CORRECTION SLIP

Title: Increasing the use of mediation in the civil justice system: Government response to consultation

Session: 2019−23

CP 897

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Correction:

Text originally read:

5. In line with the vision set out above, the policy of integrated mediation will apply to all small claims in the County Court (generally those valued under £10,000) issued under the standard Part 7 procedure of the Civil Procedure Rules.[footnote 7] This includes housing conditions and personal injury claims allocated to the small claims track. The policy will not apply to claims issued under non-standard procedures, such as possessions claims, which are issued under Part 55 procedure.[footnote 8] The Government is persuaded by the view of many respondents to the consultation that all standard Part 7 cases are suitable for mediation – we will therefore not provide for any case type exceptions within Part 7 claims from the requirement to mediate. The Civil Procedure Rules will be amended to enable implementation of the policy. We will start with integrating mediation for all specified claims (disputes about a specific amount of money) within this Parliament, working towards integrating mediation across all standard small claims' proceedings.

Text now reads:

5. In line with the vision set out above, the policy of integrated mediation will apply to all small claims in the County Court (generally those valued under £10,000) issued under the standard "Part 7" procedure of the Civil Procedure Rules[footnote 7] as well as housing conditions and personal injury claims allocated to the small claims track. The policy will not apply to certain claims issued under non-standard procedures, such as possessions claims, which are issued under Part 55 procedure. The Government is persuaded by the view of many respondents to the consultation that all standard Part 7 and damages cases are suitable for mediation – we will therefore not provide exemptions from the requirement to mediate for these case types. The Civil Procedure Rules will be amended to enable implementation of the policy. We will start with integrating mediation for all specified claims (disputes about a specific amount of money) within this Parliament, working towards integrating mediation across all small claims proceedings.

Date of correction: 1 September 2023

Ministry of Justice

Increasing the use of mediation in the civil justice system

Government Response to Consultation

July 2023

CP 897

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Increasing the use of mediation in the civil justice system

Government Response to Consultation

Presented to Parliament
by the Lord Chancellor and Secretary of State for Justice
by Command of His Majesty

July 2023

CP 897

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Contents

Introduction and Contact Details

This document is the post-consultation report for the consultation paper *Increasing the use of mediation in the civil justice system*.

It will cover:

- the background to the report
- the Government response to the consultation paper
- a summary of the responses to questions in the consultation paper
- the next steps following this consultation.

Further copies of this report and the consultation paper can be obtained by contacting **disputeresolution.enquiries.evidence@justice.gov.uk** at the address below:

Dispute Resolution Team
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102 Petty France
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This report is also available at https://consult.justice.gov.uk/

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Complaints or comments

If you have any complaints or comments about the consultation process, you should contact the Ministry of Justice at the above address.

Foreword

The way we resolve legal disputes is evolving for the modern age. Across government, we are developing innovative approaches that will empower people to resolve their disputes swiftly and effectively without the need for a court hearing.

This year we signed the United Nations Convention on International Settlement Agreements Resulting from Mediation (New York, 2018), which will bolster the UK's £17.5 billion mediation sector and underscore our leading role in international commercial dispute resolution.[1] The Digital Markets, Competition and Consumers Bill will strengthen oversight of dispute resolution opportunities available to consumers; an initiative which would have been more constrained whilst in the EU.[2] The Renters (Reform) Bill will improve the dispute resolution process for tenants by requiring all private landlords to join the new Private Rented Sector Ombudsman scheme; we are exploring whether the new Ombudsman can offer mediation to private landlords through their member services too.[3] As set out in *SEND and alternative provision improvement plan*, we will explore mediation approaches to improve the experience of parents in special educational needs and disability disputes.[4] And the Government has consulted on ensuring the use of family mediation before parents enter a potentially long and adversarial court process.[5]

Our plans for *Increasing the use of mediation in the civil justice system* are another, fundamental contribution to this transformation in the way we resolve our disputes. I am enormously grateful for all the consultation responses received, the support for our vision, and the wealth of constructive suggestions on how best to implement our reforms.

Following this feedback, I am pleased to confirm the Government's intention to fully integrate mediation into the court process for civil claims valued up to £10,000. We will aim to make mediation an essential step for all claims for specific amounts of money, which make up 80% of small claims, during this Parliament. To deliver this, we will build on the excellent Small Claims Mediation Service, run by HM Courts and Tribunals Service – a service that is free for all, and which already helps more than half of the people who come through its doors to reach a resolution within weeks of starting their case. We also remain

1 https://www.gov.uk/government/consultations/the-singapore-convention-on-mediation/outcome/government-response-to-the-consultation-on-the-united-nations-convention-on-international-settlement-agreements-resulting-from-mediation-new-york-20

2 https://bills.parliament.uk/bills/3453

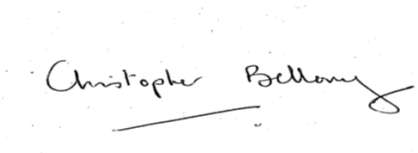
3 https://www.gov.uk/guidance/private-rented-sector-ombudsman-renters-reform-bill

4 https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan

5 https://www.gov.uk/government/consultations/supporting-earlier-resolution-of-private-family-law-arrangements

committed to integrating mediation in the court journey for higher value civil claims, and I look forward to continued collaboration with the civil mediation sector as we plan and progress this policy.

These reforms are not about restricting people's access to the courts, but about expanding their avenues to redress. The goal behind this change is not just a more efficient, effective, and sustainable justice system; it is swifter and better outcomes for the people who use it. Whether court users are individuals or businesses, whether their dispute is a conflict with a neighbour or a disagreement over the terms of a contract, the burden of litigation is significant. Where we can help reduce that burden by helping people to reach a mutually acceptable resolution, I believe that we should.



Lord Bellamy KC

Background

The consultation paper *Increasing the use of mediation in the civil justice system* was published on 26 July 2022.

It invited comments on the Government's proposal to integrate a free mediation session provided by His Majesty's Courts and Tribunals Service (HMCTS) into the County Court process for parties involved in civil disputes valued up to £10,000. 'Parties' refers to the persons issuing or defending a claim.

The consultation paper also signalled the Government's ambition to integrate mediation in higher value claims processes. This would involve referring parties to external mediators outside the court service. Therefore, the consultation paper also invited comments on how the government can support and strengthen the external civil mediation sector.

