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FEES

(see the Mediation Agreement)

Costs of the Mediation

1. The Mediator's Fee and each of the Parties' own costs and expenses arising out of the Mediation ("Mediation Costs") shall be treated as follows:

Invoicing arrangements

2. Unless agreed otherwise between the Parties or in any settlement agreement, each Party shall bear its own share of the Mediator's fee.

Payment arrangements





3. Each Party will pay its share of the Mediator's Fee within 14 days of the issue of an invoice by the Mediator, which is usually sent in advance of the Mediation.
4. The Legal Representatives to the Parties are liable for the payment of their respective client's share of the Mediator Fee. Settlement of the fees is not conditional upon the solicitors being in receipt of funds from their client.
5. Where a Party does not have a solicitor representing them the invoice will be addressed to and payable by the Party itself in advance of the Mediation.
6. If there is a settlement at the Mediation:


- a. the Mediator Fee will be borne by the Parties as agreed; and
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- b. the Mediation Costs will be borne by the Parties in accordance with the terms as to those costs agreed between the Parties and/or set out in the Settlement Agreement.
7. If there is no settlement at the Mediation, the Mediator Fee and the Mediation Costs of each of the Parties are to be agreed in 6 above or treated as costs in the case in any litigation or arbitration in which the court or the arbitrator has power to award.







FEES TABLE

	Mediation	Description	Duration	On-line Cost
	Half day Mediation ⁱ  ¹	A half day mediation for disputes valued under £25,000	4 hours	£500 ²
	One day mediation 	A one-day mediation for disputes valued between £25,000-£50,000	8 hours	£1000

¹  online mediation unless otherwise agreed. Additional costs may apply for travel/accommodation outside London and the major English cities.

² In-person mediations will cost more. Please see the Coronavirus Policy below and enquire about the fees.



	One day mediation 	A one-day mediation for disputes valued between £50,000-£500,000	8 hours	£1,750
	High Value/Multi-Party Disputes 	A one or more-day mediation valued at over £500,000	8 hours	Price on Request
	Community/ Transformative Mediation 		4 hours	Fee on request Guideline £500

ON-LINE MEDIATIONS

As a practising lawyer, I represented a number of clients in on-line mediations in complex, high-value claims during lockdown in 2020. Some were multi-party mediations. The ease, speed, reduced cost and travelling time made me wonder why we hadn't been mediating on-line before. It was flexible and both parties were able to have dialogue with the mediator in advance of the mediation to help build a rapport. The on-line platform did not provide a barrier to engagement, and we were able to participate in private discussions with the mediator and open discussions with the other parties too. I would highly recommend on-line mediation as the preferred mode of engagement. It should not be viewed as a second choice over socially distanced in-person mediation.

If it is genuinely not possible to mediate on-line then we can agree arrangements to mediate in line with the Coronavirus protocol below.



CORONAVIRUS (COVID-19) PROTOCOL

Background

From 19 July 2021, most Coronavirus restrictions were removed in England however, the Government's guidance as at September 2021 is that Coronavirus still presents a serious health risk and that people should stay cautious to protect themselves and others by:

- Letting in fresh air if you are meeting indoors - meeting outdoors is safer
- Wearing a face covering in crowded and enclosed spaces where you come into contact with people you do not normally meet
- Getting tested and self-isolate if required
- If you haven't already, get vaccinated

As a new Covid-19 variant (Delta variant) is spreading in some parts of England, the government may produce additional regional advice. The Delta variant is more easily passed on, more severe, and less affected by vaccines. It is the most dominant strain of Covid-19 in the UK.

You can order free rapid lateral flow tests using this [link](#).

The restrictions have been relaxed on the basis that the public exercises individual judgment, caution and responsibility in high-risk situations. In-person mediation involves sitting regularly in close proximity, in closed spaces over at least 8 hours, with 6-10 people from several households. Whilst vaccines provide good protection, they are not 100% effective, even after two doses, and their effectiveness reduces over time.



This protocol is to minimise the risks associated with attending an in-person mediation. It requires goodwill and voluntary participation. Notwithstanding this protocol, the risk of infection will not be eliminated.

Protocol

1. Prior to booking, the parties should discuss whether the matter can be mediated on-line and explore suitable venues where the above guidance can be implemented.
2. Venues and mediation rooms should be private, well-ventilated or have open windows. Air conditioning that re-circulates internal air should be switched off. Hand sanitiser should be available in all rooms and the attendees should be able to socially distance by 2 metres from one another.
3. If the mediation is to proceed in-person, each party should confirm as soon as possible that all the attendees (party and advisers) have been double vaccinated (if eligible).
4. The attendees should be limited to necessary advisers. Family, friends, observers, note-takers and trainee lawyers should not attend as each person increases the risk of infection or transmission.
5. Rapid lateral flow tests should be taken 24 hours before the mediation date. If an attendee tests positively and it is necessary for them to attend, the mediation can be postponed and held on-line or until a later date. There will be no charge for postponement on these grounds, but if the mediation is cancelled, charges in the Mediation Agreement will apply.
6. If a person who is attending is not vaccinated, or requires specific adjustments, or displays any symptoms of Covid-19/ the Delta variant of Coronavirus (e.g. a high temperature, a persistent cough, a loss or change to sense of smell or taste, headache, sneezing, runny nose, sore throat) the mediator should be



informed immediately. The mediation may be able to continue in hybrid or by telephone if that person's attendance is essential to the mediation.

7. If the mediation is moved on-line for all attendees in advance of the mediation day, then a lower mediation [fee](#) (as per the table above, or to be agreed) will be applied. It is for the parties to share any venue cancellation costs.
8. The mediator will direct the wearing of masks for prolonged indoor meetings, seating arrangements, air conditioning, and start and end times in consideration of safe travel arrangements. Non-contact greetings of your choice can be used. Face masks should be close fitting to cover both nose and mouth, ideally including at least 2 layers of fabric and will be worn throughout the mediation. If this is not possible for some attendees, the mediation will be held on-line.
9. The mediator may decline to mediate an in-person matter where the arrangements do not comply with this Protocol, or if Coronavirus becomes more serious, and in light of any further Government guidance. There will be dialogue between the mediator and the parties to adapt this protocol at the absolute discretion of the mediator however, given there is no ability on the mediator to check whether participants have tested negatively prior to the mediation, and in circumstances where on-line mediation is the primary recommended mode of mediation in all circumstances, the mediator cannot accept a duty to protect those who attend from the risk of contracting Coronavirus.
10. The desire is that when adhered to by all mediation participants this protocol will minimise the risk of contracting Coronavirus and ensure you have full confidence in the mediation process.

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