



**The Lord President's Private Office**  
Parliament House Edinburgh EH1 1RQ

23 August 2019

**By e-mail only**

**Margaret Mitchell MSP**  
**M2.11**  
**Scottish Parliament**  
**Edinburgh**  
**EH99 1SP**

Dear Ms Mitchell

**Consultation –Mediation (Scotland) Bill**

I refer to your request for responses to your consultation on your proposed Mediation (Scotland) Bill. I now respond on behalf of the Lord President.

The Lord President has seen the response which has been issued by the Scottish Courts & Tribunals Service, and he agrees in general terms with that response.

He wishes to add that he considers that mediation may be useful in many, but by no means all, situations. However, he considers that the introduction of compulsory referral to mediation, along the lines proposed, is likely to increase the cost of litigation in many instances, and impact upon the justice budget, given that a cadre of mediators would have to be identified, trained, supervised, regulated and paid.

Yours sincerely

*'R. Flinn'*

**R W Flinn**  
**Legal Secretary to the Lord President**