These proposals built on the Government's ambitions set out in the *Call for Evidence on Dispute Resolution in England and Wales*, published in 2021, to increase the use of dispute resolution across the civil and family courts and tribunals. By dispute resolution we mean the resolution of a legal dispute without a judicial determination, whether before or after a legal case is filed with a court.

In the consultation paper we specifically sought views on:

- possible exemptions from integrated mediation for small claims;
- how to assess adequate engagement with mediation;
- sanctions for non-engagement with mediation;
- experience with HMCTS' Small Claims Mediation Service;
- information provision regarding the Small Claims Mediation Service;
- vulnerable party support;
- the need for stronger accreditation of the mediation sector;
- possible accreditation bodies;
- the value of a national Standard for mediation; and,
- mediation accreditation exemptions for legal professionals.

The consultation closed on 4 October 2022.

This report sets out the Government's overall response to the consultation, it summarises consultation responses, and it outlines how these responses influenced the further development of policies to integrate mediation into the court process and strengthen the civil mediation sector.

The Impact Assessment accompanying the consultation will be updated and published in due course.

A Welsh language response paper can be found at https://www.gov.uk/government/consultations/increasing-the-use-of-mediation-in-the-civil-justice-system

A list of respondents who consented to be being listed is at **Annex A.**

Summary of Responses

A total of 134 responses to the consultation paper were received. This table sets out the number of respondents per sector:

Sector	Responses	Percentage
Mediation or Dispute Resolution Profession	35	26%
Legal Profession	29	22%
Representative Organisations	25	19%
Members of the Public	16	12%
Academics	7	5%
Advice Sector	5	4%
Judiciary	2	1%
Local Government	2	1%
Other	13	10%

Not all respondents answered all questions.

The Ministry of Justice (MoJ) also conducted three roundtables to better understand the views of stakeholders.

The Government is grateful to all respondents for their engagement.

Government Response

Integrating mediation for small claims disputes

1. In this response, the Government confirms our intention to integrate mediation as an essential part of the court process for lower value civil claims, as set out in our consultation on *Increasing the use of mediation in the civil justice system*. We are grateful for all the responses we received regarding this proposal and the wealth of constructive suggestions about how it should operate in practice.

2. In determining the detail of the policy, the Government has been guided by the overarching principle (supported by many respondents) of bringing the benefits of mediation to as many people as possible. Rather than being viewed as an optional add-on – as something separate to, and less important than, other elements of the court process – the design of this reform will see mediation become a standard step in the vast majority of small claims proceedings.

3. The policy design has also been informed by the success of HMCTS' Small Claims Mediation Service – a service that we believe every party in a small claims proceeding should be supported to utilise. As the *HMCTS Opt out Mediation Evaluation Report* demonstrated, settlement rates within the service are consistently above 50%.[6] Moreover, parties using the service appreciate the swift settlement, consider the resolution fair, and are positive about the skills of the court-employed mediators. Under our plans, this service will be significantly expanded and enhanced, with a full evaluation conducted to inform potential refinements.

4. Our goal is to ensure that all parties will have taken the opportunity to attempt to resolve their case consensually, before entering the lengthy and stressful wait for a court hearing. Furthermore, that they have the information and support they need to participate in this process safely and effectively. Settlement at mediation will remain voluntary, and all parties who need a hearing before a judge to resolve their dispute will be able to have one. We believe that the rewards of this reform will be considerable: more parties will be able to resolve their dispute swiftly and without the costly burden of litigation; and judicial time will be optimised.

Application of the policy

5. In line with the vision set out above, the policy of integrated mediation will apply to all small claims in the County Court (generally those valued under £10,000) issued under

[6] https://www.gov.uk/government/publications/hmcts-opt-out-mediation-evaluation/hmcts-opt-out-mediation-evaluation-report

the standard "Part 7" procedure of the Civil Procedure Rules[7] as well as housing conditions and personal injury claims allocated to the small claims track. The policy will not apply to certain claims issued under non-standard procedures, such as possessions claims, which are issued under Part 55 procedure. The Government is persuaded by the view of many respondents to the consultation that all standard Part 7 and damages cases are suitable for mediation – we will therefore not provide exemptions from the requirement to mediate for these case types. The Civil Procedure Rules will be amended to enable implementation of the policy. We will start with integrating mediation for all specified claims (disputes about a specific amount of money) within this Parliament, working towards integrating mediation across all small claims proceedings.

6. We will also not be providing for exemptions on an individual basis. As respondents pointed out, allowing for individual exemptions would complicate the court process unnecessarily, requiring additional time and costs to assess whether a party's application for exemption is valid. Moreover, the Government believes there would be a significant risk that enabling individual exemptions would create a culture of avoidance; this would undermine our overarching objective to standardise participation in mediation.

Format of mediation and party support

7. We acknowledge that, in a system where participation in mediation is required, the burden of attending this mediation should be light. We also recognise that there must be sufficient provision of appropriate support to enable all parties to access and participate in mediation safely and effectively. We believe that the current delivery model of the Small Claims Mediation Service fulfils these requirements.

8. The Small Claims Mediation Service will continue to offer mediation free of charge. Standard appointments will continue to be an hour in length, conducted over the telephone. As highlighted in the *HMCTS Opt out Mediation Evaluation Report*, Small Claims Mediation Service users are positive not only about the court-employed mediators who provide the service, but also about the telephone format.[8] This research also shows that the shuttle format of the Small Claims Mediation Service helps to mitigate power imbalances, as parties like the degree of separation from the other party it provides.

9. We will also continue to ensure that parties will have access to all the same reasonable adjustments as they would in a court hearing, including extending the mediation appointment; conducting the appointment in person; or using an interpreter

[7] https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part07.

[8] https://www.gov.uk/government/publications/hmcts-opt-out-mediation-evaluation/hmcts-opt-out-mediation-evaluation-report

or translator. In addition, HMCTS will build on these current provisions, as well as their wider safeguarding policy, to develop a safeguarding and vulnerability protocol specifically for mediation.[9] This protocol will provide a framework for bringing the mediation **process to a close in case of safeguarding concerns or unavailability of alternative reasonable adjustments. If necessary, the process may be brought to a close ahead of the appointment.** The protocol will also provide a framework for connecting parties to external support services where there is a potential risk of harm.

