

Our small claims mediation service

Mediation is an effective way of resolving disputes and has many advantages over litigation. It can be quicker, less stressful and cheaper than going to court and has a high success rate with around 80 per cent settling on the day or shortly afterwards.

What is a small claim?

Any claim that has a monetary value of £10,000 or less. Claims that have no monetary value, such as where someone is looking for a declaration or an injunction, are not small claims.

Why is it important to know whether a claim is a small claim?

Because special costs rules apply. Unless there is something special about a case and a court otherwise orders, and it rarely will, no party to a small claim will be able to recover any costs of pursuing a claim even if they are successful. The almost invariable rule is that each party will therefore have to fund their own legal costs.

Aren't small claims all pretty straightforward?

They can be. If a small claim relates to a simple issue, like non-payment of an invoice, it may be straightforward. However, the complexities in a case often bear no relation to the value involved.

What happens then?

If there are difficult legal issues, or even significant disputes of fact, the parties may well need lawyers. Lawyers mean legal fees, and the small claims rules mean that the fees will be irrecoverable.

Can't a party to a small claim do without a lawyer?

Of course, but if one party employs a lawyer the other may feel that they have to. And they will still need to have enough understanding of the process to be able to conduct their case properly. Even without lawyers, the law will have to be applied by the court.

So will mediation be suitable in all small claims?

Mediation will not be appropriate for every claim; as there will be costs it may not suit very low value claims. However, even where there may be issues that can only be determined by the court, the parties are still expected to have tried to mediate or settle some other way. Courts now encourage parties to look at settling cases at every stage.

So what if a party just wants some advice on how to approach the claim?

Lawyers are supposed to look at other ways of approaching

disputes, and most good lawyers will consider alternatives which may include mediation. The best advice to a party might be to look at an early resolution through mediation to save the hassle and expense of going to court.

So why is mediation a good idea for small claims?

Because it allows the parties to address the issues at an early stage and to see if they can be resolved without too much irrecoverable expense. It might also provide both sides with a reality check, so they understand the disadvantages of proceeding through the courts, as well as the apparent advantages of an early resolution.

So when will mediation be a good idea?

The best time to suggest mediation may depend on the case and the attitude of the parties, as well as the advice that they have been given. However, in small claims the best time will be before the parties have spent a lot of money on lawyers, or on the increasing expense of court fees.

Does it always work?

No, but recent research shows that 8 out of 10 mediations do settle the dispute.

So why use our mediation service?

We have a team of lawyers who are experienced and accredited mediators and understand the process, so mediations can be arranged to suit the parties' needs.

We pride ourselves on looking for practical and pragmatic solutions for parties and that approach is ideally suited to mediation.

We can host mediations at our offices for a modest sum.

What does it cost to mediate?

We charge a flat fee of £400 per party for small claims and an administration fee of £75 per party. All prices are exclusive of VAT and the fee is payable at the time of instructing us.

How can we book?

By calling us, emailing or by using our online booking system on the mediation page of our website.

What if I want to know more about mediation?

Please read our fact sheet called '*Reasons to mediate*', or contact our mediators directly.

Contact

Please contact any of the mediators in the team:

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