



The Eleventh CEDR Mediation Audit

2025

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Introduction

This report marks the eleventh occasion on which CEDR (The Centre for Effective Dispute Resolution) has undertaken a survey of the attitudes of civil and commercial mediators to a range of issues concerning their personal background, mediation practice and experience, and key issues within the field. The primary focus of the survey is to assess how the market and mediation attitudes have changed over the past two years.

- The survey was undertaken using an internet-based questionnaire, which was open to all mediators in the United Kingdom, regardless of organisational affiliation. It was publicised through CEDR's website and direct e-mail to the mediator contacts both of CEDR and of other leading service providers and members of the Civil Mediation Council.
- This particular report is based upon the 461 responses that were received from mediators based in the United Kingdom. As in any survey, not all participants answered every question.
- It is important to emphasise that this is a survey of the civil and commercial mediation landscape, a field we have defined as encompassing any and all mediation activity that might reasonably fall within the ambit of the Civil Mediation Council. This reflects the background of the surveying organisation, CEDR, and the channels through which survey responses were canvassed.
- We do not, therefore, claim to cover either community or family mediation (although some of our respondents do report also being active in those fields).
- Furthermore, we do not include the statutory ACAS service or the HMCTS Small Claims Mediation Service, quite simply because the scale of their activities would each far outweigh the other findings of this survey.

CEDR is grateful for the support not only of its members, who make our important research work possible, but also for the support and assistance of all of those who have assisted us in identifying the research themes and promoting the survey.

In addition, we are grateful for the time and trouble taken by all of those mediators who have contributed their views and experience to our Audit.

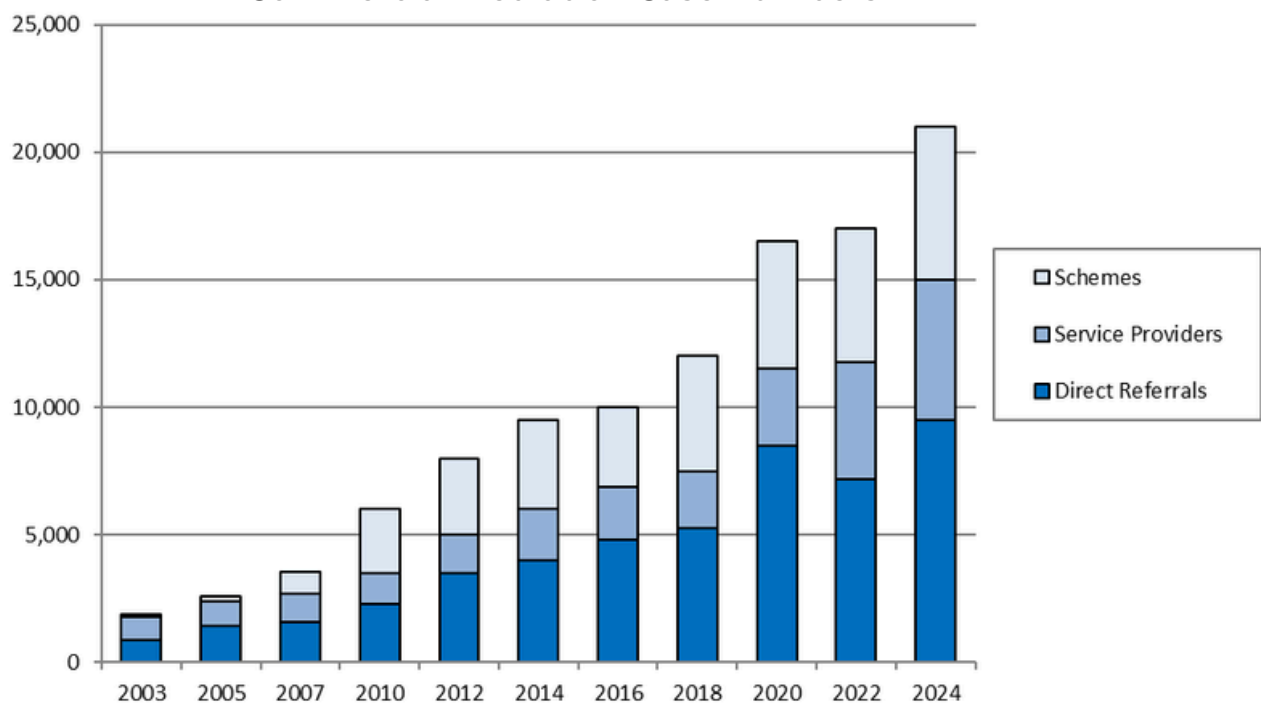
The Mediation Marketplace

Activity Levels

On the basis of mediators' reported caseloads, it is clear that the civil and commercial mediation market in England & Wales has not only fully recovered from the slump caused by the pandemic but continues to show strong growth.

Our latest analysis shows that, for the year ended 30 September 2024, the total market size was in the order of 21,000 cases (i.e. a 24% increase on the reported 17,000 cases in 2022).

Commercial Mediation Case Numbers



As in previous Audits, the market for ad hoc mediations can be split between those that arise through direct referrals to mediators and those which go through service providers. This year our Audit shows that 63% of these ad hoc cases go through service providers, a very slight increase on the 2022 level of 61%.

Within the overall market of around 21,000 cases, approximately 6,000, or 29%, are undertaken within organised mediation schemes such as those supported by NHS Resolution, by leading employers and by the Court of Appeal and other courts.

