

Press Release

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THINK MEDIATION BEFORE LITIGATION, BUSINESSES URGED

Using mediators to help resolve civil and commercial disputes could mean huge savings for Lincolnshire and Humber region businesses and individuals – and vastly reduce the anxiety and workload of taking cases to court, according to the organisers of a mediation awareness campaign.

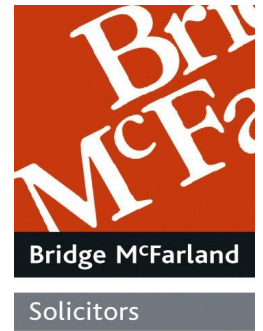
Bridge McFarland has been heavily involved in the campaign, which aims to hammer home the message to businessmen and women that mediation can provide an alternative way of resolving disputes that is often simpler, cheaper, quicker and less stressful than litigation.

Lincolnshire was chosen by the Department of Constitutional Affairs to take part in a programme of events this autumn aimed at encouraging the use of mediation. Judges at Lincoln County Court have been giving active support and mediators have organised a series of seminars and workshops to explain to both court staff and the public where mediation can be a sensible alternative to court action.

Bridge McFarland partner Patrick Taylor said mediation could be used to resolve almost any type of problem, from disagreements between neighbours to commercial and consumer disputes.

“Too often, people who become involved in court cases find themselves having to endure a prolonged period of stress that can damage their businesses, relationships and even their health,” he said. “Mediation, on the other hand, provides a less hostile and intimidating environment and can help people involved in disputes to understand the issues and focus on finding solutions that everyone agrees on.

“In a business context, resolving a dispute through mediation rather than litigation generally means far less disruption to the business and much less risk of having to pay potentially crippling court costs. The ability to reach a solution agreed by both parties sometimes means that the business relationship can also be retained and so a valuable customer or supplier is not lost.



“We have had some excellent feedback from people who have experienced mediation and research shows that they often recommend it to others – something that certainly doesn’t happen with litigation.”

Mr Taylor, a partner with Bridge McFarland Solicitors, gave examples of recent cases where mediation had been successfully used to settle disputes involving local businesses, including disagreements over:

- the breakdown of a joint venture for manufacturing;
- the termination of a commercial agency relationship;
- commission due under Commercial Agents Regulations;
- the enforcement of restrictive covenants in an employment contract;
- monies due for artistic work;
- a property dispute involving party walls and access to neighbouring land
- partnership agreements;
- monies due under a commercial finance agreement;
- alleged professional negligence.

He added: “The option of using mediation to resolve disputes is something that all business people should be aware of and should consider seriously before turning to the courts.”

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Press release issued by Forest Communications for Bridge McFarland.

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