

Q&A on Family Arbitration

What is Arbitration?

Arbitration is a form of dispute resolution in which parties appoint an arbitrator, who will make a decision that will be final and binding between them. It is an alternative to applying to court. Arbitration can only take place if both parties agree to it.

What can Arbitration cover?

Family Arbitration is separated into two schemes; *Finance Scheme and Children Scheme*.

The Finance Scheme deals with financial and property disputes between separating parties. You can use the arbitrator for the whole process or just parts of it that you are stuck on.

The Children Scheme deals with issues between parents or other people holding parental responsibility or where issues relate to a child's present or future welfare. Issues in dispute could be, contact or living arrangements or where a child should go to school. It does not deal with taking children abroad.


Who makes the final decision?

Arbitration is intended to be binding. When you agree to arbitration you are agreeing to follow the arbitrators decision.

At the end of the arbitration you will receive a decision. The arbitration will be respected by the Court and it will be made an Order of the Court upon request

You should be aware that when entering the process an appeal of the decision is only possible if there has been a serious irregularity or an error of law.

What are the benefits of Arbitration?

- **Speed.** You can fix a date for your arbitration almost immediately.
 - **Confidentially.** Only people everyone agrees to are entitled to attend so you can keep things out of the public eye
 - **Bespoke Service.** Arbitration can be tailored to both parties needs, this includes choosing your arbitrator, location, time and the date of meetings.
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Who could be my arbitrator?

At David Gray Solicitors we have two arbitrators - **Lucy Mead (finances) & Elspeth Thomson (children)** - who are both experienced family lawyers and ready to answer any questions you have about the arbitration process.

If you are interested in finding out more please contact Louise Law on 0191 243 8163 or email louise.law@davidgray.co.uk.

For more information on Arbitration:

<http://ifla.org.uk/divi/wp-content/uploads/Public.pdf>

<https://www.familyarbitrator.com/arbitration/procedural-summary>

