



MATTHEW RICHARDSON

Year called 2009

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OVERVIEW

I am a barrister and a mediator. As a barrister I specialise in financial remedy and family property cases including divorce, the separation of unmarried people, the interests of wider family members (TOLATA), and financial support for children (Schedule 1).

As a mediator I specialise in family disputes across all areas of family law, including but not limited to family finances, the arrangements for co-parenting children, and the involvement of wider family members relating both to finances and children.

I also offer the following services as a dispute resolution specialist:

- Private FDR
- Early neutral evaluation
- Neutral evaluation and consultation within mediation
- Drafting documents such as pre- and post-nuptial agreements, separation agreements, parenting plans, and consent orders

I am a member of Resolution ([link](#)) and the Family Law Bar Association.

For more information about how I work and the services I offer please see the other tabs within my profile.

EXPERIENCE

I have worked in family law throughout my career and I am a financial remedies and dispute resolution specialist.

As a barrister I advise and represent clients in pre-proceedings, litigation, arbitration and mediation on all matters relating to family finances, including married and unmarried couples, other family members and third parties, and in relation to the financial support of children.

As a mediator I assist on all family law matters including the arrangements for children in addition to the financial matters listed above. I offer flexible and tailored services for mediation based around the hybrid model where legal representatives and other professionals are able to be included in the process if it will assist.

For more information about the areas of work I do, please see the 'Practice Areas' tab.

Family matters need to be approached with sensitivity and on a non-confrontational basis wherever possible, and as a family law professional I am always looking to work in a positive, calm and co-operative way to help clients and their families. My specialism as a barrister and a mediator is not just the law; more widely and more importantly my expertise is in how to solve complex problems in an effective, non-destructive way that is tailored to the particular needs of each family.

Most of my cases are settled by agreement rather than decided by a judge.

What I am looking to do with and for my clients, and alongside the other family law professionals and family members involved, is to be future-focused and to help people understand their choices clearly and to construct outcomes that feel manageable, fair and realistic.

In family situations it is vital to understand the people and personalities involved, their priorities and shared interests, and what the different options are. Listening and being listened to is crucial, so a key part of my role is to help everyone – my client and the others involved in a situation – to feel they are able to express themselves clearly and to feel they have been understood. This is how to find what's really important and to build positive, fair and practical outcomes by agreement.

Other work and interests

I am the former chair of the Young Resolution national committee and I co-founded Coram's nationally-recognised wellbeing programme. I was a finalist for the 2018 Family Law Junior Barrister of the Year award and was a finalist for the 2019 Family Law Commentator of the Year award. I'm ranked as a leading junior barrister by Chambers and Partners and the Legal 500.

I often speak at seminars and present regularly at national-level conferences as well as in-house. I also contribute in writing to various legal journals and websites. Recent seminars, webinars and articles include pensions on divorce, applied psychology in a family law context, and wellbeing for family lawyers. For more details of seminar content see 'Seminar Content'.

If you are a solicitor

I am always keen to work together with instructing solicitors from the early stages of a case and on an ongoing basis. Creating a legal team for our clients is so much more effective and provides the value

for money that clients are rightly focused on. Please feel free to get in touch on a brief initial basis to discuss a potential case, to see how I might assist, or to discuss a tricky or unusual point of law or practice. I'm aware of how important it is that the work I do both complements and develops the work and the relationship you have fostered with your clients and I'm very alert to the need to therefore collaborate in the advice and assistance that we offer. I offer prompt responses and turnaround times, and clear expectations around fees and outcomes.

If you are a barrister

Please feel welcome to get in touch with me beforehand if we may both be working on a case, whether in litigation or mediation or otherwise, to discuss how we can work together to help our clients and their families.

PRACTICE AREAS

Barrister – family finance

I always look to approach cases with a sense of understanding and in a thorough way. Feedback from clients and other family law professionals is that I am a calm and assured advocate. People appreciate my measured and thoughtful approach, and clients have commented on how fully and successfully they felt their cases have been put.