10. In line with many of the suggestions from respondents, we will also work to improve the information and guidance provided to parties as they progress through their court journey. This will serve to highlight the benefits of engaging in mediation and encourage parties to take advantage of the opportunity to resolve their case where that is possible. As recommended by the *HMCTS Opt out Mediation Evaluation Report*, we will expand support for parties to help prepare for their appointment and support them to understand what to expect. Information will be provided in a wider variety of formats. For instance, in response to requests from respondents, HMCTS have already produced an introductory video about the Small Claims Mediation Service.[10] The guidance will make very clear that parties are under no obligation to settle their case, if they do not wish to, and that their right to a court hearing remains.

Assessing parties' engagement in mediation

11. Parties will be expected to engage in mediation in good faith. Many respondents to the consultation advocated an approach that allowed mediators to assess whether parties had engaged adequately in the mediation process. This was seen as a way to mitigate the possibility that parties fail to genuinely engage with mediation as a tool to facilitate resolution. However, others felt that this approach would breach the confidentiality of the mediation, and potentially damage parties' confidence in the process. On balance, the Government is of the view that, at this time, the only requirement will be to attend the scheduled mediation appointment, although we may review this decision following evaluation of the policy.

9 https://www.gov.uk/government/publications/safeguarding-in-hmcts/hmcts-safeguarding-policy

10 https://www.youtube.com/watch?v=rR-Oe9R5Nsk

Non-compliance with the requirement to mediate

12. If a party does not attend their scheduled mediation appointment, a judge will be able to apply a suitable sanction at their discretion. This may be a strike-out, which means the judge can automatically rule in the other party's favour. Or it may be a cost sanction, which means the judge can order the non-compliant party to pay for part or all of the other party's legal or court costs (even if the judgment overall is in favour of the non-compliant party). As various respondents pointed out, without meaningful sanctions, integrated mediation is unlikely to be effective. As mediation will be part of the standard court process, sanctions should be in line with other failures to comply with court rules. Judges will be able to take mitigating circumstances into account when deciding whether to apply sanctions for non-attendance.

Future process for small claims

Legal Problem

An individual or business (the 'claimant') has a dispute with another individual or business (the 'defendant') and believes that their legal rights have been infringed. They are unable to resolve the problem themselves.

↓

Claim

The claimant decides to issue legal proceedings against the defendant by filing a claim with the County Court.

↓

Defence

Where the defendant disagrees with the claim, they enter a defence with the court setting out their side of the case. If the defendant does not do this, the claim progresses straight to a default judgment on the request of the claimant.

↓

Directions Questionnaire

After the defence is filed, the case is provisionally allocated to the court's small claims track (generally used for claims valued under £10,000) and parties whose claim falls within Part 7 of the Court Rules will be informed that mediation will be the next step in the court process.

Parties will also be asked to return a questionnaire (online or on paper) that requests details of expert evidence; asks for dates to avoid for a hearing as well as for mediation; and enables them to flag any vulnerabilities and request reasonable adjustments.

Case progresses to the Small Claims Mediation Service

Mediation will be integrated for all Part 7 claims. Mediation appointments will continue to be offered within 28 days after the Small Claims Mediation Service receives the case details.

Appointment confirmation

Parties will receive confirmation of their 3-hour appointment window in which the 1-hour telephone mediation session will take place. The appointment time will avoid the dates indicated as unavailable on the directions questionnaire. Parties will also receive guidance on what to expect and how to prepare. In exceptional circumstances, parties may request to rearrange their appointment. We will work with parties to arrange any reasonable adjustments or other additional support requested.

Mediation

At the appointment, the mediator will ring each party and speak to them in turns. This means the parties talk to the mediator only, not to each other. The mediator will make introductions, listen to each party's concerns and requests, and explore areas of potential compromise. They encourage parties to view their case not as a battle to be won, but a problem to be solved. If, for any reason, the mediator feels that the process is placing a vulnerable party at risk, they will bring the mediation to a close.

Mediation outcome

Where the claimant and defendant agree a settlement, this is written up as a formal settlement agreement that is legally binding and registered with the court. If one of the parties fails to act as agreed, the other party can ask the court to intervene.

Where the claimant and defendant do not reach an agreement, the case will continue on to a hearing before a judge.

If a party has not attended their scheduled mediation appointment, they will be recorded as having failed to comply with the requirement to mediate. A judge will be able to apply sanctions they consider appropriate and lawful, taking mitigating circumstances into account. It could be that the non-compliant party is required to pay for some of the other party's legal or court costs; or a judge may decide to strike out (dismiss) a party's claim or defence, leading to a default ruling in the other party's favour.

Strengthening the civil mediation sector

13. Although the Government is expanding the Small Claims Mediation Service to provide free in-house mediation for small claims, we also aim later to integrate mediation within the resolution of higher value claims in the County Court: within the fast-track (£10,000–25,000) and multi-track (over £25,000). The integration of mediation within higher value claims will involve referring parties to external mediators, rather than those employed by HMCTS. In preparation for this, the consultation invited views on ways to strengthen confidence in the mediation sector in line with its increasingly central role in resolving disputes. As suggested by many respondents, parties would be more likely to attempt meaningful mediation and experience its benefits if they trust their mediator. Standards for mediators in court-referred cases will therefore need to be robust and clear to promote that trust, especially for the many parties who will be attempting mediation for the first time.

14. We recognise that the civil mediation sector already has standards in place through its system of voluntary accreditation. Under these arrangements, many mediators choose to register with one of several professional bodies, such as the Civil Mediation Council and the Chartered Institute of Arbitrators (CIArb). These professional bodies set minimum membership requirements for their members, ensuring they follow a code of conduct and have sufficient training, experience, insurance, and a complaints process in place. This arrangement accredits the mediator to the standard set by the professional body. The bodies also provide oversight of their members including by investigating complaints when a mediator's internal processes have been exhausted.

15. Given the strength of this existing self-regulation, we have concluded that statutory regulation of the entire civil mediation sector would be disproportionate. However, respondents raised genuine concerns that a party being referred to external mediation by the court, especially litigants in person, could find the market confusing and inadvertently use mediators who lack training, experience, or protections like insurance and complaints handling procedures. This could result in perverse outcomes for parties and erode trust in integrated dispute resolution.

16. Therefore, to make integrated mediation in higher value disputes a success, we must ensure that those parties will also have access to quality mediation. It is also essential that parties will be able to understand the standards those mediators will meet. We believe the existing self-regulatory system is well placed to enhance its role and work with government to facilitate the introduction of integrated mediation to higher value claims by further promoting standards and consistency in the sector.

