FOREWORD

‘Every civilised system of government requires that the state should make available to all its citizens a means for the just and peaceful settlement of disputes between them.’

The Right Honourable The Lord Woolf
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INTRODUCTION TO ALTERNATIVE DISPUTE RESOLUTION (ADR)

In 1995 Lord Woolf in his Access to Justice Report established that many of the disputes listed before the civil courts required an alternative way of being resolved which identified the need for an Alternative Dispute Resolution process.

Subsequently the Access to Justice Act 1999 and the Civil Procedure Rules 1999, came about as a result of the 1995 report and highlighted that the civil courts were over congested with numerous disputants who were pursuing actions over familiar issues, whereby, the legal costs involved in those actions outweighed the original compensation which disputants sought.

Alternative Dispute Resolution through mediation is an alternative to pursuing an action through the civil courts regardless of the nature of the dispute. The process involves a mediator who is an independent third person, to assist two or more parties in dispute, by assisting them towards a solution that is acceptable to all concerned.1

It is important to note that the mediator does not impose a solution on the disputants concerned, the solution is identified by the parties and the mediator simply helps them get there. The process can be conducted through shuttle diplomacy, seeing parties separately or by way of a joint face-to-face meeting.

The benefits of Alternative Dispute Resolution through mediation are numerous2; the most obvious are that the ADR process is cheaper, quicker, less intimidating and less stressful for the parties involved when compared to the civil court proceedings.

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1 Mackie, Karl, Commercial Dispute Resolution An ADR Practice Guide, (Butterworths 1995) p106
2 Genn, Hazel, Mediation In Action, (Calouste Gulbenkian Foundation 1999) p16 & at p27
His Honour Judge Neil Butter QC, who established the mediation scheme at the Central London County Court, contended, ‘mediation is quick cheap and informal. The striking feature of the whole process is the high level of consumer satisfaction. Many mediations end with the parties shaking hands and going out together. You don’t often see that in courts of law.’
Doyle, Margaret, Advising on ADR, (Advise Services Alliance 2000) p111
Genn, Hazel, The Central London County Court Pilot Mediation Scheme, (Lord Chancellor’s Department 1998) No 5/98 p1, 10 & 11
In Walsh v Misseldine, unreported 29 February 2000 Lord Justice Brooke stated; ‘...if this dispute had been referred to mediation... it would almost certainly have been settled six years ago.’
In Cowl v Plymouth City Council The Times, 8 January 2002 Lord Woolf stated alternative dispute resolution ‘...meets the needs of the parties...saves time, expense and stress.’
O’Hare, John, O’Hare & Hill Civil Litigation 10th Edition, (Sweet &
Experience has shown that many disputes between individuals have resulted in costly and protracted litigation, which may have been resolved legally but left individual disputants wanting, as usually through litigation there are winners and losers, as opposed to the mediation process where this does not apply.

Equally mediation can provide a wider range of solutions than litigation, for example an explanation, an apology, the preservation of an existing relationship, or all three rather than just compensation.

Sandwell Mediation Service, which is a community-based organisation, has been in existence for over 16 years, and is currently committed to community mediation for the areas of Sandwell and Birmingham, victim / offender mediation for the areas of Sandwell, Dudley and Birmingham, homelessness mediation for the areas of Sandwell and Birmingham, and conciliation for complaints against the National Health Service.

In July 2001 Sandwell Mediation Service applied for and was successful in attracting funding from the Legal Services Commission through their Partnership Innovation Budget to provide a three-year pilot

Maxwell 2001) p4
Lord-Smith, Peter, J, Arbitration For Builders, (Northwood Books 1980) p31
Mackie, op.cit., p68-72
Hibberd, Peter, ADR and Adjudication In Construction Disputes, (Blackwell Science 1999) p81
There are 99,800 references to the benefits of mediation at www.google.com
www.directionservice.org
www.stuaff.niu.edu/Judicial/Mediation/benefits.shtml
www.firstmediation.com
www.mediate.co.uk
www.smsu.edu/cdr/benefits_of_mediation.htm
www.mediationuk.org.uk
www.dca.gov.uk
www.mole-valley.gov.uk
www.southlanarkshire.gov.uk
www.ncvo-vol.org.uk
www.falkirk.gov.uk
www.nyfmediation.co.uk
www.rosleys.co.uk
www.waverley.gov.uk
www.lawsociety.org.uk
project of Alternative Dispute Resolution through mediation. It is important to note that Sandwell Mediation Service was the only organisation within England & Wales to secure funding for this purpose.

