
INFORMATION NOTE

Accreditation System of Family Mediators in Selected Overseas Jurisdictions

1. Introduction

1.1 This information note introduces the accreditation system of family mediators in Canada, England and Wales, Australia and Singapore.¹ It presents information on the requirements for accredited family mediators, the procedures for accreditation and appointment of family mediators as well as the accrediting bodies of each jurisdiction. The Appendix summarizes the accreditation system of family mediators in the selected overseas jurisdictions and the Hong Kong Special Administrative Region.

2. Canada

Accrediting body

2.1 Family Mediation Canada (FMC) is the national accrediting body to accredit family mediators in Canada. FMC accredits three categories of family mediators, i.e. Certified Family Relations Mediators, Certified Financial Family Mediators and Certified Comprehensive Family Mediators.²

Requirements for accreditation

2.2 Although there is no requirement on educational qualification, there are minimum training and practicum requirements to be accredited as a FMC certified family mediator.

¹ The accreditation system of family mediators in France is not included in this paper because of the insufficiency of materials in English. *The Recommendation No. R(98)1 on Family Mediation* adopted by the Council of Europe in 1998 encourages Member States to promote family mediation. Nevertheless, there is no accreditation system of family mediators at the European Union level. As such, European Union is not included in this paper.

² FMC Certified Family Relations Mediators limit their mediation practice to child, family relationship and child support issues. FMC Certified Financial Family Mediators limit their mediation practice to helping people resolve family conflicts about the entitlement, ownership, division or control of finance, properties, inheritance, businesses, corporations, trusts or debts. FMC Certified Comprehensive Family Mediators include in their family mediation practice mediation of child, family relationship, financial and property issues.

2.3 The minimum training requirements for accreditation as specific categories of family mediators are listed in the following table.

Table 1 - Minimum training requirements for accreditation as specific categories of family mediators

	FMC Certified Family Relations Mediator	FMC Certified Financial Family Mediator	FMC Certified Comprehensive Family Mediator
Basic conflict resolution and mediation theory education, and mediation-related skills training	At least 80 hours		At least 150 hours
Family dynamics of separation and divorce	At least 35 hours	At least 14 hours	At least 35 hours
Family and child law	At least 14 hours	--	--
Child support law	--	At least 7 hours	--
Child law: custody, access, guardianship, support, child protection and abduction law	--	--	At least 21 hours
Power imbalance and the dynamics and effects of family abuse on family members	At least 21 hours		
Financial issues relating to separation, divorce and family reorganization	At least 7 hours	--	--
Legal and financial issues relating to separation, divorce and family reorganization	--	At least 42 hours	
Ethical issues relating to the mediation process	At least 7 hours		
Drafting memoranda of understanding	At least 7 hours		

Source: FMC (2003).

2.4 In addition to the minimum training requirements, applicants must also meet the practicum requirement for accreditation as a family mediator. Applicants can meet the practicum requirement by one of the following ways:

- (a) a 30-hour supervised practicum which includes 20 hours of client-contact family mediation conducted by an applicant under supervision and 10 hours of consultation with a practicum supervisor³ about the family mediation conducted; or
- (b) if an applicant has been a practising family mediator for at least two years, he or she may submit two positive peer evaluations from referees who have mediation experience and knowledge of the applicant's mediation practices.⁴

Procedure for accreditation

2.5 The FMC procedure for accreditation comprises submission of application, assessment of skills, sitting for examination and notification of result.

2.6 The application for accreditation should include:

- (a) evidence of completion of the appropriate minimum number of hours of mediation training and practicum;
- (b) a curriculum vitae outlining educational and professional qualifications and achievements;
- (c) three letters of reference discussing personal attributes of the applicant; and
- (d) evidence of professional liability insurance coverage worth at least one million Canadian dollars (HK\$4.5 million) aggregate.

2.7 When an applicant meets the application requirements, the skills assessment process begins. The applicant must complete within one year the FMC skills assessment process by submitting a video presentation of a mediation session conducted by him or her as well as a self-reflection exercise on the video completed. An assessor appointed by FMC evaluates whether the mediation skills of the applicant are up to the prescribed standards.

³ Practicum supervisors are experienced family mediators recognized by FMC.

⁴ FMC (2003) p.32.

