

FMNI Chairperson's Foreword

This is my first year as Chair of FMNI. I would like to begin by paying tribute to my predecessor Pip Jaffa OBE, who stepped down as FMNI's Chair last year. Pip guided FMNI through several years of development during very difficult times and I know that her assistance was greatly appreciated by Joan our Director and her team and by the Board Members of FMNI. We wish her well in her retirement.

As can be seen in this report, FMNI has been working very hard this year to provide support to families throughout Northern Ireland in matters relating to separation and divorce and in all the practical areas that they need. Throughout the year 1141 funded mediation sessions were delivered and 4300 enquiries. Quite an achievement given only 1.5 posts coping with telephone, e-mail and case allocation across all five Health Trust areas. I would like to thank our mediators both employed and sessional for their continued hard work and acknowledge the commitment to service delivery by our Coordinator, Diane and to the PPC's who train and supervise our mediator panel.

Throughout the year Joan, her team and members of the Board have continued to raise awareness around the need for and advantages of family mediation as a process, the benefits to children and the particular bespoke service offered by FMNI. This has resulted in several meetings with public representatives and government officials and with members of the judiciary. Last year we had reported that there is much to commend and support the recommendations in the Access to Justice Review 2, particularly the hope that actions would follow to reinforce family mediation as a 'go to' process, instead of parents heading straight to court.

Greater use of mediation must be encouraged and incentivised through legal reform ""

The Access to Justice Review No.2 statement that, 'the current provision of family mediation in Northern Ireland does not reflect the value mediation can bring to the family justice system', and that: 'Greater use of mediation must be encouraged and incentivised through legal reform' was a welcome one. The Review's

assertion that, 'Increased mediation should produce savings for the fund, but more importantly will lead to better outcomes for the client and... that public funding should be available only for family mediators who are trained to standards approved by Family Mediation NI, the Family Mediation Council of England and Wales and Mediators Institute of Ireland' was very encouraging for the organisation.

Unfortunately, much of the work that has been done to promote the Review and move it forward to action planning stage has been hampered by the current political situation and the fact that we do not have an Assembly and Executive to take the issues forward. FMNI will however, continue to meet and work with the relevant departmental officials to develop the recommendations of the review.

I would like to thank the funders of FMNI and in particular the Health and Social Care Board for the continued support for the early intervention service. Our statistics indicate that we could do much more if we had more resources and we hope that the continued support of HSCB and the Department of Health, with additional support across government departments in the future, will enable development to continue.

Finally, I want to thank Joan for her support

to me throughout my first year as Chair and extend my thanks for the hard work of FMNI staff and my colleagues on the Board of the organisation; we intend to continue to maintain momentum and develop the organisation, its services and activities. We have struggled through some hard times and we still have some to navigate and we acknowledge that we have bigger challenges to face.

This report highlights the extensive work that has been undertaken this year and indicates our intended direction of travel for the coming years and I commend it to you.

Marie Cavanagh Chair of FMNI

June 2017



Joan Davis, Eimear Hayden, & Sabine Walsh (President of Mediators Institute Ireland (MII))

Director's Report.

The challenges of leading and developing a voluntary sector organisation never wane. Funding of vital services that make a difference to the lives of the NI population is more insecure this year than in the last ten years. Funding organisations are under pressure and overwhelmed with increasing demands for support and the lack of active political representation and decision making has led to job losses and services lost across NI.

Yet demand from the public increases year on year to the extent that some of our Mediator Panel are offering pro bono mediation sessions. We very much appreciated the HSCB contract that was procured from late 2009 by way of tender that effectively enabled thousands of children to benefit from their parents engaging in problem solving and negotiation to achieve agreement and best outcomes for the family post separation. This funding from the Department of Health, that originated from the Family Matters Strategy, put FMNI on the map and enabled awareness raising events and promotion and for the first time gave parents access to a locally provided professional service funded to reduce conflict and prevent court action. The positive impact of hard and

soft outcomes cannot be captured in the written word and unfortunately families who use the service are not keen to be involved in promotional activity. We have been approached by a documentary maker this year and we are working hard to try and find clients who will work with them.

aware that a professional service they seek to use is often, like FMNI, a registered charity at the mercy of the funding environment.

