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Nel campo della giustizia civile, le procedure e i procedimenti in corso avviati prima della fine del periodo di transizione proseguiranno a norma del diritto dell'UE. Il portale e-Justice, sulla base di un accordo comune con il Regno Unito, conserverà le informazioni pertinenti relative al Regno Unito fino alla fine del 2024.

Family mediation

Scozia

Family mediation profession

The Scottish Government encourages the use of Alternative Dispute Resolution (ADR), including mediation, to resolve family disputes although mediation is not appropriate where there has been domestic abuse. Family mediation is generally a voluntary process. There is no obligation in Scotland to use ADR or mediation although once a family case is in court, the judge may ask for mediation to be undertaken.

If you wish to enforce the content of a mediation agreement in Scotland, either of the following procedures may be followed:

- You can apply to the Court of Session or a Sheriff Court to ask the Court to “interpone” its authority to the mediated agreement. This means the court uses its powers to change the mediation agreement into a court order.
- Alternatively, “self-proving” written agreements can be registered for execution in the Books of Council and Session or in Sheriff Court Books. A self-proving document is one which meets the formalities to be treated as signed without needing proof. Rules about self-proving documents are contained in the Requirements of Writing (Scotland) Act 1995. To register the agreement in the Books of Council and Session, you should apply to the Keeper of the [Registers of Scotland](#).

When an agreement is registered for execution, the document becomes an authentic instrument.

Agreements that have been endorsed by the Court or registered by either of the methods outlined above may be enforceable in other EU Member States.

Information on Mediation in Scotland can be found on the [Scottish Mediation Network](#) website.

National legislation on family mediation

As there is no obligation to use mediation in family disputes, there is relatively little national legislation.

However, the [Civil Evidence \(Family Mediation\) \(Scotland\) Act 1995](#) makes provision on the inadmissibility as evidence in civil proceedings in Scotland of information as to what occurred during family mediation.

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