2.8 When an applicant has successfully passed the skills assessment, he or she is required to attend a written examination which tests his or her understanding of the applicable substantive knowledge on the category of family mediators that he or she is applying for. On passing the examination, the applicant will be notified by FMC that he or she has successfully completed the accreditation process.

Procedure for appointment

2.9 Family mediation is voluntary in Canada. Even in provinces like Ontario and Newfoundland where legislation expressly authorizes the court to appoint a mediator to deal with any matter that the court specifies, the order appointing the mediator must be made at the request of the parties involved.

2.10 FMC requires family mediators to assess the appropriateness of mediation prior to the commencement of the mediation process. Factors that usually go into consideration include:

- (a) the occurrence of abuse and its likely impacts on the mediation;
- (b) the physical, psychological health and welfare of the parties involved;
- (c) imbalances in power or in the negotiating abilities of the parties concerned; and
- (d) the required education, training and experience of the mediator to mediate the dispute.⁵

2.11 When a family mediator decides that family mediation is appropriate, he or she must explain the nature and process of mediation clearly to the relevant parties and prepare an agreement to mediate which should be signed by the parties and the family mediator before the start of mediation. The content of an agreement to mediate may include:

- (a) the confidentiality of mediation and any limitations on such confidentiality;
- (b) the right for the parties in dispute or the mediator to suspend or terminate the process at any time;
- (c) specific procedure and practices, such as when separate sessions may be held and when other persons can be involved in the mediation; and
- (d) the costs of mediation and the methods of paying these costs.⁶

⁵ FMC (2003) p.14.

⁶ Ibid. p.5.

3. England and Wales

Accrediting bodies

3.1 The UK College of Family Mediators (College) and the Law Society of England and Wales (Law Society) accredit family mediators in England and Wales. Their status is recognized by the Legal Services Commission⁷ (LSC) because LSC requires that family mediators who engage in publicly-funded family mediation should be Full Members of the College or Practitioner Members of the Family Mediation Panel of the Law Society.⁸

Requirements for accreditation by the UK College of Family Mediators

3.2 There are two ways of obtaining full membership of the College - the "panel assessment route" and the "competence assessment route". Although there is no requirement on educational qualification, applicants must have successfully completed a foundation training course to meet the requirement for accreditation through the "panel assessment route".

3.3 Under the "panel assessment route", approved providers of the foundation training course have to abide by the College's guidelines on the selection of trainees, the curriculum and teaching methods of the course. Two of the major guidelines are:

- (a) the selectors should be Full Members of the College and the basic criteria for selecting trainees should be based on their relevant qualifications and experience and aptitude for mediation (personal qualities, interpersonal skills, intellectual capacity and professional ethical behaviour)⁹; and
- (b) the core content of the foundation training course must cover the principles and values, knowledge and skills of family mediation¹⁰, and include or be followed by a minimum of 10 hours of mediation practice under the supervision of a Professional Practice Consultant¹¹ (PPC).

⁷ LSC is an executive non-departmental public body created under the *Access to Justice Act 1999* to replace the Legal Aid Board. It is responsible for the development and administration of civil and criminal legal aid schemes in England and Wales.

⁸ LSC (2002) p.70.

⁹ The College (2003) p.3.

¹⁰ The curriculum on principles and values covers 13 topics, such as focus on needs of children and no compulsion. The curriculum on knowledge covers 24 topics, such as mediation theory and current legislation concerning families, family breakdown and financial support following separation and divorce, and court process. The curriculum on skills covers 17 topics, such as managing conflict and power balancing.

¹¹ Professional Practice Consultants are experienced family mediators on the PPC register of the College.

3.4 The other route is the "competence assessment route" which requires an applicant to present to the College a detailed portfolio for assessing his or her competence in All Issues Mediation, Child Only Mediation or Property and Finance Only Mediation.

Procedure for accreditation by the UK College of Family Mediators

3.5 Under the "panel assessment route", approved providers of the foundation training course are authorized by the College to set up their own assessment panel and conduct assessment on their trainees according to the College's guidelines. After trainees have successfully completed a foundation training course and passed the assessment, the assessment panels of these approved providers will recommend them to the College for Full membership. This completes the accreditation process.

