

**MEDIATION AND HOMELESSNESS
PREVENTION IN SCOTLAND:
A DECADE OF MEDIATION BETWEEN
YOUNG PEOPLE AND THEIR FAMILIES**

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FOREWORDS

"Young people and their families are experiencing high levels of pressure: unemployment is rising, there is a shortage of affordable accommodation, incomes are falling at the same time as basic living costs are rising, and there seems to be uncertainty everywhere we look.

It is little wonder, then, that family relationships sometimes run into difficulties. When these difficulties grow so severe that the young person feels unable to stay at home, the consequences can be drastic. Mediation can very often help to repair damaged relationships and assist in re-establishing the support young people so desperately need, whether they return to their original home or find a different one.

Mediation between young people and their families is less established and less prevalent than mediation between neighbours which is now tried and of major significance in resolving neighbourhood conflicts. This report has huge value in making significant strides in mapping the extent of activity in Scotland and discussing issues of ethics, effectiveness and service delivery. It raises questions of national and international significance, challenges mediation funders and mediation providers, and very importantly offers a way forward for practically assisting young people and their families in their struggle to weather a hostile social/economic climate.

Most important of all it asks us all to respond to the challenge of helping Scottish families function as effectively and positively as possible, to help them keep their young people safely and suitably housed in an appropriate and supportive environment."

Ian McDonough, Chair
Scottish Centre for Community Mediation

"With 2012 fast approaching, homelessness prevention is at the top of the agenda and mediation has been proven to play a significant part in helping people secure a sustainable and appropriate housing outcome. This research provides a useful resource for practitioners wanting to positively influence the development of good practice and to learn from past experiences. It will also assist local authorities and other commissioners to further develop homelessness prevention services."

Daniel Coote, Policy Officer
Scottish Council for Single Homeless

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INTRODUCTION

On average 13,350 young people (16 -24) become homeless in Scotland each year. 45% of these have left their family home due to conflict. Scottish Government statistics year on year identify relationship breakdown as the greatest single cause of homelessness. [i] Angry words are thrown, bags are hurriedly packed and doors are slammed, potentially never to be opened again. It is logical and beneficial to target preventative intervention here, at its cause, in order to prevent young people beginning the negative downward spiral that accompanies homelessness.

Mediation is a method of resolving disputes through the involvement of an independent third party, the mediator, who helps people to agree a solution. The mediator helps parties work out what their issues and options are, then use those options to work out an agreement. The mediator does not take sides or make judgments. Mediation is a voluntary and confidential process in which the parties in dispute are in control of the solution. The mediator will ensure that both parties get a chance to state their case, hear the other side, work through the issues that are important to them and make an agreement. It is a flexible process that can be used to settle disputes in a whole range of situations.¹ Mediation is used in a diverse range of conflict situations: from neighbours in Strathclyde in conflict over a noisy dog to military factions in conflict over political power Libya.

At the beginning of the new millennium, the Homelessness Task Force commissioned social researchers Lemos and Crane to investigate the use of mediation for the prevention of homelessness. At that time, only one service in Scotland was found to be practicing mediation in this context.² Following the Task Force's subsequent recommendations, the decade 2001 – 2011 has seen an explosion of 43 pilots and projects, as well as significant developments in homelessness policy. Despite this, there remain many questions surrounding this type of work and a number of different models being practiced with greater or lesser success. Until now, there has been no detailed investigation into how this has played out across Scotland.

As Scotland approaches the 2012 removal of priority need, the question of homelessness prevention has never been more pertinent. The development of policy over the past decade has placed mediation on the table as one of the measures that can be used to prevent homelessness. This report looks at the different ways government recommendations have been interpreted across the country and how mediation teams consider themselves to be contributing to the prevention agenda. The dissemination of this information aims to raise awareness of the benefits and limitations of mediation in this context.

Through reviewing relevant literature that has been published in the past decade and mapping the growth of relevant mediation services, this report will consolidate the valuable learning that has been gained across the country both in theory and in practice. In doing so it is hoped that it will positively influence the development of good practice and promote efficient and effective models of delivery. Ultimately, through encouraging improved understanding and practice we expect to bring direct benefit to young people at risk of homelessness, promoting the strengthening of family communication and relationships through the use of mediation.

INTENDED AUDIENCE

This report aims to provide a helpful resource for mediation **practitioners** and **team leaders**. The summaries of previous and current services show the range of practices, models and experiences across Scotland. Attitudes and approaches to this specific type of mediation have developed over the past decade. Being able to place local practice in the context of what is happening nationally will hopefully stimulate ideas about how to develop and improve services as well as preventing mistakes being repeated.

Homeless strategy officers, policy makers, commissioners and **funders** will also find this a useful document. Information about how local authorities across the country have interpreted government recommendation, and how this has played out on the ground will place their local services in the national context. The literature review gives academic backing to the practice of services. Analysis of the findings will bring forward suggestions which should inform the future formation of mediation services.

This document endeavors to communicate accessibly to the two spheres of operation that meet in this discipline: mediation and homeless provision. It seeks to communicate in language that is useful to all stakeholders without diluting or 'dumbing down' the contribution of any perspective. In a sense, it looks to bridge the gap between policy and practice.

NOTE ON TERMINOLOGY

The form of mediation that is the object of this report involves young people and their parent(s) or carer(s), where there is conflict in the home. This conflict will be causing the young person to be at risk, or potential risk, of homelessness. It may have already caused the young person to be homeless. Throughout the report when the term "mediation" is used it should be assumed that it refers to this context, unless otherwise specified. Across Scotland many different terms are used for this type of mediation: Family mediation, Intergenerational Mediation, Homelessness Mediation, and Young People and Families Mediation. That there is no commonly accepted term for this type of mediation – each of the listed names facing a variety of objections – is indicative of the practice's emerging state and the lack of cohesion to date.

RESEARCH METHODOLOGY

This report was borne out of the Scottish Community Mediation Network's development of a forum for practitioners working with young people and their families for the prevention of homelessness. This coincided with Edinburgh Cyrenian Trust receiving Big Lottery funding for the author to undertake research into this field. This report is written in line with the objectives of the forum to advance best practice and raise awareness.

A questionnaire was used to survey 23 services representing 27 mediation projects between young people and their parents for the prevention of homelessness (see Appendix 1). 19 were conducted through face to face interviews, 2 through telephone interviews and 2 completed electronically. The research was carried out from September 2010 to February 2011, and summaries updated in July 2011. The data collected was analysed thematically and is presented in the Data Analysis section of this report. Throughout the document, the interviewed services are referred to by shortenings of their names as detailed in Appendix 3, which also includes the services' contact details.

The report was edited by Ian McDonough, manager of the Scottish Community Mediation Centre, and reviewed by selected other professionals in the field before publishing.

NOTE:

Mediation between young people and their parents for the prevention of homelessness is an ever-changing field. It is likely that in the time between researching and publication new services will have emerged. Likewise, as services have been in general on a very small scale, previous projects may have been missed. This research represents a best effort, with apologies to anyone who has been overlooked.

1. MEDIATION AND HOMELESSNESS: SETTING THE CONTEXT

Over the last decade, the Scottish government has introduced policy and guidance that has fundamentally shifted the way in which homelessness is perceived and addressed. This section will look briefly at some of the key themes in this development. Having established this context, it will chart the inclusion of mediation in homelessness policy across the same timeframe. Finally, this section will look at the place of mediation in Scotland in other spheres and the use of the mediation for the prevention of homelessness in other countries – notably England.

1.1 SIGNIFICANT THEMES IN HOMELESSNESS POLICY

INCREASE OF DUTIES

The Housing (Scotland) Act 2001 introduced a duty to provide temporary accommodation, advice and assistance to all homeless households, and permanent accommodation to all those unintentionally homeless in priority need. The Homelessness etc (Scotland) Act 2003 then expanded these categories of priority need. This has resulted in Scotland having a far more extensive statutory safety net than elsewhere.³

PREVENTION AGENDA

Over the past decade in England, Wales and Scotland there has been a growing emphasis on prevention. An example of the impact of homelessness prevention can be seen in England where the vigorous prevention agenda, resulted in the number of homeless acceptances being halved, meeting the official government target introduced in 2005.⁴

In 2009 the Scottish Government, in partnership with CoSLA, issued “Prevention of Homelessness Guidance” for the reference of Local Authorities in the design of their Homeless Prevention Strategies.⁵ Homeless prevention encompasses a wide spectrum of activities, from large structural provisions such as increasing security of tenure, to individual interventions which make it less likely that an individual will lose their accommodation. The prevention of homelessness was significantly represented in the recommendations of the final report of Homelessness Task Force, Helping Homeless People, in 2002.⁶ Money was made available to local authorities in 2005 by the Scottish Executive in the form of the Innovation Fund to promote homelessness prevention. Shelter’s Briefing in April 2006 notes that the advancement of the prevention agenda at a local level had been slow, with a wide variation in plans and concern over the translation of these plans into practice.⁷ By the time Heriot Watt University carried out their research in 2007 for the Evaluation of Homeless Prevention Activities in Scotland, local authorities were increasingly placing more importance on a range of prevention activities.⁸ The requirement of the Housing (Scotland) Act 2001 to produce homelessness strategies placed a new emphasis on prevention. Despite the 2008 LHS Guidance stating that separate Homelessness Strategies were no longer required, Homelessness strategies are now integrated into the Local Housing Strategy and the priority of prevention for Local Authorities remains high. This can be witnessed in two structural changes that many local authorities have adopted:

A significant development in this increasing focus on prevention is the emergence of **Prevention Teams** in a number of local authorities from 2009 onwards

(Scottish Borders, West Lothian and Highland to name but a few). Some local authorities have had a Prevention team for some time but are placing more emphasis on their work. The dedication of staff posts and therefore resources demonstrates an active commitment to preventing homelessness.

In 2010, five **Housing Options** Hubs were set up around Scotland for geographically clustered local authorities to share ideas, and potentially resources, relating to the Housing Options model – offering service users a range of housing options as a first point of call rather than automatically processing a homeless application. This model is designed to prevent people becoming unnecessarily homeless if an alternative route is available. Mediation is one of these options.

2012 ABOLITION OF PRIORITY NEED

The Homeless etc (Scotland) Act 2003 legislated that by the end of 2012, categories of “priority need” are to be phased out across Scotland. The Ministerial Statement on Abolition of Priority Need by 2012 issued by the Scottish Executive (2005) gave more details for local authorities on this. Previously only those who were unintentionally homeless with a local connection and in priority need, would be eligible for settled accommodation. Following the removal of priority need, however, settled accommodation must be provided for all unintentionally homeless people. This target of providing a statutory safety net to a much wider group of people has placed significant pressure on local authority housing departments. This is widely regarded as a highly ambitious target: the impact of this on housing stock demand is colossal. It is expected that following 2012 there will be rise in homeless presentations across Scotland.

At the 2009 interim target point only 43.7% of local authorities were meeting or exceeding their interim target. Research into primary issues in meeting the 2012 target has shown that current financial pressure on local authorities is a significant cause for concern as is the lack of available housing stock.⁹

WELFARE REFORM

Although Housing is a devolved issue, Welfare remains (at 2011) an issue governed by Westminster. In the interaction between these two topics, perhaps more than in any other arena, tensions can be felt between the two policy sets. Following the announcement of drastic changes to the Welfare system in October 2010 there has been much consideration and concern in Scotland about the impact this will have on housing need in Scotland. Of particular significance for young people is the rapid rise in non-dependant deductions: if a young person remains at home beyond the age of 18 with parents who receive housing benefit the amount that housing benefit is reduced by is going to increase each year between 2011 and 2014. This is predicted to increase tension and pressure between young people and their families during these tough economic times, particularly as rates of youth unemployment are rising. It may result in more young people being asked to leave the family home. In addition, there has been an increase from age 25 to 35 to the single room rate: those in this age bracket will no longer get benefits to cover a one-bedroom flat, but will instead have to share a flat with others. This may drive more people to stay at home with their parents beyond the age they would chose to and lead, as with the non-dependant deductions rise, to increased tensions within the family home.

1.2 MEDIATION IN POLICY

Mediation has emerged in Scotland as a part of the wider move towards prevention.

2001 - Mediation and Homelessness: a review of the literature and service providers in Scotland - Lemos and Crane for Homelessness Task Force.

Recommends the introduction of mediation in homeless prevention policies in Scotland.

2002 - Homelessness Task Force report

Recommended local authorities take into serious consideration people's social and informal support networks, and recognised mediation as a tool for facilitating this. 'Many people affected by homelessness would welcome the opportunity to rebuild previous personal contacts. In such situations, mediation may provide a forum for communication and positive discussion ... We recommend that local authorities through their homelessness strategies should develop practical means of enabling people affected by homelessness to rebuild social networks.'

2005 - Code of Guidance on Homelessness

'It may be possible for the authority or another service to intervene to prevent family breakdown and resulting homelessness. Local authorities should consider whether it is appropriate for them or another agency to provide relationship counseling or mediation services. Even where the family ceases to live together, these measures can help prevent homelessness by enabling family support to continue. This support is particularly important for young people leaving the family home.'

2007 - Evaluation of Homeless Prevention Activities in Scotland

Provides a brief overview of family mediation services in Scotland at that time and looks at two case studies. The report identifies the variation in models and some of the issues around mediation in the prevention of homelessness.

2009 - Prevention of Homelessness Guidance

'Intervention in the form of family mediation has been found to be particularly helpful in respect of young teenagers and there are examples of practice where earlier intervention led to successful outcomes for young people and their parents.'

2. WHY IS THERE A NEED FOR MEDIATION?

The following section presents four indications that there is a need for the use of mediation in the prevention of homelessness:

1. Relationship breakdown is the largest cause of youth homelessness and mediation addresses this cause directly
2. At each of the three stages of prevention, mediation is an appropriate intervention
3. Both the structure of families and the nature of adolescence are changing in a way that is likely to increase conflict around accommodation
4. Mediation is unique as a way of working with families in conflict.

2.1 RELATIONSHIP BREAKDOWN

In 2010 – 2011 7,682 young people ages 16 – 20 were assessed as homeless in Scotland. The vast majority of these presentations were prompted by conflict escalating between young people and their parents to the point at which one or both parties decide they can no longer live together. Scottish Government statistics year on year identify relationship breakdown as the greatest single cause of homelessness.¹⁰ Research indicates that family conflict is the main cause of homelessness for between 70%¹¹ and 90%¹² of homeless young people.

It should be recognised that the above figure is an underestimate of the true figures of young people becoming homeless in Scotland. The published government figures do not include the significant number of young people among the “hidden homeless” of Scotland. They may be sleeping on the sofas of friends and acquaintances or moving around regularly, with no fixed address and no stability in their life. The National Homeless Alliance considers that the official homeless population is the tip of a much larger iceberg of people experiencing severe housing need. In addition, statistics do not include the estimated 9,000 young people in Scotland under the age of 16 who run away or are forced to leave their home for one night or more each year (Jim Wade, Missing Out, Aberlour Childcare Trust, 2002). 84% of young people who become homeless aged 16 or 17 have previously run away from home (Shelter Policy Library, Running Away and Future Homelessness – the missing link?, Shelter, 2011).

As has been shown in the previous section, prevention has become a significant theme embodied in Scottish legislation. Prevention is about more than ensuring that roofs are given to those who most need them.¹³ Statistics show that family breakdown is a major driver for homeless presentations: it is logical to target intervention here, at its cause in order to prevent young people beginning the negative downward spiral that accompanies homelessness. In discussing the prevention of homelessness post-devolution, Wilcox and Fitzpatrick comment that in order to be effective, prevention policies have to target the key causes.¹⁴

The following research studies based on interviews with young homeless people have shown that there is a felt need amongst homeless young people for interventions that directly tackle the problem of relationship breakdown:

- ‘Prevention is better than Cure’ found that **one in three** respondents who left because of family disputes mentioned that reconciliation with parents might have been possible.¹⁵

- The Children's Society Study 'Still Running' found that the **most common thing** cited as something that may have prevented leaving home was family support and mediation services.¹⁶
- **32%** interviewees in the 'Significance of Family to Young Homeless People' study thought that mediation would have been useful before they left home.¹⁷

2.2 STAGES OF PREVENTION

The Scottish Government Prevention of Homelessness Guidance 2009, describes three main stages where intervention can prevent homelessness: i) Early intervention ii) pre-crisis and iii) the prevention of recurring homelessness through tenancy breakdown.¹⁸ Importantly Randall and Brown comment that longer term work and prevention work with those at imminent risk are not mutually exclusive alternatives. Both are necessary parts of a wide spectrum of preventive services.¹⁹ The following section identifies how mediation operates at each of these three stages of homeless prevention.

Pro-active and early intervention ... will have more impact than traditional re-active responses to homelessness.

Increased effort and investment in precautionary activities will probably over time lead to fewer instances of homelessness crisis.

Guidance on prevention of homelessness, 2009
COSLA and Scottish Government

i) EARLY INTERVENTION

*'Where those potentially at risk are identified and services provided to support the person and their environment before incipient problems or disputes escalate beyond repair.'*²⁰

For many young people the 'environment' prior to presentation as homeless is the family home. Early intervention recognises that support for 'the person *and* their environment' is required if homelessness is to be prevented. Mediation shares this acknowledgement of the interconnected nature of an individual at risk of homelessness and their 'environment', working with all parties involved in a dispute to build more positive relationships (see 3.7). The above definition is also useful in its recognition that there exists a period 'before... disputes escalate beyond repair'. Where 'those potentially at risk' are identified, by guidance teachers, youth workers or other frontline professionals or family members, a mediator can assist the family to come to a peaceable agreement, before the disagreement escalates to the point where homelessness is threatened.

The report, "Homelessness Prevention: Can we afford not to?" monitored De Paul's *Reconnect* service, offering mediation and support. They found that:

Early intervention is especially effective; homelessness is prevented in 90% of clients who are helped before they leave home, compared to 64% of clients helped after they leave home.²¹

However, of 2010 - 2011 applications closed for households assessed as threatened with homelessness or as not homeless only 5% (350) across Scotland were recorded as having been offered services such as mediation or counseling.²² As the large majority of those assessed in this way are at risk of homelessness

and proportionally it is likely that 54% will be leaving because of relationship breakdown, that only 5% were offered mediation or related services suggests an underuse in Scotland of mediation as an early intervention.

ii) PRE-CRISIS

At this stage of prevention work, homelessness has been identified as an approaching threat. Typically for young people conflict in the home has escalated to the point that the young person is talking about leaving, or the parents have threatened that the young person will be asked to leave. At this stage, when the potential consequences of family conflict are clear, mediation can assist people to explore alternative outcomes. Where a situation seems hopeless and homelessness seems inevitable, working with a mediator can offer hope that there is an alternative path available. As we have seen in section 2.1 above, research has shown that homeless young people themselves think that the intervention of a mediation service could have prevented their homelessness.

Some of the models of mediation between young people and their families that have been developed in Scotland over the past decade have focused on mediators working in crisis situations. As analysis of this paper's research findings will show, mediating in a crisis situation is, in the majority of cases, less effective than mediating at other stages of conflict (see 8.4). Indeed, as the 2009 Guidance acknowledges, 'although crisis response services are valuable and necessary it can still be difficult to actually prevent a homeless presentation at such a late stage'.²³

iii) PREVENTION OF RECURRING HOMELESSNESS

For many young people moving into their own tenancy is the golden moment they have had their eyes set on through months or years of family strife. However, such independence presents many challenges. A large number face fundamental problems of isolation and loneliness. *Repeat homelessness in Scotland*²⁴ highlights that 'within the 9-10,000 homeless households re-housed by local authorities each year, around 3,500 do not sustain their tenancies – with most of the tenancy failures taking place within 6 months'. The same paper cites young single people as amongst those most likely to present as homeless on repeat occasions through being unable to sustain their tenancies.²⁵ A study into the rising rate of tenancy failures in South Clyde in 2001 found that factors in tenancy failure were likely to include feelings of isolation within low demand neighbourhoods. The loneliness and vulnerability which young people felt in their homes emerged as a major factor in unsuccessful tenancies.²⁶ These problems have been expounded by Gerald Lemos in his report, *Homelessness and Loneliness - The want of conviviality*.²⁷ Where a young person's relationship with their family remains broken and they feel that they have "burnt their bridges", mediation can help families to re-establish communication and to restore family ties. A briefing by Shelter surmises that the rebuilding of family relationships and wider social networks through mediation may provide a possible route out of homelessness and prevent its re-occurrence in the future.²⁸

2.3 THE CHANGING FACE OF THE FAMILY AND TEENAGERS

FAMILY

Over the past 50 years there have been significant changes to the formation of the British family – figures for divorce, separation, re-marrying and co-habiting all having rocketed since the 1960s. This has put increasing pressure on family relationships. There is no such thing as a typical family in 21st Century Britain.²⁹

In 'A Future Foretold' Lemos comments that it would be hard to argue that there has not been a weakening of the ties of tradition and obligation that once bound families together. In particular, he recognises the tension and conflict often experienced in "reconstituted" households in which new relationships and rules have to be negotiated and forged.³⁰ Two-thirds of the 56 young people interviewed for the report '*Young homeless people and their families*' came from disrupted homes. They were likely to have left home because of conflict between themselves and their biological parent's partner.³¹

Despite the observed decline of the nuclear family, there is diversification and evolution of family structures and family is still important. The family remains the foundational unit in British society: 93% of people in a British Social Attitudes Survey said that family was more important to them than their friends.³² The quality of family relationships is a fundamental aspect of young people's wellbeing and more important than change, family structure or even quantity of time spent together.³³

TEENAGERS

Not only is the family changing, but teenage years look different too. A study by About Families has found that young people's transition to independence is less structured, more gradual, and takes longer than in the past, yet in some ways younger teens are introduced to elements of growing up at a younger age than previous generations.³⁴ Puberty starts earlier than in the past, the distinction between childhood and adulthood is less clear, and economic difficulties make it harder to leave the family home during late teens.³⁵ The socio-economic foundations of independent housing for young people started to fracture in the 1980s and extended financial support from parents is increasingly required to facilitate independent moves.³⁶ This trend has continued in the recent 2010 Welfare Reforms (see section 1.1). This means that adolescence is stretched at both ends, creating an artificially long period of dependence and semi-independence. The dynamic of the transition from dependence and to independence is a pervasive feature of conflict between parents and their teenagers. Although this conflict is a necessary and healthy part of re-defining boundaries during adolescence, the changes to the life stage observed above may be putting increasing pressure on family relationships. In the current financial climate, with unemployment rising and welfare benefits being cut, the stress and burden on families are likely to continue to rise.³⁷

Both the changing face of the family, and the changes to adolescence seem to indicate that there is increasingly likelihood of conflict between young people and their families.

