

Factsheet

Liability Services – Mediation Service

Almost everyone involved in a dispute wants to find a solution quickly. But despite everyone's best efforts, some disputes lead to litigation.

Litigation is time-consuming, confrontational and costly. At the end of the process, one party wins and the other loses. The parties have little influence over the outcome, especially if it goes to trial. And everyone has to live with the court's decision, whether they agree with it or not.

Mediation is a common-sense alternative that puts our clients back in control. They choose the venue, the timescales and the mediator. Our clients agree the costs and they decide when the solution on the table is right for them.



Key benefits

- The combination of our legal and adjusting backgrounds means that you can come to us regardless of the nature of the dispute
- We are independent. We understand that there are two sides to every dispute, but we won't take sides
- We will use our knowledge to analyse the dispute to identify what is really important to our client, whilst controlling costs
- By asking the right questions and listening carefully, we can identify the obstacles to resolution and help to remove them, reducing the time that everyone has to spend on the issue
- We use our practical experience to help find a solution that will work for everyone involved, helping to save time and money

Key features

- We have a team of mediators with a variety of specialisms and experience

Why we are different

- We have practical experience and deal with disputes in a common sense, not idealistic, way

- Our clients decide on the mediator, the time, the place, the length of the mediation and the outcome of the mediation
- We help to find an outcome which is suitable for everyone
- We work with everyone involved to achieve a common goal
- We are impartial and independent
- We are accredited by the Civil Mediation Council

80% of mediations are settled on the day or very soon afterwards.

What claims are suitable for mediation?

The short answer is any claim arising out of a dispute. All our clients need is the desire to find a solution. There is no need for court proceedings to have been issued.

What's wrong with just negotiating the claim?

If the negotiations are becoming protracted and therefore expensive, a Cunningham Lindsey Mediator could help to find a solution.

Are your mediators truly independent?

We regularly act both for and against insurers. This means that we have an in-depth understanding of insurance claims and are specialists in this field. Our role is to help our clients find a solution that works for them. We don't decide the outcome, our clients do.

What if the other party doesn't want to mediate?

Not everyone appreciates the benefits of mediation, but case law, the pre-action protocols and the CPR all support the use of mediation and, therefore, a judge at trial could be minded to impose costs penalties on parties that don't mediate.

For further information about our service, please contact Karen Boyt on **07880 780811** or email karen.boyt@cl-uk.com

- We understand that it's not about applying the letter of the law, it's about solutions

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