessing external mediation support when there are difficulties between parents and their teenage children from BAME communities in general, and in particular when this relates to protection of family honour, and how these impact on the experience of homelessness among BAME young people.

The research

The project had a tight time limit of six weeks. The aims were: a) to find out whether there was a significant lack of referrals to CMSS from BAME families and, b) how

mediation can be more accessible to those from BAME communities? BAME was defined to include those from Caribbean, African, Asian and Arab backgrounds.

To answer the first question, cases recorded on Cyrenians’ secure case management system, Lamplight, between 2018 and June 2021 were looked at for information on ethnicity. From the total number of cases referred, the number of cases from families with at least one parent who is from a BAME background were identified and compared with the total BAME population in the City of Edinburgh (the ‘city’) for the said period. Additionally, as a majority of referrals were through schools, the project wanted to find out whether referrals for BAME families were comparable the number of BAME students in High Schools in Edinburgh.

The service was keen to listen to professionals working with BAME communities about their perception of the mediation service, as well as what they would look for in a mediation service. For this ‘Mentimeter’ (<https://www.mentimeter.com/>) was used to

survey on two specific questions: 1) ‘Having read about our service (publicity material), would you contact us if you were having any difficulties in your family relationship? Please explain why’; and (2) ‘What would you look for in a mediation and support service?’

Table 5 : Main Ethnic Groups 2001 – 2011, City of Edinburgh

	2011	% of Total	2001	% of Total
White				
Scottish	334,987	70.2 %	354,053	78.9 %
Other British	56,132	11.7 %	51,407	11.4 %
Irish	8,603	1.8 %	6,470	1.4 %
Other White	37,445	7.9 %	18,439	4.1 %
Total White	437,167	91.7 %	430,369	95.9 %
Non white				
Asian	26,264	5.5 %	11,600	2.5 %
African	4,474	0.9 %	1,285	0.2 %
Caribbean / Black	1,031	0.2 %	292(*)	< 0.1 %
Mixed / Multiple	4,087	0.8 %	2,776(**)	0.6 %
Other non-White	3,603	0.8 %	2,302	0.5 %
Total Non White	39,459	8.2 %	18,255	4.0 %
TOTAL	476,626	100.0 %	448,624	100.0 %

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Thirteen anonymised responses were received. While waiting for survey responses, two semi structured phone interviews were completed with professionals from BAME backgrounds, working for grassroots BAME organisations in the city. Both were women, with families.



Results

Out of the 184 cases examined against Lamplight, only 30 of these cases had an ethnicity recorded. Of those 30 cases, only three (3) were recorded as Pakistani, African, and Chinese. All other cases where ethnicity was recorded were White British, Scottish, or Irish.

There was limited data on the ethnic make-up of Edinburgh that is publicly

available. The only report is from the 2011 Census, published by the City of Edinburgh Council in November 2013 (Table to right).

As of Sept 2021, there were 306,811 pupils in state funded high schools in all of Scotland. Of these, 8% were from BAME backgrounds. For the City, in Sept 2021, there were 21,740 pupils in state funded high schools. Of these 18% were from BAME background (BAME in this context was defined more widely to include Mixed, Asian - Indian, Asian - Pakistani, Asian - Bangladeshi, Asian - Chinese, Asian - Other, Caribbean/Black, African, Arab, Other) (Scottish Government, 2023).

In response to the first survey question - whether people would choose to contact the service - nine of the responses were positive about choosing to contact Cyrenians if they were having difficulties within their families. The other four responses were more neutral about whether they would get in touch either due to not being aware of the service as well as wishing to solve the family conflict themselves.

The second survey question on what respondents look for in a mediation service identified the following: i) mediators having an understanding of ethnic minority cultures, ii) mediators with a similar/lived experience of the culture and, iii) a sense that the mediation practice was rooted in intersectionality.