2.4 THE UNIQUE ROLE OF MEDIATION

It is relatively common for those working with young people and their families to try to facilitate some form of temporary or longer term reconciliation. This may take the form of a guidance teacher leading an informal family meeting at which home issues are addressed, or may be a youth worker within a homelessness charity advocating on behalf of a distraught young person to her irate father. More significantly, it may involve homeless officers visiting the home of a young person who has presented as homeless to determine the validity of their claim and negotiate a return home. This has been well documented as the successful approach of North Ayrshire's homeless department. Each of the professionals mentioned may be using skills in common with those of professional mediators and beneficial work is undoubtedly being done. Many will have received training in "Mediation Skills", which will include understanding some of the dynamics of

conflict, listening well and some form of negotiation. These skills are good and helpful; most mediators would advocate everyone using them. However, it is essential to recognize Mediation as distinct and different: what is happening in these meetings is not Mediation. An analogy may be helpful. A man may have football skills, may even have received a little training at some point and sometimes has a kick-around. However, he is not a Footballer who trains regularly, studies the skills and gives his life to the understanding and excellent practice of Football. To become a mediator registered with the Scottish Mediation Register – administered by the Scottish Mediation Network, the professional body of mediators in Scotland – a mediator must adhere to Practice Standards which sets standards for training, experience and ongoing practice.³⁸

The differences between those who informally use mediation skills and Mediation can be identified as falling into two categories:

i) UNIQUE PRINCIPLES

In distinguishing mediation from other forms of intervention, Marian Roberts looks specifically at social work for comparison. Differences between the two professions include the location of authority, self-determination of the client, expertise, competence, impartiality, assessments, length and focus of intervention. She locates mediation as being quite different from advice, guidance, counseling and psychotherapy, and family therapy. For Roberts, the key differences are not cited in terms of process or outcomes, but in terms of the underpinning values and precepts of mediation. Paramount for Roberts is the understanding of the competence of the parties to define their disputes and assert their meaning, and the parties' right and power to make their own decisions.³⁹ The role of a mediator as an impartial facilitator is significant in this, as is the parties' perception of this impartiality.

ii) UNIQUE PRACTICE

Mediation follows a defined process, which has been tried and tested across many different contexts. There is safety, flexibility and wisdom within the boundaries of this process in which people are assisted to identify the sources of conflict, identify shared underlying interests and ways of resolving the conflict that create a win-win solution that all parties are committed to.

The emphasis on accountability, supervision, neutral engagement and follow-up in mediation is unique. Lemos and Crane note regarding other forms of intervention, 'The work is usually informal so often no specific or detailed records are kept... An advocate, for example a key worker, speaks on behalf of their client and cannot be said to be neutral.'⁴⁰ The issue of neutrality is also raised in Quilgar's research, noting that housing officers have a vested interest in the outcome of a case; what they are doing is negotiation rather than mediation.⁴¹ Participants in that same research raised concerns over the long term impact of negotiation in this context; 'a couple of workers negotiating you going home. It might last for a while, but could be putting off the inevitable. That needs to be monitored.'⁴² Further, alternative types of negotiation do not change people's ability to cope with future conflict, only dealing with the presenting issues, whereas mediation equips people with new skills, as will be seen in the next section.

3. WHAT ARE THE BENEFITS?

In the previous section, four factors demonstrating the need for mediation were described. In this section, the benefits of mediation in the context of the prevention of homelessness are presented.

3.1 OUTCOMES

The following outcomes provide one indicator of some of the benefits mediation may bring about:

- Mediation may result in conflict being resolved in a way that allows a young person **to remain at home**. To prevent the corrosive, damaging, traumatic effects that an individual can experience through becoming homelessness is, clearly, of immeasurable benefit to the young person. This outcome is most likely at the 'early intervention' stage of prevention. Randall and Brown note that if reconciliation is not attempted, leaving accommodation whenever a problem arises may become the start of a pattern of a chain of similar events. Their research also shows that people who have become homeless subsequently wish that they had resolved problems with their families at the start and would advise other young people to stay at home if possible.⁴³
- In some cases, a young person may **return home** where previously they had been staying with other family members or "sofa surfing" with friends, or strangers, which can be both unsafe and disruptive, or sleeping rough. Alternatively, they may have already been staying in temporary accommodation provided by the local authority.
- Living at home may not be the best option for the young person or their family. For instance, where relationships have become abusive. In other situations, there may be 'irreconcilable differences' - the relationship has broken down beyond the point of imminent repair. If a young person is going to move out, it is imperative that they **move out in a safe and planned way**, as opposed to running away or being forced to leave hurriedly in acrimonious circumstances. Doing so can put a young person at great risk: they may find themselves sleeping on the streets or in unsuitable, unstable accommodation. Mediation can help a family to agree in advance how they will retain links and support even once the young person has moved out. As detailed in the Shelter Good Practice Guide, retaining links with family and the support they can offer is often the key to gaining and keeping a successful tenancy. It may also mean that the young person will not need to rely on supported housing or resettlement services, or may only need to receive a minimal service.⁴⁴ Many pieces of research into mediation stress the importance of its function in strengthening informal support networks. The help and support that family and friends can provide is more sustainable than that which formal, professional support can deliver. More care and support is most often given by those attached to us emotionally than can ever be given by those attached to us professionally.⁴⁵ Mediation recognises that support from professional agencies is of necessity time limited and therefore works to build sustainable support networks for young people.⁴⁶

Mediation and other reconciliation services should take into account that building close knit family ties does not always involve living under the same roof. Family can play a crucial role in providing support even if the members are not bound by bricks and mortar.

The Significance of Family to Young Homeless People
- Jennifer Monfort

- Young people who have left home and become homeless will often feel as though they have burnt their bridges. Many people who have been resettled following homelessness have told researchers that they wish to re-establish amicable relationships with family.⁴⁷ Mediation can help a family to **regain positive and meaningful contact** through working with the family to help them find and strengthen any threads of relationship that remain and to re-learn how they can communicate with each other.

See Appendix 2 for the outcomes that the Scottish Centre for Community Mediation proposed to collect as a central point, which tally with the outcomes identified by Shelter in their Good Practice Guide.⁴⁸

3.2 SAVINGS

The human costs of homelessness are numerous: there is often damage to health, employability and self-confidence to name but a few. In a time of tight budgets it is also prudent to consider the financial savings of mediation.

Prevention of homelessness has been consistently demonstrated to save local authorities money although estimates range widely. This is due to the interaction of significant variable factors including:

- costs incurred by someone being assessed as homeless. Shelter recently calculated the cost of making a decision on a homeless application as £558, based on an average of costs across England.⁴⁹
- locally available accommodation: the range of temporary accommodation and the use of Bed and Breakfasts. Temporary accommodation may range from £74 to £214 per week depending on local contexts⁵⁰, with an average case duration in Scotland in 2010- 2011 of 30 weeks.⁵¹
- the support needs of individual cases, which can add up to several thousands of pounds per case
- the mediation service model design, of which there have been a wide assortment in Scotland in the past decade. Some mediation schemes have involved the training of current local authority staff whereas others have involved the commissioning of external services of varying sizes.

These multiple variable factors make it challenging to calculate the average saving of a mediation case or service, which falls beyond the scope of the current report. This report would welcome research in Scotland that calculates the current average cost saving of prevention activities, including mediation. The following figures can point to the scale of significant savings available to a local authority that 'spends to save' by implementing a mediation service:

- De Paul UK with Insley Consulting (2011). Using average projected costs of homelessness in England against the cost of a prevention service, claims that a youth prevention service saved a Local Authority an average of **£3,229** per young person who would otherwise have been accommodated under the Housing Act.
- Shelter with Acclaim Consulting (2010). Addressing a wide range of prevention activities across England, calculates that the average 'Prevention Unit Cost' is £826 against the 'Acceptance Unit Cost' of £2,112. Thereby prevention on average saving a local authority **£1,286** per case.
- Scottish Government Prevention of Homelessness Guidance (2009). Case studies suggest that a typical example of homelessness in Scotland costs around **£15,000** with a more complex case costing up to **£83,000**.

The above figures show that if a mediation service prevents even a relatively low number of young people from becoming homeless each year, it can be financially beneficial.

3.3 SUSTAINABILITY: VOLUNTARISM AND CONSENSUAL DECISIONS

Voluntary involvement by both parties is held highly as a principle by almost all mediators. Boulle and Nesic note that the connection between a person volunteering to be involved is connected with more participation in decision making and an emphasis on self-determination.⁵² The Family Law Bar Association maintained in the late 1980s that mandatory reference to family mediation was a waste of time and money and could even exacerbate disputes. The 1985 Booth Committee considered that the decision whether to take part in mediation must rest with the parties because success depends on the willing participation and co-operation of the parties.⁵³ The above declarations by decision making bodies show that there is a long standing precedence for the importance of mediation being entered into voluntarily by both parties. Centrepont research found that young homeless people felt strongly that a family has to be ready to try mediation and it wouldn't work if it was forced on them.⁵⁴ Emery summarizes that a mediated agreement, because it is voluntarily assented to, is more likely to be satisfactory to the parties and therefore to be adhered to by them.⁵⁵

The same principle of self-determination underlies the dedication of mediation to consensual agreements i.e. mutually acceptable party decisions reflecting the preferences of the parties, not the mediator. This is contrasted by the mediation community with coercive decisions imposed on people, for example by the courts. That the parties agree to something that they have mutually and willingly decided is another factor in the sustainability of mediated agreements. Decisions are more likely to endure over time if the parties have assumed the responsibility of making them. Importantly, participants' control of the content of mediation also promotes quality decisions in that they are the best-informed people to define their real interests and issues.⁵⁶

3.4 SOCIAL NETWORKS

We all know now that homelessness is not just about bricks and mortar. All the buildings in the world will not stop someone with real problems sliding down the housing ladder and onto the street.

- *Foreword, Homelessness and Loneliness*
Shaks Ghosh

Since the mid-1990s there has been a growing awareness of the social and emotional needs of homeless people alongside the practical ones. To meet social and emotional needs we need people around us: friends, colleagues, family, teachers. The term that is currently used for these everyday and normal relationships is "social networks". Through our social networks we can gain support, encouragement and companionship. Importantly, informal networks of social connections also open up opportunities for us in spheres such as employment and leisure to aid our personal development or help us move on.

In response to the recognition by the Homelessness Task Force of the importance of social networks for homeless people, and its subsequent recommendation, the

Scottish Social Networks forum was established in 2005. Scottish Social Networks promotes mediation as a key tool, alongside mentoring and befriending, for building and re-building social networks for young homeless people. Through geographical or emotional distance they may have lost those key positive relationships that strengthen us and bring us through the hard times. Lemos and Crane's 2001 report repeatedly states that the benefits of mediation are 'principally in the sustaining and strengthening of social networks.'⁵⁷ In an earlier paper, Lemos make a strong case for the importance of family as a crucial element of a person's social network, calling family 'the first bulwark against need.'⁵⁸ This opinion is backed up by recent research involving young homeless people who identified that family members are important as being a source of advice, information and practical help, including money as well as because of loyalty and reliability.⁵⁹ In another paper Lemos coined the term 'conviviality'. He says that if life is to be worth the living, homeless young people need the informal support of family and friends. Despite the many new relational configurations which our society has spawned in the past few decades, family and friends are still vitally important.⁶⁰

In encouraging people to find for themselves a sustainable, positive solution to conflict, mediation frequently gives people the glimmer of hope that they need to re-claim lost bonds and benefit from family relationships once again. It can help people to move beyond issues that have been a barrier to reconciliation: if common ground is to be re-established outside independent mediation is required.⁶¹ By maintaining links with their families, young people will maintain pathways that may offer hope and help to rehabilitation in the future. Mediation can help to retain relationships, even those that are severely damaged and hanging on by the smallest thread.

Beyond Homelessness conducted a survey of 129 local authority and Voluntary and Community Sector organisations drawn from across all 32 Scottish local authorities. It has produced some significant data on social networks services (identified as befriending, mentoring, mediation and independent living skills) in Scotland.⁶² Key findings of the research suggest that it would be congruent for local authorities to investigate further utilizing social networks.

- Levels of evidencing successful tenancy sustainment was consistently high amongst users of all four services, ranging from 86.2% to 94.7%.
- Overall, 68.2% of respondents saw such services as delivering Best Value in the delivery of housing support services (for 33.9% the question was not applicable and only 3.1% did not view these services as delivering Best Value).
- 83.9% of local authority respondents acknowledged a link between promoting positive social networks and overcoming homelessness, especially in relation to meeting the 2012 homelessness target.

3.5 RESILIENCE

From having a range of stable relationships we gain confidence, self-esteem and the ability to weather the storms of life knowing that we will be supported and cared for through them, with a firm sense of who we are in the centre of them. 'Strengthening social networks can generally enhance people's sense of wellbeing, quality of life and, to use the fashionable phrase, social capital.'⁶³ Having strong social networks also increases our resilience, which is how we deal with changes or transitions that allow us to further develop to our full potential. A secure base- that is, a safe place we call home - is an important factor as one of the six "domains" in resilience theory. Without a secure base, resilience theory says, as humans we flounder and are unable to thrive. Of course, our "home" is

not just the place we lay our heads at night but also the people that make up the foundational relationships in our lives. When these are damaged or broken we find ourselves without a key source of strength and support. Mediation builds resilience by strengthening social networks and by working to stabilize the family- to make it again a 'secure base'. In strengthening these things, a person will be more able to cope with, or be resilient to, further challenges they may face. For many young people at risk, it is not one factor but a host of problems that may lead to homelessness. Through strengthening social networks young people who engage in mediation may be more ready to face the next problem that confronts them.

3.6 CONFLICT RESOLUTION AND THE WIDER COMMUNITY

The instability and anger associated with conflict will often be carried out of the front door and to have an impact on the broader community, the choices they make and their response to situations they face. Many young people who are at risk of homelessness, or are homeless, have a range of problems including substance misuse, anger issues leading to violence, mental health problems, truancy and even criminal activity. As Randall and Brown highlight in "Trouble at Home", it is not easy to disentangle the extent to which these are causes of, or are caused by, conflicts within the family. In most cases both factors seem to be present.⁶⁴

To explore in depth the connection between experiences at home and each of the social problems listed above falls beyond the scope of this report. It is fair to surmise that trouble at home increases the likelihood of a young person's involvement in negative situations. Without a stable home life young people lack the support and encouragement they need to engage and succeed.⁶⁵ The Safe in the City project was established in London in 1996 to research the impact of targeted and joined up early intervention on young people experiencing risk factors that may lead to homelessness. There were three components to the project: family support (including a large mediation aspect), personal development, and skills and employability. This large-scale, closely monitored action research project found that tackling emotional difficulties and family problems assists change in other areas without further intervention: 'young people who grow in confidence and self-esteem often begin to engage with education or their future as a matter of course.'⁶⁶ Facilitating families to regain stability can decrease problems in the wider community.

3.7 MEDIATION AND INDIVIDUAL CHANGE

Change is intrinsic to the dynamic process of exploration that negotiations involve. The mediation process itself involves a movement away from sterile interpersonal quarrelling and recrimination toward an examination of future options.

*– Mediation in Family Disputes
Marion Roberts*

As an alternative way to approach conflict, the mediation process itself can be transformative for participants.

- **Self-determination** The “Transformative mediation” approach advocates that it can empower participants to exercise self-determination; mobilizing their own resources (self-respect, self-reliance, self-confidence) to address problems and achieve goals. Roberts describes that mediation, in offering a calm, safe forum for reasonable exchange could provide the opportunity for retaining or regaining control over their own affairs and for encouraging self-determination and autonomy.⁶⁷ In this way many people have found mediation a powerful tool for positive change in areas of life other than the relationship at hand.
- **Empathy/ recognition** In addition, this alternative way of approaching conflict engenders empathy in participants, understanding and concern for the other as a fellow human being.⁶⁸ The parties can learn how to negotiate more effectively together, and by means of this improved capacity to negotiate, better manage future differences themselves in the long term.⁶⁹
- **Future skills** Whatever the outcome of a mediation case, participants will benefit from mediator’s modeling of negotiation, problem solving techniques and communication coaching. Equipped with conflict resolution and communication tools, these skills will help them in many aspects of life; for young people this may include teachers, future employers and peers.

3.8 THE WHOLE FAMILY

There are numerous projects focused on vulnerable young people, all of them doing valuable work. However, care for the whole family as a unit is under represented in Scotland at the moment. Research into work with families has found that unless support is undertaken simultaneously with the young person and their parents, there is little if any improvement in family relationships or young people’s behaviour.⁷⁰ Family mediation is recognition of the need to work with parents and other family members, as well as the young person who is homeless or threatened with homelessness.⁷¹ This view is supported by the external evaluation of one mediation project. Through interviewing service users they found that support experienced by the mothers in these cases was essential to maintaining short term family stability but may well have equally important implications for longer-term family resilience.⁷² It is important at this juncture to note the well-debated difference between mediation and support, a dynamic which will be explored more thoroughly later in the report. However, through engaging with both parties, mediation offers an important perspective, recognizing that youth homelessness is not the story of an individual, but of an individual in the context of a community: their family.

In most cases the parents of homeless young people themselves have serious problems. In Randall and Brown’s survey, 48% of young people reported parental problems such as abuse, alcohol, drugs or mental health issues of as having caused them to leave.⁷³ In many cases the root of the conflict that leads a young person to leave home may be embedded in the family history. Therefore interventions which solely focus on problems faced by the young person will not be effective in nurturing the right environment for return home to or promoting the provision of the sustainable informal support needed to remain away from the family home.

4. WHAT ARE THE POTENTIAL LIMITATIONS?

The actual practice of mediation in family disputes is recognised to be grueling as well as creative intellectually and emotionally... The dynamics of the process are fraught and many-layered. With the need for greater clarity than ever about what mediation is and can achieve as well as the limitations and obstacles that might render its use inappropriate, the scale of the task requires mediators to adopt a modest approach with a full awareness of the obstacles.

- *Mediation in Family Disputes*
Marion Roberts

The limitations that place boundaries on the success of mediation can be divided into two categories:

- i) limitations that are generic for mediation in general
- ii) limitations that are specific to the particular field

i) GENERIC LIMITATIONS

4.1 DEMONSTRATING EFFECTIVENESS

To *prove* the efficacy of preventative interventions is a great challenge in general and, specifically, in the field of mediation. This is a particularly salient issue at this time of scarce public resources. Whether or not a service is able to *prove* that it delivers Best Value essentially spells whether or not that service will survive.

Published by the Scottish Government in 2008, at the turning of the economic tides, the Evaluation of Homelessness Prevention Innovation Fund Projects offers some helpful insights.⁷⁴ It highlights that for projects that are precautionary, where there is a high risk of future homelessness but not yet crisis, it may be impossible to prove that any specific intervention has been responsible for preventing homelessness. The evaluation concludes that definitive attribution of outcomes to specific interventions is probably an unattainable goal. Therefore process improvement, rather than proof, should be the goal. Assessment of the counterfactual or what would have happened without the intervention is conceptually, practically and ethically difficult⁷⁵. It can be a time-consuming and costly exercise; both methodology and accuracy remain controversial. On a more practical level, the Evaluation notes, it is also not always possible to establish a baseline measure or to ensure data can be gathered at the 'exit' point to assess change over time.⁷⁶ This can be particularly problematic when working with young people who are notoriously difficult to contact.

Also published in 2008 was 'Homelessness Prevention: Lessons for Programme Development and Evaluation Practice Good Practice Guidance'. This recommends that monitoring and evaluation frameworks should be developed in partnership once outcomes have been agreed, not over-prescribed in advance or based on indicators which have little direct relevance to the specific intervention. There must be at the outset of a project agreement on what relevant outcomes are. The authors of the Good Practice Guide point out, 'the challenge will be to

develop meaningful local indicators and targets that ultimately can be mapped to the national outcomes through SOAs.⁷⁷

The Good Practice Guidance is helpful in affirming that informal review or reflective practice can be a valid and valuable part of a more formative evaluation process. The simple and incidental things, or stories of how things are working, are important and can reveal as much as any structured framework – both, they conclude, are valuable.⁷⁸

There remain difficulties in monitoring and evaluating the effectiveness of mediation services, alongside all other prevention interventions. However, taking into account the published advice it is possible to put realistic and appropriate systems in place that demonstrate the effectiveness of prevention services.

4.2 AWARENESS AND UNDERSTANDING

In 2007 MRUK Research were commissioned by the Scottish Government to gauge awareness and perceptions of mediation among a representative sample of the adult population of Scotland.⁷⁹ The research was directed towards the resolution of civil legal disputes but is a useful indicator of public perceptions of mediation in general. In 2007, 53% of respondents were aware of mediation, 43% were unaware and 4% were unsure. 16 – 24 year olds and lower socio-economic grades have the lowest awareness of mediation services: less than two fifths of these groups knew the correct definition of mediation. Particularly with reference to homelessness mediation this is a barrier to services fulfilling their full potential as the core client group has been demonstrated to be under-aware of mediation. The greatest perceived barrier to using mediation was felt to be lack of understanding of how mediation works (55% of those considering using the service).⁸⁰

Many of the young people interviewed who had become homeless as a result of relationship breakdown either did not know where they could access mediation services or were not even aware that such services existed.