One of the conditions of this funding stipulated that Sandwell Mediation Service should aim to obtain the Legal Services Commissions ‘Quality Mark’ in general help and this has been accomplished.

The project was piloted within the area of Sandwell Metropolitan Borough Council and its surrounding areas and is free at the point of delivery.

This report is provided in order to give an overall picture of the Alternative Dispute Resolution pilot project from its inception to date including its creation, development, practices, promotion, results, success, overall impact on service users and exit policy.

For more information contact

**Harvinder Singh Bhurji LLB (Hons) QDR**

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79 Birmingham Road  
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**Web:** www.centralmediation.co.uk
THE SIGNIFICANCE OF MEDIATION WITHIN THE ALTERNATIVE DISPUTE RESOLUTION PROCESS

The mediation process whilst relatively new to the United Kingdom has in effect been used for centuries in different parts of the world by various cultures and religions as a way of resolving conflict.3

Mediation has been widely used in the United States of America,4 Australia,5 China6 and South Africa;7 and from research it has been established that following the introduction

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3 The Bible Matthew Chapter 5 verses 21- 26 Jesus tells us to go to our brother with whom we have a grievance and to settle it before coming to offer a gift to God.
McDermott, J, Colombia church offers kidnap mediation, BBC News, 27 September 2003
www.resourcefoundation.org
Berner, A, Divorce Mediation: Gentle Alternative to a bitter Process, www.jlaw.com, 1997. From a Jewish perspective, both in a halachic and a philosophic sense, mediation is an ideal process of conflict resolution…it does not violate the Biblical prohibition for a Jew to engage in legal action in a non-Jewish court’.
The Qur’an 4:35 ‘If you fear a breach between the couple, then appoint an arbiter from the man’s family and an arbiter from the woman’s family. If the two [man and wife] desire to reach a settlement, God will effect reconciliation between them.’
Mohamed, K, ADR in Muslim Thought, Consensus Mediation, 2003
www.consensusmediation.co.uk
Fatimid Law, the Fatimids a Shi’a Ismaili dynasty, ruled Egypt from 969 – 1171. The principles of negotiated settlement, known as ‘sulh’ permeate the family law statutes of most Muslim countries, from Morocco to Bangladesh, which provide that the judge must first establish a panel to explore the possibilities of reconciliation.
Ruccella, R, Muslims call for Mediation in Canadian Courtrooms, Ryerson Polytechnic University 1998
Fisher – Thompson, J, Muslim/Christian Dialogue Forum Works for Change in Nigeria (Mediation Center is supported with U.S. help), Washington File December 14 2001
Frontline, Appeasing The Hindu Right, Volume 19 – Issue 06, Mar 16 – 29, 2002
www.frontlineonnet.com
Lourdunathan, S, Ecosophical Concerns In The Sikh Tradition, SikhSpectrum .Com Monthly, Issue No 4, September 2002
Such third party mediation should be welcomed, India Times, Wednesday January 14, 2004
www.nativeonline.com
www.chrt-tcdp.ga.ca
www.sikhecoallition.org
www.khalistan.net
www.cwnews.com
www.adr.org
www.cpradr.org
www.jamsadr.com

4 www.adr.org
www.cpradr.org
www.jamsadr.com
of the mediation process within the United Kingdom mediation has taken off at breakneck speed in its many varying aspects.  

The Hon Mr Justice Lightman on commenting about this particular aspect said,

‘… the necessity for Mediation in our legal system is the product principally of four factors. The first the ruinous cost of litigation, secondly the unpredictability of the outcome of litigation, thirdly the lengthy period of uncertainty and anxiety for litigants until final resolution of disputes by the Court and, fourthly, the ever diminishing availability of mediation.’