I have been described in Chambers and Partners as *'a calm influence with clients who gives complex advice in an understandable way.'*

I represent clients involved in court proceedings and arbitration, as well as those involved in other dispute resolution processes such as mediation. I am pleased to have developed a reputation for providing high-level advocacy of exemplary quality. My aim is to offer a service that is insightful and straightforward, where I am both positive and effective in negotiations as well as exacting and persuasive in cross-examination and submissions.

I have worked in family finance throughout my career and some of my particular areas of expertise include pensions on divorce, non-disclosure of assets and the involvement of third parties such as wider family members.

Examples of the work I do include:

- Separation between married and unmarried couples
- Financial support for children (Schedule 1)
- The involvement of wider family members (TOLATA) and intervenors

- Pension sharing and the implementation of pension sharing orders
- Drafting and implementing pre- and post-nuptial agreements and cohabitation agreements
- Freezing injunctions and interim orders
- Drafting documents such as pre- and post-nuptial agreements, separation agreements, parenting plans, and consent orders

I was involved in the production of the Pension Advisory Group's final report '*A Guide to the Treatment of Pensions on Divorce*', giving specific assistance with the design and readability of the final report. More information [here](#).

Mediator – family finance and children

I am an all issues family mediator, having done my training with Resolution. I offer mediation services on a flexible basis that include the hybrid mediation model which enables a more bespoke approach. See my 'Mediation' tab for more details.

I am able to mediate all types of family matters including but not limited to:

- Financial arrangements following separation and divorce of married couples
- Financial arrangements following separation of non-married people
- The arrangements for co-parenting children
- The involvement of wider family members with financial matters including where there may be trusts and related issues arising (TOLATA)
- The involvement of wider family members with the arrangements for children
- Financial support for children (Schedule 1 Children Act)

Mediation can be a hugely effective and sophisticated process, particularly compared to the adversarial approach of litigation, and research has shown that a huge majority of mediated cases result in agreed outcomes.

Children mediation

I have an extensive background working as a barrister in all areas of family law. I previously worked for many years on cases involving children who may be taken into the care of local authorities as well as where parents were unable to agree between themselves on the arrangements for their children. I have worked with and represented parents, children, grandparents, aunts and uncles and other family members and I have experienced just how difficult and sometimes destructive it can be to go to court. I now use all of that experience to help families find a better way of resolving difficult situations in mediation.

Finance mediation

I offer mediation for financial matters in the same areas of work that are set out above in relation to my work as a barrister. Mediation is extremely effective and is usually a much better value-for-money option than court proceedings. For example by using the hybrid mediation model it is possible to include legal representatives in the process and to also bring in other experts such as financial advisors, pensions experts, and psychotherapeutic professionals so that a holistic approach can be taken to finding a positive, effective outcome on an agreed basis.

For more information about my mediation services see the 'Practice Areas' tab within my profile.

Other dispute resolution services

I offer further and related services including:

- Private FDR
- Early neutral evaluation
- Neutral evaluation and consultation within mediation

For more information about my other dispute resolution services see the 'Practice Areas' tab within my profile.

MEDIATION

Mediation fees

In terms of fees I approach a mediation appointment in a fairly similar way to any other booking so I always try to fix an agreed fee that will encompass the key items of work and the time involved. A hybrid mediation tends to take place across the majority of a working day (or a half day if the matters are fairly narrow) since with the support of legal representatives the process tends to be less draining and more efficient. It is therefore equivalent to a day booking at court, with preparation (reading papers beforehand etc) and some work afterwards (meeting summary etc) included.

A fairly typical starting point is a fee range of £2,500 to £3,000 plus VAT subject to papers, with a special offer rate until the end of July making that £2,000 to £2,500 plus VAT. This would include the following as part of the fee:

- Pre-reading key documents
- Separate initial meetings with each of your clients (on the morning of the mediation meeting unless there is a preference for these to be via Zoom in advance) of about 30 minutes
- An advisors + mediator meeting beforehand by Zoom to discuss and agree the arrangements, roles and responsibilities for the mediation, of about 15-20 minutes

- The mediation day (suggested timings from 10am until mid-afternoon, approximately 3pm, including a lunch break)
- A written meeting summary following the mediation

In the event that the mediation results in a substantive agreement I can also draft a proposed consent order, for a further fee which would be a matter to discuss and agree at the appropriate time. Again this fee can be fixed if preferred. If you would like to me to undertake any additional work such as further reading, drafting or similar work that might more suitably be approached on an hourly rate basis, then for reference my mediation hourly rate is £325 plus VAT (£162.50pp).

