

# The Ultimate Guide to Mediation Information and Assessment Meetings

If you're in the process of divorce or separation, and need to reach an agreement with your partner over parenting or financial matters, you may have heard that you have to attend a "MIAM". This stands for "Mediation Information and Assessment Meeting" and is the first step in the mediation process.

The reason you may have to attend a MIAM is that the government is increasingly encouraging people to reach agreements through mediation rather than the courts. This doesn't necessarily mean you have to go through with the mediation process; but it does mean you need to attend a MIAM, demonstrating you've given serious consideration to the mediation process, before you're allowed to proceed to court.

In this Ultimate Guide, we'll explain everything you need to know about MIAMs:

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## What is a MIAM?

A Mediation Information and Assessment Meeting ("MIAM") is the first step in the mediation process for family disputes in England and Wales. It's designed to provide people with information about mediation and assess whether it's a suitable way to resolve their issues. These issues often involve separation, divorce, or child arrangements, but not always.

The first part of the MIAM is designed to inform the person attending ("participant") about mediation. The mediator will explain what mediation involves, its potential benefits, and the role of the mediator (which is to remain neutral and facilitate discussions between the parties). The mediator will also address important aspects such as confidentiality, the voluntary nature of mediation, and the fact that agreements are reached by the parties themselves, not imposed by a third party.

The second part of the MIAM is the assessment phase, where the mediator evaluates whether mediation is appropriate for the situation at hand. This involves screening for any power imbalances, potential risks such as domestic abuse, or other factors that could affect the fairness or safety of the mediation process. The mediator may ask about the trust between the parties, any specific concerns, and whether any special arrangements are needed, such as shuttle mediation, where the parties are in separate rooms, or the presence of a support person.

At the end of the MIAM, both the mediator and the participant decide whether to proceed with mediation. If either of them concludes that mediation is not suitable, the mediator will

sign a court form, allowing the participant to pursue court proceedings. However, if mediation is deemed appropriate, the next step is for the other participant (i.e.: the person with whom the participant is engaged in dispute) to attend a MIAM, after which the joint mediation sessions can begin.

The government strongly encourages mediation as a first step before court proceedings in England and Wales – particularly in cases involving children. To support this, a Ministry of Justice voucher scheme is available for couples with children, offering £500 towards the cost of mediation, though this does not cover the MIAM itself.

## What is Mediation?

Mediation is a voluntary and confidential process in which a neutral third party, known as a mediator, helps people embroiled in a dispute to reach a mutually acceptable agreement. It offers people a way to resolve their issues without needing to go to court, and can be used to solve disputes around family, work, commercial interests, and community issues.

The collaborative approach is what sets mediation apart from some alternative methods of dispute resolution. Unlike litigation, where a judge imposes a decision on the parties, mediation empowers the participants to control the outcome of their dispute. The mediator facilitates the conversation, encouraging open communication, helping to identify underlying issues, and guiding the parties towards finding common ground.

However, the mediator does not offer legal advice or make decisions for the parties; their role is to assist in the negotiation process, ensuring that both sides are heard and that the discussion remains constructive.

## What are the Main Benefits of Mediation?

Mediation is an increasingly popular alternative to traditional litigation, and its advantages are obvious in the context of family disputes. They include its cost-effectiveness, confidentiality, flexibility, speed, and its ability to preserve relationships and produce mutually agreeable solutions.

### 1. Cost-Effectiveness:

One of the most significant benefits of mediation is its cost-effectiveness compared to litigation. Legal battles can be prohibitively expensive, with costs escalating quickly due to court fees, attorney fees, and the potential for prolonged legal processes. Mediation, on the other hand, is generally much less expensive. The fees for mediation are typically lower than those for a court case, and because mediation often resolves disputes faster, the overall cost is reduced. For families and businesses alike, this can represent substantial savings. [See more about the cost of mediation.](#)

### 2. Confidentiality:

Confidentiality is a cornerstone of the mediation process. Unlike court proceedings, which may be reported in some cases, mediation sessions are completely private. The discussions are not disclosed to anyone outside of the process. This lets people speak openly and honestly without fearing that their statements could be used against them at a later date. The privacy of mediation is particularly valuable in sensitive disputes, like separation or child maintenance agreements.