3.6 For the applicants of the "competence assessment route", the procedure for accreditation involves preparation and submission of portfolio, assessment of portfolio and notification of result.

3.7 Under the "competence assessment route", an applicant prepares a portfolio with the help of a PPC assigned by the College. The portfolio, according to the guidelines, specification and template set by the College, should consist of three sections.

3.8 Section one requires the applicant to provide information about his or her relevant training and experience in family mediation and records of meetings with the PPC. In addition, a witness testimony written by the PPC on whether or not the applicant is judged to be competent should be included in this section.

3.9 Section two requires the applicant to provide a minimum of five case commentaries and personal element reports. In each case commentary, the applicant describes the disputes under mediation, the parties involved, the way in which he or she dealt with issues raised in the mediation sessions and how he or she feels about the case. In the personal element reports, the applicant has to refer to practical examples of his or her own mediation experience that all of the 11 family mediation standards¹² are met.

¹² The family mediation standards are classified according to various parts of the mediation process:

Unit 1 Prepare and set up mediation

Element 1 Establish the appropriateness of the mediation process with each of the parties in dispute

Element 2 Agree the conditions and boundaries of the mediation with the parties concerned

Unit 2 Stage the mediation process

Element 3 Establish the issues for each of the parties involved

Element 4 Explore concerns with the parties concerned

Element 5 Assist in the identification and evaluation of potential options

Element 6 Build and secure agreements between the relevant parties

Unit 3 Manage the process of mediation

Element 7 Facilitate exchanges between the parties concerned

Element 8 Manage conflict and address power imbalances

Unit 4 Evaluate and develop own work

Element 9 Evaluate own practice

Element 10 Ensure continuing professional development

Element 11 Operate within an agreed ethical code of practice

3.10 Section three requires the applicant to provide evidences such as anonymized photocopies of file documents that mediation of the chosen cases have actually taken place.

3.11 The completed portfolio is submitted to the College for assessment. Based on the portfolio, an assessor appointed by the College determines the competence of the applicant as a family mediator. When the assessor has reached a decision, he or she forwards the portfolio to the College's internal verifier, who ensures that the assessment has been properly conducted. Finally, the College notifies the applicant the result of the competence assessment. This completes the accreditation process.

Requirements for accreditation by the Law Society of England and Wales

3.12 There are three ways of obtaining Practitioner Membership of the Family Mediation Panel of the Law Society. Although the eligibility requirement for these three routes is the same, the training and experience requirement is different. The following table summarizes the requirements for accreditation by the Law Society.

Table 2 - Requirements for Practitioner Membership of the Family Mediation Panel of the Law Society

	Passported route	Development route	Direct route
Eligibility requirement	<ul style="list-style-type: none"> Practising solicitors who have been admitted to the roll of the Law Society for at least three years; or Fellows of the Institute of Legal Executives (ILEX) employed by a solicitor for at least three years and have passed relevant ILEX family law and practice examination. 		
Assessment	<ul style="list-style-type: none"> Successfully completed LSC family mediation competence assessment.¹³ 		--
Mediation practice	--	<ul style="list-style-type: none"> At least 90 hours, including <ol style="list-style-type: none"> a minimum of five mediations totaling at least 25 hours; continuing professional development activities in mediation of at least 11 hours; supervision by a family mediation consultant for at least 11 hours; and other activities such as writing articles. 	
Mediation training	--	<ul style="list-style-type: none"> Successfully completed a foundation training course which complies with the Law Society's family mediation training standards.¹⁴ 	

Source: The Law Society (2003).

¹³ LSC used to organize family mediator competence assessment.

¹⁴ The Law Society's family mediation training standards are divided into the following elements:

Component 1 Before mediation

- Element 1 Understanding the Law Society's *Code of Practice for Family Mediators*
- Element 2 Engaging the parties concerned in the mediation forum
- Element 3 Obtaining commitment and agreeing mediation rules
- Element 4 Preliminary communication and preparation

Component 2 During the substantive mediation

- Element 5 Establishing the venue and meeting the relevant parties
- Element 6 Establishing the issues and setting the agenda
- Element 7 Information gathering
- Element 8 Managing and facilitating discussions and negotiations
- Element 9 Employing impasse strategies

Component 3 The end of mediation and afterwards

- Element 10 Concluding mediation and recording the outcome
- Element 11 Post-termination

Procedure for accreditation by the Law Society of England and Wales

3.13 The procedure for accreditation through the "passport route" is simpler than the other two routes. Applicants of this route provide the Law Society with information about their personal background, family mediation training, LSC competence assessment, references, fitness and propriety as well as other supporting documents. Applicants will be notified by the Law Society of the result.

