

Frequently Asked



What is mediation?

Mediation is a process in which you and the other person will discuss, together with an impartial mediator, ways of resolving your difficulties. This is usually done by both of you sitting together in the same room with the mediator. If that is not possible then a mediator will discuss with you whether there are ways to enable you to take part in mediation without sitting in the same room. Family mediation involves trying to resolve any issues relating to your family's problems either in relation to children or finances.

Is the purpose of mediation to get us back together?

No. Mediation is about helping couples who are separating or divorcing. It offers you the chance to resolve issues arising from the breakdown of your relationship.

What can mediation do for me?

Many people find mediation less stressful than going to court. It helps you to negotiate and make your own decisions about what is right for you. It is usually quicker and cheaper than court proceedings.

How is mediation different from going to court?

Mediation is a process in which you, in consultation with the other party, are able to decide which issues you discuss and at what pace the negotiations move. The agenda is agreed between the participants, with the assistance of the mediator. The court process tends to follow a strict process with a time-table set by the judges. The court will also decide which issues are dealt with in which order, although you would have some input into that decision-making process.

Do I need a solicitor to come to mediation?

No - you do not need a solicitor to come to mediation, although your solicitor can refer you to mediation if you decide that that is appropriate. Many people decide to come to mediation themselves. We will ask for some basic contact details and make arrangements for an initial information meeting. However, we cannot give you legal advice and will recommend that you speak to a solicitor as well as coming to mediation to provide you any legal advice where that is necessary.

How does mediation fit in with the legal process?

Mediation can work alongside the legal process or be a substitute for it. Some couples resolve all of their issues within the mediation process before seeking legal advice. Some couples are referred by their solicitors either before or during the court process. From time to time couples resolve some of their issues within mediation and continue to use the court process to deal with those which they have not resolved. Any negotiations which take place within mediation are confidential and cannot be used within the court process.

Is mediation appropriate for me?

This is a decision that you will need to make for yourself. If you would like to try and resolve your problems directly with your ex-partner or ex-spouse by discussing your issues, in a neutral environment in the presence of an impartial mediator, and finding common ground to move forward then the answer is probably yes. If you have any concerns about your own safety or the safety of your children or feel you cannot speak directly to your ex-partner or ex-spouse for whatever reason then the answer is probably no. A discussion about this would take place at an initial information meeting (called a MIAM).

How much will it cost me?

Depending on your income you may be eligible for public funding. At the first information meeting we will ask for some details of your finances so that we can assess whether you qualify or not. If you are eligible for public funding then the mediation process will not cost you anything. If the other party is eligible for legal aid, the first session is FREE FOR BOTH PARTIES. Thereafter our usual costs apply for the non legally aided client. If you are not eligible for public funding then you will be asked to pay for each session of mediation. Our present rates are £125 per hour per person (plus VAT). The first information meeting costs £100 (plus VAT),

How long will it take?

Since every family is different every mediation is different. How long the mediation process takes for you will depend on the number of issues there are to resolve and how well you and your ex-partner/ex-spouse are able to find common ground together. Each session will last for 1 to 1 1/2 hours depending on the issues to be discussed.

What will I have to do if I go to mediation?

Since mediation is about you resolving your dispute for yourself when you attend mediation you will be asked to come with an open mind and enter into constructive negotiations.

Why is it better to agree?

Research shows that solutions last for longer and are more settled when they are reached through negotiation and agreement rather than by court order. Further research also shows that the outcomes for children are better when parents are able to communicate with each other to make arrangements for them.

Am I safe? Will I be protected?

We take the safety of all participants in the mediation process very seriously. We will ensure that we put into place measures which allow everyone to participate fully without fear in the process.

What happens if we agree - do we get anything in writing, is it legally binding?

Outcomes achieved in mediation are not legally binding. If you resolve your issues then you will need to seek legal advice as to how to formulate a legally binding arrangement if that is what you want or need. The mediator will provide you with a written Memorandum of Understanding which records the outcome of the mediation process. If you have been discussing financial matters then the mediator will also provide you with an Open Financial Summary recording the information which has been disclosed within the mediation.

What happens if we can't agree?

Mediation is a process designed to facilitate reaching proposals which both of you accept. If that cannot be achieved then the mediation process will come to an end. It may be that you can find solutions to some but not all of your problems before the process concludes.

How do I know that the outcome is fair?

The mediator will be able to provide you both with some basic information about the legal system and the factors taken into account, although we do not offer legal advice. You will be advised to seek independent legal advice so that you can satisfy yourself that the outcome is fair.

Who else can help if you can't?

If, during the mediation, it seems that there are issues with which you need assistance that we cannot provide then we will do our best to provide you with details which will allow you to access that help.