The two telephone interviews produced distinct information, as while one person was familiar with Cyrenians, the other was not. The respondent who was familiar with Cyrenians expressed that they would be confident in referring someone to mediation having read Cyrenians' policies and significantly as they had a professional relationship with

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Cyrenians, and knowing one of its mediators. When asked about any concerns regarding the service, they expressed that it is important for mediators to have enough knowledge about BAME communities. The other respondent had hesitations to recommend the service to families due to not being familiar with Cyrenians and had some questions around the level of cultural awareness and expertise within its services to respond to the nuances in BAME family dynamics.

Discussion

Between 2001 and 2011, Scotland's Asian population doubled, and the African Caribbean and Black population increased more than fourfold (Scottish Government, 2014). For the same period, the City's non-white population also doubled (table above). It is possible to surmise that this trend continued into



the next ten years. However, the BAME population is still relatively small in proportion to the whole population of Scotland. In the 2011 Scottish census only 4% of the people identified as Asian, African, Caribbean or Black, Mixed or Other ethnic groups (Scottish Government, 2021). Nevertheless, as Netto (2006) makes the point: "the small number of individuals from these communities and their relative invisibility does not reduce their entitlement to services" (p 18). The danger, as Netto

highlights is "the adoption of a 'colour blind' approach which assumes that the same services can be made available universally." (17, 2006)

The results confirm initial anecdotal impressions that referrals from BAME population were low to CMSS. Even by the figures in 2011, and with only accounting for the percentage of Asian, Black and Caribbean people living in Edinburgh – which was 6.6%, the project's 3.36% of all cases recorded between 2018 and June 2021 is significantly low.

The interviews indicate that BAME people are not necessarily looking for mediators from the same ethnic background as themselves. More importantly, the service itself needs to be rooted in an intersectional approach. Leslie McCall (2005) defines intersectionality as "the relationships among multiple dimensions and modalities of social relationships and subject formations." Intersectionality means acknowledging that how an individual may experience and respond to a situation including another person, is influenced by the layers of intersecting and intertwined identities and experiences such as ethnicity, gender, socio-economic status, sexuality and disability (Muirhead et al, 2020). An intersectional approach prompts the mediator to seek to understand how their clients give meaning to their experience, the power structures (not just between primary parties to the mediation, but secondary parties such as members of extended family) and inequalities, and consequences for the individuals involved in the mediation process.

Prior to the study, there had not been any outreach specifically directed at the BAME communities. However, in the months following the study, the manager

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for CMSS attended the team meetings of two BAME grassroots organisations to introduce the mediation service and has become actively involved in a BAME Working Group. The project also revised its publicity information, primarily the web content, to reflect greater inclusivity.

Future directions

For some BAME families the so-called notion of honour and reflected shame will create an additional and potentially insurmountable barrier to accessing outsider support. This specific issue was beyond the scope of the research, but when mediation and whole family support is available further upstream, this could help prevent honour related conflicts from escalating into honour related abuse, and reducing the risks to young people's lives. Mediators and mediation services also need to develop

strategies for working to an intersectional framework.

References

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- Muirhead, V., Milner, A., Freeman, R., Doughty, J., MacDonald, M (2020), 'What is intersectionality and why is it

Scottish Mediation Board Chair

Mediation is in the news more than ever and yet as a profession we have a long way to go to become fully embedded in Scottish society.

Scottish Mediation has seen great steps forward over the last number of years and in our new strategy we're clear on how we'd like to move forward.

We're seeking a new Chair to help us in that endeavour and if you're interested, we'd love to hear from you.

For further details click [here](#).

For a full role description click [here](#).



Peer Mediation Update

Mallory Hybl

Peer mediation has been buzzing over this past year! In a world where conflict is so often viewed as something that is inevitably violent, our peer mediators constantly show us that conflict can be a space for positive change if handled with mediation tools and communication skills that enable us to act in more collaborative, less violent ways.

And lucky for us, these peer mediators now exist all across Scotland! Since October 2021 we have been working very closely with Our Minds Matter Fife in order to implement peer mediation training across every primary and high school in Fife. In January 2023, we finished the initial phase of this project by wrapping up our training in all the primary schools within Fife- training over 430 students from 103 schools. It was such a gift to be able to work at the primary schools and to see peer mediation offered on this scale- an unprecedented achievement in terms of peer mediation in Scotland. If you want to read a bit more about the incredible outcomes of these trainings, take a peek at the reports below!