- *The Significance of Family to Young Homeless People*
Jennifer Monfort

ii) SPECIFIC LIMITATIONS

4.3 MEDIATION AS “GATEKEEPING”

The most widely documented criticism leveled at mediation between young people and their parents is that mediation is used as “gatekeeping” by local authorities. Gate keeping is described as the practice of preventing or discouraging people from making homelessness applications as opposed to preventing homelessness from occurring.⁸¹ Some have even suggested that mediation can be used by councils as a way of avoiding statutory obligations to house homeless people.⁸² It should be noted, however, that many prevention activities have fallen under this same criticism, particularly in England where the prevention agenda has been rigorously applied. Wilcox and Fitzpatrick have suggested that in Scotland there is a governmental desire to avoid allegations of gatekeeping of the type that have emerged in England and Wales. They judge

that the rolling programme of regulatory inspections of local authority homelessness functions makes gatekeeping in Scotland far less likely.⁸³

One of the core definitions of mediation is that it is offered by a neutral third party, who has no stake in the outcome of the mediation. As the state carries significant obligations towards anyone who is homeless, it cannot be avoided that there is some stake held by local authorities. The implication is, then, that where local authorities are providing mediation, there must be some very careful thought around whether, or how, they can act as a neutral party. The issue of neutrality does not end with local authority services, however. The vast majority of mediation services in Scotland are funded by the local authority (see Table 1). The Advice Services Alliance website comments, 'where mediation providers are funded by the local authority, it is hard for them to remain entirely neutral: their continued funding may depend on how effective they are at helping the authority to meet its targets to reduce homelessness applications and numbers of people in temporary accommodation.'⁸⁴ The conditions of funding, then, are also important in considering whether, or how, a service is preserving the core value of neutrality.

This issue of mediation being used as 'gatekeeping' was brought to a head by the case of *Robinson v Hammersmith and Fulham London Borough Council* in 2005/2006. On July 28th 2006 at the conclusion of the case, the court was critical of the local authority for using mediation to justify delaying their decision, in order to avoid their housing responsibilities.⁸⁵

It goes without saying that mediation is an enormously valuable tool in the resolution of problems of homelessness. However, the process of mediation is not to be confused with the duty of a local housing authority... In my judgment, the process of mediation is wholly independent of the section 184 inquiry process.

- *Robinson v Hammersmith and Fulham London Borough Council*
Lord Justice Parker

Another core principle of mediation is confidentiality. In England it has been found that some local authorities were requiring mediators to report back to the local authority homeless department, the information they provide being used to influence the homeless assessment.⁸⁶ This clearly compromises the trust of the client and core mediation principle. Sequentially ordered mediation in relation to the assessment process could amount to a denial of a homeless person's rights.⁸⁷

One model of operation has been suggested in order to avoid the potential pitfalls detailed above. In Lemos and Crane, 2001, respondents said that mediation between young people and their families was potentially hard to regulate and should therefore be provided by an independent body, not agencies which may have their own agendas and thus undermine their purpose. Service users may also experience wariness or 'fatigue' towards council services.⁸⁸ Shelter's Good Practice Guide in 2005 also recommended that the delivery of mediation services should be run by independent agencies, which they consider to be the most effective model.⁸⁹

4.4 “HARD” and “SOFT” OUTCOMES

The ability of mediation to prevent young people entering local authority accommodation is intrinsically linked with the discussion regarding mediation outcomes (see 3.1). “Hard” outcomes may be defined as accommodation outcomes that can be quantified at any point in time, for example a young person returning home. “Soft outcomes” may be defined as qualitative changes that have occurred such as an improved relationship, the resolution of a conflict, improved communication and support.

The key word in discussion of any hard outcomes mediation produces is MAY. Mediation MAY lead to young people staying out of local authority accommodation. It MAY, however, not. Mediation at its core is the facilitation of discussion by a neutral third party. As a facilitator the mediator cannot direct the outcome of mediation. The mediator has no power to impose a settlement on the parties, who retain authority for making their own decisions.⁹⁰

Having no power to influence what is agreed, there are fundamental problems in mediators predicting what will be agreed across their caseload. Any prediction of hard outcomes is based on the repeated experience of mediation teams across Scotland that the strengthening of relationships through mediation results in families reconsidering whether a young person can live in the family home. In addition, some homeless departments have criticized mediation for being too focused on listening and not effective enough in warning young people about the risks of homelessness. However, it is well within the role of a mediator to actively explore the consequences of particular actions with clients. Especially when coupled with support, or close joint working with homeless officers, there is no reason for a young person to not receive the important messages about the harsh realities of homelessness (see section 9.2).

Government demands for efficiency are likely to manipulate mediation into forms not countenanced by those for whom it is an expression of an alternative philosophy of conflict management... The possible conflicting motivations highlight the fact that mediation is in the crucible of politics, economics, professional interests and ideological debate. In this context it is no surprise that it takes on many shapes, forms and value orientations.

- *Mediation: Principles, process, practice*
Boulle and Nesic

This lack of certainty around outcomes, however, can create tension with local authority targets.

Research by Quilgers into youth homelessness between 1998 and 2008 interviewed 121 agency representatives across the UK. They observed that tensions were evident between statutory agencies and mediation practitioners regarding the role of the service. Some providers felt that local authorities were setting unrealistic ‘return/remain home’ targets and imposing overly severe restrictions on the intensity and longevity of support to be provided to young people.⁹¹

With the above in mind, and in full sympathy of the pressures that Local Authorities face, it is apt to introduce the opinion of Lemos and Crane, 2001.

‘The benefits of mediation with families are not to be denominated in the currency of reducing the amount of social housing needed for homeless

people. Mediation with families is unlikely to exert any downward pressure on demand for social housing from homeless people.⁹²

Referring to homeless prevention in general, Sharp and Robertson comment that often projects are working with clients to equip them with the skills, knowledge, confidence and so on that will help them to deal better with future crisis in their lives. These varied objectives mean that notionally “objective” direct measures of success in terms of a reduction in homelessness presentations may not be appropriate.⁹³ To illustrate this, Alone In London, for much of the past ten years widely heralded as the flagship of this work comment, ‘a figure of say five people returning home is a great achievement... the work is time consuming and engaging the young person in the first place is a positive outcome which should not be overlooked.’⁹⁴ The benefit of measuring the success of mediation in terms of accommodation outcomes may be called into question.

4.5 NOT UNIVERSALLY APPROPRIATE

Where referrals are made with the expectation of a young person returning to the home, there is concern that young people may be expected to return to intolerable situations of intimidation. Or families might be expected to take back people who are violent in ways that might disrupt the family home or destroy other family relationships.⁹⁵ It is crucial that effective risk assessments are carried out when considering the use of a mediation service to ensure that a young person is not put at risk.⁹⁶ Where violence or abuse is reported, this needs very careful and sensitive handling.⁹⁷ However, if we are to use the definition of mediation used by the Scottish Mediation Network, mediation is a process that is entered into voluntarily and agreements are mutual, assented to by both parties, which should safeguard against the above concerns.

It is also important to recognise that not everyone will welcome a mediator becoming involved in their conflict. Young homeless people have identified the following reasons for not thinking mediation would be helpful:

- think that their family are too stubborn and would never change
- fear that their family would simply refuse to take part
- consider there to be fundamental personality differences that could never be resolved
- perceived awkwardness and intrusiveness of involving third parties in personal disputes
- fear that their parents would resent the intervention and react very negatively (potentially violently), perhaps seeing it as an admission that the family could not deal with their own problems
- concern that parents would manipulate the mediator, ‘putting on a show’, and then revert to unhelpful behaviour once alone.⁹⁸

When considering the scope of these reasons for being dubious about mediation it is interesting to note that for many this hesitancy relates to their perspective on their personal circumstances, rather than on the concept of mediation itself.⁹⁹ However, it is important to realize that for some people, no reconciliation may be possible or desirable.

5. THE SHAPE OF SERVICES IN SCOTLAND

Local Authority (L.A.)	Dates	Service name	Organisation	Commissioned by L.A.		L.A. service	Funding		
				Yes	No		L.A.	Indepe nde nt	None
Aberdeen City	2011 -	Prevention team (mediation inputs)	Homeless Dept.			✓			
Aberdeen-shire	2010	Community mediation	Sacro	✓			✓		
Angus	2004	RS Tayside and Fife	RS	✓			Spot purchase		
	2007 - 2008	PSEM project	Restorative Justice	✓			✓		
	2011 -	Young People's Housing Options Project	Homeless and Social work dept.			✓			
Argyll and Bute	2008 -	RS Argyll and Bute	RS	✓			Spot purchase		
Dumfries and Galloway	2007 -	RS Dumfries and Galloway	RS		✓				✓
	2010	RS Dumfries and Galloway	RS		✓			✓	
Dundee	2009 - 2010	Community mediation	Sacro	✓					✓
East Ayrshire	2005	Community mediation	Sacro	✓					✓
E.Dunbartons hire	2005 - 2011	Community mediation	Sacro	✓			✓		
East Lothian	2001 - 2008	Community mediation	Sacro	✓			✓		
	2009 -	Amber	Edinburgh Cyrenians/ Sacro		✓			✓	
	2011	Amber	Edinburgh Cyrenians	✓			✓		
East Renfrew.	2003 - 2007	Community mediation	Sacro		✓				
Edinburgh	2006 -	Amber	Edinburgh Cyrenians/ Sacro	✓			✓	✓	
	2010 - 2011	Networks Project	Rock Trust		✓			✓	
	2011 -	Compass Project	Rock trust		✓			✓	
Falkirk	2009 -	RS Forth Valley	RS	✓					✓
Fife	2005	Community mediation	Sacro	✓			✓		
Fife, Angus, Dundee, Perth & Kinross	c. 2005 -	RS Tayside and Fife	RS		✓				✓

Local Authority (L.A.)	Dates	Service name	Organisation	Commissioned by L.A.		L.A. service	Funding		
				Yes	No		L.A.	Independent	None
Glasgow	2008 - 2010	Mediation service	Glasgow Community and Safety Services	✓					✓
Highland	2005 - 2006	Volunteer mediation service	Range of homeless orgs	✓			✓		
	2011	RS Highland	RS	✓			Spot purchase		
Inverclyde	2009	Community mediation	Community safety services			✓			✓
	c. 2009 -	Homeless Officers	Homeless dept.			✓			
Moray	2005 - 2006	Volunteer mediation service	Range of homeless orgs	✓			✓		
	2010 -	Prevention team	Homeless dept.			✓			
North Ayrshire	2003 - 2009	Community mediation	Sacro	✓			✓		
	2005 -	Homeless officers	Homeless dept.			✓			
North Lanarkshire	2010 -	Housing mediation	Housing dept.			✓			
Orkney Islands	2009 -	RS Orkney	RS	✓			✓		
Perth and Kinross	2009, 2010 - 2011	Community mediation	Sacro	✓					✓
Renfrew-shire	2004 -	Time 2 Mend	Community mediation/homeless dept.			✓			
Scottish Borders	2009 - 2011	Family liaison officer	Homeless dept.			✓			
	2011	Prevention officer	Homeless dept.			✓			
Shetland Islands	2011 -	Family mediation Shetland	RS	✓			✓		
South Ayrshire	2002 -	Throughcare support	Social Work			✓			
South Lanarkshire	2003 -	Mediation service	Housing/technical services dept.			✓			
Stirling	2004 - 2009	Homeless mediation officers	Homeless dept.			✓			
West Dunbarton.	2009 -	Youth Justice	Sacro		✓				✓

West Lothian	2009 – 2011	Amber	Edinburgh Cyrenians/ Sacro		✓				✓
Western Isles		Informal mediation work	Foyer/ Social work						✓
Total				20	9	13	15	4	10

Table 1 – Funding and Commissioning

Key



Family mediation



Community mediation



Vol sector homeless organisation



Local authority, dedicated post



Local authority, mediation skills as part of prevention role

RS = Relationships Scotland

Situation of project		Number of projects since 2001	Number of projects at 11/2011
Family mediation (Relationships Scotland)		9	7
Community mediation (Sacro)		10	1
Voluntary sector homeless organisations		10	5
Local authority	Homeless dept. staff using 'Mediation skills'	5	5
	Dedicated mediation staff	9	5
Total		43	23

Table 2 – Situation of Services

Family Mediation. Some family mediation services, whose work is usually with separating couples, have been delivering intergenerational mediation for a few years, which sometimes includes housing issues, unfunded and uncommissioned. The services that were interviewed all had found that families were approaching them on an ad-hoc basis. Since around 2009, more services have formalised this work, either through commissioning by local authorities or accessing project specific trust funds. Three family mediation services established spot-purchase arrangements with local authority homeless departments, one of which has worked with a number of cases since 2008, one was not utilised by the homeless department staff and so ended after 12 months and the other is very new at the time of going to print.

Community Mediation. Community mediation services, all run by Sacro with the exception of Glasgow Community and Safety Services, have been commissioned by local authority homeless services to deliver homeless mediation services as an addition to their core work, particularly around 2005 – 2007. Often community mediation services have been the obvious choice for local authority commissioners as there is already a relationship with the housing department. Some services that were interviewed had found that families were approaching them on an ad-hoc basis, or issues within families were occurring as part of their community mediation caseload prior to the work being formalised. For some, Service Level Agreements specified a certain number of hours or cases, for others cases were just taken on as they arose. Sacro's West Dunbartonshire restorative

justice service has been receiving referrals from Social Work on a non – commissioned, non-funded basis since 2009.

Voluntary Sector Homeless Organisations. From 2005, five voluntary sector organisations have run mediation projects. Some of these have been closely tied to the local authority and some have been entirely independent. Three organisations have trained staff in mediation and took on cases as they were referred alongside their normal work. The two other organisations employed already trained mediators to work within projects that also offer support to young people, or young people and their families.

Local Authority. Local authority delivery of mediation can be split into two distinct categories.

1) Homeless department staff, often with a remit for prevention, using 'mediation skills' in their work with young people and their families when a young person attends a housing options or homeless presentation interview. This is a model initially used in Scotland by North Ayrshire who have widely published the success of their prevention workers in preventing young people from becoming homeless. In recent years this model has been taken on by other councils.

2) Since 2002 local authorities have employed dedicated mediation staff to deliver mediation. These have been situated in different departments: social work, community/ housing mediation and homeless departments. Three projects have shown very successful close working between the homeless department and another department to deliver a combination of mediation and support. Across the country, these have been the projects with the greatest longevity.

NOTE ON DATA ANALYSIS SECTIONS 6 - 10

Using a thematic analysis of the information gathered through the 23 interviews with current and previous mediations services, this section of the report examines what can be learnt from the experiences of these services. Where answers to a specific question are being considered, the question is quoted; otherwise the analysis gathers information around a specific topic from the entire survey sample. Throughout the sections are recommendations, which are summarized and consolidated in the conclusion. The analysis of themes has been divided into 5 areas:

- Local authority relationships
- Mediation services
- Referrals
- Case work
- Looking forward.

Quotations used have been chosen because they typify a point of view and are not exhaustive of all the evidence. Where they are not attributed to a service, the respondent has requested to remain anonymous.

6. LOCAL AUTHORITY RELATIONSHIPS

As the 32 Local Authorities in Scotland are charged with carrying out housing and homelessness legislation, it is of interest to examine how independent or closely tied mediation projects have been to local authorities. A useful way to note this is to look at commissioning and funding. In the past 10 years, this research identified 43 projects to have operated in Scotland across 30 different local authority areas, as recorded in Table 1.

Most mediation services for the prevention of homelessness have been both commissioned and paid for by the local authority (15 services in total). The next most common arrangement has been mediation being delivered by local authority staff (8 services within the homeless department, 3 within community safety and 1 within social work). 4 services were commissioned but not paid for, 4 not commissioned but independently funded and 3 services were neither commissioned nor funded. Local authorities, then, have been the main driver behind the output of mediation in this context and in most cases have also funded it. Comparatively few (7 services) have been initiated by other sources, and where they have only just over half have found funding to support the work.

6.1 COMMUNICATION AND CONFIDENTIALITY

What is your service's relationship with the Local Authority?

Two related themes emerged when interviewees were answering the above question: communication and confidentiality.

Of teams that were commissioned by the local authority, or situated within one, there was a range of levels of communication between mediation projects and the local authority. This ranged from dedicated meetings being held every 4 weeks to solely submitting an annual report. For one project, a significant barrier to the project being successful was that these meetings were not happening with the most appropriate person. The project's sole referrers were the homelessness team, but they met with the head of anti-social behaviour, who provided the majority of the team's funding for community mediation work.

RECOMMENDATION:

There should be regular, clear lines of communication between mediation services and their commissioners. Any concerns or adjustments that either party have can then be addressed and the project is more likely to be successful in the eyes of both parties, leading to services being sustained beyond the pilot period.

Confidentiality was held highly as a principle of all teams we spoke to in this regard. (see Chart 3). Most teams reported on referral rates and outcomes to the local authority. For some teams, what stage the mediation case had reached would be passed on to the referrer, but not any details. Two teams mentioned that they would share details of a case with the referrer, but only with permission of the client. There was no notable difference in attitude to confidentiality between in-house local authority services and services commissioned by the local authority. However, this tightly held principle of confidentiality is unusual within local authorities and this did not always promote relations between the mediation team and their referrers. Indeed, for one service the constraints of confidentiality were identified as a limiting factor in the success of the service.

*The team often needs to be clear with the referrers about **the function of the mediator and their boundaries** regarding confidentiality. They will only share information with the permission of the client. This attitude to information sharing is alien within the social work department.* – West Dunbartonshire

*The service was completely confidential. **Clients would not want the council to know the details of the case.*** – Fife

Only two interviewees expressed that they are asked to share more information than they would be willing to.

Clients don't seem to have any issues or worries about the connection to the local authority, as policies on confidentiality/ information sharing are clearly explained to everyone at the first meeting. We are sometimes asked by other teams within the council (e.g. homelessness, anti-social behaviour) but will not share information or case details. In this sense, we can feel as though we are repeating ourselves. – South Lanarkshire

A notable exception in the discussion of confidentiality is the South Ayrshire team who openly discuss all cases with a multi-agency Youth Housing Support Group. This is consensual as at the start of the process the young person signs an information-sharing consent form.

RECOMMENDATION:

Terms and conditions regarding information sharing should be established between mediators and commissioners at the outset of any mediation service or work. Terms of confidentiality should also be made explicit to service users, who may have concerns about information being passed to other professionals or family members.

6.2 PRIORITIES

That the local authority and mediation teams can have different priorities was one of the strongest themes emerging from the interviews, with a significant majority of services (16 services) alluding to the potential for differing priorities.

*The Local Authority is having to find accommodation for young people so they are going to be looking for the outcomes of a young person remaining in the home or returning to the home. Mediation outcomes are more about the young person receiving support from their family. Therefore, **the council's priorities and the mediation priorities did not always match up.*** – Dundee

The goal is for relationships and communication to be improved and for both parties to be where they want to be. The outcome that other people are looking for is to get young people off the homeless register. – East Dunbartonshire

Three teams cited that they had had to assert their position as mediators strongly from the inception of the project:

*The team have always made it clear that **the aim of the service is communication**, not necessarily getting a young person back in the house. The homeless team seemed to find this a bit confusing to start with because their priorities are so different, but **now they seem to understand mediation more.*** – East Dunbartonshire

A number of services distinguished between 'hard outcomes' (i.e. actions that occurred) such as a young person staying at home and 'soft outcomes' (i.e. emotional/social changes) such as improved relationships. As is clear from Table 3 there is a stronger commitment to 'soft outcomes' by mediation teams than to 'hard outcomes'.

Ultimately the council wanted young people to stay at home, which is focusing on a hard outcome rather than the soft outcomes that mediation can offer. - North Ayrshire

*We are continually trying to **promote the softer outcomes** (e.g. regaining supportive contact) as positive. - S Lanarkshire*

RECOMMENDATION:

Clear and explicit discussion should be held at the establishment of a service around the priorities of the mediators and commissioners involved. There is a large amount of work to be done by both sides in educating the other about priorities and the reasons behind them, and finding ways to productively bridge any gaps.

Reflecting the recommendations made in both the Lemos and Crane 2001 report and the Shelter Good Practice Guide (2005), it was identified by some participants that there can be benefit from a degree of separation from the local authority, in order to be perceived as independent and approachable:

The team have worked hard to stake their position as within the council but as independent from it. To this end, the team do not wear the council uniform.
– South Lanarkshire

The team are often greeted into the situation because they are non-statutory and are there to listen to people, not tell them what to do. This separateness is a positive in the clients' eyes. – West Dunbartonshire

RECOMMENDATION:

In commissioning a new service, the importance of impartiality in mediation should be considered. This may involve the use of independent services or careful consideration of the placement of internal mediation staff.

6.3 LOCAL AUTHORITY BIAS

The difference in priorities acknowledged above (5.2) and against the background of discussion on 'gatekeeping' (4.3) leads us to look at whether there is actual pressure placed on mediation teams by the local authority. As a mediator is generally defined as a neutral third party, a close relationship between the local authority and the mediator thus raises the issue of impartiality. This was illustrated by Renfrewshire who stated that a core value is impartiality, "*this is why the mediator is now not part of the homeless team but from a dissociated department.*" The issue of the potential for pressure from the local authority was the major theme that emerged when interviewees were asked,

What degree of autonomy do you have from the LA?

Encouragingly, of 23 services interviewed only two mediators expressed having actively felt pressure to achieve the outcome of young people remaining at home or returning home. For one team, *"some pressure is felt"* from their social work referrers. In only one other instance a service expressed explicit use of mediation as a tool to prevent young people from being assessed as homeless:

*There is **pressure** all the time for the young people coming through to be prevented from even reaching the assessment stage of a homeless application... This is not mediation as I understood it to be. The role is more to do with going to meet the people involved and find out what has happened and if it is possible to prevent the young person going into temporary accommodation through staying at home or moving in with other family/ friends.* - Anonymous

In contrast, four services explicitly mentioned that they did not experience any pressure from their local authority commissioners/ colleagues to achieve particular outcomes.

*The team is situated within the local authority. There is **no pressure** from the homeless team to achieve particular outcomes. A young person moving out in a supported way is deemed to be successful.* - Renfrewshire

*There was **never pressure** by the council to get young people to return home, or share information about clients.* - East Lothian

In East Dunbartonshire mediation is offered as part of the homelessness presentation interview. Although it is made explicit to clients that the homelessness assessment will continue if mediation is accepted, *"some people can see it as yet another boundary before they can get a flat."* This demonstrates that mediation can be perceived by the public as gatekeeping even when it is not being used in this way. This can be a barrier to people engaging with the mediation.

