



Unified in Separation

Your future your way

Mediation

– what are the different types and why should you consider using it?

Following separation, you may find yourself in a position where you disagree with your partner over issues such as finances, property and child arrangements. In these circumstances, mediation can assist you in facilitating discussions to enable you to reach your own amicable conclusion. As trained mediators, we are here to help guide you through this voluntary process to ensure that you reach the best possible outcome for you and your family.

We can assist you in reaching a resolution on all issues, which may include:

- Your divorce or separation
- How to deal with and potentially divide financial assets, business assets, pensions, land and property
- Future arrangements for your children including the drafting of Parenting Agreements
- Wealth protection for cohabitating couples, including pre and post nuptial agreements.



Types of mediation

The mediation process should be bespoke to you and your circumstances. What is necessary, appropriate, and comfortable for one couple or family won't necessarily be the same for another.

'Traditional' mediation

This involves couples each attending an initial individual session, known as a Mediation Information Assessment Meeting, or "MIAM", and thereafter attending joint mediation sessions together.

Improvements in technology has meant that some couples prefer that some, if not all, these sessions are held remotely, whereas others prefer to deal with matters in person. In more complex cases it may be necessary or beneficial for some of your sessions to be co-mediated with a second mediator.

Hybrid mediation

This involves couples attending mediation together, with their solicitors and/or professional advisors in attendance to assist them in trying to reach a decision when specific issues are discussed. Some couples feel more comfortable having discussions on important matters, with the benefit of legal or accountancy advice being provided at the same time.

When discussing arrangements for children, some couples welcome the assistance of a family therapist during the sessions, particularly where arrangements have been difficult to agree or have been problematic in the past. Our role as mediator during these sessions is to ensure that discussions remain balanced, constructive, and solution focused.

Shuttle mediation

For some couples it is not appropriate or beneficial for the mediation sessions to be held in the same room, or even in the same virtual room. In these situations it is possible for a shuttle mediation to be held, whereby the participants to the mediation do not come into contact with each other, but the mediator facilitates discussions with each person individually and moving between individual rooms. As with hybrid mediation, it is sometimes helpful to have other professionals or advisors also in attendance.

Child-inclusive mediation

Following separation, it is not only parents who face uncertainty. Children will often have their own concerns, views and questions about what is happening to their family unit. Some mediators are specifically trained to talk to, listen, and ascertain the views and wishes of the children.

It is necessary for both parents and children to agree to this process taking place, and for the child to be above a certain age. The mediator will approach discussions in a child-friendly manner and allow the children to express their wishes and feelings about the family situation. It is then up to the children to decide what is relayed back to parents. Sometimes they may choose to keep everything confidential between the mediator and themselves but will feel better for having been able to talk about their feelings with somebody independent.

Mediation can be used with other out-of-court processes, in particular arbitration, child-inclusive mediation, collaborative and early neutral evaluation. We will always discuss with you whether a combination of processes is appropriate for you and your family.

Key benefits:

- Discussions are not legally binding and proposals can be fine-tuned as a result at a later stage
- You are making your own decisions, a third party is offering guidance but not imposing a decision upon you
- The process can be a cost-efficient and timely way of dealing with family disputes
- Mediation can be a less confrontational way of addressing and agreeing the terms of any pre-nuptial or cohabitation agreement, or fine-tuning arrangements for children.



Find out more about how we can help with Mediation

