

TAKE FIVE

Your guide to mediation
in five steps



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1. What is mediation?

Mediation is an alternative to litigation - in other words it's the resolution of an argument before it reaches court.

It is often quicker, cheaper and less stressful than going to court and can be used to settle disagreements in many different situations, from family disputes and disagreements over land ownership, to employment-related issues.

An independent person (mediator) helps both sides come to agreement, without taking sides or making decisions on what should happen.

2. Who can be a mediator and where can I find one?

In theory anyone can call themselves a mediator and the practise is unregulated. Which is why many people choose a lawyer to mediate for them.

The leading body in the UK for mediation is the Centre for Effective Dispute Resolution, but you can also find mediators from other professional bodies.

3. Is mediation a better route than going to court?

Not all disputes are resolved using mediation, but a large proportion are.

The problem with going down the court route, is that it is expensive, time-consuming and the outcome isn't certain. Clearly both parties can't be right and even if one has a stronger case, a judge may decide otherwise.

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4. How does mediation actually work?

It is likely that in most cases, those involved will attend mediation in person where all options and possible settlement terms will be discussed, helped by the mediator.

In some cases, experts will attend to explain specific points arising out of any technical matters.

5. Preparation is key

Everyone involved should concentrate on the main issues and not become too embroiled in the legal, factual and technical issues, focusing instead on how settlement can be achieved. This is why it's important to prepare brief position statements and an agreed file of documents before starting mediation.



Would you like to know more?

Please contact one of our expert lawyers in this sector:

[Steve McCombe](#)