3.14 The procedure for accreditation through the "development route" and "direct route" starts with the submission of application. In addition to providing the information mentioned in paragraph 3.13 (except LSC competence assessment report), applicants of these two routes have to provide the Law Society with:

- (a) mediation practices and/or mediation training information as stated in Table 2; and
- (b) family mediation competence information by analyzing a case provided by the Law Society.

3.15 Assessors appointed by the Law Society assess applications and make recommendation to the Law Society on whether applicants should be granted Practitioner Membership of the Family Mediation Panel of the Law Society. The Law Society then notifies each applicant of his or her result. The Chief Assessor of the Law Society has the responsibility of ensuring that assessors carry out their duties in accordance with the Law Society procedures and policy.

Procedure for appointment

3.16 Either a court or any agency may refer the parties in dispute to receive family mediation. The parties concerned may apply for legally-aided family mediation or seek private family mediation on their own means.

3.17 The College's *Code of Practice* requires family mediators to explain to the relevant parties about the nature and process of mediation, supply them with written information covering the main points of the *Code of Practice* and allow them to ask questions. In addition, family mediators are required to have a written agreement with the parties involved on terms upon which mediation is to be undertaken such as fees to be charged and anticipated length of mediation.

3.18 The Law Society's *Code of Practice for Family Mediation*, in the similar vein, requires family mediators to have a written agreement with the relevant parties on terms and conditions upon which mediation is to be undertaken, such as nature and process of mediation and remuneration of the mediator.

4. Australia

Accrediting body

4.1 At present, there is no accrediting body for family mediators in Australia¹⁵. Nevertheless, the National Alternative Dispute Resolution Advisory Council (NADRAC)¹⁶ is considering the establishment of a national accreditation system of mediators¹⁷. In any event, legal requirements for an eligible person to become a family mediator are stipulated in the *Family Law Regulations 1984*.

Requirements for family mediators

4.2 In Australia, a person must possess specified qualification, training and experience in order to meet the legal requirements for family mediators.

4.3 The required educational qualification for family mediators is a degree in law or a social science discipline, e.g. psychology or social work. Alternatively, a person who has at least one year of full time study in either mediation or dispute resolution also meets the educational requirement for family mediators.

4.4 In addition to the requirement on educational qualification, a person must have completed at least five days of training in mediation, including at least one training course of at least three days. Furthermore, the person must have engaged in at least 10 hours of supervised mediation in the 12 months immediately following completion of that training.¹⁸

Procedure for accreditation

4.5 In the absence of an accrediting body, there is no specified procedure for accrediting family mediators.

¹⁵ Family mediators in Australia are known as family and child mediators. Family and child mediators are divided into three categories: court mediators being judicial officers working with courts, community mediators being family mediators working with mediation organizations approved by the Australian government and private mediators.

¹⁶ NADRAC is an independent body which provides advice on alternative dispute resolution to the Australian Government Attorney-General Department. According to NADRAC, "[a]lternative dispute resolution is an umbrella term for processes, other than judicial determination, in which an impartial person assists those in a dispute to resolve the issues between them."

¹⁷ NADRAC has suggested that the accreditation of family mediators can be:

- (a) one component of the national accreditation system;
- (b) a separate accreditation system; or
- (c) a separate accreditation system sharing common elements with the national accreditation system, for example, recognition of particular classes of practitioners or training courses.

¹⁸ Regulations 59 and 60 of the *Family Law Regulations 1984*.

