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Edinburgh Cyrenians
Norton Park
57 Albion Road
Edinburgh
EH5 7QY
TEL: 0131 475 2493
EMAIL: admin@cyrenians.org.uk

Scottish Community Mediation Centre
29 Albany Street
Edinburgh
EH1 3QN
TEL: 0131 624 9200
EMAIL: info@scmc.sacro.org.uk



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

EXECUTIVE SUMMARY

EMMA DORE



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



"WE TALK LOADS MORE AND BOTH LEARNED TO COMPROMISE NOW. SHE NO LONGER TREATS ME HORRID, SHE TREATS ME WITH RESPECT WHICH IS NICE."

– 15 YEAR OLD GIRL, EAST LOTHIAN

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. 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 (definition taken from Scottish Mediation Network Website). Mediation is increasingly used in a diverse range of conflict situations: from neighbours in conflict over a noisy dog in Strathclyde to military factions in conflict over political power in 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 team in Scotland was found to be practicing mediation in this context (Lemos and Crane: 2001). 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 wide variety of models being practiced with greater or lesser success. 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, using evidence from 23 services representing 27 mediation projects for young people and their families to prevent homelessness. Detailed interviews were conducted across Scotland between September 2010 and July 2011. Putting this valuable information alongside research and policy developments from the last decade, this evidence consolidates the learning that has been gained across the country both in theory and in practice.

The dissemination of this information aims to raise awareness of the benefits and limitations of mediation in this context. 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.

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. Scotland now has a far more extensive statutory safety net than anywhere else in the UK (Wilcox and Fitzpatrick: 2010). The Homeless etc (Scotland) Act 2003 legislated that by the end of 2012, categories of "priority need" are to be phased out across Scotland. 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 accommodation to a much wider group of people has placed significant pressure on local authority housing departments and has contributed to the growing focus on preventing homelessness. The increasing adoption of dedicated Prevention Teams by local authorities and the introduction of Housing Options Hubs in 2010 both focus on preventing people from becoming unnecessarily homeless if an alternative route is available. Mediation is one of these options.

KEY DOCUMENTS

- 2001** - *Mediation and Homelessness: a review of the literature and service providers in Scotland* - Lemos and Crane for Homelessness Task Force. Recommends Scotland introduces mediation in local authority homeless prevention policies.
- 2002** - *Homelessness Task Force report*. '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.'
- 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 counselling 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.'

THE NEED FOR MEDIATION

- **'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. (Randall and Brown:1999)**
- **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. (Safe on the Streets Research Team:1999)**
- **32% of interviewees in the 'Significance of Family to Young Homeless People' study thought that mediation would have been useful before they left home. (Monfort:2009)**

The journey into homelessness begins long before most young people are asked to leave. Families can face a noxious cocktail of difficulties, such as unemployment, health problems and trouble at school, which, when combined with strained relationships can lead to a young person being asked to leave or running away. Where those potentially at risk are identified a mediator can assist the family to come to a peaceable agreement, before the disagreement escalates and relationships are beyond repair.

If the conflict has reached a stage when the potential consequences of family conflict are clear and homelessness has been threatened, 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. Mediation can make the difference between leaving in an acrimonious, unplanned way and retaining positive relationships and support from their family, with a safe and realistic plan.

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 problems of isolation and loneliness. Young single people are amongst those most likely to present as homeless on repeat occasions through being unable to sustain their tenancies (Scottish Homes:2001). 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 (Shelter:2005).

WHAT ARE THE BENEFITS OF MEDIATION?

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, locally available accommodation, the support needs of individual cases and the mediation service model design. Whatever data you use, the costs of homelessness are high. 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** (Scottish Government: 2009). De Paul UK claims that a youth prevention service including mediation saved an English local authority an average of **£3,229** per young person (Insley Consulting: 2011). This report would welcome research in Scotland that calculates the current average cost saving of prevention activities, including mediation. It is clear from these figures, however, that if a mediation service prevents even a relatively low number of young people from becoming homeless each year, it can be financially beneficial.