If you would like to have an informal Zoom chat with me at an early stage, for example whilst trying to decide which mediator to appoint, then I am always happy to do so and would of course not raise a fee for this. For any more information do please get in touch via the clerks. Harry Butcher (LINK) is my main clerk and he can be contacted by email via clerks@coramchambers.co.uk

Hybrid Mediation – summary of key features

I offer the **hybrid** mediation process which is still relatively unfamiliar to a lot of people, but which is a very effective and highly customisable way of resolving cases via mediation. The process enables a few key features, namely:

- The option to include people's lawyers in the mediation process, which means less back-and-forth, more direct and effective discussions on difficult points, the ability to mediate more complex cases, and less delay and
- the ability of the mediator to hold confidences

This means I can discuss with each of the participants their ideas and possible proposals for settlement on a confidential basis. This again makes the process more efficient as it makes it easier to have open and frank discussions without the participants feeling they are unduly 'tipping their hand' earlier than they would feel comfortable doing. For some more information on the hybrid process please see the Q&A section below.

Other dispute resolution services

I offer further and related services including:

- Private FDR
- Early neutral evaluation
- Neutral evaluation and consultation within mediation

TESTIMONIALS

'A calm influence with clients who gives complex advice in an understandable way.' **Chambers & Partners, 2022**

'He is good at narrowing down issues and explaining them in a client-focused way.' **Chambers & Partners, 2022**

'He ensures clients understand the possible outcomes of their cases and conveys his advice in a caring, understanding manner.' **Chambers & Partners, 2022**

'Is an extremely calming presence with huge amounts of empathy.' **Legal 500, 2021**

Matthew 'is capable of dissecting complicated issues and delivering them to the court and client in a simple way.' **Legal 500, 2020**

'Matthew is articulate, well prepared, a strong advocate and negotiator and the right person to have on your side'. Simon Gummer, Head of Family Law at Edmondson Hall Solicitors

'Matthew's webinar about the Pension Advisory Group's final report was absolutely cracking – engaging, right pitch, insightful, lucid and probably gave me my 5 a day too.'
James Pirrie, Director at Family Law in Partnership

'Matthew presented such a relevant and forensic approach to the subject of 'parental alienation' that it set the tone of the conference very well, and inspired and provoked much thought and discussion in the breaks throughout the day. We so appreciate the research and care that went into the presentation, and he conveyed his knowledge and enthusiasm for the subject in a way that inspired delegates. Thank you again, Matthew proved to be one of the stars of the day!' *Carole Littlechild, NAGALRO Council*

'I am always impressed by Matthew's thorough preparation, attention to detail, and clear strategy. He exudes an air of calmness which filters to the client, placing them at ease. Matthew is always approachable and available to deal with queries both before and at court. Very determined and always striving to achieve the best result for our clients, his advice is clear and succinct. I would not hesitate to recommend Matthew'. Mark Goldstein, Head of Family Law at Portner Solicitors

'Matthew is a Counsel popular with clients for his straightforward approach and guidance'. Geoff Cogan, Senior Solicitor at Storrar Cowdry

'I cannot speak highly enough of Matthew; I had someone on my side who could truly empathise with my situation and put me at ease throughout proceedings. I got such a fantastic result, it now means I can move forward with my life and I now have peace of mind, I've waited 11 years for this!' *Private client*

'Through Matthew's sound advice and drafting I was able to get a favourable response to my offer of settlement. I would have no hesitation in recommending Matthew to anyone'. Private client

PUBLICATIONS

Articles

Applying the lessons of psychology to the practicalities of relocation

Coram Chambers International Family Law blog, September 2019

An article considering some of the lessons that applied psychology can teach us in our approach to advising and assisting clients with international relocation applications.

Read the article [here](#)

The Pension Advisory Group's final report: reviewing a paradigm shift in pensions practice

Family Law Week, July 2019

Matthew was involved in the production of the Pension Advisory Group's final report 'A Guide to the Treatment of Pensions on Divorce', giving specific assistance with the design and readability of the final report. This article reviews some of the headline content of the report.

