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The Uptake of Mediation from Black Asian and Minority Ethnic families in Edinburgh, Scotland

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Abstract

Cyrenians Mediation and Support Service (CMSS) has been operating in Scotland since 2006. Working in partnership, the Early Intervention Partnership (EIP) in Edinburgh is a collaborative project between Cyrenians and Rock Trust with the aim of tackling youth homelessness through early intervention and preventing relationship breakdown due to conflict and arguments within families. In recent years, anecdotal evidence has suggested that the service may not be receiving referrals proportionate to the population of Black, Asian, and Minority Ethnic (BAME) communities in Edinburgh. This led to CMSS applying for a research grant to carry out research to determine the uptake of the mediation and support service from those of Black, Asian and Minority Ethnic (BAME) backgrounds living in Edinburgh, and to compare this against the percentage of the population living in Edinburgh from BAME backgrounds. We were also keen to listen to professionals working with BAME communities about their perception of the mediation service, as

well as what they would look for themselves in a mediation service. This paper describes the research and its findings. Following the research, steps were taken to implement the recommendations of the research, which are described below. But, first, we provide some context and background to CMSS and mediation service. Then, we review studies of BAME communities and their access to services, including mediation, in the UK. From this, we identify 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.

Cyrenians Mediation and Support Service (CMSS)

Edinburgh Cyrenians Trust was formed in 1968 by local people to address the causes and consequences of homelessness in Scotland's capital city. In 2006, Edinburgh Cyrenians launched the Amber Mediation service, offering mediation and whole family support for young people at risk of homelessness. Today, Cyrenians Mediation & Support services (CMSS) is a well-established conflict resolution, support and mediation service in Scotland. Through a combination of formal mediation, whole family support, advice and signposting and conflict resolution workshop delivery, the aim has been and is to prevent relationship breakdown which is a leading cause of youth homelessness in Scotland. In 2019/2020, there were 7,352 young people (between 16 – 24 years old) assessed as homeless in Scotland (Scottish Government, 2020). In 2020/2021, there was a slight reduction, with the total number of young people between the ages of 16 and 24 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 have become entrenched as a pattern of behaviour in the family. There is hurt, grief, loss and the breakdown of relationship is in itself a traumatic experience for young people.

In 2019, Cyrenians working collaboratively with the Rock Trust, a youth homelessness charity, set up the Early Intervention Partnership (EIP) in Edinburgh. Within this partnership, Rock Trust provided advice, support and respite options including the Night Stop which is a community hosting service. Cyrenians offered whole family support and mediation to young people aged 14 and above and their families, struggling with difficult relationships at home (see Appendix for the EIP leaflet). The aim was preventative, to tackle the causes of homelessness at its roots, addressing the issues of poverty and relationship breakdown. The EIP project came to an end in March 2023.

BAME communities and access related barriers to mediation support services

To date, there has been only one significant research into BAME communities in Scotland and their access to mediation services, in the context of divorce/separation and child contact (Pankaj, 2000). For this reason, we widened our review to include studies of BAME communities and their uptake of other community-based services as some of the barriers may apply to understanding the barriers to BAME families and their decision to access mediation services. 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.

Looking more closely at the role of social networks, it has been suggested that a strong network of extended family relations and community, which characterises many BAME families, provides a more 'natural' space to discuss problems, lessening the need to seek out any professional 'external' support (Memnon et al, 2016). We feel this factor holds true for BAME families to rely on close and extended family for resolving family conflicts rather than searching for external professional assistance.

As a mediation service, we come across strong emotions of despair, guilt and fear when the parents-teenager conflict is viewed as a loss of 'control' over their teenager's behavior. In these circumstances, initial conversations between the family and the mediator or family outreach worker include 'normalising' difficulties in family relationships, and offering hope to families of the possibility for changes and better relationships. Mediators would explore with families how they

communicate about things they do not agree about, and support families to figure out a 'different' way to communicate their needs, to empathise with each other and re-connect.

We also recognise that it can be much more inhibiting for families from BAME communities to come forward to access mediation services particularly when these conflicts are honour-related. We are not suggesting that the concept of honour is present in all BAME communities, but we know that family honour, or otherwise known as 'izzat' or 'namus' is important within specific BAME communities.

Honour codes define and distinguish appropriate behavior from inappropriate, primarily 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. However, to protect family honour women and girls often experience little or no choice be it in a day-to-day matter or life-changing decisions, such as how they dress, who they socialise with, which activities they can attend, and who they marry. In the context of mental health services, Gilbert and Sanghera (2004) found that 'reflected shame and loss of izzat' were key reasons for South Asian women not accessing mental health services. There is a real concern of breach of confidentiality.