Procedure for appointment

4.6 Either a court or a person can initiate the appointment of a family mediator. The Family Court or the Federal Magistrates Court with the consent of the parties concerned may refer any or all matters in dispute to a family mediator for mediation. If a court considers that it may help the parties to avoid resolving the dispute in court proceedings, the court may advise the parties to consult a family mediator. A person (usually one of the parties in dispute) may also request family mediation through a Family Court or a Federal Magistrates Court or make a request directly to a family mediator in settling a dispute.¹⁹

4.7 Family mediators must conduct an assessment of the parties in dispute to determine whether mediation is appropriate. In conducting the assessment, a family mediator must consider the ability of the parties concerned to negotiate freely in the dispute. His or her decision is affected by some or all of the following factors:

- (a) a history of family violence, if any;
- (b) the likely safety of the parties involved;
- (c) the equality of bargaining power among the parties in dispute, e.g. whether a party is economically or linguistically disadvantaged in comparison with another party;
- (d) the risk that a child may suffer abuse; and
- (e) the emotional, psychological and physical health of the parties involved.²⁰

4.8 If a family mediator decides that mediation is appropriate for the parties in dispute, he or she can proceed with the mediation process. According to the *Family Law Regulations 1984*, each party to the mediation must be given a written statement at least one day before the mediation exercise commences. Each party must certify on a copy of the statement that he or she has received the statement.

¹⁹ Sections 19A, 19AA, 19AAA, 19B, 19BA and 19BAA of the *Family Law Act 1975*.

²⁰ Regulation 62 of the *Family Law Regulations 1984*.

4.9 The statement sets out a list of information regarding the nature of family mediation and role of family mediator:

- (a) The process of family mediation is one by which a family mediator assists the parties involved to:
 - (i) isolate issues in the dispute;
 - (ii) develop and consider options to resolve those issues;
 - (iii) if appropriate — attempt to agree to one or more of those options; and
 - (iv) if a child is affected — attempt to agree to options that are in the best interests of the child.
- (b) Participation in family mediation is voluntary as:
 - (i) family mediation is not compulsory in order to commence the proceedings in the Family Court;
 - (ii) a party has the right to obtain legal advice at any stage in the family mediation process; and
 - (iii) a party has the right to terminate the family mediation at any time.
- (c) A family mediator has to:
 - (i) inform the parties in dispute about his or her qualification to be a family mediator;
 - (ii) inform the parties concerned about the fees charged in respect of the family mediation;
 - (iii) facilitate discussion between the parties in relation to the dispute; and
 - (iv) observe the principle of confidentiality.²¹

²¹ Regulation 63 of the *Family Law Regulations 1984*.

5. Singapore

Accrediting body

5.1 There is no accrediting body for family mediators in Singapore as family mediation is carried out by qualified professionals in the fields of law, psychology and social work.

5.2 Family mediation and counselling service is provided free of charge by the Family and Juvenile Justice Centre²² of the Subordinate Courts of Singapore²³. As a court-based service, judges serve as court mediators to mediate family disputes, in particular disputes arising from the breakdown of a marriage. In addition, qualified counsellors, lawyers, and social workers who are experienced in handling family matters are enlisted by the Family Court to conduct mediation and counselling.

Requirements for accreditation

5.3 There is no specified requirement for accreditation of family mediators. Nevertheless, as aforementioned, qualified lawyers, counsellors and social workers are regarded as competent in conducting family mediation.

Procedure for accreditation

5.4 In the absence of an accrediting body, there is no specified procedure for accrediting family mediators.

Procedure for appointment

5.5 The Family Court integrates mediation and counselling services into the court process of all family cases. When a divorce petition is filed, a Status Conference may be held to monitor the progress of the case. During a Status Conference, the parties involved may request or be advised to seek counselling or mediation to save the marriage or resolve disputes on the particulars set out in the petition.

²² The Family and Juvenile Justice Centre provides a host of programmes and services to assist the Family Court in making decisions, as well as to help families and individuals resolve their conflicts before, during and after the court process.

²³ The Subordinate Courts are constituted by the *Subordinate Courts Act*, and comprise the District Courts, the Magistrates' Courts, the Coroners' Court, the Juvenile Court and the Small Claims Tribunals. Certain District Courts and Magistrates' Courts are designated as specialized courts such as the Family Court.

5.6 Divorce petitions which have been set down for hearing, but where the decree nisi²⁴ has not been granted will be fixed on a date for a Pre-Trial Conference (PTC). One of the purposes of PTC is to ascertain which issue of the divorce is in dispute and to consider the possibility of settlement. In this connection, the parties involved may request or be referred to mediation service to resolve their dispute.