Read the article [here](#)

Brushing up on some Pensions Basics

Resolution Review Magazine, Issue 200

In anticipation of the publication of the Pension Advisory Group's final report, an article that reminds readers of some of the key concepts involved in pensions on divorce.

The article is found in the May/June 2019 edition of Resolution's Review magazine

Parental alienation: the vital early stages of litigation

Family Law, March 2019

Matthew's article focuses on the practical aspects involved in the early stages of the litigation of allegations of 'parental alienation', on the basis that the 'direction of travel' taken in such cases is often vital. Further consideration is given to the merits of using the term 'alienation', and more accurate and helpful terminology is suggested as an alternative. These cases can extend for years and result in highly unsatisfactory outcomes but early and proactive decision-making can help to reduce the risks of this happening.

The article is found in the March edition of Family Law Journal: [2019] Fam Law 278

Wellbeing and Family Law

Resolution Review Magazine, Issue 197

Co-authored with David Lister, national head of family law at Simpson Millar Solicitors, an article looking at how wellbeing issues affect family lawyers, and what can be done to make positive changes at an organisational and individual level.

The article is found in the Nov/Dec 2018 edition of Resolution's Review magazine

Litigants in Person – an inherent problem with the justice system

Family Law Week, November 2018

An article considering the profound danger associated with re-structuring our justice system around the huge increase in litigants in person, based on swingeing cuts to legal aid provision.

Read the article [here](#)

The Financial Remedies Court: Latest Developments

Family Law Week, October 2018

A review of progress with the expansion of the specialist Financial Remedies Court after its successful pilot in Birmingham.

Read the article [here](#)

Back to School (Work) – Handy Updates in Family Law

Coram Chambers, August 30, 2018

Some key developments in private client family law have been seen in 2018, including updates to key forms and precedents, so for the return to work after the Summer holidays here is a quick non-exhaustive list of some of the notable updates from 2018, along with links for downloads and further information

Read the article [here](#)

The Pension Advisory Group – Interim Reports and Conclusions

Coram Chambers, May 19, 2018

A must-know for family finance practitioners whenever pension assets are considered, the PAG are producing guidelines to assist in the understanding and management of pensions in the context of divorce. Matthew Richardson summarises the group's presentation of their progress to date, and identifies some key recommendations and top tips for practitioners

Read the article [here](#)

JY v RY: An Indictment of the Impact of Legal Aid Cuts

Family Law Week, May 4, 2018

Following the judgment in JY v RY [2018] EWFC B16, an article considering why a case, described by the judge as 'the most unsatisfactory' he has heard and in which 'had one or both of these parents been represented ... probably the outcome would have been very different', serves as an alarming lesson in just how far our justice system has fallen

Read the article [here](#). The original judgment is [here](#)

Letters to young people: a practitioner's experiment in child-focused writing

Family Law Journal, November 2017

Following the recent judgment of Mr Justice Peter Jackson in Re A : Letter to a Young Person [2017] EWFC 48, which was written as a letter to the subject child, this article asks whether family practitioners can extrapolate from this approach and improve the way we communicate, both with other lawyers, with clients, and with the courts. Should we write letters, witness statements, and

practice direction documents in a more child-focused way?

Read the article [here](#). The original judgment is [here](#)

Behaviour Petitions on Divorce and Intellectual Dishonesty: have you played a good enough game of charades?

Family Law Week, March 2017

An article following on from the judgment in Owens v Owens [2017] EWCA Civ 182 that considers the current state of the law in relation to divorce petitions based on “behaviour” and offers an alternative approach which I argue is more compatible with 21st century life and rights

Read the article [here](#)

Sharland and Gohil. Parties who cheat: a cheat sheet

M Horton and M Richardson, October 2015

A practical summary on how to apply the principles from these linked leading judgments from the Supreme Court about non-disclosure in family finance cases

Read the article [here](#)

Divided We Fall

The Law Society Gazette, The Law Society, 26 August 2015

Complaints about solicitor-advocates are misdirected. And where’s the evidence?