I am very proud that FMNI is acknowledged as the 'go to' service for professional family mediation. It is the lead service provider within the voluntary sector in NI that specialises in the training of family mediators and the provision of family mediation. Many years hard work by those who established the charity back in 2000 and everyone connected since has confirmed that maintaining standards, independence and impartiality throughout all our dealings with clients, professionals and funders has led to the organisation being held in high regard. However, we are far from

complacent, as demand and referrals spiral for the funded service and without the comparable staff number increase, waiting lists and difficulty making contact with the office can erode a good reputation quickly. The public are not always aware that a professional service they seek to use is often, like FMNI, a registered charity at the mercy of the funding environment.

The uncertainty around the future of the HSCB and where family mediation as a process may sit in coming years within government departments does impact negatively on moral. On a positive note, we have used our funding wisely and worked to provide continuity of service with a now firmly established base in Fermanagh House, with a dedicated, committed mediator providing the service to the local families. Carol's



I told you I don't want to fight. That's your oue to apologize.

dedication has resulted in greater demand and a greater waiting list, proving a genuine need for additional ring fenced funding. We also had two part-time employed mediators based in Belfast and travelling to venues when required, Polly and Valerie provided a continuity of service and enable ease of case allocation for the Coordinator. Our service was enhanced when we seconded Davina into the Lead Practitioner post for one year and this as you can see from the other reports, provided additional support to the trainee mediators and the established panel.

the presence of other professionals who had a real lack of understanding of mediation as a process ##

Early intervention is an obvious approach to family breakdown, endless pieces of research support that as a way forward. FMNI has proven that when families fully engage on a voluntary basis and understand the challenges and responsibilities of parenting apart, positive results can flow that are effectively immeasurable as the outcome will impact on that child and the wider extended family for life. This has been recognised

in Justice Gillen's review of Civil & family Law, the report recommends

'That Mediation to be more easily accessible and funded by legal aid as part of the court process. Consideration should be given to introducing legislation similar to s.10 of The Children and Families Act 2014, mandating the undertaking of mediation before issuing any private law children or financial remedy cases.'

And makes reference to the reality that unlike other jurisdictions,

'There is limited public knowledge of such services and resistance by some solicitors' practices to referring clients out'.

I was privileged to represent FMNI on Justice Gillen's representation panel that informed the review panel and I submitted a response to the consultation document. It was also quite unsettling to be in the presence of other professionals who had a real lack of understanding of mediation as a process versus counselling and of FMNI services. Certainly a reminder that we have much to do to ensure the public have a greater understanding of options and services available and to increase awareness amongst practitioners in the field of family work at all

levels to enable effective referrals. But this is not a task for us alone, we need the support of all Government Departments to fund and support education, promotion and delivery of a crucial early intervention service that seeks to protect a child's right to a healthy relationship with both parents and support those parents to be responsible for the future well-being of their children. We wait to see how political developments impact on these recommendations and hope that this report is welcomed by legislators and acted upon to the ultimate benefit of future generations.

We had made a start on the process of being heard in conjunction with the NICVA Project 'Detail Data' following the investigative journalist Lindsay Fergus report on family proceeding courts, a coalition was established to present evidence papers and lobby those who influence and make policy.

'The response from "DetailData" to Justice Gillen – 'a coalition of leading organisations including Family Mediation NI, NSPCC, Barnardo's NI, Family Works NI, Parenting NI, Northern Ireland Association of Social Workers, DetailData and NICVA – similarly gives strong support to the fresh emphasis on solutions outside the court system'.

The coalition also provided some statistical information from the investigation that shows

'In Northern Ireland, when parents have an acrimonious separation, the primary route for resolution is through the courts. Over the last judicial three years in Northern Ireland. there have been more than 24,000 decisions impacting on thousands of children's lives made by judges and 10,206 contact and residences orders issued over the last three judicial years. The average time taken to resolve a family law case is six months with 22 cases lasting around 16 months... Family Mediation offers an alternative to adversarial court proceedings that can help parents negotiate their profound changes their family is going through and reach an agreement that works for everybody. Reaching an agreement through the family mediation process can also lead to a better relationship between the couple following the separation'.

The challenges of increasing demand without the matching resources continue to restrict the potential of the organisation. FMNI enjoys enormous internal goodwill from staff, Mediator Panel and Board members, but there is so much more that could be achieved in terms

of giving access to more families, more social policy work to influence decision makers and inform other practitioners and professionals of the benefits of mediation. We have to date consistently delivered over our HSCB targets and received a positive independent evaluation. We have an expert practitioner led training team that continues to deliver a high standard of training and supervision and would aspire to train more suitable people to accredited status. We have received requests for bespoke pieces of skills training from Health Trusts and from outside our jurisdiction. We wish to provide equality of opportunity but cost deters many of those with the relevant experience from entering our approved training programme.