5.7 Divorce cases where a decree nisi has already been granted will be fixed on a date for an ancillary matters pre-trial conference (APTC). One of the purposes of APTC is to identify which of the ancillary matters (custody of children, maintenance for wife or children, division of matrimonial property or recovery of legal costs) are contested and to consider the possibility of settlement. In this connection, the parties involved may request or be referred to mediation service to resolve their dispute.

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²⁴ A decree nisi is an order made by a court, which states that a divorce must take place at a certain time in the future unless a good reason is produced to prevent its occurrence.

Appendix

Accreditation system of family mediators in selected overseas jurisdictions and Hong Kong

	Canada	England and Wales		Australia	Singapore	Hong Kong
Accrediting bodies	<ul style="list-style-type: none"> Family Mediation Canada 	<ul style="list-style-type: none"> UK College of Family Mediators 	<ul style="list-style-type: none"> Law Society of England and Wales 	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Hong Kong International Arbitration Centre
Requirements for accreditation	<ul style="list-style-type: none"> No requirement on educational qualification A minimum of 180 or 230 hours of mediation-related training 30 hours of practicum or two positive peer evaluations from referees 	<ul style="list-style-type: none"> "Panel assessment route" <ul style="list-style-type: none"> (a) No requirement on educational qualification (b) Completion of an approved foundation training course (c) 10 hours of mediation practice "Competence assessment route" <ul style="list-style-type: none"> (a) A portfolio to prove an applicant's competence in family mediation 	<ul style="list-style-type: none"> "Passported route" <ul style="list-style-type: none"> (a) Practising solicitors or Fellows of the Institute of Legal Executives (b) Completion of Legal Services Commission family mediation competence assessment "Development route" <ul style="list-style-type: none"> (a) Practising solicitors or Fellows of the Institute of Legal Executives (b) At least 90 hours of mediation practice "Direct route" <ul style="list-style-type: none"> (a) Practising solicitors or Fellows of the Institute of Legal Executives (b) At least 90 hours of mediation practice (c) Completion of a foundation training course 	<ul style="list-style-type: none"> <i>Family Law Regulations 1984</i> stipulate requirements for family mediators A degree in law or a social science discipline or completion of a course on mediation or dispute resolution Completion of five days of training in mediation and 10 hours of supervised mediation 	<ul style="list-style-type: none"> Qualified lawyers, counsellors and social workers are regarded as competent in conducting family mediation 	<ul style="list-style-type: none"> A degree in social work, psychology or law or a post graduate qualification in counselling/psychiatry or law Three years of working experience in the fields of family law or family welfare or counselling or satisfactory and relevant experience in either mediation or the fields of family law or family welfare/counselling Completion of two family mediation training courses, one at a basic level while the other at an advanced level Completion of a minimum of two live family mediation cases under the supervision of a supervisor and receiving supervision afterwards
Procedure for accreditation	<ul style="list-style-type: none"> Submission of application Assessment of skills Sitting for examination Notification of result 	<ul style="list-style-type: none"> "Panel assessment route" <ul style="list-style-type: none"> (a) Recommended by the assessment panel of an approved institution "Competence assessment route" <ul style="list-style-type: none"> (a) Preparation and submission of portfolio (b) Assessment of portfolio (c) Notification of result 	<ul style="list-style-type: none"> "Passported route" <ul style="list-style-type: none"> (a) Submission of application (b) Notification of result "Development route" and "Direct route" <ul style="list-style-type: none"> (a) Submission of application (b) Assessment of application (c) Notification of result 	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Submission of application May be required to take part in an accreditation assessment including a personal interview and a possible simulation Notification of result
Procedure for appointment	<ul style="list-style-type: none"> Requested by one or both of the parties in dispute Assessed by the family mediator of the appropriateness of mediation Written agreement between the parties involved and the family mediator 	<ul style="list-style-type: none"> Referred by court or agency; or requested by one or both of the parties in dispute Written agreement between the parties involved and the family mediator 	<ul style="list-style-type: none"> Referred by court or agency; or requested by one or both of the parties in dispute Assessed by the family mediator of the appropriateness of mediation Written agreement between the parties involved and the family mediator 	<ul style="list-style-type: none"> Referred by court or agency; or requested by one or both of the parties in dispute Assessed by the family mediator of the appropriateness of mediation Written agreement between the parties involved and the family mediator 	<ul style="list-style-type: none"> Court-based services provided to the parties of family cases at various stages of the court process 	<ul style="list-style-type: none"> Referred by court or agency; or requested by one or both of the parties in dispute Written agreement between the parties involved and the family mediator