Read the article [here](#)

Case Summaries

D (A Child – Jurisdiction – Habitual Residence) [2016] EWHC 1689 (Fam)

Case summary, July 2016

Judgment of HHJ Bellamy (sitting as High Court judge) determining the habitual residence of a child as a preliminary issue.

Read the judgment [here](#)

Re V-Z (Children) [2016] EWCA Civ 475

Case summary, June 2016

Successful appeal in care proceedings in which the Court of Appeal identifies the local authority’s failure to properly assess a family member based abroad and gives guidance on dealing with foreign authorities and their assessments of alternative carers.

Read the judgment [here](#)

Ciccione v Ritchie (No 1) [2016] EWHC 608 (Fam)

Case summary, March 2016

Mother’s application under the 1980 Hague Convention for the summary return of her 15 year old son to the USA. Review of the principles to be applied when considering whether to make a child a party to proceedings under the Convention.

Read the judgment [here](#)

Re D (A Child) (No 3) [2016] EWFC 1

Case summary, January 2016

Care proceedings in which Munby P sets out key principles to consider in cases involving parents with learning disabilities.

Read the judgment [here](#)

CASES

AR v ML [2019] EWFC 56

<https://www.bailii.org/ew/cases/EWFC/HCJ/2019/56.html>

Matthew was successful in an appeal to Mostyn J in a financial remedies case. This is a rare reported case relating to the importance of evidence as to housing needs, in particular the importance of property particulars in 'everyday' cases. The judgment also develops the case law relating to the proper procedure and legal test for the introduction of new evidence after the delivery of judgment and how this relates to a judge's power to reverse a decision at any time prior to the order being drawn up.

Re: S (a child) [2018] EWCA Civ 2512

<https://www.bailii.org/ew/cases/EWCA/Civ/2018/2512.html>

Matthew took the lead in a successful appeal to the Court of Appeal in a children case. The judgment includes (i) important precedent on the proper procedure for the emergency removal of a child from a parent's care when they are placed at home under a care order (para. 64-68), as well as guidance about (ii) the proper analysis of options for a child's care (para. 38), and (iii) the procedural requirements for interim trials of fact (para. 72-74).

Re: H-W (child) [2017] EWCA Civ 154

<http://www.bailii.org/ew/cases/EWCA/Civ/2017/154.html>

Matthew was successful in resisting an application to the Court of Appeal in an intractable child arrangements dispute. The judgment includes helpful guidance on (i) the extent of the court's obligation to consider the need for expert evidence beyond that which is formally applied for (para. 45, 48) and on (ii) the extent to which a court is obliged to consider all possible steps to re-establish direct contact (para. 50).

EDUCATION AND PROFESSIONAL MEMBERSHIPS

Education

MA (Cantab) Philosophy, Girton College, Cambridge
Graduate Diploma in Law, College of Law
Bar Vocational Course, College of Law

Professional Memberships

Family Law Bar Association
Resolution
Association of Lawyers for Children
Lincoln's Inn
We Can Work It Out collaborative family law POD ([link](#))

Awards

Cassel Scholarship, Lincoln's Inn
Lord Bowen Scholarship, Lincoln's Inn
Hardwicke Scholarship, Lincoln's Inn
Eileen Ellenborgsen Award, Girton College, Cambridge

Interests

I am a regular tennis player and cyclist and I'm a big film fan. I also enjoy music, photography and making furniture. I took a leading role in the development and implementation of chambers' wellbeing programme and I'm part of Coram's wellbeing team.

HYBRID MEDIATION – Q&A

Hybrid Mediation – Q & A of common questions about how it works

See below for answers to the following:

- 1 **What is hybrid mediation?**
- 2 What are the benefits of hybrid mediation?
- 3 **What sorts of family issues can be sorted using hybrid mediation?**
- 4 When is hybrid mediation appropriate?
- 5 **How is hybrid mediation different to other family mediation?**
- 6 How does hybrid mediation work?
- 7 **Confidential meetings – what are the benefits?**
- 8 Confidential meetings – what sort of things might be confidential?
- 9 **What are the costs involved?**
- 10 Can I use hybrid mediation if my case is already before the court?