But, we didn't stop there! Continuing to collaborate closely with Our Minds Matter, we have now been working since October 2023 to train young people to be peer mediators across all 18 high schools in Fife by December 2024! Having already trained young people at five different high schools, we are well on our way to ensuring that both primary and high school students in Fife have the conflict resolution skills needed in order to better relationships, confidently manage conflict using the stages of mediation, increase their own empathy, emotional intelligence, and ability to understand conflict resolution.

We are so grateful to be able to spend so much time in Fife, and have also expanded our peer mediation reach even further! Funded in part through a grant from the

Gannochy Trust, we have been fortunate to train young people at Kinross High, along with primary students from 5 primary schools around Crieff and Kinross. In this next year, we will continue to expand into more high schools and primary schools around Perth and Kinross.

But that's not all! Whispers of peer mediation seem to be traveling far and wide, with requests for training spreading from Glasgow and West Lothian to Angus and Aberdeen, so we've hopped in our car or on the train and taken training to wherever we have been called!

Everywhere we go, we are always so inspired by the young people that we get to train alongside. The skills that they have, and the way they are enhanced when they



become peer mediators, give us real hope for a future in which conflict is handled with empathy, understanding, and compassion. A way of conflict management that allows for regenerative, rather than punitive ways of being in relationship with one another.

If you are interested in having peer mediation delivered in your schools, please reach out to us! We'd love to connect and see how we can best support.

In the meantime, thanks for reading and happy mediating!

Enter the Learning Zone

Last month Cyrenians Scottish Centre for Conflict Resolution launched a new section of their website, The Learning Zone.

Incorporating and expanding on previous SCCR psychoeducational resources, The Learning Zone tells the story of how our brains interpret the world around us and how this impacts bodies, emotions and behaviours. If we can understand and recognise emotions in ourselves and others we can develop skills to help process difficult emotions, regulate our

called Emotions and the Brain. The workbook and school pack can also be downloaded from The Learning Zone and covers a range of topics over four lessons: My Brain, My Emotions, My Coping Skills and Our Relationships. A person who works through the book, pack or webpages will gain the following knowledge:

1. Understanding Brain Chemistry and Development:

Through engaging content, users gain insights into the neurological processes underlying emotions and behaviour. By understanding how our brains interpret and respond to stimuli, individuals can develop self-awareness and empathy, key foundations for conflict resolution.

2. Recognizing and Regulating Emotions:

The platform delves into the importance of emotions and offers

practical strategies for recognizing and regulating them. Users learn to differentiate between primary and secondary emotions, empowering them to navigate conflicts with clarity and composure.

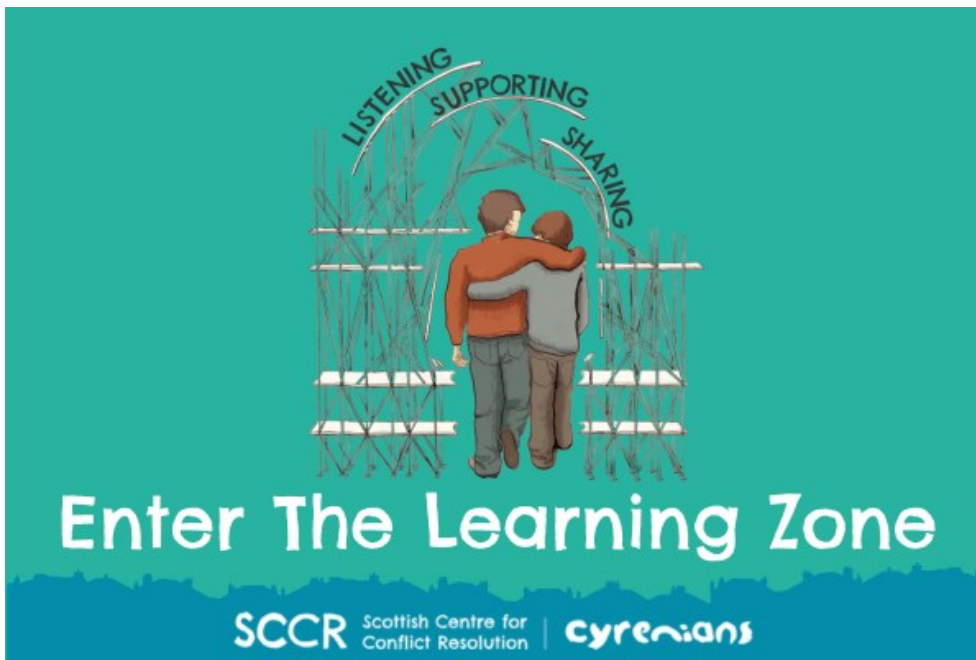
3. Practical Skills for Conflict Resolution:

The Learning Zone equips users with a toolkit of practical skills for effective communication and conflict resolution. From active listening techniques to collaborative problem-solving strategies,

emotions when needed, and improve our relationships with others.

We're living through a period in which the mental health of our young people is suffering. With that in mind, we can see that there is a significant need to widen awareness of mental health and wellbeing within schools to support young people.

These new webpages are based on a new SCCR workbook developed for young people and a school pack for teachers, both of which are



Enter the Learning Zone

individuals gain the confidence and competence to manage conflicts constructively.

website; the section for parents and carers will become available later in 2024.

The launch of The Learning Zone represents a significant milestone in SCCR's mission to reduce familial conflict and prevent youth homelessness in Scotland. By empowering young people and professionals with knowledge, skills, and resources, The Learning Zone paves the way for healthier, more harmonious family relationships.

Currently, the Learning Zone sections for young people and for professionals who work with families are available via the



Online Mediation Skills Course

21, 22, 28, 29, 30 August, 2, 4 September 2024

"This was a really good course and probably one of the best and interactive training courses I have done." (<learner, October 2022 course)

Designed for people who will be using mediation skills in their work, this course has been accredited by Scottish Mediation and is equivalent to SCQF level 6.

Using a hybrid approach of Zoom and in-person delivery, this course consists of 10 modules.

The course provides information on key concepts in mediation and the opportunity to discuss and practice basic skills in a safe, relaxed atmosphere. It covers the whole mediation process from first contact with the service to closing a case. The course is assessed based on activities from day four onwards, culminating in a full role-play of a mediation meeting on the last day of the course.

To book a place or for more information please contact: Robert Lambden at Scottish Community Mediation Centre: e-mail infoscmmc@sacro.org.uk Course Fee is £700 per participant

Counselling Skills for Mediators or "What she needs is a good listening to!"

Rachel Weiss

"He always blanks me in the corridor, that's so rude isn't it?"

What's your gut reaction to this comment, from a mediation participant, or even a colleague? Do you want to
 ask a question: when did this start? Do you greet him?
 reassure her that maybe he's just distracted?
 agree how rude he is?

Active listening is a foundation skills for mediators. Many of us are natural fix-its or reassurers, so active listening doesn't come naturally and takes lots of practice. It means listening to understand the other person's viewpoint and checking our understanding. The COSCA Certificate in Counselling Skills, offered by several providers in Scotland, online or in person, is an excellent way to dive deeper into this skill and practice it live with fellow students.

Recently I completed pre-mediation meetings with several participants. To my surprise two of them wrote warm emails to me, copying in HR, saying how beneficial they had found their

individual meetings, how it had helped clarify their thinking and empowered them. I was flabbergasted: all I had done was listened and reflected back my understanding of what they were saying. I felt I hadn't done much, but for them being actively listened to was unusual and useful.

"This kind of listening requires you to give your complete attention to the other person and what they are saying. It needs your own mind to 'shut up' and to keep quiet..This is how a good mediator listens... When people are given this level of attention, say in a conflict situation or a mediation, it serves them by helping them become clearer themselves about what they are saying or their experiences. It may also help them to emotionally or mentally process it in some way – which can put them in a more resourceful place for the mediation itself." (Doherty p44).

Reflecting back what the person has told us, is a cornerstone of active listening. Students sometimes feel awkward, like they are just parroting back, but with practice this flows more easily, especially as you see the results and experience being listened to in this way.