17. We recognise that mediation is a skilled profession, requiring specialism in conducting collaborative and constructive dispute resolution. It is therefore appropriate that mediators mediating court-referred cases work to ethical standards and best practices

tailored to that profession. However, we acknowledge that many professionals who work as mediators, such as legal practitioners, already adhere to regulatory requirements in other aspects of their professional lives. We will continue to review how these existing regulatory requirements could be considered for the purposes of overseeing integrated mediation while also ensuring that the specific knowledge and skills needed for mediation are in place.

18. We will continue working with stakeholders in the sector to enhance standards and improve public confidence in the provision of civil mediation services as we prepare to introduce integrated mediation to higher value claims. While our initial focus is on mediation, we will continue to explore the role for other integrated dispute resolution services in resolving higher value civil disputes.

Responses to Specific Questions

Question 1: We propose to introduce automatic referral to mediation for all small claims (generally those valued under £10,000). Do you think any case types should be exempt from the requirement to attend a mediation appointment? If so, which case types and why?

19. Many respondents felt that no case types should be exempt from the requirement to mediate. For some respondents, this stemmed from the belief – both as a point of principle and based on their experience – that all case types could be mediated. Others highlighted that creating an exemptions process was likely to cause complexity and discourage parties' participation. It was noted that the process of allocating cases to the small claims track already filters out most case types with special features. These respondents stressed that it should be a priority for the courts to encourage parties to all remaining cases to avoid the time, stress and cost of contested litigation by attempting to mediate their dispute.

20. Where respondents suggested there could be exemptions, the most consistently mentioned case type as a candidate for exemption was personal injury – particularly, road traffic accident (RTA) claims issued through the Official Injury Claims (OIC) portal. Respondents emphasised that, in most personal injury claims, the parties are represented and that legal representatives will seek to resolve the dispute consensually before commencing court proceedings. In addition, for RTA claims, it was pointed out that the OIC portal already provides formal processes for parties to negotiate and avoid the need for litigation before a claim is issued. Considering this, some respondents felt that integrated mediation after parties submit their claim would be unnecessary and inefficient. Similar concerns were raised by respondents regarding claims issued through the Damages Claims Portal. However, it was suggested that there could be value in integrating mediation within these portals in the future. Related to RTA claims, some respondents also felt that credit hire claims (regarding claiming the cost of a temporary replacement vehicle in the event of a non-fault road traffic accident) should be exempt, as these claims are often highly complex, and resolution requires full and detailed disclosure and examination of the relevant evidence.

21. In addition to personal injury, a range of other case types were suggested by respondents as appropriate for exemption. The most common were housing and parking related claims. In relation to parking claims, several individual respondents expressed the view that these were cases where there was limited scope for compromise and that mediation had the potential to favour the claimant (usually a private parking company) by assuming a claim was valid and encouraging negotiation. Regarding housing claims, including disrepair cases, some respondents highlighted concerns about the complexity of housing law and the importance of protecting parties' long-term rights and obligations, as well as the unequal relationship between landlord and tenant. It was suggested that, while mediation in some form would be useful in many housing cases, integrating mediation was not appropriate. However, this view was not unanimous, and other respondents felt housing cases should be included, owing to the benefits of integrating mediation within the court process.

22. A smaller number of respondents felt that cases where mediation or another form of dispute resolution had been previously attempted should be exempt. This was often seen to ensure that integrating mediation within the court process did not undermine engagement with dispute resolution prior to submitting a claim. Respondents emphasised the need for a joined-up approach. It was suggested that parties could be referred to any relevant Ombudsman or Alternative Dispute Resolution provider in the first instance.

Question 2: Do you think that parties should be able to apply for individual exemptions from the requirement to attend mediation, assessed on a case-by-case basis by a judge? If so, why? And what factors do you think should be taken into consideration?

23. Many respondents felt that parties should not be able to apply for an individual exemption to circumvent integrated mediation. A strong concern was that the time and cost that would be required to determine applications for exemption would be counterproductive to the overarching aim of increasing the court's capacity to swiftly resolve parties' disputes. It was felt such a process would encourage parties to attempt to avoid mediation – particularly as many litigants do not have an adequate understanding of the process or its benefits. Respondents pointed out that the burden of attending a mediation session with the Small Claims Mediation Service was not onerous; and that, as settlement at mediation remains voluntary, the risks to individuals of doing so are minimal. It was also suggested that the mediator might be responsible for bringing the mediation to a close should they believe that continuing was inappropriate for any reason. This approach of not permitting applications for exemption would need to be able to accommodate a suitable range of reasonable adjustments to ensure that all parties can participate.

24. On the other hand, a number of respondents suggested that individual exemptions should be permitted in a limited set of circumstances. There was no unified view on what these circumstances should be, but suggestions included cases in which a party's required reasonable adjustments are unavailable; cases where one of the parties is a vulnerable person or lacks the capacity to participate; cases where there is a disparity of power that cannot be ameliorated by the mediator (including where there have been threats of violence or abuse); cases where there is a point of law at issue; cases where further evidence is required; and, cases where there is no reasonably arguable claim or defence.

Question 3: How do you think we should assess whether a party who is required to mediate has adequately engaged with the mediation process?

25. A significant number of respondents felt that the only appropriate measure of a party's compliance with the requirement to mediate was whether they attended the session. Many of these respondents felt that to conduct any further enquiry into the adequacy of a party's engagement would breach the essential confidentiality of the mediation process, as well as risk damaging a party's willingness to engage openly and their confidence in the process. Respondents also raised strong concerns about the practical ramifications of such a policy, particularly the potential for satellite litigation arising from a party disputing an assessment of their engagement. It was highlighted that any litigation of this nature would require the mediator to act as a witness to the dispute, further compromising their impartiality.

26. Other respondents felt that the most appropriate way to assess a party's engagement was through a report produced by the mediator. The key driver for this approach was the need to prevent mediation becoming a "tick-box" exercise, which parties attended but did not genuinely engage with as a tool to facilitate resolution. It was highlighted that there would need to be clear and transparent guidance regarding what constituted adequate engagement to ensure parties were aware of the expectations. In terms of the content of this guidance, most respondents felt strongly that engagement should not be linked in any way to the outcome of the mediation or willingness to accept offers of settlement. Suggestions of what might be evaluated by the mediator were generally based around the concept of whether the parties had acted in "good faith". It was put forward that this might include whether a party had taken the opportunity to explain their perspective on the dispute, including providing any information required; whether they had listened to the other party's views; and, whether they had constructively collaborated on proposing and evaluating potential solutions.