### **3. Flexibility:**

Mediation is highly flexible in terms of both process and outcomes. The mediation process can be tailored to fit the needs and schedules of the people involved, which contrasts sharply with the rigid structure of court proceedings. This flexibility extends to the solutions that can be reached. Since the outcome is not dictated by legal precedent or strict procedural rules, parties can explore creative and customised solutions that better address their unique circumstances.

### **4. Speed:**

The mediation process is typically much faster than going to court. While litigation can drag on for months or even years, mediation can often resolve disputes much more quickly. This not only reduces costs but also minimises the emotional strain on everyone involved. In family disputes, this can minimise stress and help parties move forward with their lives.

### **5. Preservation of Relationships:**

One of the most valuable aspects of mediation is its ability to preserve civil relationships between the parties involved. Unlike the adversarial nature of litigation, which often makes conflicts worse, mediation focuses on collaboration and communication. This approach is particularly important in family disputes, where ongoing relationships—such as co-parenting—must be maintained.

### **6. Mutually Agreeable Solutions:**

Mediation helps people to find their own solutions to problems, rather than having a decision imposed by a judge. Because the parties in dispute are directly involved in negotiating the outcome, they have the opportunity to work together and develop a unique solution that works for them both.

## **Who Will Conduct the MIAM and Mediation?**

Christine Plews, widely regarded as one of the UK's top mediators, handles MIAMs and mediation at Blanchards. You can rest assured that she is capable of handling the most complex family situations, with many of her previous cases involving substantial assets and international elements.

She can also advise more junior members of staff if your dispute is simpler, and doesn't require her direct attention.

Christine has more-than 30 years of experience and has a strong reputation as one of the country's most senior family mediators. She was trained by [Resolution](#), and is accredited by both the [Family Mediation Council](#) (0687A) and the [Law Society](#). Additionally, she sits on the panels of both organisations. She was recognised as a Senior Statesperson in Chambers 2024.

She holds advanced training, having earned a postgraduate certificate in psychodynamic psychotherapy from Oxford University, which gives her the ability to approach mediations from a therapeutic standpoint. She is also trained in systemic couples and family counselling. Finally, Christine also has significant experience dealing with neurodiversity, which can be crucial in cases involving individuals or children with autism or ADHD.

## **What Happens During and After my MIAM?**

A Mediation Information and Assessment Meeting (MIAM) is a crucial first step in the mediation process, designed to help you understand what mediation involves and whether it is appropriate for your situation. The MIAM serves both as an informational session and an assessment of your case, ensuring that you are fully informed and that mediation is a suitable way to resolve your dispute.

### **During the MIAM:**

#### **Introduction and Overview:**

The session begins with an introduction by the mediator (usually Christine Plews), who will explain the purpose of the MIAM and the mediation process itself. They will outline what mediation entails, the principles behind it, and the potential benefits, such as reduced costs, confidentiality, and a faster resolution compared to court proceedings.

#### **Discussion of Your Situation:**

You will have the opportunity to discuss the specifics of your case with your mediator. This is a confidential conversation where you can express your concerns, goals, and any particular issues you wish to address. The mediator will listen carefully to understand the nature of the dispute and the dynamics between all the parties involved.

#### **Assessment of Suitability:**

The mediator will assess whether mediation is appropriate for your case. This includes evaluating any potential risks, such as power imbalances or domestic abuse, which might make mediation unsuitable. The mediator may ask questions to determine if both parties are willing to engage in the process and if any special arrangements are needed, such as shuttle mediation (where parties are in separate rooms) to ensure comfort and safety.

#### **Explanation of Next Steps:**

The mediator will explain the possible next steps, depending on whether mediation is deemed suitable. If it is appropriate, they will outline the process for moving forward, including scheduling joint mediation sessions. If mediation is not suitable, they will discuss alternative options, such as pursuing legal action.