Similarly, we propose that in the context of family conflict, parents from BAME communities may feel greater concern and fear of repercussions from their community, as the conflict could be perceived as loss of authority on the part of the father or father figure, which would undermine the respectability of the family name within the

community. Parents may feel anxious of the community finding out that outsiders/professionals are involved, which further weakens the standing of the patriarch in the community. For young people experiencing family conflict related to protection of family honour, they may also be reluctant to disclose what is going on at home to any professional-outsider, for fear of repercussions from their parents finding out that they have been talking to outsiders. Young people may also be hesitant to disclose the difficulties at home to protect their parents, as they may fear external agencies, such as social work, becoming involved and enforcing drastic measures.

As mentioned above, the only study in Scotland which has looked at BAME families and family mediation services (FMS) is more than 20 years old, but it is still relevant and offers valuable insights. While the research did not probe into how honour or izzat might influence the decision to access mediation support, the researchers did observe how difficult it was to even recruit participants for the study due to fear or concern among members of some BAME communities that their participation would be perceived in their community as them personally having difficult relationships (Pankaj, 2000, 5). And, from one of their focus group discussions, we see a glimpse of how family honour and shame impacts the individual: "most women participants [in the focus group] felt that a divorced woman is ostracised by the community and, in many cases, experiences extreme isolation. It was felt that the social stigma attached to a divorced woman is so great that she is likely to get less support and sympathy than a widow." (Pankaj, 2000, 17). While the foregoing is in relation to attitudes towards divorce, there is a gap in our understanding of how restrictive

attitudes are to accessing external mediation support when there are difficulties or conflict between parents and their teenage children, in general and in particular when this is related to protection of family honour.

Research aims and method

The research project had a tight time limit of six weeks. Our 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? We defined BAME to include those from Caribbean, African, Asian and Arab backgrounds.

To answer the first question, we looked at the cases recorded on Cyrenians' secure case management system, Lamplight, between 2018 and June 2021. The 'Client of Service' (COS) form is used by the service to gather background information, including ethnicity, which is then uploaded on Lamplight. From the total number of cases referred, we looked for the number of cases from families with at least one parent who is from a BAME background. To provide us with a better picture of whether there was indeed a significant lack of referral from BAME families, we wanted to compare the number of referrals where at least one parent is from BAME background with the total BAME population in the City of Edinburgh (the 'city') for the said period. Additionally, as a majority of our referrals involved high school students in the city, we also wanted to find out the number of BAME students in High Schools in Edinburgh and whether our referrals for BAME families were comparable.

We also wanted to find out the perceptions of individuals from BAME backgrounds on accessing CMSS. We used 'Mentimeter' (https://www.mentimeter.com/) to survey on two specific questions: 1) 'Having read about our service (EIP 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?'

As we had only two weeks for the survey response period, we were concerned that we would receive none or very low response rate. We therefore decided to use a convenient sample method to gather the data. We approached our contacts within the BAME community and asked if they could share the survey with their friends and colleagues. We received 13 responses and these were anonymised. While waiting for the survey responses, we also completed semi structured phone interviews with two professionals from BAME backgrounds working for grassroots BAME organisations in the city. Both were women, with husbands and children.

Results

Out of the 184 cases that were examined against Lamplight, we found that 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 also 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).

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 %**

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 of Edinburgh, in Sept 2021, which would be the start of the school academic year, there were 21, 740 pupils in state funded high schools. Of these 18% were described as 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).

The survey produced a variety of responses to the two questions. In response to the first question about 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 to the survey were more neutral about whether they would get in touch either due to not being aware of the service and wishing to solve the family conflict themselves. Some of the common themes raised within this first question were that

some respondents were not fully aware of the service, and there being an assurance that the service is rooted in an intersectional practice.

The second survey question on what would respondents look for in a mediation and support service produced similar themes regarding mediators having an understanding of ethnic minority cultures, a sense that the organisation is inclusive and diverse, and mediators with a similar/lived experience of the culture.

The two telephone interviews produced distinct information, as while one person was familiar with Cyrenians, the other was not.

The first 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 Cyrenians, and knowing one of its mediators. When asked about any concerns regarding the service, they expressed that while they did not have any specific concerns about Cyrenians' mediation and support services, in general what they would seek to find out before referring a client is that mediators have enough knowledge about BAME communities, which could be demonstrated through cultural competencies training.

The other respondent had some concerns and hesitation 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. Alongside cultural awareness, whether they would access

mediation depended on the extent of experience and skill of mediator as well as empathy and patience of the mediator – qualities that are general, rather than specific to the ethnicity of the mediator.