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   www.leadr.com.au
   Hibberd, op.cit.p41

6 ibid.p46
   www.hkiac.org
   See the following
   www.cfdr.org
   www.iccwbo.org
   www.mediation.com.sg
   www.scotland.gov.uk

   MMA C Trustee, Muslim mediation forum will not function as a court, Sunday Times, 14 April 2002

8 Dyson & Field (Executors of Lawrence Twohey deceased) v Leeds City Council unreported. 22 November 1999. Lord Justice Ward felt ‘…we should encourage the parties to use an alternative dispute resolution procedure to bring this unhappy matter to the conclusion it now deserves sooner rather than later.’
   Cowll v Plymouth City Council The Times 8 January 2002
   Dunnett v Railtrack CA 22 February 2002
   Paul Horton Construction Ltd v Hyland
   Walsh v Misseldine, unreported 29 February 2000
   www.academy-experts.org
   www.adrgroup.co.uk
   www.cedr.co.uk
   www.consensusmediation.co.uk
   www.dca.gov.uk
   www.legalservices.co.uk
   www.mediationuk.org.uk
   www.asauk.org.uk
   www.nfm.u-net.com
   www.ukcfm.co.uk
   www.acas.co.uk
   www.courtservice.gov.uk

9 Also see Faulkner, M, As costs spiral, who will pick up the tab? Times two February 2003
Alternative Dispute Resolution through mediation is indeed beginning to develop, although there appears to be on occasions a distinct reluctance towards the process whether it is from members of the legal profession or the Judiciary. 10

In addition other reasons for reluctance may be due to the lack of awareness, on the part of potential service users, potential referrers, the legal profession and judiciary and it is considered that these problems could be addressed effectively through wider reporting through the media.

One of the first tasks within this project was to promote widely the concept of Alternative Dispute Resolution through mediation and this was achieved through literature, presentations, conferences and workshops. 11

There is a reserve by the legal profession in this country which will not be overcome until it is appreciated that not only the parties but the lawyers as well derive the utmost advantage from the use of the process.

Parris, J, Arbitration Principles And Practice, (Granada Publishing 1983) p4
Arbitrations were in fact well known in England long before there was any legal system which applied to the whole country. They have always been viewed with jealousy and suspicion by lawyers who see themselves deprived of work thereby.

See Lord Campbell’s views in Scott v. Avery & Ors (1856)

11 Leaflets were designed carefully to give a complete picture of the ADR/mediation process, the role of the mediator, what the process entailed and its associated benefits. The leaflets are available in English, Urdu, Gujarati and Punjabi, and over 3000 leaflets have been widely distributed in and around Sandwell to over 100 organisations ranging from county courts, solicitors firms, police stations, doctors surgeries, Sikh/Hindu Temples/ Churches/ Mosques, Citizens Advice Bureaux’s, Sandwell, Walsall, Dudley, Birmingham and Wolverhampton Council and their various departments as well as other statutory, non-statutory and voluntary organisations.

Sandwell Mediation Service has also developed a website for this project in line with the views of the Lord Chancellor in 1999 which were that he envisaged that the Internet would be the public’s first port of call when seeking information with regard to this subject.
FINDINGS & ANALYSIS OF ADR TO DATE

Initially the project had a slow start, but we are delighted to say, it is growing each and every day, which is reinforced by the positive feedback the increase in referrals, and types of referrals being received.

To date one-hundred and forty-one referrals for Alternative Dispute Resolution have been made by various agencies in and around Sandwell, this equates to 1.3 referrals a week over a two-year period, the referral rate has nearly trebled from forty-eight referrals, compared to this time last year.
The types of referrals received vary across a wide spectrum from your everyday boundary and fence disputes to more complicated consumer/contractual disputes.

Out of these one-hundred and forty-one referrals thirty-six were mere enquiries and did not enter the mediation process, and one-hundred and five referrals did enter the mediation process.
Forty-four referrals have settled, in thirty of the referrals one of the parties refused to participate in the mediation process. The parties withdrew in twenty-two of the referrals, twenty-two referrals were unsuitable for mediation, fourteen referrals did not settle after entering the mediation process, and finally nine referrals are still in the mediation process. Currently the project has a success rate of seventy-five percent the highest it has ever been.
There has been the long-standing argument amongst the Judiciary, members of the legal profession, academics and mediators whether or not mediation is cheaper, quicker, less informal and less stressful when compared to civil litigation.