### **After the MIAM:**

#### **Decision to Proceed:**

After the MIAM, you and the mediator will decide whether to proceed with mediation. If both you and the other party agree, mediation sessions will be scheduled. If the other party has not yet attended a MIAM, they will need to do so before joint sessions can begin.

#### **Court Form Signing:**

If you decide not to proceed with mediation, or if the mediator determines that mediation is not appropriate, the mediator will sign a court form (usually the FM1 form) confirming that you attended a MIAM. This form is required if you wish to pursue your case in court. Nowadays, the court expects that parties have considered mediation before resorting to litigation, making the MIAM an important procedural step.

#### **Moving Forward with Mediation:**

If mediation is chosen, the next step involves scheduling joint mediation sessions where both parties come together to discuss and resolve the issues. These sessions will be guided by the mediator, who will help facilitate productive discussions and assist in reaching an agreement.

## **Who can I Bring to a MIAM or Mediation?**

Mediation usually only includes the parties directly engaged in the dispute. However, there are circumstances where other individuals may be present during a Mediation Information and Assessment Meeting (MIAM) or a mediation session.

We offer flexible approaches to accommodate Each persons' individual needs, while maintaining the integrity and confidentiality of the mediation process

### **Support Persons:**

In some cases, people may wish to bring a support person to a MIAM or mediation session. This could be a friend, family member, or even a legal representative. The presence of a support person can provide emotional reassurance and help people feel more at ease during the process. However, it is essential to get approval from the mediator beforehand, as their role is to ensure the environment remains focused on constructive dialogue between the disputing parties. They will be able to advise on whether having a support person present would be appropriate. It is also vital that the other participant consents to your support person's presence at the meeting.

### **Child-Inclusive Mediation:**

In disputes involving children, their welfare is paramount. While children do not usually attend MIAMs or mediation sessions, there are instances where their perspectives can be included in the process.

Child-inclusive mediation allows children to express their views and feelings about the situation in a separate mediation session, independent of the main sessions. The mediator then relays the child's thoughts back to the parents in a way that helps inform the discussions and decisions made during mediation.

Usually, a child's mediation session will require a completely separate mediator to run it. However, Christine Plews is particularly adept at handling child-inclusive mediation, and has significant experience dealing with neurodiverse individuals.

Her approach ensures that children's voices are heard in a sensitive and age-appropriate manner, allowing their needs and preferences to be considered without placing them in the middle of the conflict. This process is carefully managed to protect the child's well-being while still providing valuable insights that can lead to more effective and compassionate resolutions.

### **Legal Representatives:**

In some complex cases, people may feel the need to have their legal representatives present during mediation sessions. While this is less common, it can be arranged if both parties and the mediator agree. Blanchards is open to this arrangement when it serves the best interests of all parties involved and when it helps facilitate a more effective mediation process.

### **Special Arrangements:**

For those who may require special accommodations—such as individuals with disabilities or those who prefer not to be in the same room as the other party—Blanchards can offer shuttle mediation, where parties are placed in separate rooms. This ensures that everyone can participate fully and comfortably.

## How Much Do MIAMs and Mediation Cost?

At Blanchards, the cost of a MIAM is £200 plus VAT per person, and both parties involved in the dispute typically attend separate MIAMs before any joint mediation sessions begin.

If you proceed with mediation after the MIAM, the cost of each mediation session will be charged at an hourly rate of £350 plus VAT. This fee related to a senior mediator (Christine Plews), but junior mediators may be available to handle simpler disputes if requested, and in that case, the cost may be reduced.

Most disputes require between three to five sessions to reach a resolution, but this can vary depending on the specifics of the case. Mediation can take as little as two months or up to six, but it's generally much quicker and cheaper than going to court.

### Government Funding and Vouchers:

To encourage the use of mediation, particularly in family disputes, the government offers financial support in the form of the [Family Mediation Voucher Scheme](#). This scheme provides a voucher worth up to £500 to help cover the costs of mediation. It's important to note that this voucher does not cover the cost of the MIAM itself but can be used for the subsequent mediation sessions. This initiative is particularly beneficial for those facing financial constraints, making mediation a more accessible option for resolving disputes outside of court.