RECOMMENDATION:

Communication around the relationship of mediation and the homelessness assessment process should be clear and explicit from the first point of introducing mediation to service users.

7. MEDIATION SERVICES

7.1 STAFFING

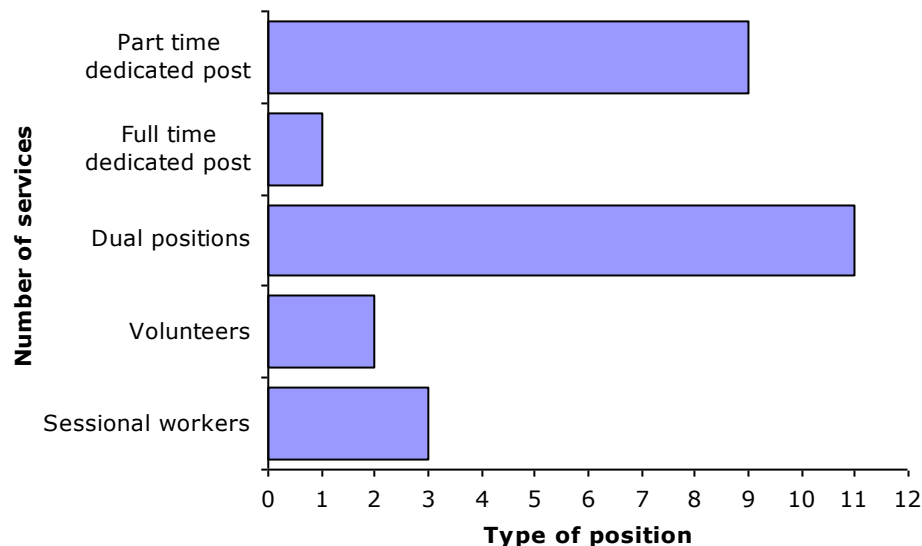


Chart 1 – Mediator Posts

Across the services interviewed, the majority of mediation projects have either been part time dedicated posts, or mediators who have dual positions i.e. split their time between the main duty of their job and homeless mediation depending on the presenting case load. A minority of services use sessional or volunteer workers and only one service at the time of the research had had a dedicated, full time mediator.

The 9 dedicated part-time positions ranged between 6 and 20 hours per week, with a mean average of 13.5 hours per week.

Mediation services for the prevention of homelessness have been, in general, small and with relatively few dedicated staff members and staff hours. Significantly, this will have determined the scale of impact that this type of intervention could have. 6 interviewees (25% of respondents) identified that lack of funding for additional staffing limited their service from reaching its potential.

The interviews also revealed that 60% of services have offered additional services, although the majority of these were offered in connection with larger community or family mediation services to which homeless mediation services have been attached. The most common additional services were conflict resolution classes (6 services) and peer mediation (5 services). Other answers included teaching about homelessness in schools, relaxation and relationship classes.

In order to establish what skills the mediators brought to these positions, questions were asked about job history, mediation training and ongoing professional development.

What paths did your staff take to come to these roles?

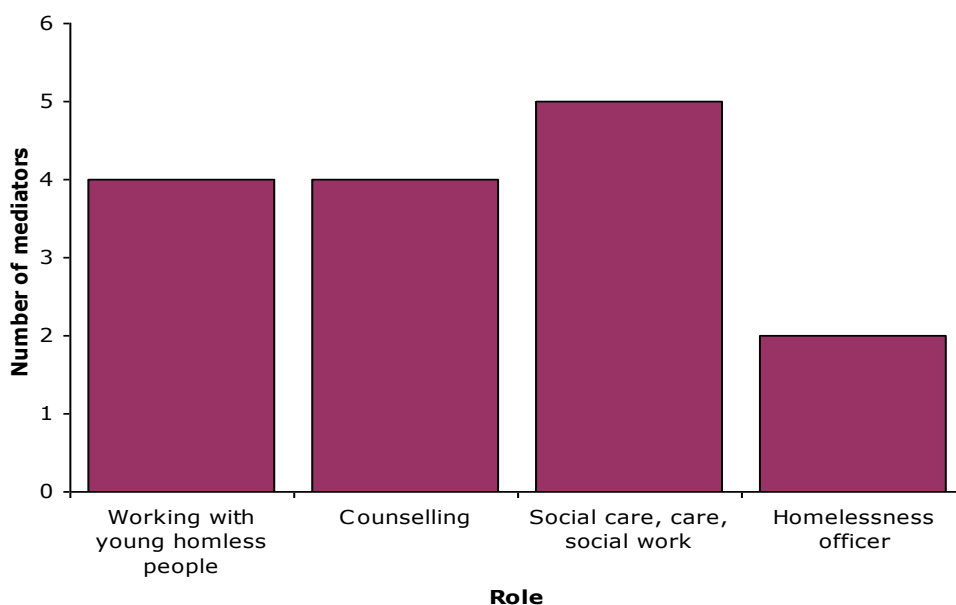


Chart 2 – Previous Staff Roles

Other roles that were mentioned once include social policy, police, human resources, admin, customer service, psychology, welfare rights and restorative justice.

As can be seen from the above graph, the mediators delivering this type of work have come from a range of backgrounds, many of which - care, working with homeless people, counselling -bring appropriate, specialised knowledge and understanding to add value to their mediation skills in working with vulnerable young people and their families. Some people commented how useful they had found these previous experiences in equipping them to take on homeless mediation cases.

What training have the staff received?

Mediation training	Number	
Community mediation only (Sacro)	8	13
Community mediation + CPD (Sacro)	5	
Family mediation (Family Mediation Scotland/ Relationships Scotland)	4	6
Family mediation + CPD (Family Mediation Scotland/ Relationships Scotland)	2	
Both Family mediation and Community mediation	4	
Other mediation training (Conflict management plus)	1	

Table 3 – Staff Training

The majority of mediators/ mediation teams who deliver this type of work in Scotland have received mediation training from Sacro, Family Mediation Scotland (since 2008 merged with Relate Scotland to become Relationships Scotland) or both.

A significant majority of mediators have been trained in community mediation. A hypothesis for this was suggested by the interviewee from Fife Community Mediation:

Within Local Authorities, Housing and Homelessness tend to sit together. Because community mediation has strong links with housing, homelessness mediation sits here well as there is groundedness in working with the local authority in similar areas. Family mediation sits further away from these links as they receive the majority of their referrals through the court system regarding divorce/separation.

Indeed, two of the Family mediation services felt that there ought to be more recognition of the network of family mediators that exists by local authority commissioners.

What training have members of your team been on towards their CPD?

For mediators, ongoing CPD is a vital aspect of keeping skills relevant, current and targeted for the specific work that is being carried out. This question revealed that mediators have undertaken a wide spread of different types of training, with only one or two mediators/ services attending each type. This lack of consistency was surprising. As would be expected, the training received was grouped around homelessness (for example, as provided by Shelter) and young people (for example, understanding teenage behaviour). Only 3 types of training were mentioned by 2 or more services:

- Alone in London training, being the most commonly mentioned training (4 services), was specialised but delivered to teams in Scotland over 5 years ago. With staff turnover there are now few practitioners who received this training remaining in the field and the landscape of homelessness in Scotland has developed greatly in that time.
- Restorative justice training had been received by 3 teams and is an interesting strand that has developed in a few areas, sometimes by coincidence and sometimes by design, as a skill that can enhance the practice of this kind of mediation. The interviewee in West Dunbartonshire said, *"Sometimes there is a fine line or overlap between mediation and restorative justice skills and techniques."*
- Mediators who had spent time with homelessness charities or housing officers had often found this a rewarding experience and it had later informed their work. *"Speaking to people at the 'coal face' is a humbling reality check. This can be an eye-opener for mediators because it puts what they do into perspective: mediation is not going to work for everyone but it can work for some."* – Forth Valley

7.2 HOMELESS MEDIATION AS “DIFFERENT”

As mentioned above, all mediators working with young people in Scotland have been trained in Community or Family Mediation. However, this research found that some mediators consider working with young people and their families for the prevention of homelessness to sit outside their initial training and previous experiences. 5 community mediation teams found mediating between young people and their families where there is risk of homelessness significantly different from Community mediation.

Although the process is the same as community mediation, it is different working with young people. Neighbourhood disputes are more straightforward and less deep. – Aberdeenshire

*It is dramatically different from community mediation, **a different ball game**, and needs to be recognised as different. – East Lothian*

A Family mediation service also mentioned the transition that they had made:

*There is **a mind-set change** for (family) mediators in intergenerational mediation. It's not the same as child-focused mediation because the young person has to be treated as an equal partner e.g. consulted regarding appointment times. – Tayside and Fife*

SPECIALIST TRAINING

In line with this, a strong theme emerged of the need for specialist training in working with young people and their families for the prevention of homelessness. Of 23 services interviewed, 5 raised their concern about this without a direct question having been asked, thus indicating that it was a key issue for them.

There is a concern that there is the general idea that anyone can mediate. There is a real danger of already damaged and vulnerable people being further damaged by poor mediation delivered by inexperienced people. It can cause damage if not done well. Instead there needs to be trained, supervised, experienced professionals, working not in isolation but with firm support networks. – East Lothian

*This type of mediation would benefit from a **specialist professional qualification**, for instance around family dynamics, that includes ongoing professional development. Currently it is hard to build up enough experience and therefore the momentum of learning you need. – Glasgow*

***The lack of specific training for homeless mediation has proved a significant problem.** This kind of mediation is so different to community mediation and without the proper training it is hard to be confident in what you are doing. – East Dunbartonshire*

RECOMMENDATION:

Services should share training opportunities, which will have financial benefits as well as resulting in more training. Budgets should allow for ongoing CPD for mediators to ensure high quality mediation and for staff to keep skills fresh. Training should include specific training for this specialized field of mediation.

7.3 SERVICE AIMS, VALUES AND OUTCOMES

Due to the local nature of the projects, each has been developed in a different context by different people and, as we have seen, with range of training. Therefore, open questions were asked to establish the extent of cohesion between the aims and intended outcomes of the services.

What are the aims of your service?

Category	Stated aim	Number of services
For individuals	Contribute to safety and well being	2
	Empower people	4
	Helping to clarify issues and options	3
	Model skills	2
	Promoting respect and empathy	1
	Young person to be heard and to listen to others	3
	Improve social networks and resilience	2
For the family	Constructive resolution of conflict	7
	Improving/ restoring relationships	13
	Improve/ maintain/ regain communication between young person and family	10
	A better future	5
For the project	Working in partnership with stakeholders	1
	Establish whether there is a demand, what managing project would be like	1
	To identify and practice appropriate methods of mediation	1
Young person's housing situation	Preventing potential homelessness	5
	Reduce use of temporary accommodation	1
	Long term, informal family support for young person if moved out	5
	Returning home	6
	May remain at home as secondary result	3

Table 4 – Service Aims

There is a strong focus of aims around promoting positive outcomes for the family. In particular, restoring relationships and improving communication. Aiming to impact the young person's housing situation was significantly less mentioned but there was some grouping around these themes too. The wide variety of aims illustrates the breadth of impact mediation can have.

What are your stated case outcomes?

In many mediation settings, the outcomes of cases are recorded around issues such as how many parties engaged, whether contact was lost and whether an agreement was reached. However, for mediation between young people and their families some services record what the consequence of mediation was in terms of the young person's housing situation, potentially because of the interest of the local authority commissioners in how many young people are staying at home or returning home and thereby not relying on statutory resources.

Outcomes recorded	Number
Mediation related but housing focused	6
Equal focus between housing and mediation	4
Mediation focused	2
Outcomes not formalized	6
None recorded	2
Did not answer question	4

Table 5 – Outcomes

Of the 12 services that formally recorded outcomes, half (6) were focused on housing outcomes. Just over half (12) of the 20 responses to this question formally recorded their case outcomes, one third (6) informally recorded what happened in case notes and 2 projects did not record any outcomes at all. 4 services did not answer this question, which may also indicate that their outcomes are not formalized or not recorded.

There is an inconsistency here with what the services say that their aims are. The aims showed that outcomes for the relationships of the family are more important to mediation teams than housing outcomes, but it is housing outcomes that are most consistently recorded by mediation teams. The number of services for whom outcomes were not formalized or, indeed, recorded at all is concerning in an increasingly outcomes-driven sector. The comments of interviewees reflected the limitations identified in the literature review (4.1).

There is a problem with recording details about a relationship: each relationship is unique and changeable - Dumfries and Galloway

Local authorities may be reluctant to provide funding for services that cannot demonstrate a high level of success. – North Ayrshire

It is difficult to quantify mediation: how do you prove a negative? - Anonymous

We use a questionnaire on which service users place themselves on a scale of 1 – 5 for statements about anger, relationships, communication and aspiration. They do it at the first meeting and last meeting so we can measure the impact we've made. - Amber

The SCMN Homelessness Forum in 2010 began a quarterly collection of outcomes for those organisations that are involved (See Appendix 2). This could represent significant progress in demonstrating the value of mediation. However, not all services delivering this work are currently involved in the network, so it can only present an incomplete picture.

RECOMMENDATION:

If mediation is to make a full case for its impact, there would be benefit in recording the softer outcomes in a way which promotes the aims of the services. Services should develop systems to record outcomes in line aims outcomes in order to demonstrate the full impact the service is making, including pre-mediation work. There should also be tighter recording of accommodation outcomes in mediation cases in order to further establish the case for mediation. This would be most effective if all services submitted outcomes to a central point, such as the Scottish Community Mediation Centre.

What are the key values in your mediation service?

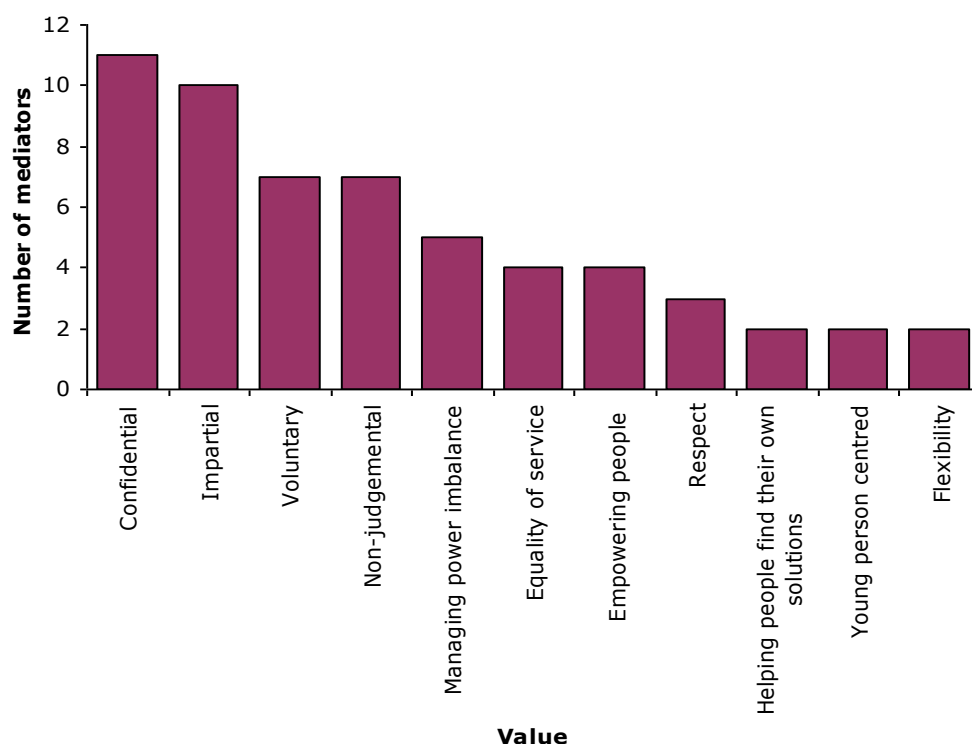


Chart 3 – Values Held by Mediators

The values stated as held by the interviewees clearly correlated with those identified in the literature (3.2, 3.6, 4.2).

*To allow a **safe place** for young people to be able to speak ... people haven't been listened to before without the other person having an agenda. - North Ayrshire*

*People are able to advocate for themselves and problem solve, leading to **resilience and confidence building**. - Orkney*

8. REFERRALS

8.1 REFERRAL AGENCIES

In rough order of priority ("1" for the agency who refers the most, "2" for the next etc.), which are the service's main referring agencies?

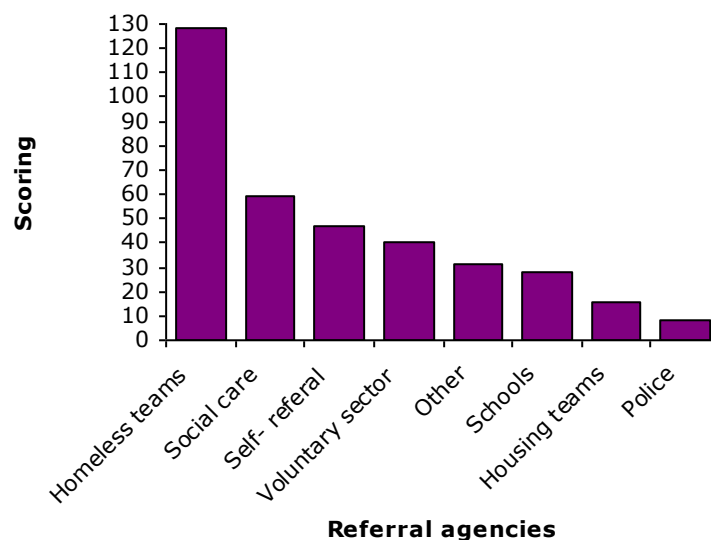


Chart 4 – Referral Agencies

To illustrate the results of this question, services' ratings were reverse scored (i.e. the most frequent referrers given 7 points and the least frequent given 1 point) and the total points for each referrer added together to give a total score.

Chart 4 clearly shows that homeless teams were identified by the most teams as significantly more regular referrers than other routes. Social care, self-referral and the voluntary sector were also frequent referrers to mediation services. It should be noted that this data does not capture the number of referrals received, which is significant due to the wide discrepancy in number of referrals received by services. In particular, a number of projects for whom homeless teams were the sole referrers received a low number of referrals. Other teams with larger numbers of referrals, however, may receive significant numbers from their second or third most frequent referrers.

Alongside the above information, it is interesting to note responses to the question,

Are there any groups that you would like to receive more referrals from but have come against barriers with?

In answer to this question, 15 teams out of 23 services expressed that there were referral routes that they would like/ would have liked to receive more referrals from, with the majority of these (8 services) mentioning homelessness teams and 3 teams mentioning schools. This is significant as it implies that although homeless teams were the most common regular referrers, mediation teams did not feel they received as many referrals from them as they could have.

Many of the teams also expressed that they would like to widen their referral routes, either with their current project, or if they had the opportunity to run a project again. Schools were the most commonly mentioned route that teams would like to be able to receive referrals from but to date have not been able to due to the boundaries set by their Service Level Agreements.

Lack of referrals was the most commonly identified factor that prevents services from reaching their full potential (Question 17). Significantly more factors connected to referral routes and referrers were identified as limiting the success of a service than any other area.

Selling the service to the housing department was crucial; mediation needs to become a part of a housing team's regular process. - Shetland

Area	Limitation	Number
Referral route	Limited age range	3
	Point of referral once young person presented as homeless	5
	Lack of referrals	6
Referrers	Relying on another party to offer mediation	4
	Low 'buy in' of referrers to mediation	5
	Referrers feel they are already doing mediation-style work	2
	Lack of understanding by referral agencies	2
	Managerial commitment in referral agency to mediation	2
	Staff turnover of referrers	3
	Other: Communication with referrers, Inappropriate referrals, not all cases being passed on, Council staff culture of referring in-house	1

Table 6 – Referral Limiting Factors

*There was resistance to the mediation service from some members of the homelessness department The mediation team felt that to some extent they were **hitting a brick wall** and had to continue re-asserting that mediation is different to what the homeless teams had been doing.*

*It seemed that for some of the council staff using mediation was just a **tick box exercise**. For some of the staff it seemed as though there were concerns about whether their job was being taken over.*

Everybody wants to be 'Mr. FixIt' and facilitate reconciliation themselves.

Relying on other people 'selling' mediation is a factor in the lack of uptake. - Forth Valley

*If the people who make decisions at the top don't believe in the effectiveness of mediation then this **attitude can trickle down through the ranks**.*

*Young people were just **too chaotic** at the point of referral. There was just not enough time within the homeless assessment for them to explain the process properly. - Fife*

Mediation was not always explained clearly by referrers. - Aberdeenshire

Changes of staff in the homelessness team also resulted in staff not being sufficiently aware of the mediation service, therefore they made limited referrals.
– East Lothian

One helpful tool was suggested by East Lothian who gave each of their referrers in the homelessness team an aide memoir about the mediation service, its benefits and values, to help in describing the mediation service to their clients in an accurate and appealing way.

RECOMMENDATION:

Processes around referral are the most common factor in a mediation service not fulfilling its potential. It is recommended that there is regular communication between mediation services and their referrers to establish when further awareness raising is appropriate and to ensure that referrers are informed about mediation and its benefits. Service targets need to allow mediators to spend significant time raising awareness of their service, in order for referrals to be generated.

8.2 REFERRAL CRITERIA

What are your referral criteria?