Mediator Profiles

In terms of personal mediation experience, and their date of initial accreditation, respondents were split between three broad categories:

- 69% Advanced mediators (2022: 76%) – who described themselves as “reasonably” or “very” experienced. These individuals reported accreditation dates spread quite evenly between 1989 and 2021.
- 15% Intermediates (2022: 16%) – who categorised their lead mediator experience as “some” or “limited”. All of these individuals reported that they had been accredited after 2020.
- 16% Novices (2022: 8%) – who were generally accredited but had no experience as a lead mediator. All of these individuals also reported that they had been accredited after 2020.

This overall profile reveals a change from the trend observed in previous Audits where an increasing proportion of mediators were identifying themselves in the Advanced category (76% in 2022; 65% in 2020; and 62% in 2018).

Mediators continue to come from a wide range of professional backgrounds, including accountants, construction and workplace professionals, lawyers, business consultants and managers. However, the legal profession continues to be the most heavily represented; amongst the Advanced group, 61% are qualified lawyers, down from 67% in 2022, but lawyer representation is only 29% at the Novice level, and 46% in the Intermediate group.

This year’s reduction in the proportion of Advanced mediators and the commensurate increase in the Novice group appears to be consistent with the general observation that demand for mediator skills training is high, and the lower proportion of lawyers within the Novice and Intermediate groups might suggest that a significant proportion of these new entrants are non-lawyers and that the overall composition of the profession is slowly broadening. The ultimate test, however, will be to see more of those non-lawyers breaking into the Advanced mediator group.

The average age of female mediators who responded is 53 (2022: 54), whilst male mediators average 61 (2022: 63). The Advanced mediator group are on average about two years older. These changes in average ages confirm that there is some movement in the mediator ranks, with some older participants moving out of the group and younger new entrants.

Mediator Profiles cont.

Age	All Mediators	Advanced Mediators	Solicitors [1] (for Comparison)
under 30	2%	-	1%
30-40	5%	4%	23%
40-50	19%	16%	31%
50-60	27%	25%	27%
60-70	34%	37%	14%
70-80	13%	18%	4%

[1] Age distribution of Practising Certificate holders: The Law Society Annual Report 2023, published January 2025

Female involvement in the field continues to improve and is now at 42% (2022: 37%) overall, with the proportion on the Advanced group slightly lower at 38%, also slightly increased from 2022.

In this regard, the mediation profession is, therefore, getting closer to comparators such as the Law Society,[2] where 53% of solicitors holding practicing certificates are women.

The mediation profession does, however, still fall short in the area of ethnic diversity with only 8% of respondent mediators report coming from ethnic minority groups, compared to 18% of solicitors.

7% of mediators report having a disability whilst 5% define themselves as being either lesbian, gay or bisexual, both figures which are similar to the legal profession [3].

[2] ibid

[3] Law firm data diversity tool, Solicitors Regulation Authority

Mediator Activity Levels

The majority of Novice and Intermediate mediators reported personal involvement in no more than four mediations a year. Advanced mediators reported more extensive practices with 68% characterising themselves as “full-time” mediators (down from 76% in 2022).

Clearly, however, there is still a wide variation of activity within this group, with 45% (2022: 49%) reporting undertaking less than 10 commercial mediations a year.

Amongst those who are not full-time mediators but still have other jobs, an average of 21% (2022: 19%) of their professional time was spent working as a mediator.

In addition to their commercial mediation work, respondents reported that they also undertook work in other sectors as follows:

Number of mediations undertaken in other sectors (stated as a proportion of commercial cases, including schemes)

	2024	2022
Workplace	16%	9%
Community	15%	13%
Family	21%	9%

This year’s Audit also asked mediators whether they used their mediation skills in any other contexts beyond traditional mediation of commercial disputes:

Are there any other areas in which you received appointments which required you to use your mediation skills?

	Yes
Paid appointments	49%
Unpaid/Other situations	47%

Mediator Activity Levels cont.



“

I use the negotiation, listening and communication mediation skills to some degree almost all the time

One respondent captured the views of many when they wrote the above.

Examples of other paid appointments that required use of respondents' mediation skills included:

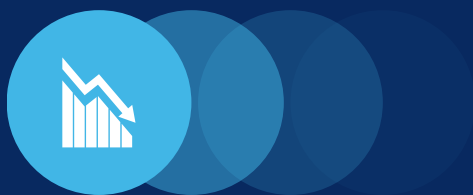
- Other legal work (arbitrator, barrister, judge, solicitor)
- Other dispute-related work (negotiator, ombudsman, panel chair, trainer)
- Board adviser, executive coach, management consultant

Unpaid Appointments included:

- Charity trustee
- Pro bono conflict coaching

Mediator Fees and Earnings

The Audit asked mediators about their earnings during the year from October 2023 to September 2024. Firstly, we asked about their average earnings for a typical one-day mediation. Averaging out the responses showed that, excluding pro bono work:



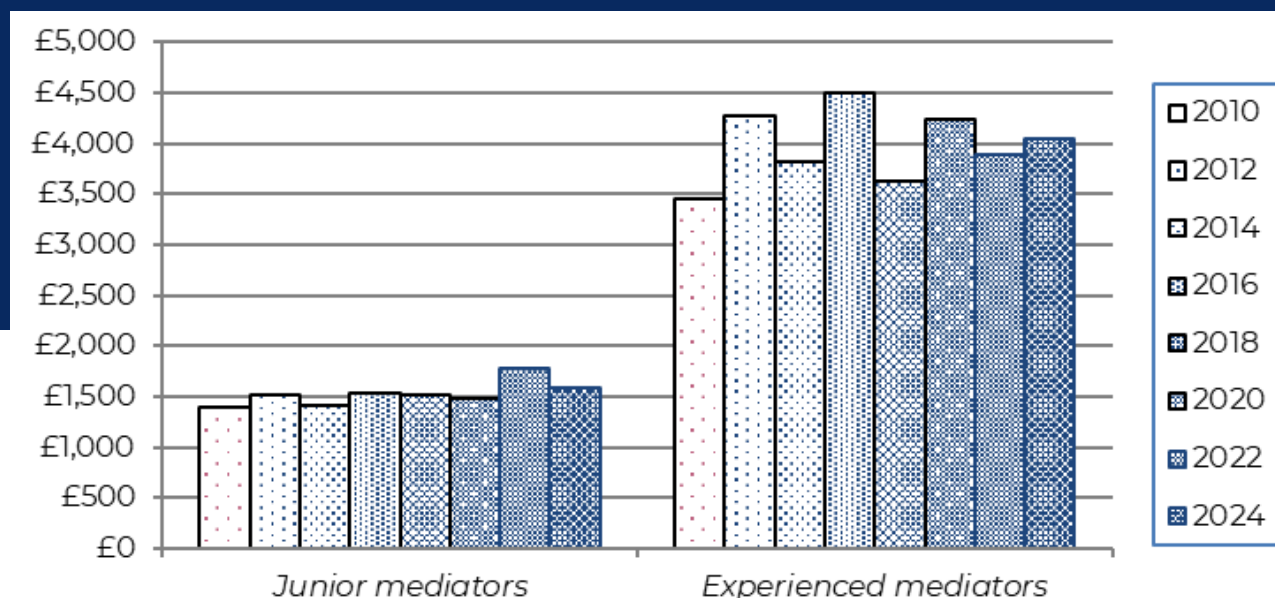
Less Experienced Mediator Fees

Average fees for this group for a one-day mediation have decreased by 10% over the past two years to £1,597 (2022: £1,781);



More Experienced Mediators

Average fees for this group have increased by 4% to £4,044 (2022: £3,893), reversing the slight drop we saw in the immediate post-covid period.



The chart of average earnings over the period since 2010 shows that there has been only limited general inflation in market fees. This is likely to reflect the overall competitive situation in the market.

Mediator Fees and Earnings cont.

Typical Fees

Quoted fees for typical lower value cases also confirm that there has not been any significant fee movement in recent years:



Hourly Rate & Total Fee

	Hourly Rate		Total Fee	
	2024	2022	2024	2022
Under £10,000	£150	£150	£750	£750
£10,000-£25,000	£200	£175	£1,400	£1,225
£25,000-£50,000	£250	£250	£2,750	£2,750

Mediator Fees and Earnings cont.

As in previous Audits, these averages conceal a wide variation in individual rates:

	2024	2022	2020	2018
Pro bono only	4.3%	5.5%	2.9%	3.1%
Under £500	6.1%	3.6%	7.2%	5.0%
£501 - £1,250	18.1%	18.2%	20.3%	22.6%
£1,251 - £2,000	23.1%	19.1%	24.6%	22.0%
£2,001 - £2,500	9.7%	12.7%	10.1%	18.2%
£2,501 - £3,000	7.9%	10.0%	5.1%	5.7%
£3,001 - £3,500	7.2%	6.4%	7.2%	7.5%
£3,501 - £4,000	6.5%	7.3%	4.3%	5.7%
£4,001 - £4,500	2.2%	2.7%	1.4%	2.5%
£4,501 - £5,000	4.7%	5.5%	5.1%	2.5%
£5,501 - £6,000	4.0%	3.6%	4.3%	0.6%
£6,000 - £6,500	0.4%	-	-	-
£6,501 - £7,000	1.8%	1.8%	1.4%	0.6%
£7,001 - £7,500	0.4%	0.9%	0.7%	0.6%
£7,501 - £10,000	1.8%	1.8%	0.7%	3.5%
£10,000+	1.8%	0.9%	2.9%	1.9%

Mediator Fees and Earnings cont.

By combining fee rates with reported activity levels, we can project average incomes for differing levels of mediator activity:

Averages

£88,000

20 - 30 Mediations

Those undertaking between 20 and 30 mediations a year are earning between £22,000 and £275,000 with an average of £88,000.

£212,000

30 - 50 Mediations

Those mediators undertaking between 30 and 50 mediations a year are earning between £65,000 and £440,000, with an average of £212,000.

£305,000

Over 50 Mediations

Those undertaking over 50 cases a year are earning between £50,000 and £770,000, with an average of £305,000.



Mediation Outcomes

Success Rate

The overall success rate of mediation remains very high, with an aggregate settlement rate of 87%. This has slipped slightly from our 2022 findings.



Settlement Rates

	2024	2022
Settle on the day of mediation	70%	72%
Settle shortly after mediation day	17%	20%
Total settlement rate	87%	92%

Settlement rates amongst the Advanced mediator group have, however, increased from overall 85% in 2022 to 88% this year.

