

# Mediation Works

**Mediation is far better than litigation. Litigation is costly, time consuming and mentally draining – writes Don Waterworth The Installer's Technical Expert and fully qualified career mediator.**

**If you are in the unfortunate position of being in a building dispute/litigation, then no doubt you will have not only spent a fortune but will also have had many sleepless nights just hoping that you are successful in Court, writes Don Waterworth The Installer's Technical Expert.**

Additionally, you do not feel in control and will often feel that the matter is rushing along and you are constantly paying fees, all the while being assured by your solicitor that you have a good case. In reality you may as well toss a coin as there is no such thing as a cast iron case and no-one can provide you with absolutes. You will mentally swing from feeling that you have a great case to thinking that you are going to lose the case miserably and it will cost you a fortune.

## Best and worst scenarios

I often say to my clients who are in litigation proceedings that they must consider the best case scenario i.e. successful in Court with the other side paying damages and costs (therefore cost to you more than likely zero). On the other hand, there is the worst case scenario – unsuccessful in Court and you have to pay damages and both parties' costs, (therefore cost to you easily a six figure sum!).



## Loser pays £92,000.00 bill

N.B. I recently worked on a case where the householder was seeking £12,000.00 against a window company. The householder was successful. The cost to the window company was £12,000.00 plus £40,000.00 per party. The window company were landed with a £92,000.00 bill.

## Time and money


Litigation can easily take up to two years to a final hearing, and easily cost over £100,000.00, to the unsuccessful party.

## Mediation

Compare this with Mediation, often one day, £1,000.00 or so per party and most matters are resolved successfully in that one day. The parties can then move on with their lives.

Don't expect your solicitor to suggest mediation. Your solicitor does not get paid for resolving a dispute. Therefore you must insist on mediation. Remember, in a dispute, you are the client.

## Call me

Over the next couple of months, I will highlight the benefits of mediation. In the meantime if you have any questions, queries or concerns, give me a call direct on 01942 523702. 

**Don.**



**This article has been authored by our technical writer – Principal Surveyor Don Waterworth of [hanleyamosstewart.co.uk](http://hanleyamosstewart.co.uk)**

**Don also acts as an Expert Witness and is an Accredited Mediator.**

**Tuesday-Thursday  
10:00am-3:00pm.**