

## **FMC Newsletter**

**March 2020**



### **Coronavirus Pandemic**

We hope you are safe and well.

The coronavirus pandemic and the current restrictions on people leaving their homes mean that mediators have stopped seeing clients in person for the time being. This dramatic change has left many mediators very concerned for the future of their businesses, and many have also started to mediate online for the first time. The FMC is responding as quickly as it can to issues that have arisen as a result. We try below to bring together information relevant to mediators at present.

#### **Online Mediation**

The FMC published Guidance to Online Mediation in 2016. This can be found [here](#).

#### **Legal Aid**

The FMC met the Legal Aid Agency last Friday, and raised a number of questions which relate to Legal Aid and remote working. Please see [here](#) for more details about the issues discussed.

#### **Regulatory Changes**

The FMSB has made a number of temporary regulatory changes due to the coronavirus crisis. Please see [here](#) for more details.

#### **HMCTS and the Courts**

The President of the Family Division has issued Guidance on Compliance with Family Court Child Arrangement Orders which can be found [here](#).

Mediators have asked whether the signed MIAMs certificate can be signed by a mediator and then scanned and sent to clients via e-mail, as opposed to the original being sent by post. The MoJ has confirmed in an e-mail to the FMC that this is acceptable, but the FMC has requested that this information be formally published.

Some mediators were concerned that the four-month period for which a MIAM certificate is valid would need to be extended. Courts are continuing to accept applications for private family law matters, and so an extension is not necessary.

### Business Support

The FMC has [written to the Secretary of State](#) requesting that standard monthly payments to mediators with LAA contracts be made during the coronavirus crisis, and is awaiting a response.

In the meantime, the government has developed a website aimed at setting out the support available for businesses: <https://www.businesssupport.gov.uk/coronavirus-business-support/>

### Health and Safety

Some mediators have asked the FMC for health and safety advice about working during the current crisis. The FMC cannot provide such advice, and so mediators are advised to follow government guidelines which are here:

<https://www.gov.uk/coronavirus>

### The FMC and the FMSB

The FMC is operating as closely to normal as possible, although the FMC and the FMSB's areas of focus are of course on dealing with coronavirus-related issues, which means that other work may take longer to complete.

The FMC administrative team may be working different hours, which means you may have to leave an answer-phone message or send a voice-mail, rather than speaking to somebody on the phone during our normal office hours, but we will try to get back to you as soon as we can. Please help us by sending e-mails and making payments by bank transfer or online card payment, as opposed to sending any post.

## Recent FMC Developments

### FMC Strategy

Early in 2020, the FMC and FMSB reviewed the progress made on implementing the agreed 2018-19 strategy. Please see [here](#) for details. The FMC and FMSB also agreed a new strategy for 2020-21. This included work in the four key areas of ensuring high standards, improving the efficiency of administrative processes, marketing and promotion, and ensuring good governance, and it set out priorities and timescales for the work to be carried out. Since completing this, the coronavirus crisis has brought new workstreams and become the main priority, which means that these timescales will need to be reviewed. The FMC will publish its new strategy once these have been reviewed.

### Family Mediation Week

As mediators will be aware, Family Mediation Week took place in January 2020. The FMC published its survey results ahead of this so that it could send a draft press release to mediators to be tailored and sent to local newspapers. If you used the press release, please e-mail Helen Anthony at [executive@familymediationcouncil.org.uk](mailto:executive@familymediationcouncil.org.uk) to let us know, and to tell us whether this was picked up on by the paper.

The FMC also supported Family Mediation Week on social media, and several of its directors contributed to content being published:

- Ewan Malcolm (College of Mediators) and Jane Robey (NFM) were interviewed for a podcast, about the results of the FMC survey.
- Jane Wilson (Resolution) authored a blog post that was published by the Ministry of Justice.
- Caroline Bowden (the Law Society) was interviewed for an article that was published in the Law Society Gazette.

The Ministry of Justice and relevant government agencies also showed good support for Family Mediation Week by publishing the previously mentioned blog, producing a short animation about family mediation and posting on Facebook, Twitter and LinkedIn, with some posts being re-tweeted by Robert Buckland, the Secretary of State.

During the week, visits to the FMC's website search peaked with a record 2,361 users accessing the site on the Wednesday of that week.

The FMC would like to express its thanks to Anna Vollans, Philippa Johnson and all their colleagues at the FMA for organising Family Mediation Week this year.

### Marketing of Family Mediation

In January, the FMC also carried out a direct marketing trial on Facebook. This consisted of testing two different messages: one on a national level, and the second in two local areas: an urban environment (Manchester) and a more rural environment (Bath environs). Initial analysis showed that a small proportion of those who were reached on Facebook clicked through to the "Find A Mediator" page on the FMC website. We are now carrying out further work to try to find out whether this initial interest resulted in an increase in MIAMs and Mediation. This will help FMC directors to decide whether this exercise should be repeated, or whether alternative forms of advertising should be tried.

The FMC has also asked a marketing consultant to design and deliver a training course for mediators to help them market family mediation through their own practices. More details will follow in due course.

## Observations for Mediators Working Towards Accreditation

Observing an accredited mediator is an important way of helping a mediator who is working towards accreditation understand how to put the theory learnt on a training course in-to practice, and is therefore a portfolio requirement. Mediators working towards accreditation have often told us they find it difficult to find an accredited mediator to observe. The FMSB would therefore like to draw up a list of accredited mediators who are happy to be observed, which would be made available to those who need it. If you are accredited, and happy to be on the list of mediators willing to take observers, please e-mail [info@familymediationcouncil.org.uk](mailto:info@familymediationcouncil.org.uk) to let us know.

The FMSB is also considering what guidance can be given to mediators who are being observers to support them in this activity.

## Italian Delegation

In January, the FMC Chair, John Taylor, and Executive Officer, Helen Anthony, were pleased to meet a delegation from the Italian parliament. The delegation was researching the way in which family courts operate in England and Wales, to inform its own family law reform programme.

## Opportunities for Mediators

Please see the FMC website [here](#) for information about opportunities for mediators.

## Upcoming Events & Training

The FMC aims to bring you information about training, courses and workshops related to family mediation, to aid professional development. Courses are listed on our [website](#), where you will find more details about submitting events to be included.

Course listings are currently being updated in light of the coronavirus crisis, and we intend to show courses that will be run online as well as in person. Please do therefore check this page regularly.

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