



Family Law Act 1996

1996 CHAPTER 27

PART II

DIVORCE AND SEPARATION

Resolution of disputes

13 Directions with respect to mediation

- (1) After the court has received a statement, it may give a direction requiring each party to attend a meeting arranged in accordance with the direction for the purpose—
 - (a) of enabling an explanation to be given of the facilities available to the parties for mediation in relation to disputes between them; and
 - (b) of providing an opportunity for each party to agree to take advantage of those facilities.
- (2) A direction may be given at any time, including in the course of proceedings connected with the breakdown of the marriage (as to which see section 25).
- (3) A direction may be given on the application of either of the parties or on the initiative of the court.
- (4) The parties are to be required to attend the same meeting unless—
 - (a) one of them asks, or both of them ask, for separate meetings; or
 - (b) the court considers separate meetings to be more appropriate.
- (5) A direction shall—
 - (a) specify a person chosen by the court (with that person's agreement) to arrange and conduct the meeting or meetings; and
 - (b) require such person as may be specified in the direction to produce to the court, at such time as the court may direct, a report stating—
 - (i) whether the parties have complied with the direction; and
 - (ii) if they have, whether they have agreed to take part in any mediation.

14 Adjourments

- (1) The court's power to adjourn any proceedings connected with the breakdown of a marriage includes power to adjourn—
 - (a) for the purpose of allowing the parties to comply with a direction under section 13; or
 - (b) for the purpose of enabling disputes to be resolved amicably.
- (2) In determining whether to adjourn for either purpose, the court shall have regard in particular to the need to protect the interests of any child of the family.
- (3) If the court adjourns any proceedings connected with the breakdown of a marriage for either purpose, the period of the adjournment must not exceed the maximum period prescribed by rules of court.
- (4) Unless the only purpose of the adjournment is to allow the parties to comply with a direction under section 13, the court shall order one or both of them to produce to the court a report as to—
 - (a) whether they have taken part in mediation during the adjournment;
 - (b) whether, as a result, any agreement has been reached between them;
 - (c) the extent to which any dispute between them has been resolved as a result of any such agreement;
 - (d) the need for further mediation; and
 - (e) how likely it is that further mediation will be successful.