- 11 **How effective is hybrid mediation?**
- 12 How do I arrange hybrid mediation?
- 13 **How long does hybrid mediation take?**

1 **What is hybrid mediation?**

Hybrid mediation is one of the dispute resolution options that is effective across a wide range of situations due to its flexibility and the ability to customise the process. It is particularly suited to high conflict or complex cases, as it facilitates the inclusion of lawyers directly into the process, and allows parties to sit in separate rooms.

Hybrid mediation is a combination of the family and civil mediation models. With the support of their lawyers, the participants are helped to focus on the issues, explore the options and formulate proposals for settlement.

2 **What are the benefits of hybrid mediation?**

- Quicker: mediation can take place over the course of a day; people can have their lawyers present in the process avoiding delays between meetings whilst they take advice, and the lawyers can draw up the consent order straightaway once the proposals are agreed;
- Cost effective: being actively involved in the process means people do not have to repeatedly update their lawyers with the progress of the discussions; it reduces correspondence and the risk of misunderstandings or disagreements between the solicitors;
- Reduces conflict: separate meetings mean heavily emotional joint meetings can be avoided thereby enabling people to focus on the issues and outcomes in a calmer and more rational way;
- Participants are empowered and supported: hybrid mediation provides a safe and supported environment for people who might not otherwise be willing to mediate;
- Increases certainty of outcome: As lawyers can be more directly involved in the process, and are on hand to advise with the full knowledge of the issues and direction of discussions, there is less risk that people may change their minds as can happen when advice is sought by people in between meetings;
- Confidential: People can confidentially explore options with the mediator without commitment or raising expectations, meaning progress can be made because more options are brought to the table more quickly.

3 **What sorts of family issues can be sorted using hybrid mediation?**

The hybrid mediation model is suitable for all manner of family issues, including disputes arising from the relationship breakdown of married people, civil partners, or cohabiting people; financial matters (including those with an international element), children matters such as where a child should live or go to school; where there are inheritance issues; where there are wider family disputes that may involve other family members such as parents who have a financial interest, or grandparents.

4 When is hybrid mediation appropriate?

Hybrid mediation is particularly useful in the following situations:-

- When the issues in the case are complex
- Where separate meetings (which can be supported by lawyers) would be beneficial
- When either of the people may feel unable to sit in the room with the other person
- If there is an imbalance of power between the participants to the mediation;
- Where there are high levels of conflict;
- If there is a concern about domestic abuse, an imbalanced power dynamic, or another reason why either person finds it hard to have a voice;
- Where an element of confidentiality is needed

5 How is hybrid mediation different to other family mediation?

The main differences between hybrid mediation and the traditional family mediation model are:-

1. Hybrid mediation differs from traditional family mediation both in practical terms and also in its overall principled approach. In combining the best of the family and civil models of mediation, a balance is struck between on the one hand the importance of personal family relationships and their transformation from antagonistic to co-operative, and on the other hand the importance of the more pragmatic, commercial need to arrive at an outcome to resolve the dispute.
2. In hybrid mediation each person usually sits in their own separate room, and the mediator shuttles between them. There remains flexibility for joint discussions all together where that would assist.
3. The mediator has the discretion to keep some matters confidential. This can be hugely beneficial – it means the mediator gets a better insight into what each person is interested in,

and concerned about, and can therefore get a better sense of the opportunities for settlement and the areas of common ground that people may not have realised were there

4. The people in hybrid mediation can be supported in the room by their lawyers, whereas in other family mediation the lawyers usually only assist before and after the sessions.
5. Hybrid mediation sessions can be a little longer than other family mediation – usually a half day or a full day is used – whereas other family mediation tends to take place over sessions of around 90 minutes to 2 hours. Hybrid mediation therefore tends to resolve disputes over fewer sessions.

6 How does hybrid mediation work?

The mediator will meet with the people in separate confidential initial meetings, to explain the mediation process and consider the issues the people want to resolve. Any safeguarding issues are also reviewed and the mediator will determine whether the matter and the participants are suitable for mediation.

If the people have instructed lawyers the mediator will meet with them to discuss the role they will play in advising assisting and supporting their client in the process. If only one person is represented, this meeting will take place with the lawyer and the unrepresented client.