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. Professionals will use skills in common with those of mediators: many will have received training in 'mediation skills'. These skills are good and helpful; most mediators would advocate everyone using them. However, it is essential to recognize mediation as distinct and different. 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 excellent practice of football. A mediator is a trained professional, expert at helping people to resolve their conflicts. To become registered with the Scottish Mediation Register a mediation service must adhere to a Code of Practice, which proscribes accountability and processes in line with Best Practice to ensure high quality mediation is delivered.

DECISIONS THAT STICK

Voluntary involvement by both parties is held highly as a principle by almost all mediators. 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 (Montford:2009). 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 (Emery:1994). That the parties agree to something that they have mutually and willingly decided is another factor in the sustainability of agreements between young people and their families. 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 (Boulle and Nestic:2001). Rather than providing a temporary answer, mediation generates solutions that address the root cause of relationship breakdown and engenders sustainable housing solutions.

WIDER BENEFITS

Mediation also benefits those who take part in terms of strengthening their social networks and resilience to face further problems. Those who participate in mediation learn conflict resolution and communication skills that they can then use in other relationships and contexts. It can encourage self-determination and

empathy, equipping people with problem solving and conflict resolution techniques that will help them in other areas of life. Safe in the City, a large-scale action research project in London found that tackling emotional difficulties and family problems assists change in other areas without further intervention, for example young people's engagement with education and the wider community (Dickens and Woodfield: 2004).

“[MEDIATION] HELPED US TO STAY CALM AND HELPED ME BY GETTING THINGS OFF MY CHEST. RACHEL AND I NOW HAVE A MUCH BETTER RELATIONSHIP, MY HOUSE IS NO LONGER A BATTLEFIELD.”

- DAD, EDINBURGH

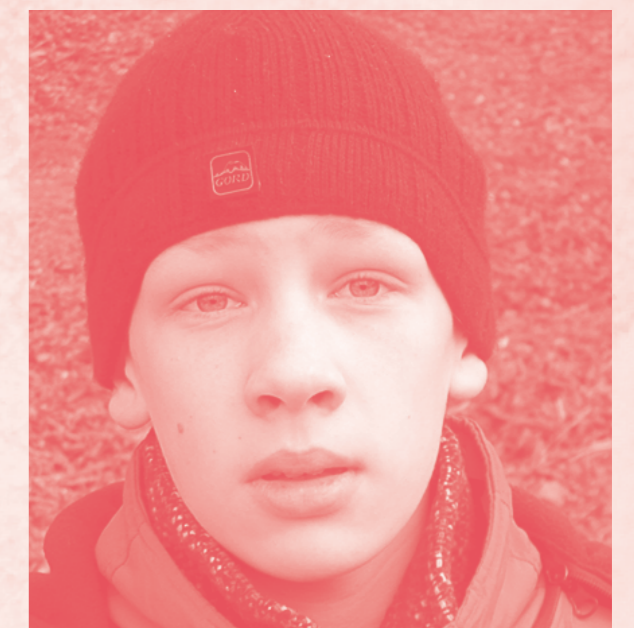
PAUL'S STORY

Paul is 16. He lives at home with his mum, step-dad and brother, Ed. Sometimes his step-sister, Sarah, who is 8, comes to stay. Paul and his step-dad had never really got on. Paul went to college for a while but dropped out because he didn't like the course. It didn't take long before he got into the habit of coming in late and not getting up in the morning because he was hung-over. Arguments with his step-dad became more frequent and increasingly heated: his step-dad was adamant that Paul should get a job. Paul's mum and Ed wished that the shouting would stop and Sarah didn't want to stay anymore. One day, things got really bad. Furniture got thrown across the room. Paul left, slamming the door behind him.

After a few days staying with a mate, his friend's mum told him to go to the Housing Office to find out about getting a place of his own. At the Housing Office, Paul told the Advisor that he had been kicked out of his home and didn't ever want to go back. The Advisor phoned Paul's mum, who said that they had been worried sick about him and wanted him to come home. The Advisor asked Paul and his family if they would like to try mediation. After some thought, they decided to give it a try.