The Mediation Process

Duration of Mediations

We asked mediators to provide a breakdown of the number of hours they spent on a typical mediation. This revealed that the average time spent has decreased slightly since our last Audit, but is very close to the levels reported in 2020:

	2024	2022	2020
Preparation			
• Reading briefing materials	3.9	3.9	4.0
• Client contact	2.1	2.4	2.0
Mediation			
• Work on the day	7.0	7.4	6.8
Post-mediation			
• Follow-up / on-going role	1.7	2.1	1.8
Total	14.7	15.8	14.6

A significant proportion of mediator time continues to be unremunerated – an average of 4-5 hours was unpaid, either because the mediator did not charge for all of the hours incurred or because he/she was operating a fixed fee arrangement.

Online and Hybrid Processes

Our previous Audits tracked the emergence of online mediation during the pandemic period, when 89% of commercial mediations were conducted online. Subsequently, online usage dropped to 64% in 2022, and it has now fallen further down to 38%. Within that figure, online mediation is twice as likely to be used in scheme mediations, which are generally of lower financial value, than in mainstream commercial cases (although, even in this area, 30% of cases are conducted online).

When we asked mediators to explain what, in their experience, were the key factors behind a decision to have an online mediation rather than in person, by far the most common reason given was simple convenience, particularly in that it avoided travel time and costs; it was also suggested that, because of diary constraints, online mediations were often easier to organise at short notice.

As for mediators' experience of arguments advanced against online mediation bookings, many raised concerns that the process was too impersonal and that it was far harder to build rapport with individuals and pick up on their non-verbal cues. These concerns were also attributed to parties who wished to engage more directly with their counterparts. This point was made particularly by mediators involved in workplace cases where continuing relationships between individuals were important. There were also suggestions that, because attending an online mediation was less onerous, and that it was easier for parties to become distracted by other matters during the mediation day, they were less invested in the process and, consequently, the level of engagement and commitment to getting to a settlement on the day was sometimes less.

When we asked for mediators' views as to the future of online mediation, those who expected it to grow out-numbered those predicting it to stay the same or decline by a ratio of four-to-one.

Is online mediation likely to grow or decline in the future?

Decline	9%
Stay the same	11%
Grow	80%

Online and Hybrid Processes cont.

One area of online application where mediators expected further growth was in the pre-mediation phase where it could provide for more direct engagement with lay clients.

In addition, 69% of respondents reported having had experience of using a hybrid process, namely one in which they worked with some parties in-person and with others online. Generally, mediators reported positive experiences, although a number identified pitfalls for the unwary:

- A risk of inconsistent treatment of parties, or even perceived mediator bias towards the party with whom they were present in person. One suggestion was that, if at least one party was to be online, then the mediator should do the same.
- The difficulties of managing larger numbers of online parties (more than two was described as being problematic).
- The need for longer preparation time and pre-mediation contact in order to counteract the additional challenges of building rapport in an online context.
- The importance of having contingency communication plans in the event of technology difficulties.

Other Expected Changes

Mediators identified a number of particular procedural trends or other changes in the conduct of mediations that they expect to continue in the future:

- As identified in previous Audits, there appears to be an increasing reluctance amongst lawyers to participate in joint opening meetings.
- As the above table indicates, the amount of time being spent on pre-mediation contact with parties has not increased. However, a number of mediators report that this phase of the process is being increasingly important.
- Some respondents report that progress towards settlement is sometimes hampered by the absence of party decision-makers and/or key legal advice.
- A few mediators foresee changes in the standard one-day mediation model, with more complex cases moving towards a more sessional approach and lower value cases starting to see more cooling-off periods for settlements.

HOT TOPICS IN MEDIATION

In each Mediation Audit, we seek to gather mediators' views on whatever are the hot topics within the field at the time of our survey. This year, the five topics we identified for further enquiry were:



Top Five Topics

01. **Impact of the Churchill v Merthyr Tydfil County Borough Council Decision**
02. **Developing a mediation career in a competitive market**
03. **Mediation in the era of Artificial Intelligence**
04. **Future regulation of the profession**
05. **Future growth areas**

01.

Impact of the Churchill v Merthyr Tydfil County Borough Council (2023) Decision

On 29 November 2023, the Court of Appeal handed down its judgment in Churchill v Merthyr Tydfil County Borough Council, holding for the first time that the court can lawfully stay proceedings for, or order, parties to engage in a "non-court-based dispute resolution process."

This decision has been heralded as an important step in confirming the Court's power to mandate ADR, and, thus, our survey sought mediators' views on a number of questions about the impact of this decision:

What has been the impact of Churchill on...

	Slight Decrease	No Change	Slight Increase	Significant Increase
The number of your mediation appointments?	2%	67%	26%	5%
The number of enquiries about mediation appointments (even if they did not bear fruit)	-	55%	7%	38%
The level of interest amongst lawyers in learning more about mediation	2%	60%	21%	17%
The level of interest amongst clients in learning more about mediation	2%	69%	17%	12%

Impact of the Churchill v Merthyr Tydfil County Borough Council (2023) Decision cont.

These figures suggest that some mediators are already starting to see signs of positive change coming from Churchill, although it has yet to cascade through the entire profession.

