



# Tribunals, Courts and Enforcement Act 2007

## 2007 CHAPTER 15

### PART 1

#### TRIBUNALS AND INQUIRIES

#### CHAPTER 2

#### FIRST-TIER TRIBUNAL AND UPPER TRIBUNAL

#### *Miscellaneous*

#### **24 Mediation**

- (1) A person exercising power to make Tribunal Procedure Rules or give practice directions must, when making provision in relation to mediation, have regard to the following principles—
  - (a) mediation of matters in dispute between parties to proceedings is to take place only by agreement between those parties;
  - (b) where parties to proceedings fail to mediate, or where mediation between parties to proceedings fails to resolve disputed matters, the failure is not to affect the outcome of the proceedings.
- (2) Practice directions may provide for members to act as mediators in relation to disputed matters in a case that is the subject of proceedings.
- (3) The provision that may be made by virtue of subsection (2) includes provision for a member to act as a mediator in relation to disputed matters in a case even though the member has been chosen to decide matters in the case.

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*Status: Point in time view as at 17/12/2009.*

*Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Section 24 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (4) Once a member has begun to act as a mediator in relation to a disputed matter in a case that is the subject of proceedings, the member may decide matters in the case only with the consent of the parties.
- (5) Staff appointed under section 40(1) may, subject to their terms of appointment, act as mediators in relation to disputed matters in a case that is the subject of proceedings.
- (6) In this section—
- “member” means a judge or other member of the First-tier Tribunal or a judge or other member of the Upper Tribunal;
  - “practice direction” means a direction under section 23(1) or (2);
  - “proceedings” means proceedings before the First-tier Tribunal or proceedings before the Upper Tribunal.

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