

# RICHARD MAHLER

## MEDIATION & THERAPY

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### CHILD-INCLUSIVE MEDIATION (CIM)

I facilitate Child-Inclusive Mediation (CIM) services drawing upon my dual qualifications and experience in family law and psychology as a Specialist Family Law Mediator and Individual, Relationship, Family and Co-Parenting Counsellor / Psychotherapist.

A CIM empowers school-aged children with a voice to express their lived experience and can involve play and/or art therapy. I screen caregivers to safeguard against them using the children's lived experience as a weapon against each other.

I assess children for signs of trauma, attachment issues and third-party influence such as coaching or [parental alienation](#). I reassure children that the dispute between their caregivers is not their fault, and encourage them to express their needs, concerns, and overall wishes. I discourage children from attempting to make decisions about their relationships with significant caregivers such as how much time they spend in each caregiver's care. I only disclose children's wishes when they expressly ask me to do so.

### **Can a CIM be used as evidence in Court proceedings?**

A CIM is strictly confidential (subject to Duty of Care limitations) and non-reportable. Therefore, the children's statements cannot be used in Court proceedings.

### **How does a CIM work?**

My CIM services are only provided in person. Zoom is not utilised as this could expose children to undue influence out of sight from the camera.

A CIM has two parts. Part 1 is a lawyer-free zone and involves me spending time with the children and their significant caregivers (generally parents). Part 2 generally involved lawyers and is where the parents mediate the issues in dispute as informed by the children's lived experience.

I spend the morning with significant caregivers and children in a professional yet relaxed environment such as a specialist mediation centre. I also observe how caregivers interact with the children. Caregivers can observe my interactions with the children from a safe distance but not within earshot, to afford children the benefit of both safety and privacy. After meeting with the children, I then debrief with the caregivers. A second session with the children may occur if additional issues are raised in the debrief.

If there are numerous children involved or particularly complicated issues to consider, I may run the CIM over two days. Under these circumstances, Part 1 would occur on the first day and Part 2 would occur on the second day.

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### CIM DO'S AND DON'TS

#### BEFORE THE CIM

##### Do's – What to say to the child

- *You haven't done anything wrong*
- *You're not in trouble*
- *You don't have to choose between your parents*
- *You don't have to decide how much time you spend with each parent*
- *Richard's going to talk to you about what it's like having separated parents*
- *You should tell Richard the truth*
- *You can talk to Richard about anything you want to*
- *You don't have to talk to Richard about anything you're not comfortable with*
- *Richard's going to try to help us make the best decisions as your parents*

##### Don'ts – What NOT to say to the child

- *Make sure you tell Richard about \_\_\_\_\_*
- *Don't tell Richard about \_\_\_\_\_*
- *You want to live mostly with me, don't you?*
- *What are you going to tell Richard?*

#### AFTER THE CIM

##### Do's – What to say to the child

- *How was that talking to Richard?*
- *Did you feel safe?*
- *Did you feel comfortable?*

##### Don'ts – What NOT to say to the child

- *What did you tell Richard?*
- *Why did you tell Richard \_\_\_\_\_ ?*

##### Do's – What to say to the other parent

- *How can we work better together to address \_\_\_\_\_ 's needs?*

##### Don'ts – What NOT to say to the other parent

- *See, I told you so!*
- *I'm glad \_\_\_\_\_ finally told the truth about you!*

Specialist Family Law Mediator | Child-Inclusive Mediator | FDR Practitioner  
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