Furthermore, when we asked for mediators' personal views about Churchill's likely impact on their own mediation practice, the general view was that it was going to have a real effect on interest in, and take-up of mediation:

- The most common response (60%) was that mediators expected that there would be further growth in the mediation field. As a result, many anticipated that their own workloads would grow, but this was not the universal view as many predicted that the growth would mainly be seen amongst lower value cases; it was also suggested by a few that growth at this level would be swept up by court and other low fee schemes.
- As far as higher value cases were concerned, some mediators suggested that Churchill would have far less of an impact as these were cases which most likely would have gone to mediation anyway. This view was, however, contradicted by a few respondents who highlighted the compulsory mediation order in the Superdry^[4] case as possibly of even more significance than Churchill in that it demonstrated the start of a shift in judicial culture towards more robust promotion of mediation. The recent CPR changes were also identified as a positive development.
- A number of mediators highlighted the role of lawyers, suggesting that these developments will have a significant impact as lawyers start to appreciate their significance. There were, however, suggestions that this growth may take some time to be realised as there was still a need for further education amongst both lawyers and clients.

[4] DKH Retail Limited and others v City Football Group Limited [2024] EWHC 3231 (Ch)

02. Developing a Mediation Career in a Competitive Market

In previous Audits, we have explored mediators' views on the relative significance of a number of factors in determining how they secured commercial mediation appointments. This year, however, we took a different approach by focussing initially on the early years of mediators' careers.

Firstly, we asked mediators how long it took them after accreditation to get work:

How many years from your initial accreditation did it take you to secure your first 5 mediation appointments...and how many more years did it take you to reach 10 appointments a year?

Years	First 5	Total years to reach 10 appointments						
		1	2	3	4	5	5-10	10+
1	21%	11%	3%	7%	-	-	-	-
2	33%		2%	7%	6%	7%	6%	5%
3	16%			8%	4%	-	4%	-
4	3%				-	-	3%	-
5	18%					-	7%	11%
5+	9%						2%	7%

Developing a Mediation Career in a Competitive Market cont.

This analysis reveals quite wide variations in mediator experience. Whilst 70% achieved their first five appointments within three years of accreditation, only just over half of that number reached ten appointments within the same timescale. And clearly for many, developing a reasonable mediation experience base can still take many years.

It is, however, still clear that many mediators are looking to progress further. Of those survey respondents who expressed a view, 79% said that they were looking to undertake more mediations each year. Individual responses ranged from those who were looking for an additional 10 commercial cases a year up to those who wanted 75 more. Unsurprisingly, growth ambitions are particularly strong amongst those who currently have small practices:

Current Workload	Extra Cases Desired	
	Average	Increase
None	31	N/A
1-4	33	+1,332%
5-9	28	+368%
10-19	35	+236%
20-29	41	+165%
30-49	29	+73%
50-69	29	+47%
70-89	50	+63%
90+	35	+35%
Average	33	+236%

Developing a Mediation Career in a Competitive Market cont.

Mediators also shared what they believed needed to happen for them to achieve their goals

63%

Recognised

that they personally needed to do more marketing of themselves

10%

Highlighted

their own availability as being an issue to address

17%

Identified

further market growth as being the most important factor for them

10%

Said

that they were relying on providers' panels to support the growth of their practices

28%

Commented

that the over-supply of mediators in the market made it difficult compete to with more established individuals






16%

Highlighted

the reluctance of law firms to work with unknown and less experienced individuals

Developing a Mediation Career in a Competitive Market cont.

We asked for mediators' perceptions of factors which generated appointments, making a distinction between how they obtained their first five cases and how the market works now:

First 5 Cases		Now	Change
1	Professional background/qualifications	4	 3
2	Professional rep. – experience/status	1	 1
3	Location	6	 3
4	Profession reputation – mediation style	2	 2
5	Sector Experience	3	 2
6	Recommendation – by provider	5	 1
7	Fee levels	11	 4
8	Availability	7	 1
9	Recommen. – client in previous case	13	 4
10	Repeat business – with client	12	 2
11	Professional reputation/settlement rate	10	 1
12	Recommen. – lawyer in previous case	8	 4
13	Repeat business – with lawyer	9	 4
14	Recommendation – by directories	14	-
15	Marketing activity	15	-
16	PR Activity (e.g. articles, speeches)	17	 1
17	Recommendation – by other mediators	16	 1

Developing a Mediation Career in a Competitive Market cont.

This ranking suggests that the professional reputation of the mediator, “*experience/status*”, “*background/qualifications*”, and “*mediation style*” are all key factors in securing initial appointments, alongside “*location*”, “*sector experience*”, “*recommendation by provider*” and “*fee levels*.”

These personal characteristics around professional reputation remain important as mediators’ careers progress, as do provider recommendations. Lower down the list, however, it is perhaps unsurprising that the significance of recommendations from previous clients falls away but recommendations and repeat business from lawyers become increasingly important, more so than fee levels.

It is also notable that, as in previous Audits, mediators continue to have relatively low regard for the value of marketing and PR activity and directories. This might suggest that mediators are generally following relationship-building strategies to promote themselves or, alternatively, that they are not interested in doing any PR or marketing work for themselves. Finally, given the generally solo nature of much mediation practice, it is unsurprising that recommendations from other mediators (as opposed to providers) is very lowly rated.

Individual mediators’ comments provide further insights into their views about how the marketplace is currently operating. When asked about what changes they have seen in the factors that influence individual appointments since they started their career:

- Many describe a more sophisticated market with more knowledgeable lawyer purchasers. It is also suggested that, as decision-makers have become more experienced, they are becoming more specific about what kind of mediator they want.
- Overall demand for mediation services has risen with increased knowledge and changes in the court system. However, there is still a strong view that there are too many mediators pursuing too few cases.
- Less specifically, mediators complain that, as the market has become more sophisticated, it has also become more conservative, with more appointments going to “*the tired and trusted names*”.