A bursary scheme is essential if we are to spread the knowledge and expertise throughout the communities and ensure that a professional accountable mediation service becomes accessible to all.

Last June our esteemed Chair, Pip Jaffa OBE retired from our Board after many years leading the organisation through difficult years and was instrumental in many of the progressive pieces of promotional work and development and she is greatly missed by all. We welcomed Board member Marie Cavanagh to the office of Chair and she has been extremely supportive and helpful to the Board and the staff and we look forward to working closely with her. We also welcomed new Board members Emer Boyle, Aisling Byrne and Gordon McDade.

This year we were assigned a new Lead Commissioner regarding the HSCB contract, Maurice Leeson. I am hopeful that as Maurice has a long experience of working in the

Mediators and Staff

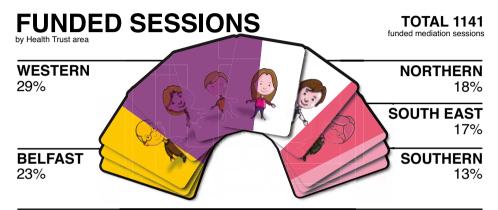


Voluntary Sector before moving to his new position that this will be conducive to an effective working relationship.

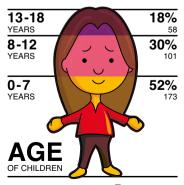
Finally, my appreciation goes to Diane and (Siobhán who moved on in February 17), the unsung heroes of FMNI front office who juggled numerous tasks and emotional, upset and irritated parents, allocation of cases throughout NI, case management and liaise with mediators to ensure that a quality service is provided. The Mediators are an optimistic team and thrive on facilitating negotiation and agreement and their commitment to mediation and to FMNI is commendable.

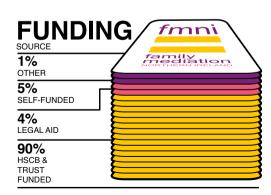
Joan Davis

Director June 2017



TOTAL ENQUIRIES FOR THIS YEAR 4212. COURT REFERRED CASES 7% OF TOTAL.





Co-ordinators Annual Report

2016-2017 has been a challenging year for service delivery for a variety of reasons. FMNI was operating with a reduced panel of Mediators who can only work with a certain number of families at any one time. The part-time Service Support Worker also left her post this year to accept a policy post. These factors coupled with demand from the public and professionals, have unfortunately put additional pressure on service delivery.

More clients are presenting with mental health issues and more are reporting their children are also experiencing mental health problems, exhibiting challenging behaviour both at home and at school, as a direct result of a badly managed separation. FMNI recognise that if parents are given the opportunity to discuss their issues in a controlled and safe environment at an early stage in the separation process, we can assist those parents to look at how they are managing their separation and the impact it is having on their children.

Demand continued to increase across all Trust areas however FMNI's resources and budget remained the same. Due to the unprecedented demand for the service and the hard work of the team through the year, we exceeded our targets across all Trust areas. However this increase in activity inevitably had a negative impact on the service delivery budget. As a direct result of exceeding our targets we were unable to offer appointments to new clients for a four week period.

While it was difficult for the Co-ordinator to tell desperate and emotive clients that we could not offer them an appointment until the funding situation was resolved, the majority of

those clients chose to be placed on a waiting list rather than initiate contact applications through court. This is evidence of a small but seismic shift in the public's attitude to mediation and how our reputation as the lead family mediation provider has grown.

Demand in the Western Trust has been growing steadily, mainly through word of mouth. However in 2016 – 2017 it has been the busiest Trust area. While all our Panel deserve praise for their dedication and hard work, a special thanks must be given to our employed Mediator Carol in Enniskillen who has undoubtedly put us on the map in this area. It is hard to believe that only three years ago, the Western Trust had the lowest demand for mediation.

Service struggling to meet the demand, feedback from both clients and professionals remains positive.

In last year's Annual Report I stated that we could see a shift in the public's attitude towards mediation as an early intervention strategy to navigate the painful process of separating with children. This year more clients are approaching FMNI earlier in the separation process. More Solicitors are referring clients to us before advising

them to initiate legal proceedings. More Social Workers are recommending our service to families experiencing contact and/or parenting issues, earlier in the dispute. While this is a positive development for our service and for mediation generally, it undoubtedly puts strain on us to maintain an excellent standard of service delivery.