The mediator met members of the family individually over a month, helping them to think through what they were arguing about and how they each wanted things to change. He helped them to prepare for a face-to-face meeting at

which they were able to come up with practical strategies that would make sharing living space workable and bearable. Paul has since found another course at college that he is enjoying and there are far fewer fights than before. Sarah has started to stay over at the house again now that the angry arguments have stopped.



WHAT ARE THE POTENTIAL LIMITATIONS?

DEMONSTRATING EFFECTIVENESS

To prove the efficacy of preventative interventions is a challenge. This is a particularly salient issue at a time of scarce public resources, when demonstrating Best Value is vital. Guidance published by the Scottish Government acknowledge this, "Assessment of the counterfactual or what would have happened without the intervention is conceptually, practically and ethically difficult". Among suggestions for addressing this issue is an avoidance of the demand for 'proof', with equal value given to qualitative as quantitative measures. There must be at the outset of a project agreement on what relevant outcomes are. (Sharp and Robertson: 2008) Around half of teams interviewed for the current research formally recorded case outcomes, with others reporting that outcomes are either not formalized or not recorded. This lack of record keeping is concerning in an increasingly outcomes-driven sector. The SCMN Homelessness Forum in 2010 began a quarterly collection of outcomes for organisations that are involved. 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.

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

AWARENESS AND UNDERSTANDING OF MEDIATION

Research carried out by Centrepoin, a national homelessness charity, found that many of the young people they 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. Interviewees for the current research expressed a desire for national awareness of mediation to increase, including education about when it is appropriate. Embedding mediation in the school curriculum was repeatedly recommended as a potential way to achieve this. Others suggested that it is particularly important for those at a strategic level to become more educated about mediation and its benefits.

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... This is about raising awareness so that people can know about mediation and how it can be preventative.
– Mediation Service Manager, Tayside and Fife

REDUCING THE DEMAND FOR SOCIAL HOUSING

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. The mediator has no power to impose a settlement on the parties, who retain authority for making their own decisions (Marion Roberts: 2008).

Any prediction of outcomes is based on experience: mediation strengthens relationships and through this process subsidiary benefits are frequently witnessed, such as a young person remaining at home. In their 2001 report, Lemos and Crane state that '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.' (Lemos and Crane: 2001) For the mediators we interviewed the other benefits of mediation - repairing relationships, improving communication, empowering and equipping people to problem solve, meeting the emotional needs of young homeless people - were considered the primary focus of mediation.

"GATEKEEPING" AND IMPARTIALITY

The most widely documented criticism leveled at mediation between young people and their parents is that it could be used as "gatekeeping" by local authorities: discouraging people from making homelessness applications as opposed to preventing homelessness from occurring. Some have suggested that mediation can be used by councils as a way of avoiding statutory obligations to house homeless people (Lemos and Crane:2001). 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 (Wilcox and Fitzpatrick: 2010). Indeed, of all 43 projects that this research found to have operated in Scotland over the past decade, the investigations for this report only uncovered one project in which it might be questioned whether mediation was being used as a method of gatekeeping.

"MEDIATION GIVES ALL PARTIES AN OPPORTUNITY TO EXPLAIN THEIR SIDE OF THINGS. ALTHOUGH IT CAN'T FIX EVERYTHING, IT OFFERS DIFFERENT VIEWS ON HOW TO MOVE FORWARD... IT WAS ESPECIALLY IMPORTANT FOR ME AND MY SON."

- MUM, WEST LOTHIAN

THE DEVELOPMENT OF MEDIATION SERVICES IN SCOTLAND

Mediation for the prevention of homelessness in Scotland has been delivered in the following four organizational contexts.

FAMILY MEDIATION (RELATIONSHIPS SCOTLAND)

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 formalized this work, either through commissioning by local authorities or accessing project specific trust funds.

COMMUNITY MEDIATION (SACRO)

Sacro 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 formalized.

VOLUNTARY SECTOR HOMELESS ORGANISATIONS

Five voluntary sector organisations have run mediation projects. This has been both commissioned and uncommissioned, and funded by either local authority or independent trust funding. Three organisations 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. Other homeless organisations that are not included in this research are likely to have received 'mediation skills' training for use in work with 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 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) Dedicated mediation staff employed by local authorities 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.