To ascertain whether mediation is actually cheaper and saves costs when compared to civil litigation one must breakdown the individual costs of pursuing both routes from the commencement of an action/mediation to settlement/judgement.

To clarify whether mediation can save costs, Sandwell Mediation Service have taken the forty-four referrals that settlement was achieved on out of the one-hundred and forty-one referrals received, and calculated what it actually cost to mediate them, and then calculated what it would have cost to litigate those referrals and compared the two.

The mediation costs have been calculated by considering postage, telephone calls, mileage, and the mediator’s hourly rate. Litigation costs have been calculated by considering the fee to apply to the court to lodge the action\(^\text{12}\), the District Judges hourly rate\(^\text{13}\), and a solicitor’s hourly rate to cater for both disputing parties.\(^\text{14}\)

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\(^{12}\) www.courtservice.gov.uk

To issue a claim form where your claim is for money only and the amount is:

- Up to £300 £30
- £300.01 - £500 £50
- £500.01 - £1,000 £80
- £1,000.01 - £5,000 £120
- £5,000.01 - £15,000 £250
- £15,000.01 - £50,000 £400
- £50,000.01 - £100,000 £600
- £100,000.01 - £150,000 £700
- Over £150,000 £800
- For an unlimited amount £800

\(^{13}\) According to www.courtservice.gov.uk a District Judges annual salary is £86,176, if divided by fifty-two, and using the premise that a District Judge works a thirty – seven hour week an hourly rate of £44.79 is ascertained.
It is important to note that the District Judges pre-trial review time, solicitors preparation time, expenses, and compensation for the winning disputant has not been taken into consideration, as these costs could only be estimated which would defeat the whole nature of this exercise in attempting to portray accurate figures.

To date forty-four referrals have been successfully resolved through mediation which has cost £1,237.72, had these referrals gone through civil litigation this would have cost £37,785.10, therefore the total monetary saving to clients/ the taxpayer has been £36,547.30.

![Graph showing comparison of mediation and litigation costs](image)

Although £36,547.30 for forty-four referrals does not sound like a great amount, as a single trial can cost millions of pounds, imagine if this was adopted at a national level and imagine the cost savings then, this is reminisce of when the project first started and

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14 The solicitors hourly rate has been calculated by contacting ten civil firms and inquiring what their hourly rate for civil work is eight out of those ten firms stated that their hourly rate is £125, and therefore that is the figure adopted for this exercise.
only five referrals had been received in the first quarter, look how the project has grown and continues to grow since then.

The total hours spent mediating these forty-four referrals equates to one-hundred and ten hours, using the premise that a civil court operates on a thirty-seven hour week, the project has also freed up the civil courts for three weeks, time saving being yet another overriding objective of the Woolf reforms. Therefore like the referral rate, savings in time and money will certainly increase.
QUALITY OF SERVICE
25 June 2002

Thank you for your letter of 21 June and for enclosing Harvinder Bhurji’s report.

I would firstly like to congratulate you on the success of your funding application. I hope that the money you have secured for the three-year ADR project enables you to go from strength to strength.

I am heartened and interested to see how the concept of ADR, laid out in the original Access to Justice Report and Civil Procedure Rules, is being executed in practice.

Thank you very much for taking the time to forward the information onto me.

Roger H Bagley
Manager
Sandwell Mediation service
79 Birmingham Road
West Bromwich
West Midlands
B70 6PX
Dear Mr Bhurji,

Sandwell Mediation Service

Thank you for your letter of 16 May and the supporting explanation of the aims of the Service and the First Year Report. I have no doubt your mediation scheme will provide an invaluable service for the Sandwell community. I am a great believer in locally based mediation services designed to meet the particular needs of a local community. Before my appointment as a District Judge I was a trustee of the Oxford Community Mediation Service.

I shall make sure that my colleagues at the Birmingham Civil Justice Centre are aware of the Sandwell Mediation Service so that they can consider whether your scheme can afford a solution for parties involved in litigation in these Courts.

I wish you and SMS continued success.

Yours sincerely,

Alan A. Jenkins

H S Bhurji, Esq.,
Sandwell Mediation Service,
79, Birmingham Road,
West Bromwich,
West Midlands.
B70 6PX.
Dear Mr Bhurji,

Sandwell Mediation Service A.D.R Project.

