

Family Mediation: Piercing the cloak of confidentiality

Deborah Eaton QC, 1 King's Bench Walk, Hassan Khan, 4 Paper Buildings and Mark Irving, Harbottle & Lewis examine whether mediation agreements are always susceptible to privilege, following Mr Justice Williams's judgment in BL v TC & OD [2017] EWHC 3363.

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Barristers

Private: Hassan Khan

It is often assumed that the 'cloak of confidentiality' in family mediation cases is impervious to attack. Many family mediators and parties to such mediations continue to operate under this assumption.

But are they safe to do so?

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