

## FMC Newsletter

May 2020



### Recent FMC Developments

#### Proposals to Assist Families

The FMC has submitted proposals to the MoJ to assist separating families during the coronavirus pandemic and ease the extra burden that is anticipated to fall on already stretched family courts.

The proposals include the MoJ paying for all MIAMs, ways to ensure better enforcement of current rules surrounding MIAMs attendance and better court awareness of the opportunities offered by mediation, and an online duty mediator scheme. You can read the proposals in full [here](#).

We are sharing these proposals with the President of the Family Division and his Private Law Working Group, CAFCASS and the National Association of Child Contact Centres, and asking all FMC Member Organisations to do what they can to promote the proposals. However, **we need your help** to exert pressure on the Government and MoJ to take action and ask that you write to your MP, to seek your MP's support for these proposals. MPs are more likely to pay attention to letters from constituents if they receive multiple letters on one topic, and so we encourage you to contact other family mediators in your constituency and all to write in similar terms. You can download a template letter [here](#), but feel free to adapt this because it also helps if MPs feel that their constituents have written personal letters. If you are a member of your local Family Justice Board, please also bring these proposals to the board's attention.

#### Update on Coronavirus Issues

##### *Online Mediation*

The FMC's Find A Mediator search has been amended so that the public can find mediators who offer online mediation. The front page of the FMC website makes clear that mediators are able to offer mediation online during the coronavirus crisis, and there is an additional page explaining more about mediating online.

Thank you if you were able to complete the FMC's recent survey about online mediation. One of the issues most frequently highlighted by respondents was that people did not know that online mediation was available, so as well as amending the FMC website we have taken steps to ensure that solicitors and courts know that mediation and MIAMs are still available and that clients should still be attending MIAMs if they are not otherwise exempt.

#### *Changes to Portfolio Requirements*

As well as extending all portfolio deadlines for at least four months, the FMSB has made some temporary changes to portfolio requirements as a result of the coronavirus pandemic. Please see [here](#) for details.

#### *Legal Aid Agency*

Unfortunately, we have not heard from the Secretary of State in relation to the FMC's proposals for standard monthly payments to be made to family mediation practices with legal aid contracts.

The Legal Aid Agency has issued further guidance about electronic signatures, and we are expecting some further clarification about recoverable client costs for taking part in online mediation.

#### *FMC Website*

The FMC will continue to publish relevant information about coronavirus-related issues on its website [here](#).

#### [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 into 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. Please also let us know whether this extends to taking observers during online mediation.

#### [All Mediation Forum](#)

As you will be aware, the FMC is a member of the All Mediation Forum, which brings together organisations from across different mediation sectors. Early work included identifying areas of common interest, and opportunities to work together. Work has now started to explore the professional standards that mediators in different sectors are required to adhere to, which may help work on mutual recognition of training/qualifications across different mediation sectors.

## Developments from Elsewhere

### CAFCASS Co-Parent Hub

CAFCASS has launched a new Co-Parent Hub, which can be found here:  
<https://cafcass.clickrelationships.org/>

The hub aims to provide families with clear information and useful online tools to help them negotiate child arrangements, and sustain effective co-parenting relationships, in the best interests of the child.

Separated parents can create an account on the Co-Parent Hub, to access the online parenting plan and the Getting it Right for Children programme, as well interactive goal-setting and bookmarking features. There is also information on alternative options for dispute resolution including mediation, which links to the FMC's Find A Mediator search.

### Changes to Legal Aid Contracts

The LAA has taken steps to bring legal aid contracts for family mediators in line with other civil contracts. Prior to the changes, the contracts required that all applications for legal aid for family mediation be made in person, whereas in other categories practitioners were allowed (for up to 25% of clients) to make applications remotely as standard, and more in exceptional circumstances. Along with the publication of the new contracts, the LAA has confirmed that we are of course all now in 'exceptional circumstances' and that - at present - all applications can be made remotely. The LAA has also confirmed that, while the contract changes allow practitioners to obtain a signed application form for legal aid after work has taken place, it is still permissible under the contract to obtain this signed form before work is carried out.

### Private Law Working Group

The Private Law Working Group has published its second report which can be read [here](#). The FMC is encouraged to see that the report gives serious consideration to the proposal that respondents should be required to attend MIAMs. The FMSB, which is forming a working group to look at standards of MIAMs, is working closely with the PLWG's Family Solutions Sub Group which is considering related issues.

### New Publications

The following books have been published in recent weeks:

[Family Mediation: Contemporary Issues](#) by Marian Roberts and Maria Federica Moscati provides a contemporary account of current developments in practice and research concerning family mediation across a range of issues in the UK and Ireland.

[Family Mediation](#) by Lisa Parkinson (4<sup>th</sup> Edition) explains and illustrates the principles and process of family mediation, places this in the context of the family justice system and supports systems for adults and children. This edition includes recent developments in family law, new thinking on mediation theory and practice and new requirements for child-inclusive mediation.

### **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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