



Welcome to

# Mediation Matters

Newsletter | **April 2020**



**Tony Wilson** Legal Consultant & Mediator

## “Then my whole wide world went Zoom”

### Fat Larry's Band

Who would have thought that the 1982 hit by Fat Larry's Band would have been relevant to the current Covid-19 pandemic?

Working from home has become an institution during the past month. The British Cabinet now meets on Zoom, court hearings have gone online as well as your regular daily work out.

Zoom has become a popular platform for mediations. At Complete Counsel our Mediators have been trained in the use of Zoom and can offer mediations from the comfort of client's own homes. The Mediator can conduct the mediation making use of all the usual facilities without any of the parties breaching the present lock down.

The Mediation can start in the usual way with the Mediator booking the day on the Complete Mediation Zoom account. He can speak to the parties in advance of the agreed date and papers can be communicated to the parties by email. Our Mediators will then arrange to speak to each party before the mediation day on a confidential basis.

On the day of the mediation each party can start in “the waiting room” so the Mediator can speak to them privately. If agreed there can then be a joint session before each party retires to their “break out room” for confidential discussions. The Mediator can then ask for permission to join each room just as he would have knocked at the door in the past. If a satisfactory settlement is agreed the parties can exchange terms of the agreement by email and arrange for scanned signed documents to be completed.

The benefit of online mediation is that it will allow the Mediator more time with each party without incurring any additional expense. The Mediator can speak face to face by Zoom with the parties before the day of the Mediation so they can get to know each other better. Clients may also be more relaxed if they can speak to their lawyer and the Mediator from their own home environment. They should not worry about interruptions from children or even pets as it may bring a calmness to day.

With the Civil court system virtually on hold at present Mediation offers an opportunity for litigation to be progressed hopefully to a satisfactory settlement. Clients will not have to wait for the uncertainty of when life gets back to normal. It is inevitable that even when the courts resume normal service there will be a backlog of cases to be dealt with and businesses will be far more concerned with their recovery than resolving disputes.

Given the current restrictions Mediations can be conducted on a less formal basis without the need for signed witness statements or final expert reports. The parties can agree with the Mediator the documents they wish to disclose in advance.

At Complete Mediation we will offer training for the parties on the use of the technology so that they are comfortable with the process. There is no reason to confine the Mediation to one day and it could be conducted over a number of agreed days. There is less constraint on time in any event as no one will be involved in any travel.

The use of online technology such as Zoom or Skype is here to stay & maybe we will see less face to face meetings as travel is restricted.

In the words of Fat Larry;

*“Faster and faster we were higher than high, for once in a lifetime I was totally free”*

Did Fat Larry foresee a time when parties could free themselves of the Court system and conduct litigation on their own terms even from home!

For details of the Complete Mediation service please contact our Practice Director Claire Labio at [support@completemediation.co.uk](mailto:support@completemediation.co.uk).

## A guide to conducting mediations by Zoom

- Parties to contact **Claire Labio** to discuss a mediation by Zoom.
- **A Mediator will be agreed** between the parties. The Mediator will have a conference call with each party to discuss the papers to be disclosed.
- Ideally any papers to be used at the Mediation **will be disclosed by email at least 7 days and preferably 10 days before the mediation** (but this can be relaxed for urgent, time sensitive mediations).
- The Mediator **will talk to the parties and their lawyer before the day of the Mediation** to discuss how it will proceed on the day and to see if they want more than one session (one session is 4hrs).



zoom







## Our Experienced Mediators & Consultants

We believe in continually assessing and improving our performance. Following each Mediation, feedback as to how the day went is sought from those who attended.

This feedback is used to further develop the skills of each Mediator. Our Mediators attend yearly practice meetings with us where we assess their feedback together. At these meetings we check our Mediators insurance is up to date and we also check they have dedicated enough time to professional development for that year.

Our Mediators will benefit from peer support and in house training events.



**Claire Labio**  
Practice Manager & Mediator



**Ana Samuel**  
Barrister and Mediator



**Charles Feeny**  
Barrister and Mediator



**Lorraine Mensah**  
Barrister and Mediator



**Michelle Fanneran**  
Barrister and Mediator



**Professor Gus A Baker**  
Emeritus Professor, Clinical  
Neuropsychologist & Mediator



**Tony Wilson**  
Legal Consultant and Mediator



# Mediation

## A guide to what we need from you

- Ideally all papers must be delivered by email at least 7 days and preferably 14 days before the mediation takes place
- Each party to submit a brief summary setting out the chronology of facts. Length should be between 1-10 pages for straightforward matters and up to 25 pages in more complex cases
- An agreed bundle of documents should be submitted. This should contain only relevant documents to the mediation and be kept as condensed as possible. This bundle should be paginated and indexed.

Full guidance can be found at [completemediation.co.uk/paperwork](https://completemediation.co.uk/paperwork)

For further information please contact Claire Labio:  
[support@completemediation.co.uk](mailto:support@completemediation.co.uk)



**Claire Labio**

Practice Manager & Mediator



# Join our mailing list!



Please email [support@completemediation.co.uk](mailto:support@completemediation.co.uk)

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