The matter then proceeds to mediation meetings. The way the meetings progress is very flexible in terms of length of time and who is present (e.g. lawyers may be present at some of the mediations). The decision as to when lawyers attend meetings will be agreed based upon need and cost. It is also possible for other third party experts to assist either at meetings or in writing – for example a neutral financial advisor may be present in a matter where there are complex finances to address.

If the participants are able to reach proposals for settlement then the lawyers, if instructed, can immediately prepare the outcome documents such as consent order, agreed parenting plan, or similar.

Hybrid mediation can be combined with other non-court dispute resolution processes including arbitration, early neutral evaluation, private FDR, collaborative law, etc.

7 Confidential meetings – what are the benefits?

Individual confidential meetings can help people discuss things with the mediator in a way they might not feel comfortable doing if the other person were also present. People can explore options with the mediator without commitment or raising expectations. This encourages people to bring options to the table more quickly, and provides the mediator with insight into their desired outcomes and priorities. The mediator has a sense of the opportunities for settlement and the areas of commonality thereby narrowing the issues and facilitating mutually agreed outcomes at an early stage.

8 Confidential meetings – what sort of things might be confidential?

The exact things that are kept confidential are specific to each person and situation, and normally include the reasoning behind options for settlement or the people's hopes and concerns. There are things the mediator cannot keep confidential such as financial information (e.g. the existence of an asset), or matters relating to the safeguarding of children.

9 What are the costs involved?

Hybrid mediation is very cost effective. The costs of the mediator in hybrid mediation are generally met equally by the participants, but can be whatever proportions they decide. My hybrid mediation fees are explained in more detail in the 'Mediation' tab of my profile.

Each person will be responsible for their own lawyer's costs. The amount of the lawyers' costs will depend upon their chargeable rates, and the extent to which they need to be involved in the process.

The lawyers' direct involvement in the process reduces the need for people to meet their lawyers between meetings to report on what has happened and to obtain advice. It reduces the need for inter-solicitor correspondence. When a matter concludes in hybrid mediation the lawyers are on hand to draw up and agree any orders avoiding the need for correspondence between the two lawyers, and the need for the mediator to prepare a separate Memorandum of Understanding or other documentary summaries is reduced.

10 Can I use hybrid mediation if my case is already before the court?

Yes: hybrid mediation can be used before proceedings are issued and during the course of the proceedings. If the court process has started, it can be put on hold to give people the opportunity to try and resolve their dispute through mediation. The use of mediation is encouraged by the courts.

Even if all issues cannot be resolved through mediation, narrowing the issues will assist in reducing the costs and length of the court proceedings.

11 How effective is hybrid mediation?

Studies have shown that mediation results in a mediated outcome in a large majority of cases. Hybrid mediation is a highly flexible and bespoke form of mediation, and one that can be used even in complex or conflictual situations, meaning more people have access to this very successful way of getting things sorted.

People are often surprised by how beneficial the flexibility of confidentiality can be – it can serve to not only enable people to be more open with the mediator than they could if the other person were in the room, but also to actually discover helpful ways of thinking about things that may actually make a big difference if shared with the other person in an appropriate way.

12 How do I arrange hybrid mediation?

Please contact me via my clerks on clerks@coramchambers.co.uk and ask for Harry Butcher in the first instance. You can also get in touch by phone on 020 7092 3700.

Your solicitor can refer you or you can self-refer. I will then arrange an initial meeting with you, and also contact the other person. After the initial meetings, and where solicitors are instructed, I will arrange to meet with them to discuss and design the process that best suits you.

13 How long does hybrid mediation take?

The way meetings progress is very flexible in terms of length of time and who is present. Hybrid mediation tends to take place over the course of half a day or a day (whereas other family mediation tends to take place over sessions of around 90 minutes to 2 hours). People can have their lawyers present in the process avoiding delays between meetings whilst they take advice, and the lawyers can draw up the consent order straightaway once the proposals are agreed. Hybrid mediation therefore tends to resolve disputes over fewer sessions.

SEMINAR CONTENT

Current seminar content available ([contact the clerks](#) for bookings):

- The Pension Advisory Group: how to address pensions on divorce
- Case strategy in financial remedy cases
- Applied psychology in a family law context
- Wellbeing for family lawyers
- Going paperless