Developing a Mediation Career in a Competitive Market cont.

- Lawyers having their own lists of preferred mediators was also seen as problematic, and there were suggestions that a two-tier market has developed with higher value cases generally going to mediators who have established relationships with law firms whilst obtaining lower value work requires extensive personal promotion work, including with providers whose panels can be difficult to get onto.
- Mediators also highlighted the further growth of barrister mediators and increased specialists, with some even going so far as to suggest that the days of the generalist mediator are numbered.

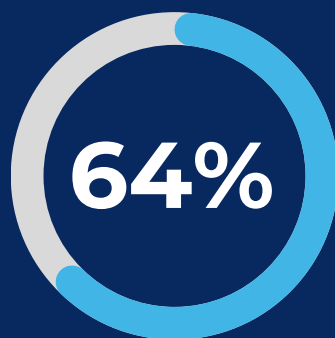


03. Mediation in the era of Artificial Intelligence

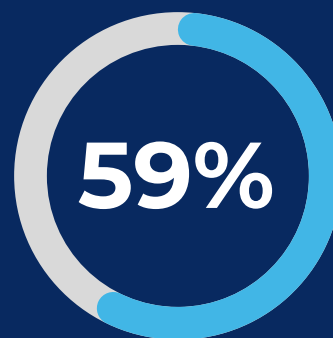
With Artificial Intelligence (AI) applications now emerging across nearly all sectors of business and society, this year's Audit included a number of questions designed to gather mediators' views and experience on this topic.

We asked mediators if they have ever considered using AI tools within any element of their mediation practice, and also whether they have then gone on to actually use it:

AI Use



**Have you considered
using AI?**



**Have you actually
used AI?**

On the face of it, these figures are surprisingly high for what is clearly still a very new, and quite controversial, area of application. However, our further questions revealed that so far mediators are looking at AI applications that might assist them in certain administrative aspects of their role, rather than looking for AI to be a key element of how they delivered their service:

- Specific AI tools mentioned by mediators were ChatGPT (by far the most frequently mentioned), Microsoft's Copilot, Google's Notebook LLM and Gemini tools, Otter.ai and Bently.

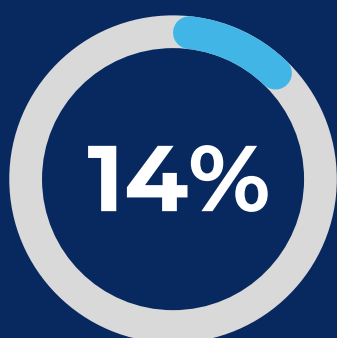
Mediation in the era of Artificial Intelligence cont.

- Mediators are using AI particularly as a document summarisation tool to speed up their preparation work – and one respondent also mentioned using ChatGPT to check for inconsistencies between party statements.
- Meeting transcription/summarisation is a further common use. In addition, a number of mediators mentioned using AI tools for Sentiment Analysis (a technique used to extract sentiments, whether positive, negative, or neutral, from large volumes of material).
- AI tools are also being used to research basic legal points, including tracking down source judgments or other official documentation.
- Finally, a few mediators are starting to use AI tools to assist them in planning mediation structures, scheduling meetings and, in a very few instances, suggesting discussion topics, potential negotiating strategies and settlement proposals.

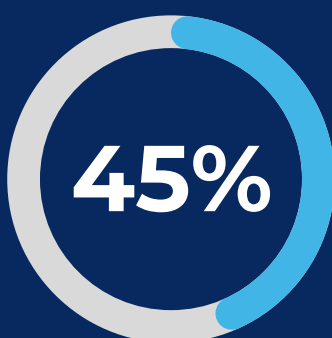
None of our mediator respondents indicated that they had ever utilised an AI tool as part of their direct engagement with parties. AI is not being entrusted with making decisions in mediation or in communicating directly with parties but, rather, its use is developing as an assistant to complement and augment the mediator's capabilities, but not to substitute for them.

Our own AI-assisted Sentiment Analysis of mediators' views about the use of AI tools within their mediation practice, revealed a very mixed pattern of responses:

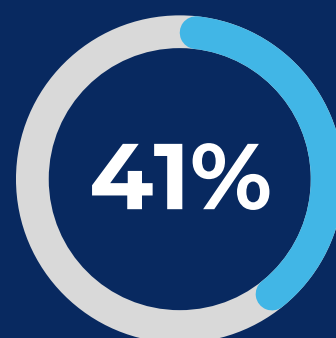
AI Sentiment Analysis



Positive



Neutral



Negative

Mediation in the era of Artificial Intelligence cont.

A more detailed consideration of individual responses revealed far more nuances in mediators' views:

- The majority of the more positive views referred to the benefits of the specific administrative assistance that AI tools could provide to reduce the mediator's workload (for example, by reducing reading time).
- **Negative views included:**
 - Concerns about the maintenance of confidentiality if client data was being uploaded to online AI platforms;
 - Concerns that clients expected to be paying for a mediator's own work rather than output from an AI tool;
 - Concerns that the human element of mediation would be lost; this point was frequently made alongside an observation that AI systems do not have the same level of emotional intelligence as the human mediator;
 - Concerns that mediators might get lazy and become overly reliant upon AI.
- One sceptical mediator pointed to risk arising from the emerging use of video AI (also known as deep fake avatars) to attend online meetings.
- Amongst the neutral group, a significant proportion of mediators suggested that it is too early to reach firm conclusions about the possible use of AI. Hence, many are taking a watching brief and are waiting to see how the field develops. Many also admit that this is not an area where they have significant expertise.
- Within this group, there is also a view that, whether mediators choose to use AI tools or not, it is likely that parties and their legal advisers will continue to do so. Hence, it will be incumbent upon mediators to understand more about AI just to keep up.

