



# Association of Northern Mediators

## ADVICE TO PARTIES ENQUIRING ABOUT USING MEDIATION

Many thanks for your enquiry to the [Association of Northern Mediators](#) about using mediation to help sort out a dispute that you have with another person or persons or business. Mediation is a bit like using a third person, the mediator, to act as the go between or referee. He or she is not there to tell either of you what to do like a judge. It is a far cheaper and quicker alternative to using the court, as once agreed the mediator can immediately speak to you both by phone, or in writing by email. You may be able to sort out the problem just by phone, or at a meeting or series of meetings. That is why we have time limited fixed price mediations starting as low as £50 for 1 hour up to £400 each for 4 hours.

- **When should I try mediation?** Do it as early as possible before legal costs and expenses are incurred. That can be after you know you have a disagreement and had an opportunity to exchange views informally.
- **Can I insist that they try mediation?** No you can't as mediation is voluntary, and requires the other party(s) to agree to mediate. But do be aware that the court will ask why mediation was not agreed and they may penalise someone for not agreeing to mediate when the court considers they should have tried.
- **Is it too late to mediate if the claim has gone to court?** No. It is never too late to mediate. The court will recommend it anyway, and for claims below £10,000 you may access the free court mediation service limited to one hour telephone mediations <https://www.gov.uk/government/publications/small-claims-mediation-service-ex730>
- **So have you asked them to try mediation?** If the other party agrees then ask us to nominate an appropriate mediator. If not or you don't get a reply, keep the request as the court may wish to see it later.
- **What happens if the mediation doesn't result in an agreement?** Most mediations do settle the dispute. But when they don't you can start or continue court proceedings and everything that happened in the mediation will remain private and confidential and cannot be used in the court proceedings.
- **What happens if we do reach an agreement?** The mediator will help you draft a written agreement summarising what you have agreed. That will be like a contract between you both and will be binding.
- **Will it cost any more than the fixed fee?** Only if the mediation goes beyond the timescale agreed at the beginning and only if you all agree to continue.
- **Where can I find more information about mediation?** You can look at our website to look up details of the Fixed Price Scheme, or details of the mediators at [www.northernmediators.co.uk](http://www.northernmediators.co.uk).

If you would like further information please do ask us by emailing us at [info@northernmediators.co.uk](mailto:info@northernmediators.co.uk) or telephoning 01347 825279.