Thank you for giving me the opportunity to comment upon the service provided by yourself and all the staff at Sandwell Mediation.

We have had a working relationship now for approximately 3 years and during that time there has been a consistent, positive and valuable service provided by your organisation in the referrals that I have made to you.

It is also incumbent upon me to say that without this service the resolving of problems that are originally reported as a planning matter but perpetuated by the parties involved and taken out of the planning arena would probably result in anything but a satisfactory conclusion were it not for the invaluable service that you provide.

Thank you for your co-operation in the past and the Planning Enforcement team look forward to continuing to refer appropriate matters to you and to continuing the harmonious working relationship that we have.

Yours sincerely

Michael Cowley
Planning Enforcement Officer.
Mr. Harvinder Singh Bhuirji,
ADR Mediator,
Sandwell Mediation Service,
79 Birmingham Road,
West Bromwich,
West Midlands,
B70 6PX

My Ref: CB/SW
Your Ref: HSB/CB
Please ask for: Mr. C. Benson
E-mail: chris_benson@sandwell.gov.uk
Telephone No: 0121 569 6584
Date: 29th March, 2004

Dear Mr. Bhuirji,

I thank you for your letter of 8th March and my apologies for the delay in replying but I have been on annual leave.

The Division has used the services of Sandwell Mediation Service on numerous occasions. I understand that since December 2002 the Division has referred over 26 residents of Sandwell to the Mediation Service, of which 10 have settled a success rate of over 70%.

The feedback from residents is very positive and many have commented they would not have pursued their complaint without your assistance, may your good work continued.

Yours sincerely,

C. BENSON
Principal Advice Officer
SandMedCB.LSW

If you would prefer to receive a larger text version of this document, please contact this Division.
Dear Harvinder

Re – Sandwell Mediation Service A.D.R. Project.

Following your interesting presentation, to a forum of West Midlands Enforcement Officers held at the Sandwell District Council offices in 2003, on an alternative to dispute resolution. I found myself drawn into trying to resolve a dispute between two landowners in my district. A situation had developed were the landowners were reporting each other for breaching planning legislation as result. On investigating the situation it transpired that the landowners had a big fall out over the use of a shared vehicle access. This resulted in a fence being erected restricting the use of the access. As neither landowner would talk directly with one another I found myself trying to resolve the access dispute. I did think at the time that mediation would resolve this particular problem. However, at the time a suitable Mediation Service did not operate in the Stratford upon Avon District Council area. My view is that had there been access to a Mediation Service this particular problem could have been resolved far more quickly than it was, without the need to involve the Council in a boundary dispute. I believe that such a service is needed and that it could only benefit residents and be beneficial to this Council.

Yours sincerely

Lech Koccon
Planning Enforcement Officer
Sandwell Citizens Advice Bureaux
WEST BROMWICH
22, Lombard Street, West Bromwich, West Midlands. B70 8RT

Telephone: 0121 553 4423  Fax No: 0121 553 6927  Minicom: 0121 525 5899

Please quote our reference:

20th April 2004

Harvinder Singh Bhurji
Sandwell Mediation Services
79, Birmingham Road
West Bromwich
B70 6PX

Dear Harvinder,

I am writing regarding the, Alternative Dispute Resolution Project. I feel that any project that allows people to solve their problems without going through what can be a stressful and expensive exercise in court as got to be a way forward.

In my previous position as a manager of a Citizen Advice Bureau there were many times we had to advise clients on court action. Some of the clients were uncomfortable with taking this action, they let the matter pass, at times when they had a good chance of winning their case.

To have someone go through the process with them and deal with both sides in a nonstressful environment seems to be a better option for our clients at times.

In my capacity as a management member of Sandwell Mediation I feel this is a very worthwhile project.

Yours Faithfully

J Davies
General Services Manager.
Mr Harinder S Bhurji  
Sandwell Mediation Service  
79 Birmingham Road  
WEST BROMWICH  
West Midlands  
B70 6PX  

24th March 2004

Dear Mr Bhurji

Your Reference: HSB/E48/04

Although your involvement in my dispute with [company name] Ltd was limited due to the successful outcome to this case, I would still like to thank you for your involvement because I believe that you did assist in achieving that outcome. I enclose copies of my letter to [company name] Ltd dated the 12th March and their response dated the 19th March. It is interesting to note that the two offers to a resolution made in their letter are the two that I gave to you after our discussion on the 17th March.