Mediation in the era of Artificial Intelligence cont.



In summary, the mediation community have yet to be persuaded about the merits of AI, although many admit that they still have a lot to learn. There is a lot of scepticism about whether or not a human mediator can ever be replaced by AI, but early adopters are finding that it can provide them with tools which ease some of the administrative aspects of their work. The ethical aspects also require further consideration – many have highlighted potential concerns around confidentiality, but only a small minority have mentioned other ethical considerations such as transparency and responsibilities for error checking.

04. Market Regulation

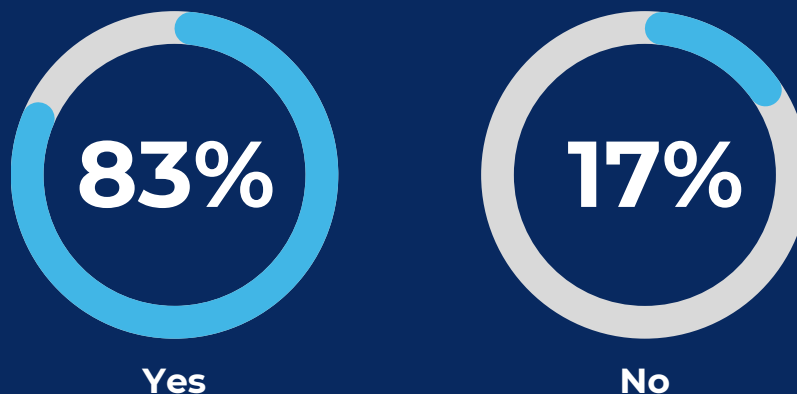
In previous Audits, we have established that there is overwhelming support (88%) in favour of regulation, with the Civil Mediation Council as the preferred body (82%).

Hence, in this year's Audit, we chose to ask a more open question about where mediators saw the commercial mediation field going in terms of changes to professional regulation. This revealed a strong sense amongst mediators that more regulation was coming, driven largely by the public policy consideration of requiring mediators to comply with prescribed standards if the process was to be court-mandated.

Of those mediators who expressed an opinion, 83% indicated that they would welcome such a development. No views were expressed as to the nature and extent of that regulation beyond a suggestion that this should build on the work that the CMC has done in recent years, and there should be no attempt to reinvent the wheel through a new or additional regulator.

Amongst the 17% who would not welcome regulation, the primary grounds for objection were that it was unnecessary (as there were other ways to weed out under-performers) and the implementation of a new regulatory regime would, by definition, involve increased costs of registration and compliance.

In Favour of Regulation?