References

Canada

1. Family Mediation Canada. (2003) *Practice, Certification and Training Standards*. Available from: <http://www.fmc.ca/pdf/standardsweb2003.pdf> [Accessed 14 May 2004].
2. Family Mediation Canada. (2004) *Code of Professional Conduct*. Available from: <http://www.fmc.ca/main.asp?p=Common/code.htm> [Accessed 17 May 2004].
3. *Family Mediation Canada*. (2004) Available from: <http://www.fmc.ca> [Accessed in May and June 2004].

England and Wales

1. The Law Society of England and Wales. (2003) *The Law Society Family Mediation Panel: Procedures and conditions for panel membership*. Available from: http://www.lawsoc.org.uk/dcs/pdf/FMP_proceduresv5.pdf [Accessed 3 June 2004].
2. *The Law Society of England and Wales*. (2004) Available from: <http://www.lawsoc.org.uk> [Accessed in June 2004].
3. Legal Services Commission. (2002) *Quality Mark Standard for Mediation*. Available from: http://www.legalservices.gov.uk/qmark/qm_for_mediation%20_check_list.pdf [Accessed 2 June 2004].
4. UK College of Family Mediators. (2003) *Requirements for the registration of mediators*. Available from: <http://www.ukcfm.co.uk/mediator%20reqrmnts%200603.doc> [Accessed 28 May 2004].
5. UK College of Family Mediators. (2004) *Competence assessment for family mediators: portfolio guidelines, specification and template*. Available from: <http://www.ukcfm.co.uk/compassessportfolio0204.doc> [Accessed 28 May 2004].
6. *UK College of Family Mediators*. (2004) Available from: <http://www.ukcfm.co.uk> [Accessed in May and June 2004].

Australia

1. *Australian Government Attorney-General Department*. (2004) Available from: <http://www.ag.gov.au/> [Accessed in May and June 2004].
2. *Family Law Act 1975*. Available from: <http://scaleplus.law.gov.au/html/pasteact/0/229/pdf/FamilyLaw1975.pdf> [Accessed 16 May 2004].
3. *Family Law Regulations 1984*. Available from: <http://scaleplus.law.gov.au/html/pastereg/0/58/pdf/FamilyLaw84.pdf> [Accessed 16 May 2004].
4. National Alternative Dispute Resolution Advisory Council. (2004) *Who says you're a mediator? Towards a national system for accrediting mediators*. Available from: <http://www.nadrac.gov.au> [Accessed 20 May 2004].
5. *National Alternative Dispute Resolution Advisory Council*. (2004) Available from: <http://www.nadrac.gov.au> [Accessed in May and June 2004].

Singapore

1. Family and Juvenile Justice Centre. (n.d.) *Mediation and you: 10 frequently asked questions*. Available from: <http://www.familycourtofsgapore.gov.sg/processes/pamphlets/MEDIATION%20AND%20YOU.pdf> [Accessed 10 June 2004].
2. *Family Court of Singapore*. (2003) Available from: <http://www.familycourtofsgapore.gov.sg/> [Accessed in May and June 2004].
3. Lim, Hui Min. (n.d.) *Family Court Programmes*. Available from: <http://www.familycourtofsgapore.gov.sg/principles/articles/FamilyCtProg.pdf> [Accessed 12 June 2004].
4. Lim, Hui Min. (n.d.) *What will the Deputy Registrar ask? The lawyers' guide to preparing for Status Conferences, Pre-trial Conferences and Ancillary Pre-trial Conferences in the Family Court*. Available from <http://www.familycourtofsgapore.gov.sg/principles/articles/Lawyers%20Guide.pdf> [Accessed 12 June 2004].
5. *Subordinate Courts of Singapore*. (2003) Available from: <http://www.subcourts.gov.sg/> [Accessed in May and June 2004].
6. *Women's Charter (Cap 353)*. Available from <http://statutes.agc.gov.sg/> [Accessed 14 June 2004].