If you should be involved with this company in future then may I suggest the following names as contacts:

- [name] Group Operations and Purchasing Manager. Based in Newport. His name was given to me by Sandwell Trading Standards and is the person that authorises refunds etc.

- [name] Sales Manager. Based in Wednesbury. His name was eventually given to me by [name] as the contact point in Wednesbury.

You may not be surprised to hear that I decided on a complete refund.

Thank-you, once again, and good luck with your future cases.

Yours sincerely
CONCLUSIONS AND LONG TERM STRATEGY FOR ADR

In arriving at the conclusions options and recommendations for the long-term strategy for the project the following factors may be considered.

Overall conclusion

It is the firm view of Sandwell Mediation Service that this Alternative Dispute Resolution project has been an overwhelming success and furthermore that the project has contributed significantly to the aims and objectives of the Access to Justice Act 1999 and Civil Procedure Rules 1999 and the accompanying practice directions governing the subject.

From the response from service users, referrers and others this project has been identified as a ‘flagship’ process simply because it has become a ‘bread and butter’ approach to resolving disputes between would be litigants.

Long-term strategy

The possibilities for resolving disputes through ADR/mediation is endless, as indicated earlier Sandwell Mediation Service currently mediate disputes covering a wide range of subjects and initial enquiries reveal a need for the use of ADR through mediation in disputes within the church, complaints against the police, in clinical negligence cases made against the National Health Service, housing disrepair, complaints to ombudsman schemes, consumer, employment, and telecommunications disputes.

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15 See page 9
16 Behrens, James, Settling church disputes, Mediation Matters, Issue 73, April 2003, p18
Behrens, James, Church Disputes Mediation, (Gracewing 2003)
17 www.ipcc.gov.uk
18 www.legalservices.gov.uk/devel/cmo_report_lsc_response_oct03.pdf
19 www.dea.gov.uk
20 www.lgo.org.uk
www.ihos.org.uk
21 www.dti.gov.uk
to mention a few. It is important to note that these initiatives operate on a national scale, but at a regional level Sandwell Mediation Service currently mediates on similar matters.

**Options**

There are three options that might be considered with regard to the long-term strategy of ADR.

1. *To terminate the project on the 31st March 2005 and cease future funding.*

Through this project ADR has proved to be a significant tool in assisting disputants to avoid litigation, expense, stress, time and the element of winning and losing and has helped them achieve satisfactory and varied resolutions acceptable to all concerned which litigation cannot always provide.

The experience of the project highlights what really can be achieved through mediation and to suggest the possibility of the demise of the process simply flies in the face of common sense and would in turn leave disputants with no alternative but to revert back to litigation which this pilot project was implemented to avoid and this exercise would simply fade into the annals of legal history.

If the decision of the Legal Services Commission was to withdraw future funding then Sandwell Mediation Service could not fund this project and regrettably would only accept referrals to the 31st January 2005, any referrals received after this date would be signposted accordingly to appropriate agencies to deal with, and all referrers would be informed that this service is no longer provided through Sandwell Mediation Service.

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22 Morgan, Andy, *Opportunities on the horizon?*, Mediation Matters, Issue 75, December 2003, p18-19
www.ncvo-vol.org.uk
www.cedr.com

23 www.arbitrators.org/cisas/
www.otelo.org.uk
2. To extend the present ADR services on a much broader plain catering for the whole of the West Midlands region for the areas of Coventry, Solihull, Birmingham, Walsall, Wolverhampton, Dudley and Sandwell.

David Lammy MP, Parliamentary Under Secretary of State at the Department of Constitutional Affairs stated the Government has confirmed it will pilot a scheme to run mediation and ADR through 40 courts by April 2004.24 The following courts are currently involved with this initiative the Court of Appeal, Birmingham, Cardiff, Devon, Exeter, Guildford, Leeds, Central London, and Manchester county courts.25

Bearing this in mind and the experience gained through this project which has identified the need for disputants to have the opportunity of having assistance in helping to resolve disputes through a dedicated mediator whose services are provided free at the point of delivery, it is believed that this service like the court initiatives should be available to disputants regardless of their geographical residence.