Improve your listening skills

COSCA Certificate in Counselling Skills

Online, SCQF Level 8

£1620 + VAT

from 13th August 2024 Tuesday evenings and some Saturday mornings

or from March 2025 Wednesday evenings only

"If your job or your life in general entails listening or if you have people coming to talk with you about various issues then I would highly recommend this course."

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Community Mediation Benefits and Opportunities

Graham Boyack

It was a pleasure for me to Chair a meeting of the Scottish Community Mediation Network last week. With local authorities represented from across the whole of Scotland I'm always fascinated to find out what's happening and to understand how people are taking on the challenges facing them.

It was also interesting to be able to compare notes on what's happening in England and Wales having recently attended the equivalent meeting held by the Civil Mediation Council (CMC).

In last week's meeting there was, not surprisingly, a common theme of budget challenges and how services are adapting to greater need at the same time. Indeed a number of services were undergoing periods of review. In Shetland there's a new initiative using mediators to build community resilience using conflict coaching to help people better navigate that day-to-day community issues that can often end up being toxic. In the busiest services there was a common theme of close working with the police and other statutory services resulting in significant number of cases being referred. The other common theme was that constant promotion of the service to potential referrers was an essential part of life.

Another feature of what people spoke about was the difficulty of persuading people to mediate when reluctant to do so. Quite a number will engage with one party and through that help them to consider how best to move forward. Often in doing that it gives people confidence to engage with the other party.

It struck me that there were a number of parallels with the situation in England and Wales. At the end of 2023 Mediation Hertfordshire revisited their work from 2021 called the Cost of Community Conflict. It was a welcome update on a piece of work that provided great insight into community conflict and the ways in which mediation can help.

One of the quotes that stood out for me was the quote at the beginning of the document it stated

"Conflict exacts a cost on every community, a fact understood by all but rarely explored."

Chris Mills the Chair of Mediation Hertfordshire further commented that

"In areas such as health, housing, education and policing there are bills to be paid, and while conflict is not the only reason for damage to the social fabric, it unquestionably plays a role."

One of the big findings was that the cost of conflict for a range of services from health to education and community safety. They

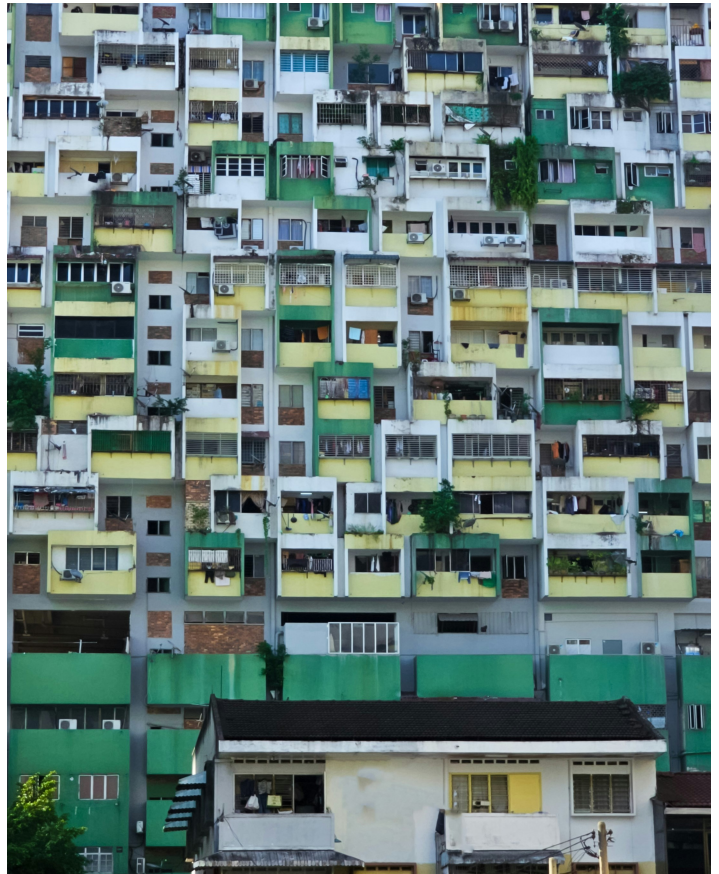


Photo by [KC Shum](#) on [Unsplash](#)

concluded that mediators can play a role in listening and understanding and then connecting people to appropriate services.