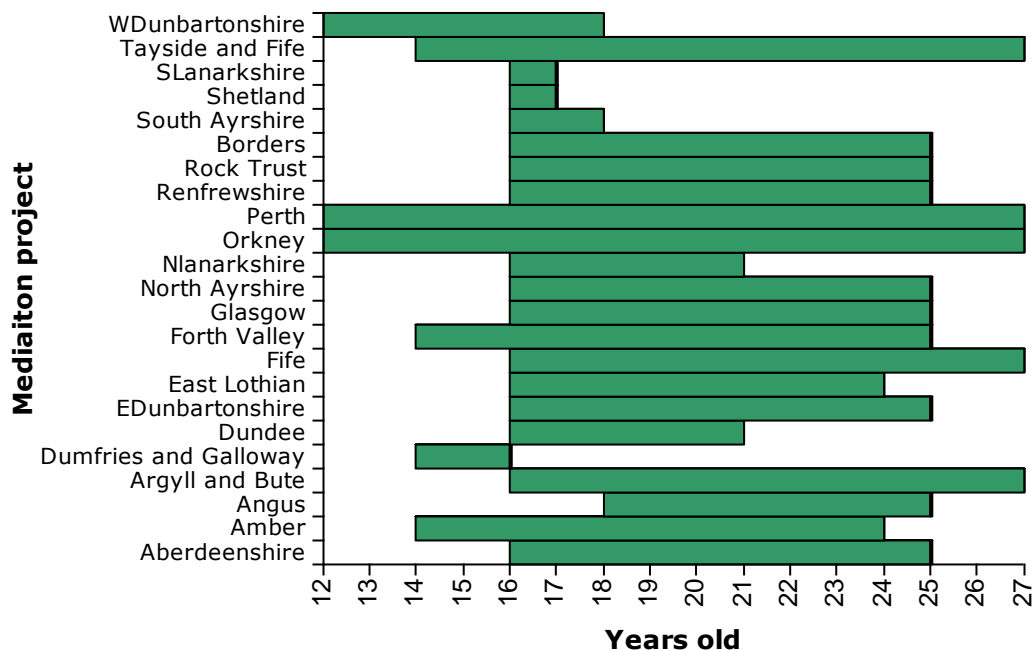


Chart 5 – Age ranges

N.B. Where services are shown to extend to 12, services do not have a lower age limit. Where services are shown to extend to 27, services do not have an upper age limit.

Five services mentioned that they would be flexible with the age ranges they would accept. Of these, two services have extended their age ranges in order to increase referrals. As can be seen by the above graph, the majority of services begin at age 16 and extend to early 20s. The clear line seen at age 16 represents the age at which a young person is legally regarded as homeless. The majority of projects finishing at 24 or 25 represents the upper age limit of what is considered a “young person”, which suggests that the large majority of mediation services have been targeted at young people who have been ‘asked to leave’ by their parents. The data implies that there has been relatively little work done to explore the wider application of mediation for the prevention of homelessness.

In addition to age limits of referral, 20 out of 23 respondents mentioned the situation people must be in to access their service.

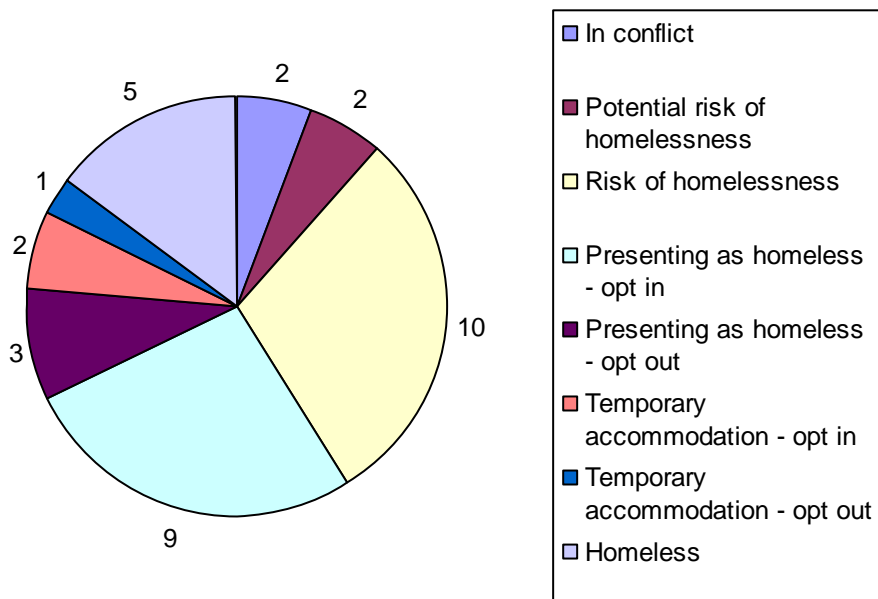


Chart 6 - Situation of Young Person

The majority of mediation services worked with people at risk of homelessness, or those who have already presented as homeless (22 services). A further 8 services are working with those who are already homeless. Only 4 services are working with those at an 'Early intervention' stage (In conflict or at potential risk of homelessness). For analysis of this targeting of services see sections 9.4 and 10.

9. CASE WORK

9.1 MEDIATIONS

After a mediation service receives a referral – either from a referral agency or a self-referral – there is then a process of meeting with each individual involved in the conflict. There may be a number of meetings depending on the parties' need before they want to meet face-to-face for a mediation meeting. In order to reach a face-to-face meeting, both parties need to have engaged initially with the mediation service and have continued to engage through the period of individual meetings. As some people who are referred will not want to engage with mediation, and others chose to stop engaging during the initial individual meeting period, there can be a significant difference between the number of people who are referred to a mediation service and the number who participate in a mediation meeting. The "conversion rate" is number of cases which develop to a mediation meeting ÷ total number of referrals.

Do you find that most referrals become cases where a mediation meeting takes place?

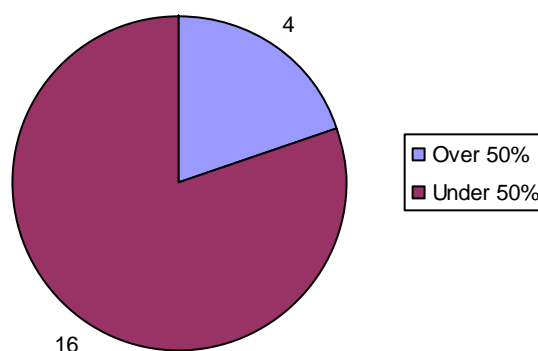


Chart 7 – Conversion Rate

There was a large discrepancy in the conversion rates from referrals to cases where figures were given, ranging from 7% - 90%. 3 services did not answer because they did not, in fact, have any cases through their duration. This variation largely rested on service design and points to the significant need for sharing learning in order to improve practice that this paper hopes to address.

It should be recognized that for all kinds of mediation there is an inevitable drop-off rate as mediation is voluntary and so entirely on an opt-in basis. For many people, referrals to mediation services are made at which time they are experiencing heightened emotions and may not be prioritising their relationships. The Legal Services Commission published their annual average conversion as 46-49% for willingness tests to assessment meetings and 56-60% for assessment meetings to mediations in a family mediation tender document. In 2002 Family Mediation West conducted 786 individual intake interviews, while 254 parents from 127 families commenced mediation (a "conversion" rate of 32%). This article gives a good defense of the important work that happens during initial one-to-one meetings.¹⁰⁰ Many interviewees for the current research stressed that a lot of positive work is done with young people and their families during initial

one-to-one meetings, and in some instances it is the success of these that results in a full mediation not being necessary as the conflict has already been resolved.

It is important to note that valuable work is done during the intake, one-to-one meetings. In discussing different options and attitudes sometimes positive change can occur such that a joint meeting no longer is needed. The theory of Transformative Mediation talks about the benefit of people being respected and listened to in a new way. This can happen in individual as well as joint meetings.
- Dumfries and Galloway

Very few parents engaged with the service, but just working with the young person on conflict resolution and communication skills was still very beneficial. In at least one case, this support and advice made a significant difference in the conflict. This support and advice itself was very time and resource intensive. – Dundee

Approximately equal numbers of services use mediators who mediate alone (11 services) and mediators who work in pairs, “co-mediate”, (10 services), with 2 teams saying that they use both depending on the availability of staff and the case at hand. Both ways of working have their advantages and drawbacks, but both seem to be a suitable way of working with young people and their families.

9.2 SUPPORT

The issue of support alongside mediation for young people and their families was mentioned by over two thirds of participants. As no direct questions were asked on the topic, this suggests that it was an important theme for the interviewees. In addition, 4 interviewees identified not having support as part of the model as a limiting factor in the success of the service.

Support was identified as important for a number of reasons. It was widely acknowledged that the large majority of people utilising this type of mediation have support needs around issues that are impacting their relationships. As summarised by Perth, *these cases can be so messy and mediators alone can't deliver all that service users need. **Too much can be placed at the door of the mediator.***

The assumption behind this is that mediators have a defined role to operate within, including being a neutral facilitator. There is a concern that if a mediator begins to offer wider support, their role as a neutral facilitator may be compromised. Impartiality was the second most commonly mentioned value held by mediators interviewed (Chart 3).

*Sometimes as mediators the team are being drawn into things because, although there are boundaries and professionalism to be aware of, the workers are "also human". **It would be better to have support workers alongside to get involved.*** - West Dunbartonshire

Glasgow, however, offered an alternative perspective: *There does need to be definition around the roles of mediation and support work. However, the mediator has potentially established a good connection with the young person and this is valuable and should be utilised, without the mediator losing their impartiality.*

There was consensus that mediation should be part of a wider support package around the needs of the young person and their family. Indeed, North Ayrshire went as far as to say, *It is not effective when offered in isolation.*

Aberdeenshire added a more practical benefit of support to the discussion by noting that, *Working alone, the mediation worker has one opportunity on meeting with a young person to offer mediation. If the mediation service was able to work in partnership with another organisation that was offering support and had regular contact with the young person, the young person may choose to use mediation later.*

There have been five models of mediators working closely with support, as described by the services themselves during interview:

Amber Personal Advisors support both the young people and their family, and working with client to remove negative factors that are putting pressure on relationships. Personal Advisers explain the process and benefits of mediation and at an appropriate time passes the case to the mediator. They are always available to give support during or after the mediation process, which often retains engagement.

Renfrewshire The prevention and outreach officer (employed by the local authority homeless team) does an assessment with both parties and provides support and advice to the young person, also helping with practical needs. They work closely with the mediator (employed by the Local authority community mediation team so as to be a neutral party). Parents may be offered support in the form of signposting, but the young person is really the focus.

Rock Trust At the stage of referral the mediator asked the young person to examine whether any additional issues that were putting pressure on the relationship were being addressed through support. The mediator “turned the referrers into temporary PAs” (reference Amber Personal Advisors). In this way, the mediator could remain impartial because someone else was doing the support work. When he worked with parents, the mediator did the signposting.

South Ayrshire The mediator is part of the Throughcare Social Work team. Support is offered by the team in accordance with young people’s needs. All young people are treated equally, so regardless of whether or not they are leaving care or are in housing need, they can access the supports they require. This is fairly unique as most Throughcare Teams focus solely on young people leaving care.

East Lothian/ North Lanarkshire In both of these areas if a young person identified to the mediator an area that they needed support with, the mediator referred this back to the Local Authority homeless department member of staff who would provide support or signpost so that this need was met.

Two further teams expressed future plans for the incorporation of support into their service. South Lanarkshire stated that they were considering whether the service may evolve into involving 2 separate roles. Relationships Scotland Tayside and Fife were looking to find funding for a new partnership with Shelter to offer a partnership of mediation and support. Three teams mentioned that there had previously been the potential for support partnership model explored, but these had never come to fruition.

RECOMMENDATION:

Mediation cannot meet all the needs of a young person at risk of homelessness. Having a strong model of support alongside mediation enhances the work of the mediator. Service design should consider potential channels of support for service users. For example; partnership working, utilising existing internal support workers or assigning both mediation and support roles within the team. In addition, it is the suggestion of this report that mediation is most effective in the prevention of homelessness when coupled with sound information on the realities of homelessness for both the young person and their family and to give them advice about the potential consequences of homelessness for them. This may be provided by the mediator themselves or, if it is felt that this would compromise the mediator's impartiality, by a second party.

How often do you signpost/ refer on? What types of organisation is this to?

Linked with the issue of support is the common practice of referring service users on to other agencies for specialist areas of support that mediators cannot provide. 91% of interviewees said that they refer people on to other services.

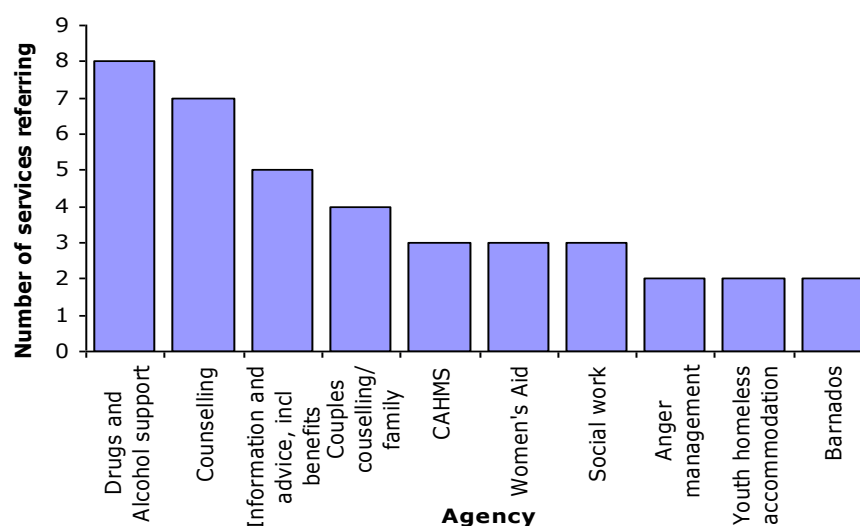


Chart 8 – Signposting

Other agencies mentioned included: Bereavement counselling, independent living charities, Victim Support, local authority homeless teams and Parentline.

*As Amber is **not a long term intervention** and many cases present long term needs, it is important that there is a sustainable exit strategy for everyone involved. Also, it is important to be aware of what skills lie within the team and what skills lay out-with the team but at the same time to ensure that the client is receiving support in all areas that are preventing them from fulfilling their potential.* - Amber

Mediation and counselling are close bedfellows... Issues that come up during mediation are sometimes best dealt with in a therapeutic setting. Often it is these deeper issues that are putting pressure on the relationship and they come to the surface during mediation. - Dumfries and Galloway

The team were not encouraged to [signpost] as they are mediators and not advise givers or social workers. - North Ayrshire

It is mostly parents that we signpost on, as parents don't feel so well supported. If the parents had received support earlier on, it may never have reached this stage. Parents are often crying out for help to support their child properly. - West Dunbartonshire

RECOMMENDATION:

Services should be aware of a wide range of specialist support services available in their local area, particularly those relevant to young people. They should also be aware of how to effectively refer service users to the most appropriate agency.

9.3 WORKING WITH YOUNG PEOPLE

During the interviews for this research, many comments were made about the nuances and practicalities of this types of work. It would not be practicable in this context to list each point; however the main points can be divided into five categories:

- i) Emotional intensity
- ii) Building rapport
- iii) Contact and communication
- iv) Meetings
- v) Venues

i) EMOTIONAL INTENSITY

This type of mediation can be emotionally demanding for mediators due to the intensity of the cases. For some mediators, this was connected to their own family relations.

*This type of mediation can be so emotionally demanding and draining that **without the right support it may lead to burnout.** - East Lothian*

*Working with families and young people that are homeless can be emotionally very engaging and have an impact on your own **personal values.** - Glasgow*

Both mediators feel that it affects us personally and emotionally more than community mediation because we both have children at home ourselves. - East Dunbartonshire

ii) BUILDING RAPPORT

In general there is a relatively substantial age gap between the mediator and the young person, which naturally can create some barriers particularly when the young person is in conflict with the main adult(s) in their life. The mediator's first job is to become a trusted adult whom the young person will be open with.

*It is vital to build **trust and rapport** with a young person before they will tell you anything. - Dundee*

Building trust and listening. Often a lot of people haven't been listened to before without the other person having an agenda. - North Ayrshire

iii) CONTACT AND COMMUNICATION

The issue of making initial contact and then maintaining it has been found by many services to be significant in mediating between young people and their families. This can be separated into three areas: Response times, parental details and means of communication.

- Response times

1 in 4 respondents mentioned their response time to referrals. This ranged from 2 days to 2 weeks. Some services have found that in working with young people it is imperative to be in contact regularly in order to maintain engagement with the service.

With young people, it is important to keep the momentum of cases going, arranging the next appointment when you see them. – Dundee

You have to work responsively to the time scales of the young people. It's more about working together around the needs of a young person in crisis. – Glasgow

- Parental details

For the majority of services interviewed the young person is their client, with parents being "Party B", to borrow a term from Community Mediation. Parental details are not always given by the referrer, either because they are not available or because it is felt that this should be the choice of the young person. For 3 services, that parental details were not given at the point of referral was identified as a barrier to the service reaching its potential. 3 other services also relied on the young person to give contact details for their parents, but for them this did not seem to be a problem.

The mediator has to get details from the young person, which can be a barrier. He feels as though he is not able to contact some of the parents who could benefit from the service. – Rock Trust

It is felt that some families will have missed out because they were never contacted. It is the team's experience in community mediation that when one party engages, the other is likely to re-consider. – Aberdeenshire

- Means of communication

It emerged as a shared experience that young people can be difficult to maintain contact with, which can be frustrating and hamper the progress of mediation. This has led to services reconsidering their methods of communication. 3 interviewees cited young people being hard to contact as a barrier to the service reaching its potential.

In normal instances, Relationships Scotland would send a letter but for young people we have made a variation from this model and normally phone or text. – Forth Valley

As young people could be difficult to get hold of on their mobile phones, or would not answer their phones, it could be some time before the mediation worker was able to contact them and only in selected cases did the young person want to meet. – Aberdeenshire

In working with young people you have to be thoughtful about how you engage with them. For example, using text messages rather than voicemail. – Fife

iv) MEETINGS

Working with young people and their families, some patterns emerged in services' comments about mediation meetings.

- Harder to arrange

Of the cases that were referred, in most instances the client failed to attend the first meeting, which proved frustrating for the mediators. - Fife

Working with young people is different and difficult: many of the young people were chaotic and did not turn up for meetings. There was lots of frustration around this. The team learnt things such as not making appointments for early in the day unless a young person is definitely going to be there. - Dundee

-More frequent meetings and longer cases

The survey showed that on average services expected to make between 3 and 5 visits to families, plus face to face mediations. Cases lasted on average 3 months.

In this type of work, there are an increased number of sessions and it takes more time and patience to reach an agreement. - Tayside and Fife

There tends to be a higher concentration of meetings, it is as if a community mediation case is "concertina-ed". - Perth

Face-to-face meetings tended to be shorter, more frequent and more focused than community mediation cases. This was due to the high intensity of the issues at hand and working with young people who maybe couldn't concentrate for very long, intense periods. - East Lothian

There would always be more than one initial visit because the young people were often not used to opening up and labelling what they wanted to see happen in a situation or how they were feeling... in terms of staff time... this was intensive. - North Ayrshire

- Process

The comments below were unique but insightful as to how working with young people may affect mediation.

*It is far more intense and because of the nature of the client group it needs to be a bit more **relaxed and flexible** about "strict mediation" procedures. - Renfrewshire*

The mediators look at the power imbalance – might use advocates to address power imbalance, either for a young person or a vulnerable adult. - Orkney

v) VENUES

As young people rarely have their own means of transportation, and are more likely to be put off by a formal venue, many services use community venues that are convenient for young people in order to maximise engagement. Particularly in rural areas, mediators can travel large distances to meet with clients due to the small size of the services. Two interviewees mentioned this strain on staff time and service resources a limiting factor in the success of their service.

*Contact with service users may happen in the Relationships Scotland offices in Dumfries, or may be at a wide range of community venues e.g. libraries, CAB offices, GP surgeries etc. **Anywhere that is quiet, private and neutral.** - Dumfries and Galloway*

*Meeting young people at cafes because they are more **informal and friendly** than at the council offices. - Dundee*

9.4 TIMING OF MEDIATION

In your experience, what is the usual trigger point for service users to choose mediation?

The most commonly cited triggers for people accessing mediation were:

- When people reach a crisis point (5)
- When an agency makes a referral to mediation (6)
- When there has been a major incident, or life is getting very difficult (3)

Other trigger points mentioned were: just before crisis, when people don't know what else to do, how important investment in the relationship is, conflict, and avoiding court costs.

Often Crisis is often the trigger, or when someone is "at the end of their tether", which is just before crisis and there is still some space for reconciliation.
– Amber

This question also provoked interviewees to discuss awareness raising, as most people don't know about mediation until a referral agency tells them about it. 5 interviewees noted a lack of funding for awareness raising as a barrier to the service reaching its potential.

It depends on so many different factors. For example, awareness. In most cases engagement relies on agency referral. – Dundee

In the same way that people don't phone the plumber until the pipes burst, despite having been aware that there were problems, people don't engage with mediation until the conflict reaches crisis point. The best time is, however, before then. This is about raising awareness so that people can know about mediation and how it can be preventative. – Tayside and Fife

Does there appear to be a "best" time to access mediation?