Out of the one-hundred and forty-one referrals received to date, in eighty-seven of those referrals both parties were Sandwell disputants, in the remaining fifty-four referrals one or more of the parties were not Sandwell disputants, whereby in thirty-one referrals one party was not a Sandwell disputant and in the remaining twenty-three referrals none of the parties were Sandwell disputants, this highlights the need for this service in other areas which is reinforced by the graphs below.

24  www.adrgroup.co.uk
25  www.courtservice.co.uk

The Academy Of Experts, Update, Volume 11, Issue No 2, March 2003, p3
Reid, V, ‘New ADR Schemes’, ADR Update No 8, Advice Services Alliance, March 2003, p9
Reid, V, ‘ADR Schemes’, ADR Update No 9, Advice Services Alliance, June 2003, p6
The graph below portrays the areas other than Sandwell from where referrals have been received.
It might be suggested that this proposal could be rather expensive but I would urge consideration being given to the fact that ‘success may be expensive but failure doubly so’.

3. The final option put forward for consideration is that of introducing an extension of the scheme in areas across England and Wales based upon the experience but most importantly the success of the Sandwell project.
Recommendations

It is strongly recommended that having taken all factors into account that option two indicated above i.e. the extension of the current project to serve the whole of the County of the West Midlands or with the additional third option of extending the project across England and Wales be implemented.

In submitting this report it should be highlighted that the professionalism and assistance given by the Legal Services Commission has been of the greatest order and Sandwell Mediation Service would like to place on record its sincere gratitude to the Legal Services Commission for having the confidence to invest within our organisation.

Sandwell Mediation Service trusts that the foregoing meets with the approval of the Legal Services Commission and furthermore, look forward to receiving a positive response in line with the recommendations indicated.

Harvinder Singh Bhurji LLB (Hons) QDR
Mediation Manager - ADR / Commercial Mediator
Acknowledgements

Sandwell Mediation Service would like to express its sincere thanks to all of the following individuals and organisations.

The Lord Chief Justice  Lord Woolf
House of Lords  Baroness Scotland
Department For Constitutional Affairs  Robert Gill
Howard Thompson
Community Legal Services Partnership  Bernadette Jackson
The Legal Services Commission  Matthew Greenhill
Peter Lowen
Karen Gowreesunke
Tina Thatcher
Central London County Court  Judge Neil Butter QC (Retired)
Birmingham Civil Justice Centre  District Judge Alan Jenkins
Mrs C Maclean
Mediation Team
Edinburgh Sheriff's Court/Mediation Service  Liz Cameron
Barker & Brettell  Miss K K Mahil
Allen & Overy  Mr J S Jandu
Russell Jones & Walker Solicitors  Mr R Langton
Challinors Lyon & Clark Solicitors  Mr R Bishop
Millichips Solicitors  Mrs Sharma
Lee Crowder Solicitors  Mr Bilkhu
McGrath & Co  Ms Aberdeen
Cartwright & Lewis  Ms O'Sullivan
Levenes Solicitors  London
Michael Arnold Solicitors  Sandwell
Paterson & Co  Worcester
Birmingham City Council Legal Services  Birmingham
The Academy Of Experts  London
Local Government Ombudsman for Sandwell  Jerry White
Deputy Local Government Ombudsman for Sandwell  Neville Jones
Advice Services Alliance  Val Reid
Margaret Doyle
Sandwell’s Citizens Advice Bureaux  All workers & volunteers
<table>
<thead>
<tr>
<th>Organization</th>
<th>Location</th>
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<tbody>
<tr>
<td>Birmingham Citizens Advice Bureaux</td>
<td>All workers &amp; volunteers</td>
</tr>
<tr>
<td>Sandwell Metropolitan Council</td>
<td>Sandwell</td>
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<tr>
<td>Sandwell Trading Standards</td>
<td>Chris Benson</td>
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<td>Jas Matoo</td>
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<td></td>
<td>Claire Lilley</td>
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<tr>
<td>Planning &amp; Development Services</td>
<td>Mike Cowley</td>
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