Question 4: The proposed consequences where parties are non-compliant with the requirement to mediate without a valid exemption are an adverse costs order (being required to pay part or all of the other party's litigation costs) or the striking out of a claim or defence. Do you consider these proposed sanctions proportionate and why?

27. A large proportion of respondents agreed that the sanctions proposed within the consultation were proportionate; this included both cost sanctions and the striking out of a party's claim or defence. Many of these respondents emphasised that without clear and meaningful sanctions the process would be ineffective. Several stressed that strike out would be consistent with the consequences usually applied where a party fails to comply with a rule of the court, and in alignment with the overriding objective of the Civil Procedure Rules. Others felt that the proposed sanctions were appropriate considering the adverse effects for the other party of being denied the opportunity to resolve their case consensually. Many of these respondents highlighted that it would be necessary for these sanctions to be applied strictly and consistently. Consequently, some respondents suggested that sanctions should be applied automatically; although, others disagreed with this position and favoured a greater degree of judicial discretion.

28. Some respondents felt that any sanctions for non-compliance with the requirement to mediate would be inappropriate. This was often accompanied by a belief that mediation should remain voluntary rather than become an integrated part of the court process. A few respondents felt that any sanctions would encroach upon the principle of access to justice; several others again cited the potential for satellite litigation, should parties be able and choose to apply for relief from sanctions, thereby increasing cost and delay.

29. Some respondents supported the introduction of cost sanctions but felt that strike out would be too severe. These respondents frequently stressed that adverse costs orders for parties who are deemed to have refused to mediate unreasonably are already an established feature of the court process; the application of strike out in these circumstances is less established. However, several respondents also recognised that the effectiveness and practicality of a costs sanction would be uncertain given the limited level of recoverable costs for claims allocated to the small claims track.

Question 5: Please tell us if you have any further comments on the proposal for automatic referral to mediation for small claims

30. Many respondents recommended adaptations to the way that the Small Claims Mediation Service currently operates. The most common suggestion was that longer appointments should be available. It was felt that in many cases, particularly those at the higher range of the £10,000 limit, one hour might not be sufficient time for the parties to explore and narrow the issues in dispute. Several respondents also suggested that it would be valuable to offer an option of face-to-face mediation, either in person or via video conferencing. Proposals for how these ideas might be incorporated within the service included: enabling a flexible extension of mediation appointments where the parties were making clear progress towards resolution; equipping the service with video conferencing facilities; and, allowing an option for parties to choose to use an external, third-party mediator.

31. Respondents also identified the need for the Small Claims Mediation Service to provide a sufficient supply of high-quality mediators to manage the anticipated increase in caseload. Supply was seen as critical to ensuring that appointments were readily available and there was no risk of delay to parties' ability to access the service. The training and quality of mediators was viewed as a priority for ensuring positive outcomes and satisfaction with the service, as well as maintaining the reputation of the mediation profession.

32. Some respondents emphasised the need for increased data capture within HMCTS to support a thorough analysis and evaluation of the policy. It was suggested that this data should be made publicly available to support wider evidence gathering and research on the effectiveness of mediation, and that it could help inform the case for any potential integration of mediation for fast and multi-track cases. Several respondents suggested that feedback from the parties themselves, gathered by a post-mediation questionnaire, should be incorporated into an assessment of the effectiveness of the policy.

Question 6: Do you have experience of the Small Claims Mediation Service?

Question 7: Did you receive information about the Small Claims Mediation Service? If you received information, how useful was it?

33. Most respondents did not have direct experience with the Small Claims Mediation Service, nor had they received information about it. Some respondents had indirect or professional experience; most of these found the information to be adequate and helpful. Several respondents described it as “very useful”. Various parties queried whether the information was sufficiently understandable for non-professionals. Some indicated the information could be more comprehensive and that the process, benefits, and suitability of mediation should be better explained. Moreover, despite finding the information provided useful, several respondents expressed concern that this information did not always match parties’ experience of the meditation session.

Question 8: How can we improve the information provided to users about this service?

34. A number of respondents provided suggestions regarding the format, distribution, and accessibility of information about the Small Claims Mediation Service. A proportion of these suggestions were theoretical, as respondents indicated no experience with existing information provision. Specific suggestions include expanding the current Small Claims Mediation Service page on GOV.UK and improving the explanation of mediation on the ‘make a court claim for money’ website. There was strong agreement that videos would help parties better understand the process. Other information formats suggested included case studies, mock sessions, and Frequently Asked Questions. It was recommended such resources should be referenced in any postal communication, and that they should be accessible for vulnerable and neurodivergent parties and non-native English speakers. In addition, various respondents recommended this information be provided early in the court process and that it should be distributed widely, for example via relevant council teams and court centres.

35. Respondents agreed the mediation process should be explained clearly and accessibly. This was considered especially important for litigants in person, who are less likely to read or understand the Civil Procedure Rules. It was suggested the information should include clear timelines, parties’ legal rights, a clear overview of their options and their implications, as well as their obligations. In particular, respondents suggested parties should know what they should expect and what is expected of them at each stage, including preparing for compromise. Various respondents recommended making clear that parties are not obligated to settle their dispute, that the mediator is neutral, that mediation is not adjudication, that parties are

unlikely to be offered everything they are claiming, and that they may be unable to speak directly to the other side. In addition, some respondents suggested making the benefits of mediation clearer, both to individuals and businesses, including by highlighting the consequences of not resolving disputes via mediation. Finally, various respondents recommended signposting other resources to allow parties to develop a better understanding of civil claims and mediation and their relation to the Small Claims Mediation Service – including the Ombudsman schemes and AdviceNow.

36. In addition to improving understanding of the Small Claims Mediation Service specifically, several respondents identified a need for improved awareness of dispute resolution and meditation generally. This included helping consumers, industry stakeholders, businesses, and the general public to better understand how mediation works, how they can engage with it effectively, and what the benefits are.

Question 9: What options should be available to help people who are vulnerable or have difficulty accessing information get the guidance they need?

Question 16: Are there any measures that the Small Claims Mediation Service could take to ensure equal access for all to their services, considering any specific needs of groups with protected characteristics and vulnerable users?

Note: given the significant overlap between responses to these questions, all themes are captured here.