Despite this specialist service struggling to meet the demand, feedback from both

clients and professionals remains positive. The majority of clients who contact the service when asked state that we have been recommended by a friend or family member. A client recently said

'I heard you people are the go to people for mediation. We want to do what's best for our children but we are only human, it's difficult to focus on them without the anger and hurt getting in the way, we need your help to sort this out'.

If the government would acknowledge the epidemic of parental separation and allocate adequate funding to organisations like FMNI to provide mediation to parents in conflict at the earliest possible stage, we could meet the demand that exists in NI. Helping parents to navigate a difficult separation and empowering them to make decisions together, in the best interests of their children, in the long term undoubtedly produces emotionally resilient children who learn how to manage conflict.

Diane Hammond

Co-ordinator

Board members, Mediators and Staff.



Lead Practitioner's Report

I was seconded into the post of Lead Practitioner in July 2016, my remit includes, supervising and supporting the Mediator Panel to maintain standards, develop policies and practice, contribute to training, update FMNI documentation and promote/network with other organisations.

The other members of the Professional Practice Consultant (PPC's) team are Janni Knox, Aedin Hoey (on sabbatical) and Polly Rowan Hamilton. Eimear Hayden stepped down from her supervision duties but maintains her role in the training team. We would wish to extend our sincere thanks to Fimear for her extensive contribution over the years to the development of professional supervision that has ensured the maintenance of standards. As PPC's we continue to provide regular and ad hoc supervision to support and develop mediator practice, to ensure a high quality professional service is delivered to all clients who attend Family Mediation Northern Ireland. The Panel membership has fluctuated over the year as is normal, with three part-time employed and 13 sessional with Service Level Agreements, who provide sessional work with FMNI. We value the professional and skilled practice of

all our Mediators as they work with clients with increasingly complex post separation issues. We continue to review and update the panel as the demands of the service require and funding permits. Mediators who recently completed the Foundation Training Programme are being mentored in their supervised practice by accredited mediators in our team.

All Mediators are either accredited through the Mediator's Institute Ireland or College of Mediators UK or, are starting out, post completion of Foundations Training programme, on that journey towards accreditation. The aim of FMNI is that all Mediators reach the level of accreditation, and we continue to support them towards this achievement. Janni, who sits on the College of Mediators (UK) accreditation committee, has been instrumental in developing FMNI accreditation under the College of Mediators, specifically for FMNI.

Continuous Professional Development training events continue to be provided on a regular basis throughout the year to ensure all Mediators have the opportunity to keep up to date with their knowledge and skills and develop practice. Topics covered included Adults/young people/children with additional

needs, Impact of Domestic Violence, Intake form and assessment for suitability, Self-reflection and supervision. Training was delivered both by external professionals and the internal FMNI Training team.

Mandatory training on Domestic Violence safeguarding and child protection and vulnerable adults safeguarding was provided to all Mediators, with safeguarding being a rolling aspect of training provision to the Panel and a mandatory aspect of Panel membership.

Mediators avail of group supervision on a regular basis where case discussion supports group learning and development of skills and practice.

FMNI's Foundation Training Programme (FPT) is offered as a twelve day intensive course which supports professionals who wish to move into mediation or develop their skills for their own work situation. Further progression of FMNI training being offered is that we are now in a position to offer 'Refresher training' for those who have availed of the FTP in previous years and wish to refresh practice. This will give the opportunity to review and develop learning.

Requests for external training has been met throughout the year, with the FMNI Training

team providing bespoke training sessions on mediation skills and conflict management. The Training team continue to meet regularly to support planning for training delivery.

Within the organisation Case management meetings are held on a monthly basis to support the operational service and ensure continuity of provision of service to all clients. Team meetings are also held on a monthly basis to connect and support the various working aspects within the organisation and develop a supportive environment.

Revision of FMNI forms has been essential to supporting the professional mediation process offered. Work was completed on updating the Supervision policy and Lone working policy. The completion of the updated Evaluation form for clients is invaluable as the organisation seeks to further develop and provide a service that is relevant to all clients' needs.

Associate membership is being considered to allow all trained Mediators past and present to keep connected to Family Mediation NI and avail of relevant CPD training.