SITUATION OF SERVICE		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

LESSONS LEARNT

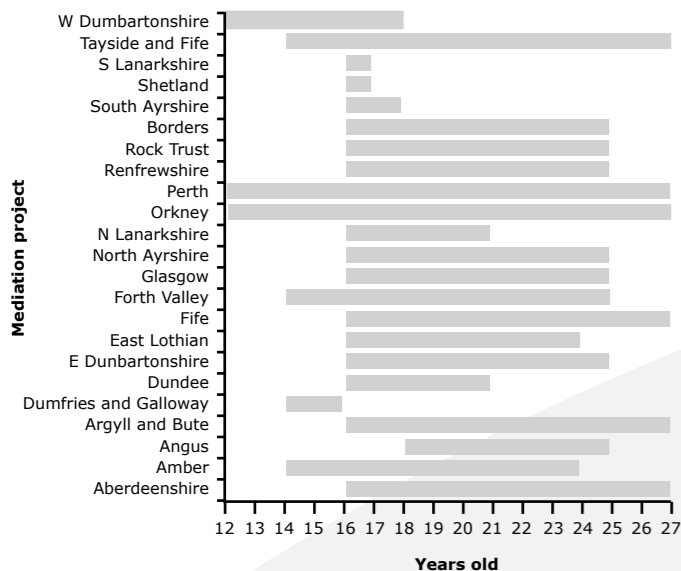
REFERRALS

Homeless teams were identified by the most services as significantly more regular referrers than other routes. Social care, self-referral and the voluntary sector were also frequent referrers to mediation services. There was a wide discrepancy in number of referrals received by services. In particular, a number of projects for whom homeless departments were the sole referrers received a low number of referrals. Over half of services would like to receive more referrals from existing referral agencies, the most commonly mentioned being homeless departments. In addition, 7 services would like to widen their referral routes, especially to include schools. Lack of referrals was the most commonly identified factor that prevents services from reaching their full potential, with 3 services not, in fact, having any cases through their duration. Significantly more factors connected to referral routes and referrers were identified as limiting the success of a service than any other area.

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

– Mediator, Forth Valley

CASES PROFILE



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.

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 can be legally regarded as homeless. That the majority of projects finish at 24 or 25 represents the upper age limit of what is considered a "young person", suggesting that the large majority of mediation services have been targeted at young people who have been 'asked to leave' by their parents. This is consistent with the finding that the 34 out of 43 projects have been commissioned by homeless departments or run in-house by local authorities. The data implies that

there has been relatively little work done to explore the wider application of mediation for the prevention of homelessness.

22 out of 23 services interviewed worked with people at risk of homelessness, or those who have already presented as homeless. In addition, 8 services have worked with those who are already homeless. Only 4 services have worked with those at an 'Early intervention' stage.

There was a large discrepancy in the conversion rates from referrals to cases where figures were given, ranging from 7% - 90%, with only 1/5 services converting over half of their cases to full mediations. Many services 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. However, this variation points to the significant need for sharing learning in order to improve practice that this paper hopes to address.

In discussing different options and attitudes sometimes positive change can occur such that a joint meeting no longer is needed.

– Mediator, Dumfries and Galloway

STAFFING

Across the services interviewed, over 85% mediation projects have either been part-time posts, sessional workers 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. Services have been small with relatively few staff hours. Significantly, this will have determined the scale of impact that this type of intervention could have. 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. Half of services interviewed use co-mediation, with two mediators always working together, and half have mediators working alone.

TRAINING

All mediation teams who deliver this type of work in Scotland have received training in Community and/ or Family mediation, with the vast majority training with Sacro or Family Mediation Scotland (since 2008 merged with Relate Scotland to become Relationships Scotland). 5 community mediation teams expressed how "different" they felt mediation with young people and their families for the prevention of homelessness was.

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

– Mediator, Aberdeenshire

Ongoing training for the mediator's Continuing Professional Development has been wide ranging and sporadic. Without a direct question being asked a quarter of interviewees revealed that they considered specialized training in this area of mediation to be needed.

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.