37. There was strong agreement that there should be appropriately accessible information for vulnerable parties. Respondents emphasised the importance of identifying vulnerable parties at an early stage, in order to enable such access. It was suggested such identification could happen at a pre-meeting with the mediator or via a standard set of questions. This would allow vulnerable parties to be provided with appropriate support and information about the Small Claims Mediation Service. Several respondents also suggested that, where triaging suggests parties would be unable to properly engage in the process, any requirement to mediate should be reconsidered.

38. Many respondents suggested mediation guidance should be provided in a variety of formats to ensure it is accessible to the widest range of people. Recommendations included using plain English, large print, braille, digital as well as non-digital formats, video and audio, and using assistive technologies where possible. Respondents also recommended making the information more accessible by making it available more widely, including at health centres and local councils. This would be particularly beneficial to parties with little internet access or experience. Some respondents also recommended working directly with, or referring to, organisations such as Citizens Advice and Ombudsmen. Some respondents suggested there should be access to

direct human support if parties still had questions, for example via the telephone or a web chat.

39. There was a general sense that vulnerable parties should have access to additional support in order to navigate the mediation process. Many respondents recommended signposting support services, such as POhWER, Support Through Court, McKenzie friends, or legal representation. Some respondents also suggested HMCTS should provide legal advice, translation, interpretation and specialist support. Several respondents recommended tailoring the mediation experience itself based on a party's needs: allowing more time if necessary; conducting mediation via phone, online, face-to-face; or offering parties a pre-mediation call. A few respondents noted that mediators would need to be appropriately trained to recognise and accommodate any additional needs and to ensure a level playing field. Part of such support should be making clear that parties are under no pressure to settle, helping parties understand the strength of their case, and removing any power imbalance between parties, particularly where litigants in person are involved.

40. One of the biggest worries relating to equal access to mediation related to the potential power imbalance between parties, especially where only one side is a litigant in person. Conversely, some suggested that mediation reduced the possibility for power imbalance over going to court. Others, however, suggested that it may increase power imbalance, especially for cases of personal injury or industrial accidents. Some of this perceived imbalance occurred from parties who had not had experience of mediation or other court services, over those who had experienced it before. The suggested action to avoid this increase in power imbalance was to have some sort of safeguard for litigants in person, as well as ensuring that all parties knew their rights and responsibilities throughout the process. This was something that had been raised as being a possible job for the mediator but could also form part of the early communications to parties as they are about to embark on their mediation journey.

Question 10: What else do you think we could do to support parties to participate effectively in mediation offered by the Small Claims Mediation Service?

41. Several respondents suggested that the mediation offered via the Small Claims Mediation Service is not typical mediation. They suggested that typical mediation ordinarily allows for direct dialogue between parties, generally lasts longer than one hour, and allows for a wider exploration of needs and interests. Some respondents suggested it would be difficult to improve a relationship via an indirect telephone conversation; and that this format can feel akin to a bartering exercise. Several respondents recommended encouraging pre-action mediation and ensuring that court integration does not reduce motivation to engage in dispute resolution prior to issuing a claim. A range of respondents also suggested parties could provide information to

the mediator prior to the session, including how they feel, what facts they consider relevant, and what compromise might look like for them – ideally in a manner that encourages a collaborative rather than adversarial mindset – all of which might allow for a more effective mediation session. In addition, there was a general feeling that one hour would not always be sufficient, and that there should be the opportunity for additional time. Several respondents suggested the Small Claims Mediation Service could benefit from further integration into online court services.

Question 11: Does there need to be stronger accreditation, or new regulation, of the civil mediation sector? If so what – if any – should be the role of government?

42. Most respondents reported a desire for strengthened regulation and/or accreditation in the sector if the government were to introduce integrated mediation for higher value claims using external mediators. Several stressed this would be necessary to reduce risks facing parties, including mediators unduly influencing them to concede, breaking confidentiality, or generally providing a poor service. The most common suggestions for regulatory requirements related to training and continued professional development, including attendance at approved courses. Other suggestions included regulation to compel insurance, grievance processes, as well as adherence to ethical guidelines and/or a code of conduct. Several respondents highlighted that the existing self-regulatory system could be obscure for parties and make it hard for them to make informed decisions about choosing a mediator as there were different standards between its voluntary professional bodies. A common recommendation was for government to host its own central list of approved accreditation bodies and/or accredited mediators to ensure that parties could find suitable mediators.

43. Many respondents suggested that the existing professional bodies within the sector should continue to play a central role going forward. They highlighted that these bodies already: set and enforce requirements for their members in respect of training, ethics, conduct and insurance; facilitate development of mediation expertise; and very rarely receive complaints. For these reasons, several respondents suggested the existing self-regulatory system did not require changing at all, even if integrated dispute resolution were to be introduced for higher value claims. Other respondents, however, wanted government to take a more directive role. There were suggestions that government could encourage, but not compel, the agreement of minimum standards among the existing bodies. Several respondents supported government introducing “compulsory accreditation” by which only civil mediators accredited by an existing body would be permitted to mediate cases referred by the courts.

Question 12: Which existing organisation(s) could be formally recognised as the accreditation body for the civil mediation profession and why?

44. Many respondents commented that the Civil Mediation Council (CMC) is well placed to be recognised as the accreditation body for the sector. Responses highlighted that they are the most prominent professional body exclusively for civil mediation, have a strong track record of standard setting, and are commercially independent as they do not provide mediation services. There was, however, also significant support for instead facilitating collaboration between multiple professional bodies in the sector. This included suggestions that a group of bodies could develop a shared standard and oversee a system of compulsory accreditation. There was a sense that a multi-body approach, versus recognising a single body, could reassure the public that qualifying mediators meet a minimum standard without disrupting the sector's current plurality. Benefits of a multi-body approach were described as maintaining market competition and allowing for the bodies to continue regulating their own members, including through any more specialised standards.

45. There was also some support for other organisations outside the mediation sector to be formally recognised. Some respondents mentioned that the existing legal services regulators could take on the role given the high prevalence of practising legal professionals who mediate; mediation's reputation as a quasi-judicial activity; and these bodies' experience with regulation. There was also support for the MoJ directly assuming responsibility for setting and ensuring standards, whether for civil mediation specifically or for dispute resolution more broadly, to promote clarity and trust for parties. A further suggestion was for government to appoint the UK Accreditation Service, the government-recognised national accreditation body, to oversee accreditation against an MoJ-set mediation standard.

Question 13: What is your view on the value of a national Standard for mediation? Which groups or individuals should be involved in the development of such a Standard?