Direct Child Consultation (DCC) is offered to clients and their children as a natural part of the mediation process. Much work has been

invested in developing this service. Mediators have been trained to undertake the preparation work with parents and presently we have two trained DCC specialists who provide the direct consultation work with children. It is planned that another 4 Mediators will be trained up as DCC Specialists. This service continues to develop as it is now widely acknowledged the child/ren's voice in the mediation process benefits both the children and the parents as it supports the parents to focus on meeting their children's needs as they make decisions for the future as separated parents.

I had the opportunity to attend the College of Mediators PPC Conference in Sept 2016 and the MII conference in Oct 2016 where I took part in a Family Mediation panel discussion on behalf of FMNI. This was well received with a lot of interest in progression of mediation in Northern Ireland.

We continue to avail of opportunities to network with MLAs to promote the work of Family Mediation NI, and were involved in a workshop with Kennesaw State University when they visited Northern Ireland in November 2016. This was useful for networking and developing sharing of relevant research on family mediation.

Response has been positive as I have continued to network and attend a number of Family Support Hubs, Locality Planning groups and Sure Start groups across Northern Ireland to develop understanding of mediation and promote the FMNI service.

The organisation has been involved in various consultations, highlighting the need for early intervention through family mediation and the responsibility of parents to engage in services to support their children's health and well-being and educational attainment. I hope to continue to promote the professional service delivered by FMNI, particularly the early intervention service as a process for separated parents and families in dispute and hope that further funding is made available to enable families to access the service NI wide.

Davina Clements

Lead Practitioner (From July 2016)

Activity Overview

- FMNI is represented on and contributes to Parenting NI's Parenting Forum, QUB CCCR Forum, Belfast Court Users, West Belfast Locality Planning Group Inner East Belfast Family Support Hub, Greater Falls Family Support Hub, Antrim Local Planning Group, College of Mediators Standards Committee, 'Dads Direct' Forum and Justice Gillen's Civil & Family Justice representative panel
- We have contributed information sessions to a variety of groups and agencies including, Solicitors Associations, Further Education Colleges & Contact Centres. Plus external skills training to Social work teams. We contributed to information events in Antrim, Belfast and Newry
- CPD events and Group supervisions were provided to the Panel of Mediators by internal and external trainers. CPD topics included Domestic Abuse, Men's Support work, Autism and Conflict Management
- Skills training courses delivered to Social
 Work teams across NI
- Thanks to the Halifax Foundation for the ongoing financial support developments within FMNI

- FMNI training team has delivered the Foundation Training Programme to 6 trainees and continues to work through the 10 hours supervised practice
- We have contributed to the review of the Children & Young Peoples Strategy now within the Department of Education
- We have continued to lobby MLA's and provide information on the service, the challenges and lack of resources. We met with Assembly Committee chairs regarding the Review of Access to Justice and how the recommendations can be implemented.
- We are continuing to work with a coalition of organisations facilitated by NICVA Social Policy Officer and the Detail Data project to raise awareness around impact of family breakdown and options when parents break up
- We jointly hosted with Mediation NI a half day seminar on conflict management for Kennesaw State University USA Masters in Conflict students and their Professor Hayes.

Other Networking and Seminars provided include:

- Antrim Locality Planning meeting
- Women's Aid
- Mediation Council
- Omagh Family Support Hub
- North Down & Ards Family Support Hub
- Outer South & East Family Support Hub
- Inner East Belfast Family Support Hub
- Family Support Hub, West Belfast Partnership
- Colin Sure Start, Men's Group
- Antrim Locality Planning Meeting
- Greater Lisburn Family Support Hub
- Down Sector Family Support Hub
- Family Support Hub, Stewartstown Health Centre.

Testimonials

I found the service a place where I could express issues and work through them with confidence. I feel the experience has given me the skills and confidence to deal with further issues in the future.

11 Keep up the good work, more parents should use the service. **17**

66 I think the service that was provided is very important and that it saved a lot of arguments and letters to solicitors. **99**

If I have found the service excellent. The mediator really made me feel welcome and we couldn't have done it without her. ""

ff I was pleasantly surprised by the whole process, I had limited knowledge of what to expect and would want other parents to know about this invaluable service. We permitted our children to have their say and this moved us on to agreement as it's all about them at the end of the day.