Discussion

Between 2001 and 2011, Scotland's Asian population doubled (an increase of 69,000 people) and the African Caribbean and Black population increased more than fourfold (Scottish Government, 2014). Similarly, for the same period, in the City of Edinburgh, its non-white population also doubled (table above). We can only surmise that this trend continued into the next ten years, and that there has been further increase in BAME population in Edinburgh and Scotland as a whole.

Nevertheless, the BAME population is relatively small in proportion to the whole population of Scotland. In the 2011 Scottish census, around 91% of the people identified themselves as 'White' Scottish or 'White' Other British whereas only 4% of the people identified themselves as Asian, African, Caribbean or Black, Mixed or Other ethnic groups (Scottish Government, 2021). BAME communities are predominantly concentrated in larger cities such as Edinburgh, Glasgow, Dundee and Aberdeen. While the number of people from BAME communities is significantly lower than those of White Scottish ethnicity in Scotland, we agree with Netto (2006) when the author makes the point that "the small number of individuals from these communities and their relative invisibility does not reduce their entitlement to services" (p 18).

In Scotland, mediation is practiced and available in diverse areas such as community/neighbourhood disputes, civil justice, landlord and tenants, separation and child contact arrangements, and as offered by Cyrenians in Edinburgh, mediation aimed at preventing youth homelessness by reducing and managing family conflicts. Despite the momentum to widen the use of mediation to a range of areas, there is a lack of an in-depth study into mediation services in Scotland and how these services respond to and engage with BAME communities, with the exception of the study by Pankaj (2000) which focused on family mediation. 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), without awareness of the diversity of needs and the complexity of barriers faced by sections of the population.

One of the constraints of this study was the strict time scale of six weeks. The study was useful as it highlighted the lack of information on the ethnicities of families accessing the service within the case management system. Out of 184 cases recorded, only 30 had an ethnicity noted. It could be that mediators felt uncomfortable asking clients about their ethnicity, as well as a sense that ethnicity may not be relevant to the quality of the service provided. Certainly, ethnicity is not a criterion for eligibility for the service.

Nevertheless, the results confirm initial anecdotal impressions among mediators working in the project that referrals from BAME population were low. While we did not have the official figures for BAME population in Edinburgh for the period of the study, 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. Furthermore, the project did not receive comparable referrals for BAME pupils from high schools in the City of Edinburgh despite the percentage of BAME students registered in state-funded high schools in Edinburgh in 2021 was at 18% (although the definition of BAME is wider in the schools' census).

The study also found that individuals from BAME communities are not necessarily looking for mediators from the same ethnic background as themselves. As pointed out by one of the respondents in the interview, 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 is perhaps a more powerful framework for the mediator than a narrow focus on cultural awareness. It 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.

One reason for hesitation to refer into the mediation service among survey respondents was that they had not heard about the service. Prior to the study, there had not been any outreach specifically directed at the BAME communities or organisations that worked with BAME communities in Edinburgh. However, in the months following the study, the manager for CMSS attended the team meetings of two BAME grassroots organisations in Edinburgh to introduce the mediation service. CMSS has also become actively involved in a BAME Working Group. CMSS continues to outreach to other BAME community organisations in Edinburgh. CMSS also reviewed its publicity information, primarily the web content, and revised the wording and images to reflect greater inclusivity.

Beyond the lack of familiarity of the service which could be redressed through outreach and raising awareness of what mediation could offer, we also recognise that for some BAME families, the so-called notion of honour and reflected shame will create an additional and potentially insurmountable barrier to accessing the service and outsider support. We did not look into this specific issue as it was beyond the scope of the present study. However, given that a majority of referrals to the project come via the guidance teachers of high schools, a next step could be to investigate the scale of honour related conflicts experienced by young people and the extent of knowledge to detect these and the confidence required to respond to such difficulties faced by young people. When mediation and whole family support is available further upstream, this could be a vital measure to prevent honour related conflicts from escalating into honour related abuse or

honour related violence, which reduces the risks to young people's lives.

Conclusion

Despite the EIP service closing in March 2023, there is still a Cyrenians mediation and support service provided in Edinburgh for young people, albeit with a more limited case capacity and eligibility criteria. This study, whilst it was based on a small-scale research, highlights several key points. Most significantly, that Scotland, especially in major cities, has experienced (and no doubt will continue to experience) an increasing diversity of population and the growth of its ethnic minority population. So far, research and understanding as to how mediation services respond to and engage with BAME communities has not kept pace with this growth. Simply put, we do not know the accessibility and impact of mediation services in BAME communities. Another key point from the above study is that services may need to consider actively engaging with BAME communities to dispel any misunderstanding about what mediation is and what it can offer to families in conflict as well as looking to build trust in communities where mediators are skilled to work with families from different cultural backgrounds. The hope from this study is that it will open up further conversations about mediation approaches and the use of intersectionality in the practice of mediation.

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