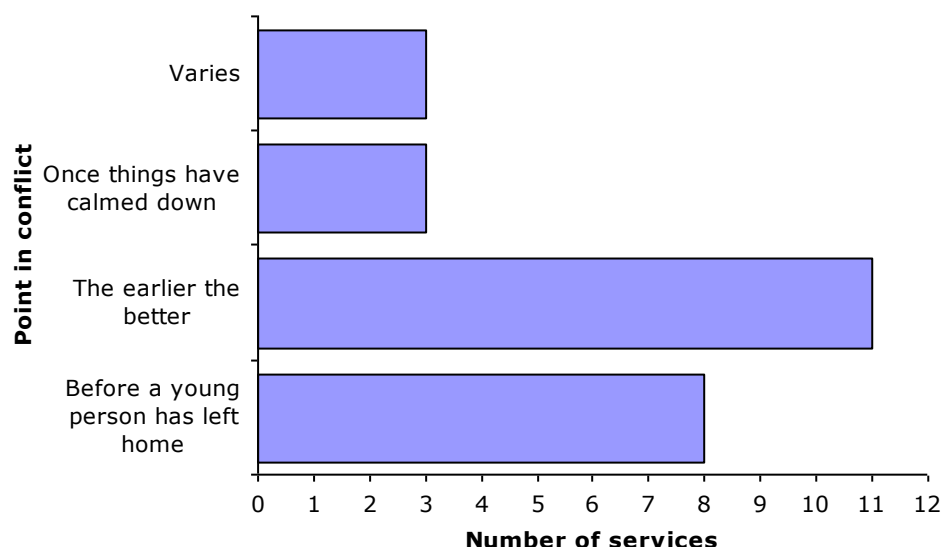


Chart 9 – Best Time

N.B.: 5 services also mentioned that the point of crisis/ when presenting as homeless is not the best time to mediate

CRISIS INTERVENTION

There was fairly clear consensus that mediating at the point of crisis is not the best time to prevent homelessness through mediation. However, many felt that there could still be value in it and in some cases it can prevent homelessness. Services which have had the most success working with young people at the crisis point of presentation have integrated strong support structures into their service design and either been present at the presentations or worked closely with a designated youth homeless officer. The quotations below are just a sample of the comments on this topic:

People have to be in the right state of mind to mediate, to be willing to negotiate and relatively emotionally stable. Timing the mediation right is very important. – Forth Valley

Earlier preventative work would be very effective in preventing young people from ever reaching the position where they are at crisis. Preventative work would be lot cheaper than the crisis interventions that the council has to offer. – Dundee

The point of crisis is the least good time but sometimes this is unavoidable as this is the only time when people find out about mediation. – East Lothian

Working with 'crisis response' services is not the right place to pitch, especially the housing offices. People are not at the right place/ time to accept mediation. It is too late, you have to look earlier in terms of prevention. **Who are these people who are at risk of homelessness? And who knows who they are? Where do you find them? How do you know that they are experiencing these problems that may lead to them becoming homeless, at the point where it is breaking down but not broken?** The project has started looking at schools, in particular family support and guidance, through the Falkirk Locality Models. – Forth Valley

People tend to chose mediation at crisis point, but the most effective time for mediation is when the conflict first starts. – Glasgow

That there is a "best time" at all is debatable. In fact, sometimes mediation in the middle of a crisis can work. This is affected by your capacity to respond to a crisis, and whether the young person is at that time prioritising the issue of addressing their relationship. – Rock Trust

Receiving referrals at the point of crisis means that for most people it is too late, what they are interested in is where they are going to sleep tonight, not repairing long-damaged relationships. – Shetland

EARLY INTERVENTION

There was strong agreement between respondents that mediation is most effective when used as an early intervention. The quotations below are just a sample of the comments on this topic:

The team are trying to concentrate more on early intervention, working at the point cracks appear rather than when things have broken down. It is harder to attract early cases because many more agencies would need to make referrals which would require a lot of awareness raising. – South Lanarkshire:

It is better if there can be intervention before this [crisis], but sometimes when people think there are no other options, mediation presents a positive option for them. – South Ayrshire

The pilot indicated the need to reach young people at a younger age, around 14. The team found that if a young person had been given a house there was little motivation for them to return home... In the light of the pilot, there was consensus among referrers and mediators that benefit could be gained by finding a way of referring young people and their parents at an earlier stage, before they present as homeless. – Dundee

Ideally we would like to work with 14 and 15 year olds, when the conflict is starting to emerge, rather than when they reach 16 and it is at crisis point. – Shetland

RECOMMENDATION:

Mediation should be available as an earlier form of intervention, before family conflict reaches crisis point. In particular, services would benefit from receiving referrals for those identified as at risk of becoming homeless from universal services such as schools. An answer must be made known to the cry of “where are these young people? How do we find them?” Further investment should be made in developing processes and tools for identifying young people at risk.

10. LOOKING FORWARD

What would you like to see changed?

AWARENESS RAISING

Eight interviewees would like to see national awareness of mediation increase, including education about when it is appropriate. Two ways suggested to do this were through embedding mediation in schools and lobbying the government to make mediation standard as the first port of call across dispute resolution situations. For two teams, it was particularly important that those at a high level become more educated about mediation and its benefits.

*Mediation needs to become **embedded in everyday life**, giving skills to deal with conflict. Across Europe in a lot of places mediation is the first thing that people think of rather than looking to the legal system. – North Ayrshire*

*Ideally there shouldn't have to be professional mediators because it should be part of the culture and people should be able to mediate for family and friends. This is why the **work in schools is so important**. It is embedding alternative dispute resolution in culture from a young age. – Fife*

We'd like to see Scottish Mediation Network championing the cause more, to see mediation embedded across Scotland. This could maybe be done through getting a high profile champion who could have influence in the right places. – South Lanarkshire

People would benefit from being more educated about mediation, including not leaving it to crisis point. – Glasgow

EARLY INTERVENTION

As shown by the above Glasgow quote, and reflected in a number of the responses to this question, a wider awareness of mediation would mean the possibility of referrals at an earlier stage in conflict, "*before the pipe bursts*" (Tayside and Fife). This theme has also been evidenced in service responses to the question "when is the best time to mediate?" which showed 'As early as possible' as the most common response. When put alongside the evidence in Chart 5, which clearly demonstrates that the majority of services do not cover lower ages, the need for more early intervention is clear.

8 services identified wanting the opportunity for mediation to be offered prior to a young person presenting as homeless, as an early intervention measure.

5 mentioned that this would include being able to have wider referral pathways.

4 services mentioned working with under 16s as a way to prevent homelessness.

*Ideally the service would work with under 16s to offer more preventative work. All of the 4 cases that went to mediation were with young people aged 16- 18, which is indicative of where it is most effective. **Being able to work earlier in a case would be more effective**. – Aberdeenshire*

RECOMMENDATION:

Previous research has shown that large numbers of young people under the age of 16 run away each year due to conflict with their parents; there is a strong connection between this behaviour and later becoming homeless. Mediation services should be made available to younger teenagers and their families, particularly 14 and 15 year olds. This will necessitate partnership working between 'Children and Families' and 'Housing and Homelessness' commissioners so that young people under the age of 16 who are running away or who are at risk of becoming homeless can access mediation and preventative support.

THE WORLD OF MEDIATION

Four different services felt that there should be more cohesion in the future between services offering mediation, and that the lack of cohesion and sharing was limiting the progression of mediation in Scotland. Two services suggested that local authorities should be required to offer mediation, for people to at least attend a first meeting. Tayside and Fife suggested that the government fund local family centres to include mediation.

*Currently the national picture is that **cohesion is still lacking** and there is a concern that mistakes made a number of years ago in one area will be repeated in another. Funding is tight and it seems to be a missed opportunity if best practice is not shared. – East Lothian*

Would like Local Authorities being required to offer mediation between young people and their families. - Fife

*It would be best if organisations worked together **co-operatively** to share knowledge, skills and opportunities rather than looking to advance their own causes. **Partnership working is the way forward.** – Dundee*

RECOMMENDATION:

Services undertaking mediation between young people and their parents for the prevention of homelessness should be registered with Scottish Mediation Register. The Scottish Housing Regulator should consider monitoring this, to ensure that high quality mediation is being delivered appropriately and consistently.

What do you think the future of YP and families mediation is in your LA in next five years? What about nationally?

PREVENTION

On a local level, five services felt that in their local authorities there will be more focus on prevention and early intervention. For some this was because of the pressure that local authorities are feeling on resources and early intervention's potential to save money. Only two of these mentioned this directly in terms of their mediation team being able to save the local authority money. Two further teams mentioned that their survival in the future depended on their ability to 'prove' the financial efficiency of mediation. On a national level also, prevention was considered. Both the likelihood of mediation being made a priority because of money saving and prevention slipping down the priority list because of economic pressure were mentioned. This reflects an awareness of the link between money saving and prevention but a general lack of consensus about where mediation will sit.

It is all dependant on funding. We need to prove we can save the council money.
– Renfrewshire.

With strain on every budget mediation could save a lot of money through preventing people becoming caught in a negative cycle and the cost that this can incur e.g. hostels, supported accommodation. – Fife

LOCAL AUTHORITY STRATEGY AND FUNDING

Some services saw their future as dependent on the local authority homelessness strategy/ team, which are in many areas across the country changing and re-forming. This has lead to uncertainty for mediation team leaders about whether there will remain a place for their team in the services commissioned by their local authority. Uncertainty regarding future funding was explicitly mentioned by six teams, as compared to only two teams that expressed relatively security in their ongoing funding. This uncertainty around ongoing funding from current funding streams has caused two teams to consider creatively thinking about how to generate more income, three services spoke of the need to look for alternative streams of funding and a further two teams seeing diversification in the future as necessary to maintain their funding.

We're considering the possibility of asking for voluntary contributions from clients.
– Dumfries and Galloway

There is still a place for mediation but we may have to offer more than that, grouping together with other services. – South Lanarkshire

Dumfries and Galloway summarised this by saying, *all areas are facing the same funding uncertainty.* Tayside and Fife predicted that this would result in increased competition and thereby the funding going to '*the big boys*' – national charities with a large staff.

There will be little funding from the government because of spending cuts, so whether charities can fill the void is the big question. – Perth

In the next five years it is inevitable that Local Authority funding will dry up. Therefore it is essential to identify independent funding streams. – Amber

Encouragingly, six services saw their future in terms of their proactive engagement in improving or embedding their service, for instance by improving reporting or attracting funding.

The service will continue and improve. – South Ayrshire

Overall, services were confident about their contribution but concerned about ongoing funding.

11. KEY FINDINGS, RECOMMENDATIONS AND CONCLUSION

KEY FINDINGS

This research identified 43 self-defined mediation projects, including homeless officers that use mediation skills, which have operated in Scotland since 2001. Mediation projects have been situated in four different organizational contexts: Relationships Scotland Family Mediation Services, Sacro Community Mediation services, voluntary sector homeless organisations and local authorities. Within local authorities, there have been two distinct types of delivery: homeless department staff using mediation skills in their role, and dedicated staff posts for mediation, either situated within the homeless, community mediation or social work departments.

Key findings of the survey completed by 23 services representing 27 mediation projects include:

- Local authorities have been the major driver for the use of mediation in the prevention of homelessness. A variety of operational models have been used. 5 models of support integrated alongside mediation having been used.
- Local authorities are seen to focus on young people returning or remaining at home whereas mediators' primary aims are around restoring relationships. The interviewees felt that viewing mediation solely as a way of preventing people from becoming homeless is too narrow a view. However, there has been very little evidence of explicit pressure, coercion or "gatekeeping" through mediation.
- Due to commissioning largely being by Homeless Departments, there was a clear trend towards services being available for young people aged 16 and over. 15 services were solely available to young people at the point of presenting as homeless or while they were in temporary accommodation. 10 accepted referrals for young people who were at risk of homelessness and 4 were available as an early intervention.
- The above is in contrast with the theme throughout the interviews that early intervention is the most effective time to work with a family in conflict. 83% services identified early intervention, before a crisis – i.e. the point at which a young person presents as homeless – as the best time to mediate.
- Only one of 23 services interviewed had a full time, dedicated member of staff. Services have largely relied on part-time or dual positions to staff this work. The small nature of the projects that have existed, alongside the fact that the large majority of them have existed within services with other main focusses, has resulted in an absence of research, development and training in the field. Services funded for 12 months or less expressed that they did not have the time to embed.
- The majority of mediators delivering working with young people and their families for the prevention of homelessness have been trained in community mediation. All others have trained as family mediators. Additional specific training has been sporadic. Some mediators have found that working with young people and their families to be quite different to their previous experiences/ training.

- Referral processes and relationships with referrers were the most commonly mentioned limiting factors for a service, with 15 out of 23 respondents expressing the desire for more referrals from certain groups or the lifting of restrictions to receive referrals from a wider range of sources, especially education.
- 80% of services interviewed found that under half of referrals converted to face-to-face mediations. There were a variety of reasons for this, many of which rest on service design. It should be recognized that for all kinds of mediation there is an inevitable drop-off rate. The experience of services is that much positive work is done prior to face-to-face meetings often affecting significant positive change.

RECOMMENDATIONS

It is prudent for new mediation services to learn from the lessons of previous ones, and for those commissioning mediation projects to shape them in such a way as to create conditions for them to be successful. In addition, many mediation services are looking to retain funding by delivering Best Value. The following recommendations are based on both the findings of the literature review and the research. Some of the recommendations are similar to those made in the 2001 Homelessness Task Force research report and also to the 2005 Good Practice Guide. Many of them have not been played out in the development of mediation, therefore it is important that they are restated, based on the new evidence herein.

DESIGNING EFFECTIVE SERVICES

- **Earlier Intervention.** There is a strong consensus amongst mediators that mediation should be available as an earlier form of intervention, before family conflict reaches crisis point. In particular, services would benefit from receiving referrals for those identified as at risk of becoming homeless from universal services such as schools. An answer must be made known to the cry of "where are these young people? How do we find them?" Further investment should be made in developing processes and tools for identifying young people at risk.
- **Under 16 work.** In addition to mediation services being available before crisis hits, they should be available to younger teenagers. Previous research has shown that large numbers of young people under the age of 16 run away each year due to conflict with their parents; there is a strong connection between this behaviour and later becoming homeless. Mediation services should be made available to younger teenagers and their families, particularly 14 and 15 year olds. This will necessitate partnership working between 'Children and Families' and 'Housing and Homelessness' commissioners so that young people under the age of 16 who are running away or who are at risk of becoming homeless can access mediation and preventative support.
- **Service Shape.** Many operational models have been used. In commissioning a new service, the importance of impartiality in mediation should be considered. This may involve the use of independent services or local authority mediation staff being placed internally outwith the homeless department.
- **Support.** Mediation cannot meet all the needs of a young person at risk of homelessness. Having a strong model of support alongside mediation enhances the work of the mediator. Service design should consider potential channels of support for service users. For example; partnership working,

utilising existing internal support workers or assigning both mediation and support roles within the team. In addition, it is the suggestion of this report that mediation is most effective in the prevention of homelessness when coupled with sound information on the realities of homelessness for both the young person and their family. This may be provided by the mediator themselves or, if it is felt that this would compromise the mediator's impartiality, by a second party. Services should be aware of a wide range of specialist support services available in their local area, particularly those relevant to young people. They should also be aware of how to effectively refer service users to the most appropriate agency.

DELIVERING AND DEMONSTRATING QUALITY MEDIATION

- **Quality and Accountability.** Services undertaking mediation between young people and their parents for the prevention of homelessness should be registered with Scottish Mediation Register. The Scottish Housing Regulator should consider monitoring this, to ensure that high quality mediation is being delivered appropriately and consistently. Budgets should allow for on-going CPD for mediators to ensure high quality mediation and for staff to keep skills fresh. Services should share training opportunities, which will have financial benefits as well as resulting in more training.
- **Education** Clear and explicit discussion should be held at the establishment of a service around the priorities of the mediators and the local homeless department. There would be clear benefit for both professions in educating the other about their work, priorities and the reasons behind them, and finding ways to productively bridge any gaps in purpose and understanding.
- **Referral.** Processes around referral are the most common factor in a mediation service not fulfilling its potential. It is recommended that there is regular communication between mediation services and their referrers to establish when further awareness raising is appropriate and to ensure that referrers are informed about mediation and its benefits. Service targets need to allow mediators to spend significant time raising awareness of their service, in order for referrals to be generated.
- **Communication.** There should be regular, clear lines of communication between mediation services and their commissioners. Any concerns or adjustments that either party have can then be addressed and the project is more likely to be successful in the eyes of both parties, leading to services being sustained beyond the pilot period. Terms and conditions regarding information sharing should be established between mediators and commissioners at the outset of any mediation service or work. Terms of confidentiality should also be made explicit to service users, who may have concerns about information being passed to other professionals or family members. Communication around the relationship of mediation and the homelessness assessment process should be clear and explicit from the first point of introducing mediation to service users.
- **Monitoring.** If mediation is to make a full case for its impact, there would be benefit in recording the softer outcomes in a way which promotes the aims of the services. Services should develop systems to record outcomes in line aims outcomes in order to demonstrate the full impact the service is making. There should also be tighter recording of accommodation outcomes in mediation cases in order to further establish the case for mediation. This would be most effective if all services submitted outcomes to a central point, such as the Scottish Community Mediation Centre.

- **Operational Issues.** The report has highlighted a number of lessons that have been learnt in the operational running of a mediation service working with young people and their families. Recommendations include:
 - i) The *emotional intensity* of the work necessitates regular and appropriate supervision
 - ii) *Contact and communication* can be difficult. Maintaining the momentum of a case and communicating in the most convenient way for the young person (e.g. text message) is important.
 - iii) *Meetings* should be expected to be more numerous and over a longer period than community or family mediation cases.
 - v) *Venues* should be safe, neutral and accessible as young people will rarely have their own transport.

MEDIATION NATIONALLY

- **Funding.** There is strong evidence that well placed preventative work saves local authorities money – mediation sits firmly within this category. The vast majority of mediation services are local authority funded. Services to date have been limited by being small scale with limited funding added onto other projects. For many the future is dependent on a shrinking pot of local funding, creating an uncertainty about the future. This report recommends that more money is invested in mediation and its development to face the large problem of youth homelessness.
- **Network.** The Homeless Task Force research report in 2001 made strong suggestions around the building of mediation networks and a forum for sharing good practice. The lack of this development has resulted in a general feeling of isolation amongst practitioners and minimal sharing of good practice. Therefore, this report recommends that all practitioners participate in a national network that supersedes the traditional community/ family mediation boundaries and also includes practitioners from local authorities and homeless organisations with a remit for mediation. This would develop greater cohesion and support for mediators working in this field, sharing lessons and best practice. Currently the Scottish Community Mediation Network hosts one such forum which is open to all and happy to act as a central point of contact.

CONCLUSION

Mediation has expanded to become an accepted part of homelessness prevention in the ten years since the first projects started in Scotland. It is an important tool in restoring family relationships; giving vulnerable young people vital conflict resolution and communication skills. Its unique principles and practice lead families to their own solutions which are more likely to stick than decisions imposed by others. As relationships are strengthened, often families find that a young person can stay at home or even return home, thus preventing homelessness. Even if a young person does move out, having the support of their family can be crucial in helping them to sustain their tenancy. Services across Scotland over the past decade have been small, scattered and varied. With increased cohesion, sharing of best practice and investment, mediation will prevent increasing numbers of young people from experiencing the trauma of homelessness.

LOCAL AUTHORITY MEDIATION SERVICES - SUMMARY

The local authority summaries contain information provided by survey participants and local authority homeless departments.

Aberdeen City

Aberdeen City do not currently provide a mediation service and are not aware of anything in the past. Mediation/ conciliation inputs are now utilized by their new Homelessness Prevention Team.

Aberdeenshire

Delivery: Sacro's Aberdeenshire Community Mediation Service

Staffing: Dedicated part-time mediation worker (17.5 hours per week)

Timescale/ Location: January 2010 - July 2010, extended to September 2010. The pilot was initially run in Peterhead and Fraserburgh, the areas in which most young people were presenting as homeless. This was extended to include Banff as there were lots of young people presenting.

History: Prior to the pilot, there was no official mediation for young people and their families in Aberdeenshire.

Commissioning/ Funding: The pilot was commissioned and funded by Aberdeenshire Council's Homeless Department

Age range: 16- 25

Referral process: When a young person presented as homeless they were offered mediation by a Housing Options Officer. The homeless assessment went ahead and they would be offered temporary accommodation. In order to increase referrals after the first 6 weeks of the project, any young person in temporary accommodation was sent a letter telling them about the mediation service. They had to 'opt out' within a week; otherwise their details would be passed on to the mediation worker who would contact them to discuss the service. Only once the mediation worker had met with a young person could they access the families' details through asking the young person for them.

Delivery model: Community mediation model was used. Having assessed the risk, the mediation worker would usually go out alone to visit both parties separately. When a case reached a face-to-face meeting, the mediation worker would co-mediate with someone from the community mediation team. Community mediation paperwork was adapted to suit this type of mediation.

Reflections: Due to the structure of the model, the pilot received 55 referrals during the 9 month period. However, only 4 of these became mediation cases. The staff felt that when someone has presented as homeless, or is in temporary accommodation, it is not the best time to offer mediation.

Interviewed 17th November 2010,
Aberdeenshire Community Mediation Offices

Angus

Delivery: Angus Restorative Justice Service

Staffing: 4 members of staff taking on cases as they arose.

Timescale/ Location: August 2007 –August 2008, across Angus

History: 2004 - Relationships Scotland
Relationships Scotland Tayside and Fife (then Family Mediation Tayside) carried out a pilot with Angus Council following an approach from the service manager to the council. Referrals were to come from the homelessness team at the point of presentation or during the process. Mediation would be paid for on a spot-purchase basis. The management were on board and training about the project was given to the frontline homelessness staff, and a number of joint planning meetings held. Front-line staff did not make any referrals throughout the lifetime of the pilot.

Commissioning/ Funding: The pilot was commissioned by Angus Council's Housing Division, Angus Council Social Work & Health and Angus Restorative Justice Service and funded by Housing, Social Work & Health

Age range: 18 - 25

Referral process: Referrals were in the main from the Assessment Officer Team, but a referral procedure was in place for other agencies.

Delivery model: The mediation work was part of a wider Peer Support, Education and Mediation (PSEM) Project, delivered by 2 local voluntary sector agencies. The staff would co-mediate. Additional support needs were quickly identified and signposted on or met by other agency staff.

Reflections: It is not unusual for a new Project to take a year or more to 'bed down'. The service received 20 referrals, resulting in 4 young people remaining at home and 4 others having positive outcomes. There was a proposal for continuation funding for the project, to allow for 2 part-time dedicated mediators, but this did not materialise.

2011 – Young People's Housing Options Project

At the end of the summer Angus council will launch a new young people's homeless prevention project that will be staffed by 2 homelessness staff and 2 social work and health staff. They will work with young people and their families to take the heat out of the crisis situation. Mediation between young people and their families will be an element of what they are offering.

Argyll and Bute

Delivery: Family Mediation Argyll and Bute

Staffing: Sessional

Timescale/ Location: Since 2008, across Argyll and Bute

History: No known history of mediation between young people and their families.

Commissioning/ funding: Commissioned by the Homeless Team, funded by the Homeless Team pre referral on a case by case basis. If the case progresses further than referral and correspondence the Homeless Team are invoiced per mediation session. Contract renewed annually.

Age range: 16+

Referral process: When a young person presents as homeless they are offered mediation. On some occasions a referral is made before presentation occurs by a voluntary agency or as a self-referral.

