

Benefits of Commercial Mediation

- The cost of mediation is not cheap. However compared to the full cost of progressing a matter through the courts, it represents a significant cost saving. In addition to the cost saving of the process, the nature of a mediated solution means that the parties can consider a wider range of economic outcomes that reflect the commercial reality of the dispute.
- Rapid settlements - in an era when it may take as long as a year for a case to proceed to court and multiple years if a case goes to appeal, the mediation alternative often provides a more suitable option.
- Mediation works with over 80% of cases settling on the day or shortly thereafter. Mediation achieves mutually satisfactory outcomes – as solutions are agreed rather than imposed by a third party decision maker.
- A higher rate of compliance – as a result of the satisfactory outcome, parties are more likely to comply the terms of the solution ensuring that the agreement remains in tact over time
- Comprehensive and customised agreements – solutions can often be more creative and wider in scope than could normally be achieved through legal process
- Greater degree of control and predictability of outcome - parties who negotiate their own settlements have more control over the outcome of their dispute and more personal empowerment in the resolution
- Preservation of an ongoing relationship or termination of a relationship in a more amicable way - a mediated settlement that addresses all parties' interests can often preserve a working or personal relationship in ways that would not be possible in a win/lose decision-making procedure
- Government and Judicial support – since the Woolf reforms to civil procedures in 1999, legal practice has increasingly included a settlement-based approach to disputes. There is a duty on courts to actively case manage by encouraging the parties to co-operate and use ADR. The body of case law built up over the last few years provides a clear indication of the courts view of parties who flout the Civil Procedure Rules.

For further information relating to our commercial mediation service,
please contact ADR Group on +44 (0) 117 946 7180.