BECKY TAYLOR FAMILY MEDIATION

FREE GUIDE · DOMESTIC ABUSE & MEDIATION

Domestic Abuse & Mediation: Is It Safe?

Understanding when mediation is and is not appropriate, and how to access support.

INSIDE THIS GUIDE

- What counts as domestic abuse
- When mediation is not safe
- Safeguarding measures in mediation
- Alternative options if mediation is unsuitable
- Where to get help and support

beckytaylormediation.co.uk · hello@beckytaylormediation.co.uk · 07891 098 369

What Counts as Domestic Abuse?

Domestic abuse is not only physical violence. It includes any pattern of behaviour designed to control, coerce, intimidate, or harm another person. Recognising abuse is the first step to staying safe.

Types of domestic abuse

- **Physical abuse:** Hitting, pushing, restraining, using weapons, denying medical care
- **Emotional/psychological abuse:** Constant criticism, humiliation, threats, isolating you from family and friends
- **Financial abuse:** Controlling money, preventing you from working, running up debts in your name
- **Sexual abuse:** Forcing or pressuring sexual activity, reproductive coercion
- **Coercive control:** Monitoring your movements, dictating what you wear, demanding passwords, stalking

> "If you feel afraid, controlled, or unsafe with your partner or ex-partner, that is abuse — even if there has been no physical violence."

Coercive control is a criminal offence

Since 2015, coercive control has been a criminal offence in England and Wales. It includes repeated patterns of controlling behaviour such as isolation, surveillance, humiliation, and intimidation.

When Mediation is Not Safe or Appropriate

Mediation requires both parties to communicate openly, negotiate fairly, and reach voluntary agreements. If there is a power imbalance, fear, or ongoing abuse, mediation cannot work safely.

Mediation is NOT suitable if

- There is **current or recent domestic abuse** (physical, emotional, financial, sexual)
- One party is **afraid of the other** or cannot speak freely
- There is **ongoing coercive control** or stalking behaviour
- One party has a **serious mental health crisis or active addiction** preventing participation
- There are **child protection concerns** or ongoing safeguarding investigations
- One party **refuses to engage in good faith** or uses mediation to continue abuse

Your safety comes first

At your MIAM (Mediation Information and Assessment Meeting), the mediator will ask about domestic abuse in a private, confidential setting. Be honest. They are trained to recognise abuse and will not push you into mediation if it is unsafe.

> **You will not be judged**
>
> Disclosing abuse is difficult. Mediators understand this. They will listen, believe you, and help you access the right support — whether that is legal advice, a domestic abuse service, or applying for a court order with protections in place.

Safeguarding Measures in Mediation

In some cases, mediation may still be possible if appropriate safeguarding measures are in place. These are assessed case-by-case and only used when both parties feel safe.

Shuttle mediation

You and the other party are in separate rooms. The mediator moves between rooms, facilitating communication without you having to see or speak to each other directly.

Separate arrival and departure times

Sessions are scheduled so you do not encounter each other in the waiting area or car park.

Support person present

You may be allowed to bring a trusted friend, family member, or support worker to sit with you during the session.

Screen or video mediation

Joint sessions conducted via video call or with a physical screen in the room so you do not have to see each other face-to-face.

> **Important**
>
> These measures are NOT a substitute for safety. If you do not feel safe even with safeguards, you have every right to decline mediation.

Alternatives to Mediation

If mediation is not safe or suitable, there are other ways to resolve issues. You are not stuck.

Solicitor negotiation

Your solicitor can negotiate with your ex-partner's solicitor on your behalf. You never have to be in the same room or speak directly.

Court proceedings with protections

If you need to go to court, special measures can protect you: separate waiting areas, screens in the courtroom, video links, and even barring the abuser from cross-examining you directly in family court.

Non-molestation orders and occupation orders

These are court orders that protect you from abuse. A non-molestation order bans contact or abusive behaviour. An occupation order can exclude an abuser from your home.

Legal aid for domestic abuse survivors

If you have evidence of domestic abuse (police report, GP letter, refuge admission, etc.), you may qualify for legal aid to fund a solicitor even if your income is above the usual threshold.

Where to Get Help

National Domestic Abuse Helpline: 0808 2000 247 (24/7, free, confidential)

Women's Aid: womensaid.org.uk

Refuge: refuge.org.uk

Men's Advice Line: 0808 8010 327

Galop (LGBT+ support): 0800 999 5428

In an emergency, call 999. If you cannot speak, dial 55 after calling 999 to alert police silently.

"You deserve to be safe. You deserve to be believed. There is help available."

Need confidential support?

If you are unsure whether mediation is safe for you, book a free, confidential call. We will listen — and help you find the right path.

BOOK A FREE 30-MINUTE CALL

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