Delivery model: The mediator mediates alone due to the large geographical area.

Reflections: The service is trying to work with more early intervention cases through advertising.

Questionnaire returned by email

Clackmannanshire

There have been no mediation services working with young people at risk of homelessness in the past or currently.

City of Edinburgh

Delivery: Amber Mediation Service, Partnership between Edinburgh Cyrenian Trust (providing support work and leading the partnership) and Sacro's Edinburgh Community Mediation service (providing mediators). The partnership between Cyrenians and Sacro concluded in August 2011. The Amber Mediation Service is now solely run by Edinburgh Cyrenians.

Staffing: Dedicated part time mediation worker (20 hours per week), Personal Advisers (2 x 18.5 hours)

Timescale/ Location: 2006 onwards, across Edinburgh.

History: Prior to the Amber service, there was no official mediation for young people and their families in Edinburgh. Homeless officers may have been doing something like mediation on an informal basis but there was no identity of them being a mediation service.

Commissioning/ Funding: Service for young people age 16 - 24 is commissioned and funded by the City of Edinburgh Council's Homeless department. Under 16's work is funded through independent Trust Funds.

Age range: 14 - 24

Referral process: The service has no restrictions on where referrals come from. Most frequent referrers are schools, social work and self-referral. They will work with anyone at risk, or potential risk, of homelessness, and with young people who have already left home.

Delivery model: The team respond to a referral within 2 working days and aim to have met with the parties within a working week. Personal Advisers provide support for both the young people and their families. When both parties are ready, the case is passed on to the mediator. Support is available at all times during or after the mediation process.

Reflections: The service in Edinburgh receives around 85 cases each year, with about 80% becoming cases. The service was cited as best practice in the Scottish Government Guide to the Prevention of Homelessness 2009. In the future, the team hopes the service will continue to improve and expand.

Interviewed 23rd November 2010,
Amber Edinburgh Offices

Edinburgh (Rock Trust)

Delivery: Rock Trust- Youth Development- Networks- Mediation

Staffing: Networks Mediator, 18hrs per week

Timescale/ Location: May 2010 – January 2011, extended until April 2011. Across Edinburgh.

History: Scottish Social Networks is based at the Rock Trust and has been promoting mediation as a tool for building social networks since 2005.

Commissioning/ Funding: Initiative of Rock Trust, funded by the Big Lottery Fund.

Age range: 16 – 25

Referral process: Referrals were predominately received from other Rock Trust services. In particular, the mediation service was designed to receive referrals from Rock Trust's "Nightstop", which provides a 3 night stay with a volunteer host family for young people in housing need. The mediator could only access parental details through the young person, because of being situated within a youth service.

Delivery model: At the stage of referral there is a detailed chat during which young people are asked to examine whether any additional issues that are putting pressure on the relationship are being addressed through support or signposting. He "turns the referrers into temporary PAs" (reference Amber PAs). In this way, the mediator remained impartial because someone else was doing the support work. When he works with parents, the mediator does the signposting. The mediator mediated alone.

Reflections: The Cyrenians and the Rock Trust agreed prior to the establishment of the service that the mediator would only work with internal (Rock Trust) referrals or with crisis/ very chaotic cases. This was a challenge, but not necessarily a limitation: one of the main aims of this pilot project was to determine whether it is feasible to mediate in these cases. Most cases stopped at pre-mediation, leaving the door open whilst the young person rides out the worst of the chaos before deciding whether to proceed. Sometimes mediation in the middle of a crisis can work. This is affected by the service's capacity to respond to a crisis, and whether the young person is prioritising the issue of addressing their relationship.

The Rock Trust's Compass Project supports young people, aged 16-25, who are experiencing (or have experienced) homelessness or have a care or offending

background. As part of this support, the Compass Project offers a mediation service for young people experiencing conflict in their relationships with, for example, parents, carers, flatmates and landlords.

Interview 5th October 2010
Edinburgh

Dumfries and Galloway

Delivery: Relationships Scotland Dumfries and Galloway

Staffing: Sessional

Timescale/ Location: Since 2007, across Dumfries and Galloway. July – December 2010, rural Dumfries and Galloway.

History: Not aware of any other work in this area.

Commissioning/ funding: Initiative of Relationships Scotland Dumfries and Galloway, not funded except July – December 2010 microgrant from the Scottish Centre for Intergenerational Practice

Age range: The target client is 14 – 16 years old, but this is flexible.

Referral process: The intergenerational work grew naturally, with a handful of people approaching the family mediation service and then later developed into a service they 'officially' provide. The short-term microgrant was for work targeted in rural areas. The focus was triggered by the presence of special needs in these areas, indicated by high rates of suicide amongst young males.

Delivery model: Mediator works alone. Mediation may be between young people and their parents, but also may include other family members.

Reflections: They have found a large amount of crossover with the family mediation work they were already regularly carrying out. This service has found that when referrals have come from professionals, such as educational psychologists or social work, there has been significantly less uptake of the service than with self-referrals. The service would like funding in order to be able to publicise itself more.

Interviewed 1st February 2011,
Relationship Scotland Dumfries and Galloway offices

Dundee

Delivery: Sacro Dundee Community Mediation

Staffing: 2 community mediators undertaking cases as they arose

Timescale/ Location: June to December 2009, extended until the end of March 2010, across Dundee.

History: No formal projects have operated in this area but Family Mediation Tayside have been carrying out such work informally for a number of years as part of their normal case load.

Commissioning/ Funding: Commissioned by Dundee City Council but not funded

Age range: 16- 21

Referral process: The service was set up for referrals to be from Action for Children and the Lily Walker Centre, which is the main homeless unit in Dundee. They worked with young people who were already homeless or had recently become homeless. Parental details were only gained through the young people, and very few parents engaged with the service.

Delivery model: A mediator working alone would meet parties in local venues.

Reflections: Staff feel that there is a need for this type of work. It would be best if organisations worked together co-operatively to share knowledge, skills and opportunities. In the light of the pilot, there was consensus among referrers and mediators that benefit could be gained by finding a way of referring young people and their parents at an earlier stage or a younger age (around 14), before they present as homeless/ are given a house. With only 7 referrals, it was felt that there was low understanding of the benefits of mediation by referrers. None of these progressed to a full mediation. However, working with the young person on conflict resolution and communication skills was still very beneficial.

Interviewed 7th December 2010,
Sacro Dundee Community Mediation offices

East Ayrshire

SACRO provided a mediation service for East Ayrshire Council but they have been superseded by City of Glasgow Community Safety Services to whom the council refer requests for mediation including those involving young people and their families.

East Dunbartonshire

Delivery: Sacro East Dunbartonshire Community Mediation

Staffing: 2 part-time "Community and Homelessness mediators"

Timescale/ Location: 2005 – April 2011, across East Dunbartonshire

History: No formal projects operated in this area previously.

Commissioning/ Funding: Commissioned and funded by East Dunbartonshire Housing Department as part of the larger Community Mediation contract.

Age range: 16- 25

Referral process: Local authority homeless team were the sole referrers of young people at risk of being made homeless. Referrals were generally received through the internal mail system with contact details for both parties and a short description of the dispute, and then the mediation team get in touch. The homeless team would process the young persons' application and grant temporary accommodation if needed, whilst going through the mediation process.

Delivery model: The team co-mediate.

Reflections: The homeless mediation aspect always felt to staff like an 'add-on' to the community mediation service, but it was quite different and interesting work. Frustrations around low numbers of referrals imply that there was work to do around confidence in the benefits of mediation by referrers.

Interviewed 16th November 2010,
Sacro East Dunbartonshire Community Mediation offices

East Lothian

Delivery: Sacro's East Lothian Community Mediation Service (ELCMS)

Staffing:

2001 - 2003 ELCMS Community mediators took cases as additional sessional hours
2005 – 2008 2 specific Community mediation staff took on the cases

Location: Across East Lothian.

History:

2000 East Lothian Council commissioned a scoping study
2001-2002 A handful of referrals taken on by East Lothian Community Mediation
2003 One year Homeless mediation pilot project
2004-2005 Restructuring within ELC homelessness team
10/2005 Homeless mediation service launched, which started properly in
2006
2006-2008 East Lothian Community Mediation Homeless mediation service

Commissioning and funding:

2003, 2005 – 2008 Commissioned and funded by East Lothian Council Homeless Department

Age range: 16- 21 initially but extended later to 16- 24 later on for vulnerable young adults.

Referral process: All referrals had to be for people that had been assessed by the Homeless Department Central Assessment Team.

Delivery model: The cases were co-mediated. If a young person identified an area that they needed support with, with the young person's permission, the mediator referred this back to the CAT worker who acted as the 'case manager' who would then signpost so that this need was met. If the other party had clear support needs, the mediation team would signpost on. The young person could choose to mediate with *whoever* they wanted to establish a relationship with and would want to support them when they moved into temporary or supported accommodation. This could be either immediate family or a significant person from the extended family.

Reflections: Whilst a single referral point had advantages there were disadvantages also. The service prepared interim and final reports recommending early intervention and proactive prevention work, also recommending an open referral route. The service received a small number of referrals (27 across 8

years). Where there were referrals the service had good outcomes and felt that they learnt a lot through the period.

Interviews 2nd November 2010,
ELCMS offices

East Lothian – Amber

Delivery: Amber Mediation service, partnership between Edinburgh Cyrenian Trust (providing support work and leading the partnership) and Sacro's Edinburgh Community Mediation service (providing mediators). The partnership between Cyrenians and Sacro concluded in August 2011. The Amber Mediation Service is now solely run by Edinburgh Cyrenians.

Staffing: Dedicated part time mediation worker (8.5 hours per week), Personal Adviser (18.5 hours).

Timescale/ Location: September 2009 onwards, across East Lothian

History: See above

Commissioning/ Funding: Amber Mediation Service initiative, Fairer Scotland Funding.

Age range: 14 - 24

Referral process: As with other Amber services, the current service has no restrictions on where referrals come from. Most frequent referrers in East Lothian are schools, integration team and homeless team. They will work with anyone at risk, or potential risk, of homelessness, and with young people who have already left home.

Delivery model: Personal Advisers provide support for both the young people and their families. When both parties are ready, the case is passed on to the mediator. Support is available at all times during or after the mediation process.

Reflections: Amber East Lothian has benefited from sharing offices with ELCMS and learning from their experiences. Due to the familiarity of the concept of mediation in East Lothian, the service has become well established within the first 18 months and receives regular, appropriate referrals. Amber East Lothian was commissioned by East Lothian Council's Homelessness Department to attach a dedicated full time mediator to the Homelessness Team from August 2011 for 12 months. The mediator attends housing options

interviews with young people to offer mediation where appropriate. Support is provided to the young person and their family by Homeless Department staff, who have received Amber training.

Interview 23rd November 2010,
Amber Edinburgh Offices

East Renfrewshire

There was a SACRO mediation worker in East Renfrewshire from 2003 – 2007, who was responsible for community mediation but also able to take on young people and families mediation. The mediator only recalls taking on one of these cases. The SACRO service closed due to lack of funding and currently there is no dedicated mediation work. On occasion, however, mediation-type skills are occasionally used by the anti-social investigation team, young person's supported accommodation outreach work unit and tenancy enforcement officers.

Falkirk

Delivery: Relationships Scotland Forth Valley

Staffing: Sessional volunteers

Timescale/ Location: June 2009 onwards, across Falkirk.

History: Nothing until now – the community housing officers do some mediation which strays sometimes into family disputes.

Commissioning/ Funding: Commissioned by Falkirk Homelessness Department, no additional funding provided for the project.

Age range: 14 – 25 but wouldn't actively exclude anyone.

Referral process: Referrals taken from any professional agency for young people at risk of homelessness. Initial awareness raising was targeted at housing officers, the Accommodation Resource Centre (where people present as homeless), hostels, and housing associations. In light a lack of referrals, the service is now targeting awareness raising at agencies that work with people before the problems progress e.g. schools. ARC staff received a steer to make direct referrals automatically for young people, and an 'opt out' box is included on the homeless assessment form for contact details being passed on.

Delivery model: The volunteers co-mediate and will go out to visit young people in their localities.

Reflections: The response on visiting the initial services was that "the service sounds great, but for the people we work with it is too late". So far, no referrals have progressed to full mediations.

Interviewed 2nd February 2011,
Relationships Scotland Forth Valley offices

Fife

Delivery: Sacro Fife Community Mediation

Staffing: 35 hours per week split across two part-time workers from the community mediation team.

Timescale/ Location: 2005, commissioned for a year but terminated prior to end of contract. Across Fife.

History: No history of this kind of mediation in Fife prior to 2005.

Commissioning/ Funding: Commissioned and funded by the Homelessness and Special Needs Unit within Fife Housing Service.

Age range: Initially 16 – 17 but due to lack of referrals this was expanded up to 24.

Referral process: Initially the referral route was to be solely through homelessness officers who had engaged with young people at the point of presentation. Having explained mediation they would pass on name, contact details and a brief history of any young people that wanted to take up the service. After about 6 months this was opened up to include all agencies in Fife in order to generate more referrals. In addition, the mediators went to the homeless offices and to homeless hostels to offer the service to people as they came through the door.

Delivery model: The mediators worked by themselves.

Reflections: Despite targeted awareness raising there were a lack of referrals to the service, and the team reflected that the chaotic lifestyle of the target client did not lend itself to the standard model of mediation. The service would like local authorities to be required to offer mediation between young people and their families, but for the service to be offered at an earlier stage. The team continue to take on ad-hoc cases.

Interviewed 10th December 2010,
Sacro Fife Community Mediation offices

Glasgow

Delivery: Glasgow Community and Safety Services Mediation Service

Staffing: Spring 2008 - Comm. mediators taking cases into caseload.
January – June 2010 - 2 dedicated mediators, one afternoon per week

Timescale/ Location : Spring 2008 - Across Glasgow
January – June 2010 - Residents of the James Maclean Project

History: Prior to the pilot project, there were only ad-hoc referrals to the team. Otherwise not aware of any homelessness mediation activity.

Commissioning/ Funding:

Spring 2008 Commissioned by the Homelessness Department,
not funded.

January – June 2010 Commissioned by JMP

Age range: 16 – 25

Referral process:

Spring 2008 - Referrals were from the Hamish Allan Centre which is the Local Authority (social work and housing) homeless hub in city centre Glasgow at which people come to present as homeless. Young people could be offered mediation and referrals were sent via email.

JMP - When working at JMP, a homeless hostel for young people, all residents were told about the mediators and contact was made with the young people through a weekly drop-in session. The team did not have access to parental details other than through the young person.

Delivery model:

JMP - At the drop-in workers would discuss with a young person whether they wanted mediation and it was suitable. Due to the nature of the situation it evolved at one stage into a kind of sounding group. However, it was decided that it would be better to ensure conversations with young people were happening on an individual basis.

Reflections: The team would like a resource dedicated to this type of mediation. In the first stage of the pilot, a minority went to a joint meeting. At the JMP no cases reached a face-to-face meeting but good work was done on an individual basis.

Interviewed 23rd November 2010,
Glasgow Community Safety Services offices

Highland

2005/ 2006 - Volunteer Mediators

A pilot scheme was run jointly with Moray council, for working with 16 – 25 year olds at risk of homelessness.

Funding was given to the Calman Trust for volunteers who were already working in the homeless sector (non- council) to receive Sacro's 5 day community mediation training. About 6 volunteers were trained who were geographically spread across the Highlands/ Moray. Their managers agreed that they would be able to take time out of their normal employment activity to work cases. The practitioner explained that they only wanted to mediate in cases that they were not already involved in, in order to operate independently and ensure impartiality.

Referrals were supposed to come through a central person. There were maybe 5 referrals in all and the project fizzled out without an official end. Those who received training are still using the skills they gained. This was more about enhancing the skills of workers who were already engaged with vulnerable and homeless teenagers than running a mediation service.

Difficulties identified include:

- The practitioner interviewed identified that the process of the community mediation model was not wholly suited to work with young people at risk of homelessness; significant adjustments were needed. For example, SACRO train people in pairs. This provided a big problem for Highlands because the areas are so huge that it is impossible to work in pairs.
- The distance also incurred the expense of time and money spent travelling, which had to be taken from Supporting People money.
- Another barrier was that they found someone would agree to mediation when you were face-to-face with them but later would change their mind.
- As they were resolute that the mediation was entirely separate from the homeless assessment, they were unable to enforce the use of mediation.

2011 - Homeless Prevention Team

As of May 2011 Highland Council have established a Homeless Prevention Team. They buy in mediation between young people and their parents for Relationships Scotland – Family Mediation Highland. Cases are paid for on a spot purchase basis.

Inverclyde

In 2009 there was a full time Community mediator within Community Safety Services who took on 3 or 4 cases as part of his workload.

For some time Homeless Officers have been informally using mediation skills in their work with young people at risk of homelessness. In addition the department has strong links with voluntary sector organisations in the area that adopt a similar approach. The Homeless Department are restructuring in 2011, to include a Prevention Team. Prevention team staff will be trained in mediation, which will invigorate their skills and encourage them to use the process in the prevention of homelessness.

Midlothian

To date there has been no mediation between young people and their parents in Midlothian. However, the council has volunteer mediators that currently work with the Community Safety Team. There are plans to engage these volunteer mediators in mediating between young people and their parents where there is risk of homelessness. It is anticipated that they will work out of Midlothian's one-stop advice centre, 'The Point', in Dalkeith.

One member of homelessness staff was trained in homelessness mediation in 2011 as part of training purchased through the Housing Options Hub.

Moray

2005/2006 – Voluntary Mediators

In October 2005, in conjunction with Highland Council we had six people undertake Mediation training. The six people came from different agencies – two members from our Housing Needs Team and four from other support agencies. After the training it was intended that we would provide mediation from the pool of trainees with a view to preventing homelessness. Problems identified included:

- Mediation has to be undertaken within a short timescale and it was very difficult to identify any two people who had the flexibility within their workload to provide the mediation at short notice.
- Because of the tight timescale, often the client had already been placed in temporary accommodation and was focusing on living independently. All we could achieve in those circumstances was rebuilding family relationships rather than prevent homelessness.

Ultimately, the mediation project failed.

2010 onwards – Prevention Team

A Prevention Team has been in place in Moray since October 2010 and the initial focus of their work has been to work with young people who have been asked to leave the family home. The team work with the client and their family to resolve problems with the aim of keeping them in their accommodation. They have received training in Conflict Resolution, which includes mediation skills. In the future, the council hope that they can expand this service to include resolving problems between landlords and tenants.

The prevention team has now been renamed the Housing Options Team as this is more all-encompassing. In the past six months there has been an increase in the number of approaches from the 25-60 year old age group, in comparison to the under 24 age group.

North Ayrshire

Delivery: Sacro North Ayrshire Community Mediation

Staffing: Community mediation team leader and worker taking on cases as they arose.

Timescale/ Location: 2003 – 2009, across North Ayrshire.

History: No formal mediation work had been undertaken prior to 2003

Commissioning/ Funding: Commissioned and funded by the Homeless Department

Age range: 16- 25

Referral process: The service model was established such that referrals for young people would only come from the homeless team. Referrals would come through from the tenancy support officers via phone or fax and the team would contact both parties within 5 working days. Referrals included the details of both parties.

Delivery model: The cases tended to be complex. Each case would have a lead and a co-mediator. There would always be more than one initial visit and in a few cases this lead to a face-to-face meeting.

Reflections: There weren't that many cases over the years and very few reached mediation. This could be because the young people were at crisis point. Many people refused because it was not the right time for them.

Interviewed 10th November 2010
North Ayrshire mediation Service offices

Since 2003 North Ayrshire Council have had Youth homeless Prevention Workers as part of their Housing Support Team. Following a young person attending a Housing Options interview, a Prevention worker will visit the family home to determine any underlying issues which are preventing the young person returning. The prevention workers use mediation skills, but are clear that they do not offer mediation. Their aim is for the young person to stay at home, a needs assessment is undertaken and support provided as required. In addition a housing reality check is undertaken and young people are provided with realistic timescales for rehousing based on aspirational need. This approach has been highly successful in preventing young people from becoming homeless.

North Lanarkshire

Delivery: North Lanarkshire Housing Mediation, part of the Housing department of North Lanarkshire Council.

Staffing: Housing Mediation Officers respond to cases as they arise alongside community mediation cases.

Timescale/ Location: October 2010 onwards. Initially Bells Hill/ Viewpark, but to increase referrals, expanded to Wishaw/ Shotts. Now available across all areas.

History: In the past, housing tenancy support officers have been expected to do informal mediation-type activity. The Housing (formally Anti Social Task Force) mediation service took some cases for a while prior to 2010 through referrals related to anti-social behaviour reports.

Commissioning/ Funding: Commissioned by the Housing Needs/ Your Services continuous improvement group, no additional funding.

Age range: 16 - 21

Referral process: Initially three times a week a member of staff went to the First Stop Shop between 2 and 4pm. Mediation is now offered to all young people attending a housing options interview where there has been a dispute within the family home that is non-violent. If a Mediation Officer is available they will attend the Housing Office immediately at this point to speak with the young person or if no-one is available they will arrange to meet the young person asap thereafter. Young people give consent for Parents to be contacted. Mediation can also be offered before the young person becomes homeless or if the young person is already homeless.

Delivery model: Housing Advisors (support) can attend any meetings between the young person and the Mediation Officers to provide support and reassurance to the young person. Mediators work alone.

Reflections: Mediation Officers being at the housing office for certain periods proved not to be time-efficient and was found to be confusing for the young person, so the model was adapted accordingly. During the initial 6 month period 10 referrals were received. Into the future, the aim is to focus on early intervention, working with groups/ agencies who work with young people and may be able to identify young people who are having problems at home before it reaches crisis point.

Interviewed 26th October 2010
North Lanarkshire Housing Mediation offices

Orkney

Delivery: Relationships Scotland Orkney

Staffing: Volunteer mediators

Timescale/ Location: 2009 onwards, across Orkney.

History: The family mediation service has sporadically taken on cases previously.