## Useful Resources

If you're considering attending a Mediation Information and Assessment Meeting (MIAM) or engaging in mediation, it's helpful to have access to resources that can guide you through the process. Whether you're looking for more information on how mediation works, eligibility criteria for government support, or simply want to prepare yourself better, these resources can be invaluable.

### 1. [Family Mediation Council](#) (FMC):

The Family Mediation Council is an essential resource for anyone considering mediation. Their website offers comprehensive information on what mediation entails, the benefits of mediation, and how to find an accredited mediator. They also provide details on the legal requirements for attending a MIAM before taking family disputes to court.

### 2. [Cafcass](#)

Cafcass advises family courts about what is in children's best interests. It's a storehouse of valuable information for couples undergoing mediation and looking for help learning how to co-parent. Their [parenting plan template](#) is a particularly useful tool, and can be downloaded for free at the bottom of the "how a parenting plan can help" webpage.

### 3. [Resolution](#)



Resolution describes itself as “a community of family justice professionals who work with families and individuals to resolve issues in a constructive way.” Founded in 1982, they have decades of experience in providing non-confrontational methods of resolving disputes, including mediation. Their booklet [Parenting Through Separation](#) is a particularly useful resource, and is available to read free online.

## FAQs

### **Q: Where will my MIAM take place?**

**A:** Most of our MIAMs are done online. However, if you would prefer to meet in person, you can attend our London office (11<sup>th</sup> Floor, Beaufort House, 15 St Botolph Street). Call us on 0333 344 6302 to discuss what’s best for you.

### **Q: What if I don't want to proceed with mediation?**

**A:** If, after attending the MIAM, you decide that mediation is not the right path for you, the mediator will sign a court form that confirms you have considered mediation. This form is required if you wish to take your case to court. Deciding not to proceed with mediation does not impact your ability to pursue other dispute resolution methods, but it does ensure that you have explored mediation as a viable option.

### **Q: What if mediation fails?**

**A:** If mediation fails to resolve the dispute, you are not left without options. While mediation is often effective in helping parties reach an agreement, there are instances where it may not succeed. Even though mediation may not have led to a resolution, the discussions held during the process can still be valuable. They may clarify the issues, streamline the court proceedings, or even pave the way for a future agreement outside of court.

### **Q: Are there any other dispute resolution methods I could try before going to court?**

**A:** Yes, there are several alternative dispute resolution (ADR) methods you can try before attending court. Besides mediation, options include arbitration, where a neutral third party makes a binding decision, and collaborative law, where parties and their lawyers work together to reach an agreement. There's also negotiation, which involves direct discussions between the parties to resolve the dispute. Each of these methods can be more cost-effective, quicker, and less adversarial than going to court. Call us on 0333 344 6302 if you want to discuss these options in more depth.

### **Q: Is mediation legally binding?**

**A:** Mediation itself is not legally binding, but the agreements reached during mediation can be made legally binding through a process known as a consent order. Once both parties agree on the terms during mediation, a solicitor can draft a consent order that reflects these terms. This document can then be submitted to the court for approval, making the agreement enforceable by law. Blanchards can assist in preparing the necessary paperwork to ensure that any mediated agreement has the legal standing you need to move forward with confidence.

### **Q: Can mediation be used for all types of disputes?**

**A:** While mediation is most commonly associated with family disputes, it can be used for a wide range of conflicts. These include workplace disputes, commercial disagreements, property issues, and community conflicts. However, mediation may not be suitable for cases involving severe power imbalances, domestic abuse, or where one party is unwilling to participate in good faith.

## Final Thoughts

Mediation is a quicker, cheaper, and easier route to making family arrangements than going to court. But even if you don't see the mediation process through, you will have to attend a MIAM before you can do anything else. If you go through this process at Blanchards, then your MIAM (and mediation, if you choose to pursue it) will be overseen by Christine Plews, who is one of the UK's foremost practitioners.

Call us on 0333 344 6302 or send an email to [info@blachardslaw.co.uk](mailto:info@blachardslaw.co.uk) to find out whether we can help you.