**The mediator was helpful and made me feel at ease, pity it didn't work for us but my ex really didn't want to participate. **J

Gur ten year old son meet with a specialist Mediator and this made all the difference to us as we were stuck and his opinion became our focus, couldn't have done this without the professional mediator.

Gur mediator was extremely empathetic in what has been a very difficult time. I found her very easy to talk to and would have happily attended more sessions to further our agreements.

1 heard you people are the 'go to' people for mediation. **11** (New client)

66 Social Worker: 'Thank you for breaching this impasse, we could not have done this without your intervention, this family are now moving forward.

I found it very hard work and this was a surprise, but the whole process made me realise that it was our mess and we needed to sort it for the sake of the children. There's no doubt in my mind that we would have ended up in court if we hadn't put the effort into working with the service.

I tell everybody about this service and they can't believe we actually sat down in the same room and found agreement!



"This is our daughter, my son from my first marriage, John's daughter from his second marriage, and I've no idea who the one on the end is."

FAMILY MEDIATION NORTHERN IRELAND CASE STUDY

CASE SUMMARY: Anonymised information. Mum and Dad together 7 years, two young children. Relationship ended by Mum.	
Co-worked/Solo	Solo (self referred)
Type of client	Child focused
Married/Relationship/Casual	Married
Reason for break up	Communication difficulties, lack of feelings
Number of children (including half/step siblings)	2
Other family members involved	n/a
Level of understanding of Mediation Process	Good and very willing
Did intake raise appropriate issues?	No
Capacity to Mediate (including where each person is emotionally?)	Yes, but Dad became increasingly irrational
Supervision required?	Yes re Dads challenging behaviour
Agreements Reached	Children's residence
Presenting issues	Children's residence, communication, high conflict, finance
Obstacles to agreements	Dads state of mind. End of relationship counselling recommended
No common ground on	n/a
Mediation methods to overcome impasse etc	Best interests of the children and a future focussed approach to each session. Continuing to refocus on best interests of the children during each session to defuse conflict.

Positive Outcomes	Short term Co-parenting plan in place to trial. Residence for children agreed
Parenting plan included	Best interests of all children. Nursery, birthdays, grandparents, maintenance
Endings	Clients signed agreement and they thought they may return to the service in 6 months
Did case end prematurely do we know why?	N/a
Did mediator end the case	N/a
Unsuitable Case?	At intake stage appeared suitable. But with hindsight may have been too early for Dad.
How many sessions	4 (1.5 hour sessions)
Level of Conflict	High emotion from Dad, resentment from Mum, verbal aggression at beginning. Uncooperative at times, high tension
Trust	Trust was poor and did increase albeit slightly. Timing may be too early
Future Focus	This improved at each session
Any External Influence (solicitor, wider family, friends etc)	Grandparents supportive
Impact of social media?	No issue
Sign posting	Counselling agency
Other understandings	Best interests of children
Other outcomes	Recommended reading 'Parenting apart' seemed to help both and referred to others sources of help.

FMNI Board Members April 2016 to March 2017

Chairperson: Marie Cavanagh (From July 16)

Treasurer: Graeme Donaghy (resigned Dec 16)

Company Secretary: Joan Davis
Board Members: Clare Bates

Aisling Byrne Emer Boyle Gordon McDaid Liam Mackle Fiona O'Donnell

FMNI Staff: Joan Davis: Director

Davina Clements: Lead Practitioner (seconded July 16)

Polly Rowan Hamilton: Employed Mediator

Carol Blackwell Smyth: Employed Mediator (May 16)

Valerie Pattie; Employed Mediator (May16)

Diane Hammond: Coordinator

Siobhan Harding: Service Support Worker (resigned Feb 17)

Hilary Gray: Finance Officer

Victor Coleman: Volunteer Finance Officer

Professional Practice Aedin Bradley
Consultants: Eimear Hayden

Janni Knox

Professional Sessional Mediators Active in 2016-2017

Davina Clements, Malachy Hagan (until Dec 2016), Patricia O'Kane,

Rosalind Dunlop, Jackie Sharkey, Louise Goodman,

Teresa Fallon (to Sept 16), Laura Doran, Carmel McGilloway, Eamon

O'Connor (until Feb16), Gerard Maguire, Mary McAnulty, Liz McCorkell (until Mar17) Aedin Bradley, Janni Knox.













telephone: 028 9024 3265

email: enquiry@familymediationni.org.uk

www.familymediationni.org.uk

@FamMediation_NI

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