46. Most respondents saw value in a national mediation standard, suggesting it could raise the profile of the profession, set core competencies for mediators, and help guide the public to find appropriate mediators. There was also a view that it could reduce inconsistency of mediation including where mediators do not register with professional bodies, or where training is undertaken that is not quality assured by a professional body. Some respondents suggested this national standard could include a kitemark to boost public awareness of good mediation; any such standard should be informed by wide expertise, including from the sector, academia, consumer groups and other professionals.

47. However, other respondents highlighted difficulties with developing such a standard. They raised concerns that any attempt to standardise processes, particularly a code of conduct, would be so general as to render it meaningless and unenforceable. Others took the view that the existing registration arrangements in the sector are sufficient and that creating a separate national standard would be duplication of current membership arrangements. Another concern was that a common standard, particularly one developed external to the sector by the British Standards Institute, as proposed in the consultation, could be overly prescriptive and not facilitate flexibility for mediators in how they guide parties to reach a resolution. A common remark was that a national standard would be unnecessary because the sector's challenge was not an absence of standards, but that mediators can elect to ignore them by not registering with a professional body.

Question 14: In the context of introducing automatic referral to mediation in civil cases beyond small claims, are there any risks if the government does not intervene in the accreditation or regulation of civil mediators?

48. The main risk respondents raised to government not intervening was that there would continue to be no requirement to undertake any mediation training before entering practice as a mediator. Among respondents who supported government intervention, there was a sense that any integrated mediation scheme for higher value claims would incentivise opportunists to enter the market. Many stated this could result in an inconsistent service as there would be mediators with training and oversight mediating court-referred cases alongside others with no training or oversight. It was suggested that poor service from unaccredited mediators could erode confidence in the mediation process and reduce engagement, or even cause direct financial and mental harm to parties, driving down success rates and defeating the purpose of integrated dispute resolution.

49. Another risk raised by respondents was that the existing mediation system could be too complex for parties unless independent guidance were put in place. These responses pointed to an excess of different accreditation schemes in the sector and a large pool of mediators available for work. They therefore suggested that parties being referred to mediation from the courts – particularly inexperienced parties with general disputes – could struggle to decide how to choose a mediator and even seek exemption from mediation altogether as a result. There were comments highlighting how the government had been able to mitigate this risk, and generate recognition and trust in family mediation, through recognising Family Mediation Council accreditation for Mediation Information & Assessment Meetings (MIAMs).

50. However, other responses suggested that a lack of intervention gave rise to only low risks. These respondents focused on how settling the disputes would not be mandatory and that parties would simply go back to court if they were unhappy with the mediation. Another suggestion was that market mechanisms would remove inadequate mediators following bad reviews from parties. Others stated that the current self-regulatory system would mitigate the risk of poor mediation as there is ample supply of well-trained and established mediators already practicing. Several respondents raised that government intervention in the sector, particularly by introducing regulatory requirements, could itself risk restricting the supply of mediators relative to demand resulting in increased costs for parties.

Question 15: Some mediators will also be working as legal practitioners, or other professionals and therefore subject to regulation by the relevant approved regulator e.g., solicitors offering mediation will already be regulated by the Solicitors Regulatory Authority. Should mediators who are already working as legal practitioners or other professionals be exempt from any additional regulatory or accreditation requirements for their mediation activities?

51. Some respondents supported full exemption for regulated professionals from any new requirements for mediators. Supporters of this approach focused on practising legal professionals, arguing they are already overseen by the legal services regulators, who require high levels of professional conduct. There were concerns that subjecting them to additional, mediation-specific requirements could increase their costs and potentially create conflicts between professional duties owed to different regulators.

52. Other respondents suggested partial exemptions should be in place for these professionals. These responses considered that exemptions could be introduced where existing professional standards overlapped with any new requirements, such as training for conflicts of interest or following a code of conduct/ethics. A related suggestion was that the existing legal profession regulators could satisfy any new requirements themselves by introducing additional, “add on” mediation qualifications, training, or oversight for their members.

53. Many respondents supported no exemptions at all. Among these respondents, there was strong feeling that civil mediation is its own profession; that it has a more collaborative process than many lawyers are familiar with; and that mediators required specific training to be effective. Multiple respondents commented that legal professionals who “coincidentally” mediate as part of their portfolios should not be treated differently to those entering mediation from other backgrounds. Others raised that granting exemptions could cause confusion for parties, putting the onus on them to navigate different regulatory requirements and exemptions to make informed decisions about what kind of mediator to choose. A related concern was that granting

exemptions for practising legal professionals could create misconceptions that other, non-legally trained mediators are less qualified. Finally, respondents in this group commented that consistent requirements for all mediators would give greater credibility to the sector and promote mediation as a distinct service separate to traditional legal professions.

Impact Assessment, Equalities and Welsh Language

Impact Assessment

54. An updated Impact Assessment for these plans will follow in due course. The initial impact assessment can be found at *Increasing the use of mediation in the civil justice system* - GOV.UK (www.gov.uk).

Equalities

55. Section 149 of the Equality Act 2010, the Public-Sector Equality Duty (PSED), provides that:

> "A public authority, must in the exercise of its functions, have due regard to the need to
>
> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this [the 2010] Act;
>
> (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
>
> (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it."

56. Paying 'due regard' needs to be considered against the nine "protected characteristics" under the Equality Act 2010 – namely race, sex, disability, sexual orientation, religion and belief, age, marriage and civil partnership, gender reassignment, pregnancy and maternity.

Direct discrimination

57. Our initial assessment, set out in the consultation document, was that integrated mediation was unlikely to be directly discriminatory. Virtually no respondents referred to direct discrimination. Hence, our assessment remains that there is minimal risk of direct discrimination – the proposals apply equally to everyone.

Indirect discrimination

58. Some respondents suggested integrating mediation may risk indirect discrimination. In particular, it was suggested that parties that are vulnerable due to their protected

characteristics should be adequately supported throughout the process, for instance, by providing reasonable adjustments such as face to face appointments.

59. Several respondents noted some parties may lack digital literacy and cannot access the internet for information. Digital capability and access tend to be lower for disabled people and older people – both protected characteristics. Therefore, the current paper route to and from mediation will continue, including the confirmation letter, which includes guidance on what to expect at mediation and how to prepare. This will be available in alternative formats.

60. Some respondents suggested that parties with limited capability in English or Welsh may be less able to engage with mediation (Welsh-speaking mediators will continue to be available). HMCTS will continue to provide interpreters as needed.