Using an economic model to understand the cost of conflict, reference was also made to the extent to which GP and healthcare services were seeing cases presenting which were about conflict and social issues rather than straight forward health ones. The report found that whilst there is some social prescribing happening such services are not widely available and also not often known about. With

Community Mediation Benefits and Opportunities

And

Scottish Mediation News

Graham Boyack

the constraint GP's face simply prescribing medicine in such cases is at best a sticking plaster approach with one doctor going further describing the situation as pathologising issues when they don't need to be. Where conflicts coaching is socially prescribed mediation services are in a good position to be aware of complimentary services and advise about access.

Homelessness was an area where services on across the UK are making positive interventions. Relationship breakdown is often a factor behind homelessness. In addition to local authority efforts to use mediation to prevent homelessness we were reminded of the work carried out by Cyrenians in this area. Their work tackling young people homelessness and the centrality of mediation to their approach has been very successful.

The Hertfordshire report also outlined that In education one of the ways of demonstrating the costs of conflict is by simply looking at the amount of time teacher spend dealing with the outcomes at the beginning of classes which then eats into the time spent educating pupils. This tallies with the work done in Scotland by Scottish Mediation where training school student s as mediators and getting them to resolve their own conflicts can free up time at the beginning of lessons.

In communities the impact of conflict, even such as low level anti-social behaviour and its impact on peoples feeling of safety was noted. 82.3 % of those surveyed said that feeling safe was the most important factor in their wellbeing. In Scotland one of the biggest sources of referral to community mediation is via engagement and the sharing of information with the Scottish Police Service. Whilst many cases are defined as anti-social behaviour, they are often best resolved via mediation which helps to prevent future issues.

As I often find attending such meeting there is excellent work taking place, much of it out of the public eye, which should be celebrated and the outcomes discussed more widely. In Scotland and indeed across the rest of the UK a more consistent investment in community mediation and the use of the approaches outlined in the Hertfordshire Report would bring

significant benefits to communities and the services designed to support them.

To read the Hertfordshire report click [here](#).

Welcome to Scottish Mediation

Scottish Mediation are delighted to welcome Stuart Kelly, Allan Watson, Oyinkro Olobio, and Lorna Kelly who join as practitioner members.

Robert Jones, Grant King, Elaine Lee, Kate Lacka, Janice Thompson, Fergus Whyte, Alison Craig, and Denize Francisco join as individual members.

Whether you are an organisation, a practitioner of mediation or someone interested in finding out more we have a range of memberships available which can be viewed [here](#).

Mediation Provision Expanded

Earlier this year, the provision of mediation in Scotland's Sheriff Courts was expanded. Now services provided by the University of Strathclyde Mediation Clinic and Edinburgh Citizens Advice now provide access to mediation for people involved in Simple Procedure Cases.

The service, supported by the Scottish Government gives access to mediation free of charge and the uptake of the service is growing and helping to allow people to resolve their disputes efficiently and reducing the pressure on the court service.

Workplace Employment Group

Our next Workplace and Employment Initiative Group (WEIG) meeting will be on Wednesday 26th June 2024, from 1400 – 1600, and will now be a hybrid event, which means you can attend in person or online via Zoom. Those attending in person will come to the Scottish Mediation office at 18 York Place, Edinburgh, EH1 3EP. This event is free of charge and for Scottish Mediation members only.

Agenda:

1400: Group business session:

- 1) SM Chair / Director - short updates
- 2) Updates and check in from Group
- 3) Minutes (4.3.24) & programme & Update on next WEIG meeting(s)

1430: Break

1445: Speakers:

Alun Thomas and Sarah Ross - Approaches to managing imbalances between the parties in mediation, e.g. in representation.

All Members of SM are welcome to join us.

Zoom link will be sent out nearer the time.

To book this meeting please click [HERE](#)