Commissioning/ Funding: Commissioned and funded by Orkney Islands Housing Department

Age range: 16+

Referral process: In the majority of cases, a person has already been made homeless and presented to the council, but in some cases the family of a young person got in touch with the service independently. In both instances the referrer would just phone and talk over the potential case.

Delivery model: Using the family mediation process. The mediators looked at the power imbalance – might use advocates to address power imbalance, either for a young person or a vulnerable adult. The service is committed to intake housing clients within 48 hours or as soon as practical.

Reflections: The housing department's research showed that relationship breakdown was the major cause of homelessness in Orkney across the age ranges, not just young people. Therefore the mediation was for the general homelessness service, not just young people. The service received a small number of referrals (1 -3) for both young people and adults in the first year. For a new service to be successful there needs to be a lot of networking, getting name known and for referral to become habitual. Funding covers not only housing mediation but other family support services offered including individual or couple relationship counselling which might support people in relation to homelessness. Capacity issues within the voluntary sector mean that the service will endeavour to start mediation or any other support services as soon as a trained practitioner is available.

Perth and Kinross

Delivery: Sacro Perth and Kinross Community Mediation Team

Staffing: Community mediation workers taking on cases as they arise.

Timescale/ Location: February 2010 – April 2011, across Perth and Kinross.

History: 2009 - 6 month homeless mediation pilot between Sacro and the housing options team.

Commissioning/ Funding: Informally commissioned by Perth and Kinross Housing Department, not funded.

Age range: No limits, consider whether the two parties can function as equals in a mediation context.

Referral process: The team were informally commissioned to take on referrals from the housing advice team, but have received referrals from other sources. At the point of referral they had the contact details of both parties and check that the referrer has asked consent.

Delivery model: Both parties are contacted for an assessment and 2 mediators attend all meetings. After these preparatory meetings, the case will move to a face-to-face.

Reflections: The lack of funding for the work from the housing options departments resulted in a limitation on the awareness raising the team can conduct and the amount of training the team can attend to hone their skills towards homelessness and young people.

Interviewed 10th November 2010
Amber Mediation Service offices

Telephone interview 1st March 2011

Renfrewshire

Delivery: Renfrewshire Homeless Team and Renfrewshire Community Mediation Team

Staffing: 1 f/t "prevention and outreach officer" and 17.5 hours Mediator.

Timescale/Location: 2004 onwards, across Renfrewshire.

History: Homeless mediation was established in 2004 through strategy funding for 2 years, which was then renewed. One member of staff was given responsibility for mediation, part of the Homeless Prevention Team.

Commissioning/ Funding: Commissioned and funded by Renfrewshire Housing Department

Age range: 16 – 25

Referral process: Referrals are received from the Homeless team's Youth Officer, Social care, the voluntary sector and schools.

Delivery model: In 2010 a member of staff was taken on from the Community Mediation Team in order to be an unbiased mediator. The original mediator continues to work on the project, as a support worker ("prevention and outreach officer"). They do an assessment with both parties, but always see the young person first as they are the ones threatened with homelessness. They need the permission of the young person to contact the parents as it is about their homelessness. Parents may be offered support in the form of signposting, but the young person is really the focus. When both parties are ready for mediation, the mediator meets for initial meetings with both parties, working towards a face-to-face meeting (solo mediation). During the mediation process the prevention and outreach officer will continue to provide support.

Reflections:

The team receive a regular stream of referrals and feel the model of support alongside mediation is successful. It gives the team the freedom to assess each case individually as to what is the best time to mediate. Sometimes it is good to let it settle for a few days before getting in touch. The team would like there to be an option of short stay "cool off" accommodation to get young people out of a volatile situation until things have cooled down.

Interview 25th October 2010
Time to Mend Offices

Scottish Borders

Delivery: Scottish Borders Homelessness Team, as part of the Social Work Department

Staffing: 'Family liaison officer' 35 hours

Timescale/ Location: April 2009 – April 2011, across Scottish Borders.

History: For 5 years homelessness mediation was included in the job description of one of the two community mediators who worked within the Anti-Social Behaviour Unit, but until 2009 there wasn't really any homelessness mediation unless it was part of a neighbourhood case.

Commissioning/ Funding: Within Scottish Borders Homelessness Department

Age range: 16- 25

Referral process: Referrals were from the homeless team.

Delivery model: When a young person contacts the homeless team to tell them they may be homeless, they would speak first to the Family Liaison Officer to determine whether a homeless assessment is necessary or if a housing options interview is more appropriate alongside mediation. Outreach appointments were available. If it is decided that a homeless assessment should go ahead, or the young person doesn't want to speak to the Family Liaison Officer initially, then mediation is still available to them and does not affect their assessment being processed. The Family Liaison Officer would talk to the young person and then, with their consent, to the family. Usually this was followed by another visit with the young person and so on. Most often there was shuttle mediation, in some cases there was an informal family meet together, often in the family home due to convenience.

Reflections: Most young people did engage, resulting in about 10 cases a month. The work of the Family Liaison Officer was closely tied to the work and priorities of the Homeless Team, this often included giving young people a reality check about being homeless and living independently. Since April 2011 a homeless prevention officer does mediation with young people as part of his role.

Interview 18th November 2010
Scottish Borders

Shetland

Delivery: Family Mediation Shetland (RS affiliated)

Staffing: Family mediator, 1 day per week

Timescale/ Location: April 2011 for 12 months, across Shetland.

History: Previously in Shetland there have been no formal mediation services for young people and their families. The Family Mediation service has been delivering this type of intergenerational work on an ad-hoc basis due to a natural demand for it.

Commissioning/ Funding: Commissioned and funded by Shetland Council Housing Department

Age range: 16- 17

Referral process: Young people ages 16 and 17 who present as homeless are encouraged to try mediation. When the housing officer visits the parents' home, they are also offered mediation. In addition, if mediation has been turned down a letter is sent after a "cooling off" period to both the young people and their parents to remind them that mediation is still available and may be beneficial for them.

Delivery model: If a young person agrees to mediation then the mediator will often meet them immediately or otherwise as soon as possible. The family mediator mediates alone.

Reflections: Receiving referrals at the point of crisis means that for most people it is too late, in the future the project would like to expand to incorporate young people from the age of 14 upwards for Early Intervention work.

Telephone interview,
August 2011

South Ayrshire

Delivery: South Ayrshire Throughcare Support Team, as part of mainstream Children's and Families social work.

Staffing: Full time Mediation Co-Ordinator and Throughcare support staff who are allocated mediation cases as they arise.

Timescale/ Location: 2002 onwards, across South Ayrshire.

History: Prior to the Throughcare mediation service, there was no mediation service offered to young people in housing need.

Commissioning and funding: Within South Ayrshire Throughcare Support Team

Age range: 16 - 18

Referral process: The mediation co-ordinator jointly interviews all 16- 18 year olds with a dedicated youth housing options officer when they present as experiencing housing need in South Ayrshire. The housing options officer asks questions and speaks about the housing side of things and the mediation co-ordinator assesses support needs. This is also when the mediation service is introduced and offered to young people and their parents.

Delivery model: The Mediation Co-ordinator interviews people individually after the initial interview, using the same questions for young people and their parents. This may then lead to a joint meeting at which the mediator helps people to share information that they are happy to and then they take the mediation forward. Mostly the mediator does lone working, although for more complex cases will do joint working. Through the process, parents will receive some level of support and signposting as well as the young person. Young people receive support through the Throughcare Support team and also all cases are brought to the multi-agency Youth Housing Support Group which meets fortnightly to review all of support plans for young people in housing need.

December 2007 – June 2008 money from the Alcohol And Drug Action Team funded more mediation hours. This allowed workers to knock on the doors of the parents of young people presenting and explained mediation, rather than it just being offered over the phone. This made a difference and saw an increase in uptake. Parents are now invited to the joint interview in order to establish links so that they can share information. This ensures that the young person is supported as best they can be by both their parents and professionals, and be offered mediation.

Reflections: This model is fairly unique as most Throughcare Teams focus solely on young people leaving care whereas this team offers holistic support. A parent being at the interview is effective in helping parents to look constructively at responding to their problems rather than asking their young person to leave because they don't know what else to do. The service faces competing priorities on caseload, as staff have to work in other areas of Throughcare. If there were dedicated workers they would be able to develop the service further.

Interview 30th November 2010
South Ayrshire Throughcare offices

South Lanarkshire

Delivery: South Lanarkshire Mediation Service, within South Lanarkshire Housing and Technical Resources Department.

Staffing: Delivered by full time community mediators as cases arise.

Timescale/ Location: Service became permanent in 2007, across South Lanarkshire.

History: 2003 – Local Authority Community Mediation team responded to the rising number of cases they were being approached with that involved disputes between teenagers and their parents. They called the service “Resolve” and the initial referral process was based around more informal procedures and this service was promoted internally.

2005 - The team received funding from the Scottish Executive via the Homelessness (Scotland) Act 2003, under the Building Safer and Stronger Communities program, to pilot a method of homeless prevention using the Mediation process to employ one full time mediator for 2 years to work on young people/ families cases in East Kilbride. This mediator was initially working in partnership with the Rough Sleepers Initiative. However, due to challenges in joint working regarding availability and response times this partnership was unable to continue and a new model of provision was developed in which a wider partnership group was established.

Commissioning/ Funding: Commissioned and funded by South Lanarkshire Housing and Technical Resources Department

Age range: 16 – 17 (18 year olds are referred at the discretion of the housing officer)

Referral process: Currently all 16- 17 year olds that are assessed for homelessness are automatically referred to the mediation team unless there has been a clear risk identified by the referrer or the Young Person has explicitly said that they don't want to be referred onto the Mediation Service. Their details are passed on to the mediation team who then get in contact and offer their service. In 2010 the team became involved in piloting Mediation within the Housing options process in the Clydesdale area of South Lanarkshire in which a mediator is present at the housing options interview of any young person and therefore can talk directly to them about the benefits of mediation. The team also receive referrals occasionally from social work and schools. These cases tend to be prior to the point of crisis.

Delivery model: The initial meeting is performed by a single mediator but subsequently 2 mediators work together.

Reflections: The service has worked hard to identify its position as within the council but as independent from it. To this end, the team do not wear the council uniform. To date the Service has been able to deliver both a Community Mediation and a Homeless Mediation service by both services operating closely alongside each other. To date there has been a high degree of successful outcomes with those YP who engage with the service. The team are trying to concentrate more on early intervention in Homelessness which links into the current Housing Options process being rolled out within South Lanarkshire

Interview 26th October 2010
South Lanarkshire Mediation Service Offices

Stirling

Between 2004 and 2009 there were 2 dedicated Homeless Mediation Officers trained by Sacro within the Homeless Team dealing specifically with young people and their parents. The posts finished because it was felt the approach was too focussed on listening and not producing the outcomes the team were looking for.

Currently Housing Options workers, alongside their partners at Loretto Care, work with young people and their families, often finding that giving both parties a reality check is helpful.

Tayside and Fife

Delivery: Relationships Scotland Tayside and Fife

Staffing: Sessional

Timescale/ Location: Emerging over recent years, across Perth and Kinross, Angus, Dundee, and Fife.

History: See LA summaries

Commissioning/ Funding: Not commissioned and not funded at present

Age range: 14+

Referral process: Although in theory the team would undertake work with young people who had already moved out, to date work has been preventative, when parents have reached the end of their tether. Most referrals are self referral.

Delivery model: A mediator meets with each individual party for an initial session to explain about mediation and hear what their circumstances and issues are. As long as both parties engage, they then facilitate joint meetings. The mediators generally co-work and are working towards building a mutually agreed way forward that is supportive of all parties, but particularly the younger, and which can either be a verbal or written agreement.

Reflections: The team have found this work to be a natural diversification of their normal caseload. They would like to receive more referrals from social work and maybe the homeless team, but there is the question of capacity as they are not currently funded for this work. Relationships Scotland Tayside and Fife have bid with Shelter to the Big Lottery fund to increase their service. In this partnership, Shelter would support people around issues of homelessness for example, accompanying them to meetings and providing advice and information. This would be a longer and more open process than the cases that they work at the moment to include follow up over a number of months.

Interview 17th January 2011
Relationships Scotland Tayside and Fife Offices

West Dunbartonshire

Delivery: Sacro West Dunbartonshire Youth Justice Service.

Staffing: Youth Justice Team take on cases as they arise.

Timescale/ Location: 2009 onwards, across West Dunbartonshire.

History: No homeless mediation provision before this service.

Commissioning/ Funding: Initiative of Youth Justice Service as an addition to core service, not separately funded.

Age range: Under 18

Referral process: All referrals come from the social work team for young people who are in conflict with their parent or carers and be at risk of leaving home or have left home already. Referrals come as a phone call from the social worker who also sends a completed referral form, which has been specifically designed for the mediation service. It includes the questions, 'Describe the situation and areas of concern' and 'What do you hope to achieve by making this referral?' People are encouraged to make referrals as early as possible.

Delivery model: Once a referral has been made sometimes there is a joint visit with the social worker to make introductions, although in other cases it is more appropriate to visit alone. Also, in some cases the worker meets the parents and young person together initially and sometimes separately, depending on the case. After this, visits are always separate until the point of a face-to-face meeting. Sometimes they co- and sometimes they lone- mediate, depending on availability and the nature of the case in hand.

Reflections: Around a third of cases to date have gone to face-to-face mediation meeting; it should be noted that each case is time-consuming. Although social workers are already providing some support for the children, parents and siblings can remain unsupported. There is also the added responsibility of working with under 16s, who are technically in your care when you're with them. Sometimes there is a fine line or overlap between mediation and restorative justice skills and techniques.

Interview 19th November 2010
West Dunbartonshire Youth Justice Office

West Lothian

Delivery: Amber Mediation Service, partnership between Edinburgh Cyrenian Trust (providing support work and leading the partnership) and Sacro's Edinburgh Community Mediation service (providing mediators). The partnership between Cyrenians and Sacro concluded in August 2011. The Amber Mediation Service is now solely run by Edinburgh Cyrenians.

Staffing: Dedicated part time mediation worker (6 hours per week), Personal Adviser (18.5 hours)

Timescale/ Location: Across West Lothian. October 2009 – April 2011.

History: In West Lothian, the homeless officers were all trained in mediation but this was not carried forward as a formal part of their practice with young people.

Commissioning/ Funding: Amber Mediation Service initiative, Fairer Scotland Funding.

Age range: 14 - 24

Referral process: As with other Amber services, this service has no restrictions on where referrals come from. Most frequent referrers in West Lothian are schools, social work and self-referral. They will work with anyone at risk, or potential risk, of homelessness, and with young people who have already left home.

Delivery model: The team respond to a referral within 2 working days and aim to have met with the parties within a working week. Personal Advisers provide support for both the young people and their families. When both parties are ready, the case is passed on to the mediator. Support is available at all times during or after the mediation process.

Reflections: The service in West Lothian received around 4 referrals a month, and got off to a slow start. The team recognise that establishing a service in a new area can take some time. As part of the Housing Options Hub, West Lothian Council commissioned mediation training for a member of their newly formed Homeless Prevention team.

Western Isles

Currently Social work and Foyer do informal mediation-type work with young people at risk of homelessness. The LA see introducing it as a prevention measure as a priority and are hoping that in the future an outside agency will deliver it in partnership with them.

Interviewed 23rd November 2010,
Amber Edinburgh Offices

APPENDIX 1 - QUESTIONNAIRE

Young Person and Families Mediation Survey

Name _____
Team _____
Date of Visit _____

Young person and families mediation in your area

1. What is the history of young person and families mediation in the area? 23/23 responses
2. Who runs your service? When was it established? Is your service contract renewable annually? 23/23 responses
3. Which geographical areas do you cover? Which areas do the majority of your referrals come from? Is there any correlation with areas included in the Scottish Index of Multiple Deprivation? 19/23 responses
4. What is your service's relationship with the Local Authority? What degree of autonomy do you have from the LA? 23/23 responses

Your team

5. What are the staff's job titles and the number of hours they work? Do you use any volunteers/ sessional workers/ dual positions? 23/23 responses
6. What paths did your staff take to come to these roles? What training have members of your team been on towards their CPD? Who provided this training? 23/23 responses

The service you deliver

7. What are the aims of your service? 23/23 responses
8. In rough order of priority ("1" for the agency who refers the most, "2" for the next etc), which are the service's main referring agencies? 23/23 responses

Homelessness team
Schools
Self referral

General housing teams
Voluntary sector
Other

Social care
Police

9. Are there any groups that you would like to receive more referrals from but have come against barriers with? 21/23 responses
10. What are your referral criteria? What is your referral procedure? 23/23 responses

11. Do you find that most referrals become cases where a shuttle/ face to face mediation takes place? 20/23 responses
12. What does a "normal" case look like for you? i.e. what model do you use, do you co-mediate? 23/23 responses
13. Average number of visits per case? 17/23 responses
Average length of case? 16/23 responses
14. How often do you signpost/ refer on? What types of organisation is this to? 21/23 responses
15. What are the key values in your mediation service? 21/23 responses
16. What are your stated case outcomes? 19/23 responses
17. What factors do you feel prevent your service from reaching its full potential? 23/23 responses
18. What are your criteria for case closure/ exit strategy/ long term tracking? 18/23 responses
19. Do you offer/ have you in the past offered any additional services e.g. schools outreach work? 20/23 responses

The bigger picture

20. In your experience, what is the usual trigger point for service users to choose mediation? 17/23 responses Does there appear to be a "best" time to access mediation? 21/23 responses
21. What LA/ national priorities do you consider your team to be contributing to? 16/23 responses
22. What do you think the future of YP and families mediation is in your LA in next five years? What about nationally? 19/23 responses
23. What would you like to see changed? 20/23 responses
24. Anything else? 15/23 responses

APPENDIX 2 – SCOTTISH COMMUNITY MEDIATION NETWORK QUARTERLY RETURN BY HOMELESSNESS AGENCY

AGENCY: _____

Referrals and Cases

Period	Total referrals/ enquiries closed	Of the total referrals/ enquiries closed, the number of cases closed is:
QTR 1 April - June		
QTR 2 July - September		
QTR 3 October - December		
QTR 4 January - March		
YTD		

Case Outcomes (equal to number of cases closed)

Period	Agreement/ Improvement	No Agreement/ No Improvement
QTR 1 April - June		
QTR 2 July - September		
QTR 3 October - December		
QTR 4 January - March		
YTD		

Age Group

Period	<16	16 - 25
QTR 1 April - June		
QTR 2 July - September		
QTR 3 October - December		
QTR 4 January - March		
YTD		

Case Outcomes – A Breakdown

Period	Remained at home	Returned home	Moved out with support	Other positive outcome	Closed due to irreconcilable differences	One or more parties withdrew	Other negative outcome
QTR 1 April - June							
QTR 2 July - September							
QTR 3 October - December							
QTR 4 January - March							
YTD							

Referral Source

Period	Housing	Social Work	Education	Self	Other
QTR 1					
QTR 2					
QTR 3					
QTR 4					
YTD					

APPENDIX 3 – LIST OF RESEARCH PARTICIPANTS

Aberdeenshire

Aberdeenshire Community Mediation
Sacro
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Angus
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Argyll and Bute

Argyll & Bute Family Mediation
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Argyll
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Dumfries and Galloway

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Galloway
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Dumfries
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Dundee

Dundee Community Mediation
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East Lothian

East Lothian Community Mediation
Sacro
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East Lothian
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0131 6535295

East Renfrewshire

East Renfrewshire Community Mediation
Sacro
(No longer in operation)

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Rock Trust

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Forth Valley

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END NOTES

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EDINBURGH CYRENIANS

Edinburgh Cyrenians Trust was formed in 1968 by local people out of concern for the evident problem of homelessness in Scotland's capital city. Over the past 40 years the charity has developed an outstanding track record in pioneering creative solutions to the contemporary problems faced by people on the margins of society, such as; homelessness, poverty, deep unemployment, recovery from addiction and recidivism. The charity has an indefatigable commitment to reaching out and engaging with people trapped on the margins and working with them to fulfill their potential as contributing members of society. The charity also has an environmental brief, seeing the connection between valuing people and valuing our planet as part of the solution to a sustainable and happy future for society. Cyrenians trademark approach is to do new things really well and use the evidence of benefit to inform and inspire wider change. www.cyrenians.org.uk

AMBER MEDIATION SERVICES

A Cyrenians' Prevention service, Amber Mediation was established in Edinburgh in 2006, coupling mediation with high quality support work for the whole family. Every year the team works with around 100 families to prevent young people becoming homeless due to conflict. The service works with a wide range of situations: from very early intervention with 14 year olds whose school work is being disrupted by severe arguments at home, to helping young people who are in their own tenancies rebuild bridges with their family. Amber delivers conflict resolution workshops to S3 and S4 pupils across Edinburgh and the Lothians, equipping young people to handle the inevitable disputes that accompany teenage years constructively. Amber delivers a range of specialized training programmes on mediation with for the prevention of homelessness, including modules on supporting young people and their families. www.ambermediation.org.uk

SCOTTISH COMMUNITY MEDIATION NETWORK

The Scottish Community Mediation Network represents community mediation services from virtually all Scottish local authority areas. Different models of service provision have been developed, from independent specialist charities to in-house local authority mediation services. All models, however, share a basic requirement that mediators work with the public in a safe, effective and efficient way. Because of this, SCMN has introduced a comprehensive accreditation scheme for mediators, mediation services and training courses. SCMN has been accepted as an 'approved body' for the purposes of the Scottish Mediation Register.

SCOTTISH COMMUNITY MEDIATION CENTRE

The Scottish Community Mediation Centre has a national and international reputation for high quality training and consultancy work in the field of Community Mediation and constructive conflict resolution. The Centre, which is managed by Sacro and funded by the Scottish Government, has provided services to a wide range of national and local government agencies as well as other bodies such as charities, social housing providers, police and Ombudsmen.

We provide a comprehensive service of training, consultancy and practice advice on all aspects of community mediation, as well as acting as the administrative base for the Scottish Community Mediation Network and its accreditation schemes. We are able to offer a range of resources on all issues around constructive conflict resolution in neighbourhoods. Training, advice, guidance and assistance is available to mediation services, social landlords, and all other agencies concerned with neighbourhood conflict.

www.scmc.sacro.org.uk