– Mediation Team Leader, East Lothian

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. Support was identified as important for a number of reasons. It was widely acknowledged that the large majority of people utilizing this type of mediation have support needs around issues that are impacting on their relationships. As summarised by a mediation team leader from 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. Five different models of using support alongside mediation have been used in Scotland in the past decade, employing support from both within and outwith the same organization as the mediator. In each of the situations that support has been an integral part of the model, it has been considered a significant strength of the service.

There was consensus that mediation should be part of a wider support package around the needs of the young person and their family. Indeed, a mediation service manager from North Ayrshire went as far as to say, it is not effective when offered in isolation. A key role for the support worker, whether that be someone from the homeless department or from a voluntary organization, is to provide information about the reality of homelessness and to ensure that the young person and their family are aware of all of their options.

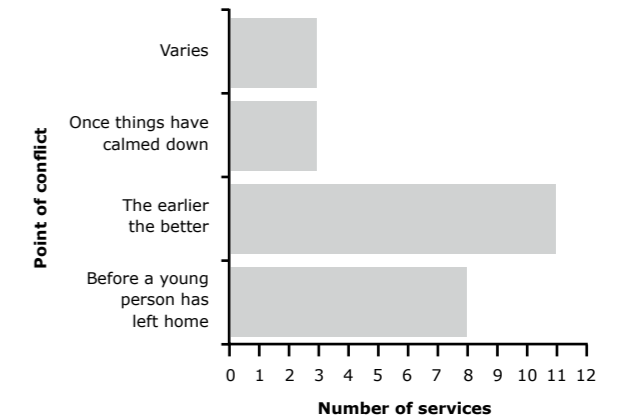
CASE WORK

The major nuances of this type of work as identified by interviewees can be divided into five categories:

- i) Emotional intensity** - This type of mediation can be emotionally demanding for mediators due to the intensity of the cases.
- ii) Building rapport** - The mediator's first job is to become a trusted adult whom the young person will be open with, which for many young people is a new experience.
- iii) Contact and communication** - It is important to respond to referrals promptly and to keep the momentum of the case going. Parental details should be accessed at the point of referral if possible. Communication with young people can be challenging; using appropriate mediums such as text message is vital.
- iv) Meetings** - It was felt that meetings with young people are harder to arrange and cases can involve more meetings than family or community mediation, and meetings may need to be shorter due to attention span.
- 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.

TIMING OF MEDIATION INTERVENTION

As explored above, mediation can be appropriate at any stage of a young person's journey towards homelessness. However, when asked what the best time to mediate is, there was a strong weighting towards early intervention being the most effective time to mediate.



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.

– Mediation Co-ordinator, 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... Earlier preventative work would be very effective in preventing young people from ever reaching the position where they are at crisis.

– Mediator, Dundee

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.

– Mediator, Shetland

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

There was fairly clear consensus that mediating at the point of crisis is not the best time to prevent homelessness through mediation. This is in concordance with the acknowledgement of the 2009 Guidance, 'although crisis response services are valuable and necessary it can still be difficult to actually prevent a homeless presentation at such a late stage' (Scottish Government: 2009). Many mediators mentioned how chaotic a young person's life can be at the point of presentation; in crisis people tend to focus on their immediate needs. In addition, if they have recently been asked to leave, then a young person is likely to be in a state of heightened emotion. Others mentioned the amount of questions that are posed at a homeless presentation. A question

about mediation – particularly where it is a foreign concept – can become lost amongst all of the other questions. However, several felt that there could still be value in mediating at this point 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.

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.

– Scottish Government, 2009

SUMMARY OF RECOMMENDATIONS

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. 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, it should be available to younger teenagers. 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 (Shelter Policy Library: 2011). Therefore 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 in order that young people under the age of 16 who are running away or who are at significant risk of becoming homeless can access preventative support and mediation. Currently, in many areas, there is a gap in services for these young people.
- **SERVICE SHAPE.** Many operational models have been used. For service users, the impartiality of a mediator is often very important. For this reason impartiality should be considered in the design and commissioning of new services. 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 homeless-

ness 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.

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 the 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 ongoing 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.

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. This report recommends that more money is invested in mediation and its development to face the large problem of youth homelessness.
- **NETWORK.** 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. 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.



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 SERVICE

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 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