



/guide

Your questions answered

DIFFERENT TYPES OF MEDIATION

Mediation is one of the ways of finding solutions to issues that arise between divorcing couples. When a couple is struggling to come to an agreement on certain issues, for example, child arrangements, financial settlements or what to do with property, mediation can be used to smooth over the difficulties and help the parties reach a resolution.

There are various types of mediation. It is recommended that the parties make enquiries beforehand with the mediation provider to enquire what models of mediation are on offer and to ascertain what is suitable for their unique situation.

Mediation sessions can take place alongside other legal processes, including if the divorce has required court intervention. Mediation is a highly effective out-of-court solution-based process which often solves issues more swiftly than going to court.

In this guide, Accredited Family Mediator, Certified Holistic Life Divorce Coach & Mind-Body Practitioner, Sushma Kotecha, has put together an overview of the main types of mediation.

1. Traditional In-Person Mediation

This classic mediation model involves both parties and the mediator convening in the same room.

Traditional in-person mediation emphasises direct communication, providing a structured platform for couples to collaboratively address issues and negotiate agreements.

The personal touch and immediate interaction can contribute to building understanding and resolving disputes efficiently.

Agreements made can be formed into a legally binding document when the mediation sessions come to an end with the help and advice of lawyers.

2. Shuttle Mediation

Shuttle mediation offers an alternative to traditional mediation, recognising that face-to-face communication might not be suitable for everyone.

In shuttle mediation, parties are situated in separate rooms (physical or virtual), and the mediator shuttles between them, facilitating communication and negotiation.

The mediator helps each party express their concerns and proposals privately, fostering a controlled environment where emotions are managed more effectively. The shuttle mediation approach aims to find common ground and reach mutually agreeable solutions while minimising direct confrontation between the parties.

The shuttle mediation approach is particularly beneficial in domestic abuse cases and when emotions run high, and a controlled environment is necessary to reach agreements without direct contact.

3. Online Mediation

The development of technology has revolutionised the mediation landscape. It has been particularly noticeable since the Covid-19 lockdowns which increased our reliance on video communication.

Online family mediation, conducted through secure platforms, allows couples to engage in sessions from the comfort of their own home and spaces.

This flexible model not only accommodates busy schedules but also eliminates geographical barriers, opening a broader range of possibilities for effective dispute resolution.

4. Child-Inclusive Mediation

Child-inclusive mediation involves a trained mediator meeting separately with the child/ren to understand their thoughts and feelings about parental separation. They provide a voice for the children, fostering a child-centric approach to the decision making.

Usually, the children will need to be aged 10 and above. This method recognises how divorce has a profound impact on children, and allows them to express their thoughts and emotions, which are then taken into consideration in negotiations.

Child-inclusive mediation must have the consent of both parents and the consent of the child/ren.

Involving children in this process, where appropriate, allows them space to voice their emotions without feeling that they need to take sides.

The mediator will hold discussions with the child about their daily routine, hobbies, interests, and their relationship with each parent. They will likely ask them what is important to them and ensure that they understand that their needs are considered in the negotiations and decision-making.

At the end of the sessions, the mediator will ask the child what information they would like passing on to their parents, and how it should be relayed.

5. Hybrid Mediation

Hybrid mediation draws on practices from civil and commercial mediation as it involves clients attending mediation sessions accompanied by their lawyers. Civil and commercial mediation is different to traditional family mediation as it usually involves two or more parties and is not usually used for family disputes.

In hybrid mediation, the parties can opt to share the same space or choose the format of shuttle mediation where they the parties are in two separate rooms (or virtual rooms) accompanied by their individual lawyers. The mediator facilitates mediation and can hold confidences (except in matters of financial disclosure, for example the revelation of an asset).

This collaborative approach combines the benefits of legal advice with the expertise of a mediator, creating a comprehensive and informed decision-making process.

Hybrid mediation is often used in high-conflict scenarios, particularly in intricate and high-net-worth financial cases with international elements. It is also valuable in complex child arrangement cases involving children with special needs or determining a child's residence, including both national and international relocation cases. This approach provides a tailored and effective resolution process for challenging and multifaceted family situations.

Benefits of Mediation

In comparison to traditional litigation, family mediation stands out as a superior alternative in numerous ways where it is safe and suitable to mediate:

- **Cost-Effectiveness:** Mediation is generally more cost-effective than lengthy court battles, as it avoids protracted legal proceedings, reducing financial strain on both parties.
- **Time Efficiency:** Mediation typically results in quicker resolutions compared to the often time-consuming nature of litigation, allowing individuals to move forward with their lives sooner.
- **Preservation of Relationships:** Unlike the adversarial nature of litigation, mediation aims to preserve relationships by fostering open communication and mutual understanding, particularly crucial when co-parenting is involved.
- **Empowerment Through Collaboration:** Mediation empowers individuals to actively participate in decision-making, promoting a sense of ownership over agreements, rather than having decisions imposed by a court.
- **Emotional Well-Being:** Mediation prioritises the emotional well-being of individuals by providing a supportive environment to express feelings and work towards resolution, minimising the emotional toll of divorce.

It is important to note that not all mediators offer all forms of mediation so you must check with the service provider.

At Stowe Family Law, we have [family solicitors who are also accredited mediators](#).

You can find out more about Sushma Kotecha by visiting her [website](#) or by following her on [Instagram](#), [X](#) and [LinkedIn](#).

Need more information?

Call our Client Care Team on **0330 838 7456** to speak with one of our specialist family lawyers or visit www.stowefamilylaw.co.uk