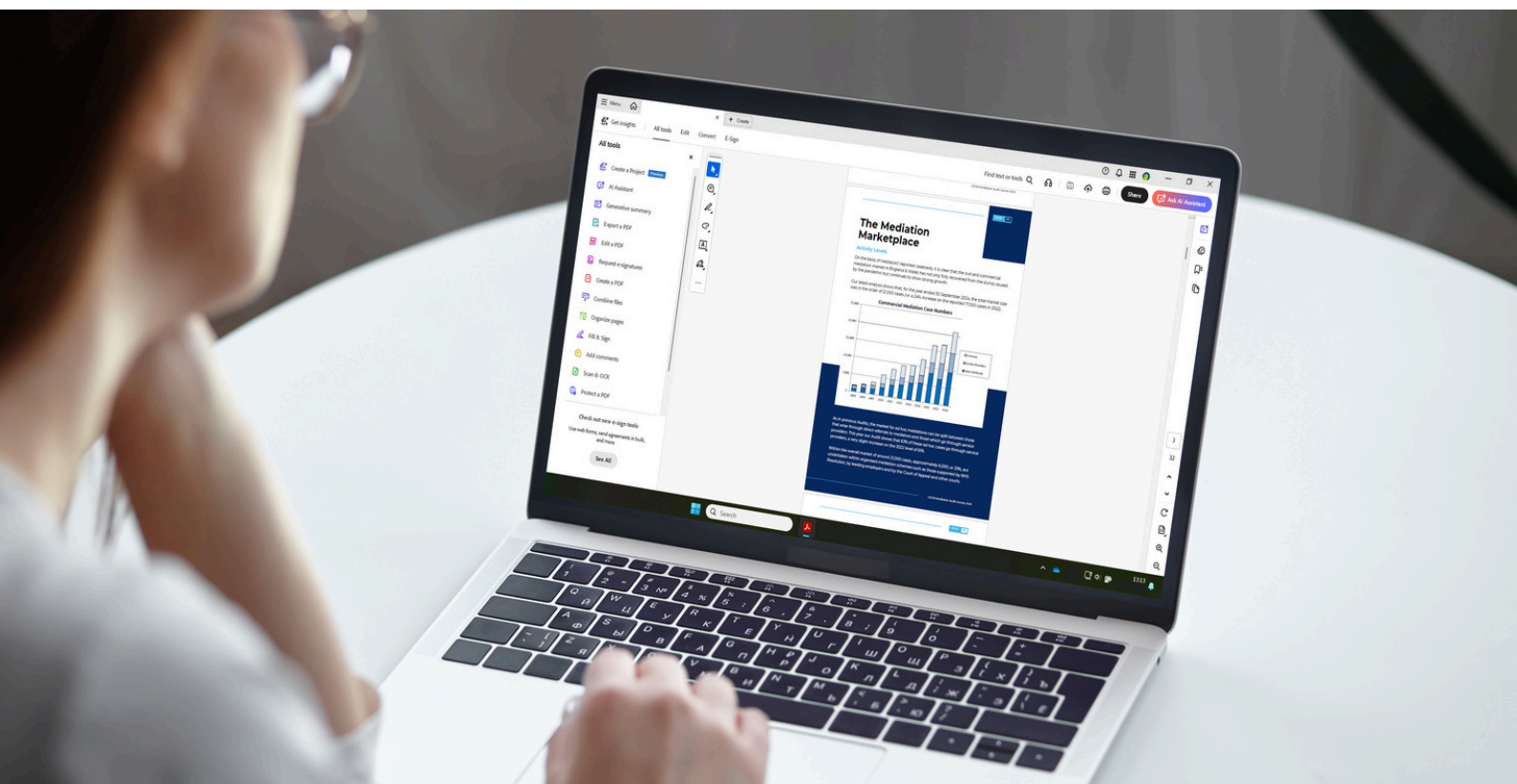


05. Future Growth Areas

Mediators' views as to which types of dispute or sector are likely to see the most growth in mediation usage over the next two years are largely unchanged from our previous Audit.

General civil and commercial disputes remain the most frequently mentioned likely growth area, whilst Employment/Workplace, Professional Negligence and Personal Injury were also prominent. Mediators also suggested that the current economic climate was likely to contribute to increased mediation of Banking, Finance and other Debt-related cases. Contentious probate, Shareholder, Government and Environmental cases were also highlighted as potential growth areas.

In addition, the Court's moves towards mandatory mediation were identified as being likely to prompt a growth across the board, but particularly in relation to lower value claims.



CONTRIBUTION OF THE FIELD

Finally, by combining the results of the Mediation Audit surveys with detailed operational statistics taken from CEDR's own caseload, we can update our assessment as to the overall economic impact of the commercial mediation field as a whole:

£20bn

The total value of cases mediated (i.e. the amount at issue) can be significantly influenced by the impact of mega-cases. If, however, the effect of such cases is excluded, this is the value of yearly cases mediated

£195bn

Since 1990, effectively the launch point of civil and commercial mediation with England & Wales, the total value of mediated cases is approaching £195 billion

£5.9bn

By achieving earlier resolution of cases that would otherwise have proceeded through litigation, the commercial mediation profession will save business around £5.9 billion a year in wasted management time, damaged relationships, lost productivity and legal fees.

£50bn

Since 1990, the mediation profession has contributed savings of £50 billion.

£65m

By way of a comparator to these figures, our Audit results suggest that the aggregate value of the mediation profession in terms of total fee income is around £65 million.

90:1

Mediation is delivering a Return on Investment to society of around 90:1

Conclusion

This Eleventh Mediation Audit confirms a profession that has matured significantly while continuing to evolve in response to new challenges and opportunities. The results depict a landscape that is both resilient and adaptive, shaped not only by internal developments but also by wider commercial, regulatory and societal influences.

Most notably, this year's Audit reflects a market that has not just recovered from the pandemic era but is now operating at record levels of activity. The rise in the number of civil and commercial mediations signals a broad and deepening recognition of mediation's value across the legal and business communities.

Yet, despite this growth, there remains a persistent sense of under-utilisation, an untapped potential that both energises and frustrates practitioners. Many mediators continue to report under-employment in contrast to the overall rising demand, highlighting the structural asymmetries and market concentration that continue to characterise the field.

There are encouraging signs of greater professionalisation and alignment with user expectations. The increasing willingness of parties to embrace online mediation as a permanent option rather than a temporary fix is one such shift. It reflects the flexibility and user-centred ethos that underpin mediation's core appeal.

Similarly, the rising emphasis on soft skills, emotional intelligence and party empowerment, consistently echoed in mediator reflections, suggests a deepening understanding of what constitutes value in dispute resolution beyond mere efficiency.

At the same time, the findings hint at remaining tensions. The ongoing debate about mandatory mediation, questions around diversity and inclusion, and the lack of a clear career pathway for newer mediators remain unresolved. These issues demand not only sector-wide dialogue but also structural reform if mediation is to fully realise its promise of accessibility and fairness.

Ultimately, this Audit presents a portrait of a profession that is thriving but not yet fulfilled; one that commands growing respect but still grapples with issues of access, equity, and sustainability. It is clear that the next phase in the development of mediation in England and Wales will depend not just on increased activity, but on conscious efforts to widen participation, broaden understanding, and ensure that mediation serves all those who could benefit from it.

Graham Massie
CEDR Director

More Information

The Mediation Audit is a biennial initiative undertaken by CEDR as part of its public mission to cut the cost of conflict and create a world of choice and capability in conflict prevention and resolution. CEDR is grateful for the support of its members

For further details, see our website: www.cedr.com

Video

In this insightful discussion, Graham Massie, primary author of the CEDR Mediation Audit, and Kelly Stricklin-Coutinho, Chair of the Civil Mediation Council, delve into the key findings from the 2025 CEDR Mediation Audit. Drawing on the comprehensive body of data, they examine the current state and evolving landscape of mediation in the UK.