61. Aside from disability, which is addressed separately below, no concerns were raised regarding other protected characteristics. Given the available mitigation measures, we consider the risk of indirect discrimination to be minimal; the evaluation following policy implementation will assess outcomes for users with protected characteristics compared with outcomes for other users.

Discrimination arising from disability and duty to make reasonable adjustment

62. Many respondents flagged the need to provide appropriate adjustments, such as extending the mediation appointment; conducting the appointment in person; or providing documents in alternative formats. The need for reasonable adjustments will be captured and HMCTS will continue to consider requests on a case-by-case basis.

63. Various respondents raised the risk of indirect discrimination with regards to parties with divergent levels of cognitive abilities and learning disabilities as they may be at a disadvantage in discussions about settlement. For such cases, and other cases involving vulnerabilities, HMCTS will build on their wider safeguarding policy to develop a safeguarding and vulnerability protocol specifically for mediation.[11] This protocol will provide a framework for bringing the mediation **process to a close in case of safeguarding concerns or unavailability of alternative reasonable adjustments. If necessary, the process may be brought to a close ahead of the appointment.** Such a session would be recorded as ‘not settled,’ rather than being seen as a failure to engage by either party. Mediators should never apply pressure to settle. Mediators receive training on supporting parties with additional needs. Like all HMCTS staff, they complete mandatory training on safeguarding and reasonable adjustments. In addition, the evaluation of the ‘opt out’ (rather than ‘opt in’) mediation model suggests some ways in which power imbalances are already addressed. Feedback from users included that they “liked that it gave them a degree of separation

[11] https://www.gov.uk/government/publications/safeguarding-in-hmcts/hmcts-safeguarding-policy

from the other party they were in dispute with." The evaluation also reports that "mediators made them [users] feel heard within the process."[12]

64. Where parties have not complied with the requirement to mediate due to their disability, judges will be able to take such mitigating circumstances into account when deciding sanctions for non-attendance.

Harassment and victimisation

65. Prior to the consultation, the initial assessment was that there was not felt to be a risk of harassment or victimisation as a result of the proposals. There was also no feedback or evidence from the consultation to change this conclusion. The mediation safeguarding and vulnerability protocol will provide a framework for bringing the mediation **process to a close in case of safeguarding concerns.**

Advancing equality of opportunity

66. Our initial assessment was that the proposals provided a significant opportunity to advance equality of opportunity in the context of supporting all parties to a small claims dispute to access a free mediation appointment, irrespective of protected characteristics. Some respondents underscored this assessment, suggesting that increasing the use of mediation has the potential to advance equality as the mediator is well placed to address any additional needs during the appointment.

Fostering good relations

67. The initial assessment was that integrated mediation will support parties to resolve their disputes consensually, and the requirements will apply irrespective of protected characteristics. The proposals will reduce lengthy disputes between parties and are likely to have a positive impact on fostering good relations. There was no suggestion from respondents to the contrary.

Evaluation

68. The evaluation following integration of mediation into the County Court process will include assessing the impact of the policy on parties with protected characteristics.

Welsh Language Impact Test

69. Language requirements will be captured prior to an appointment with the Small Claims Mediation Service and Welsh-speaking mediators will be available (as they already are for the current service).

[12] HMCTS opt out mediation evaluation report - GOV.UK (www.gov.uk).

70. A Welsh language version of the consultation can be found here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1093684/dispute-resolution-welsh.pdf.

71. A Welsh language version of this government response can be found at https://www.gov.uk/government/consultations/increasing-the-use-of-mediation-in-the-civil-justice-system.

Conclusion and Next Steps

72. The Government would like to thank all respondents for their engagement with our proposals to enable swift, cost-effective, and flexible dispute resolution for all. As stated above, our initial target is to implement integrated mediation for all specified money claims issued through standard procedure and allocated to the small claims track within this Parliament. Our aim is for this to provide the basis for extending the policy to all standard small claims in the future. We will announce the implementation details and timings in the coming months. We also look forward to continued collaboration with the mediation sector to ensure the availability of high-quality, affordable, and accountable mediation services.

Consultation Principles

The principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the Cabinet Office Consultation Principles 2018:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles__1_.pdf

Annex A – List of Respondents

Below is the list of organisations that indicated consent to inclusion in a public list of consultation respondents, as well as organisations that published their response publicly. Individual respondents are not listed. We received a total of 134 responses.

1. ACAS
2. APIL
3. Ashburnham Cameron Partnership
4. Association of British Insurers
5. AX
6. Bart's Health NHS Trust
7. Bevan Brittan LLP
8. Calm Mediation
9. Canterbury Christ Church University
10. Capsticks LLP
11. CEDR
12. Civil Mediation Council
13. Civil Sub-Committee of the Council of HM Circuit Judges
14. Claims Portal Limited
15. Clerksroom
16. Colman Coyle Ltd
17. Conflict Avoidance Coalition
18. David Woodhouse Contracts Specialist
19. DisputesEfiling
20. Essential Mediation Service

21. Essential Mediation Solutions Ltd
22. Fenwick Elliott LLP
23. Focus Civil Mediation
24. FOIL, the Forum of Insurance Lawyers
25. Gateley Vinden
26. Generation Rent
27. GT Mediation
28. Herbert Smith Freehills LLP
29. Hill Dickinson LLP
30. Independent Mediators
31. International Dispute Resolution and Risk Management UK Centre
32. IPOS Mediation
33. J E Baring Ltd
34. Joanne Phillips Mediation
35. JUSTICE
36. Keoghs
37. Latitude Mediation
38. Law for Life
39. Lyons Davidson
40. Mackay
41. Mediator Academy
42. Mediator Network
43. Middlesex University
44. Motor Accident Solicitors Society

45. Newcastle University
46. Northwest Mediation
47. Paragon Mediation
48. ProMediate (UK) Ltd
49. Registry Trust
50. Renewable Energy Assurance Ltd
51. Reynolds Porter Chamberlain LLP
52. Royal institution of Chartered Surveyors
53. Sefton Council
54. SME Alliance LTD
55. Society of Mediators
56. Society of Mediators and Free Mediation Project
57. The Bar Council
58. The City of London Law Society
59. The Dispute Service Ltd
60. The Law Society
61. The Pensions Ombudsman
62. The Property Ombudsman
63. Transportation Claims Ltd
64. Unity Street Chambers
65. Venn Mediation UK
66. Wensum Mediation
67. Wilberforce Chambers

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