

Case Study

FDR offers responsive family-centred approach

When a distressed father approached the FairWay office to ask about FDR he was able to be seen immediately by a mediator on duty. During the screening process it emerged that there was a history of family violence, but there was no violence at the time of separation and no court orders in place. The mother had left town with the couple's younger children, in breach of her guardianship obligation to the father to seek agreement to any change of residence or school for the children. She was approached by the mediator and agreed to mediation.

While mediation was being arranged the father attended a Parenting Through Separation (PTS) course. PTS is designed to help people who are separating understand what their children need to help them deal with separation and work out agreements about caring for children without going to court where this is possible. His feedback was very positive.

Both parents identified that Maori tikanga and kawa would be elements of a successful resolution for them, and the provider was able to offer a Maori mediator and arrange to hold mediation on a marae. This was a large family with young children and older siblings over the age of 18. Subsequent mediation took the form of a whanau hui, located in the family home with the children involved. The younger children were encouraged to draw pictures that they used to talk about what they wanted to happen.

The outcome was an agreement between the parents about the care of the younger children, with the mother and children returning to the city so their father could have open contact, and ongoing roles agreed for the older siblings. This family didn't feel the need to have their private agreement recognized by the court, and agreed that any future issues would be resolved privately using the whanau hui process. This family successfully resolved all matters through mediation.