

What is a Consent Order and do I need one?

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A Consent Order is an agreement that makes financial arrangements legally binding, usually used in the context of divorce proceedings.

Aim of a Consent Order

A Consent Order aims to avoid future disputes and ensure that your financial arrangements are secure and enforceable by law.

- Without a Consent Order, agreements between parties are not legally binding, leaving room for one party to change their mind.
- A Consent Order helps you achieve a clean financial break and clear legal obligations post-separation.

Why can't I just have an agreement through Mediation?

Through the process of Mediation you can create a clear structure for both parties to follow; a Consent Order makes this structure enforceable which offers peace of mind and security.

The process of getting a consent order

First step – reach agreements

You firstly negotiate plans for your assets, agreeing financial settlements and things such as property division. This negotiation can take place through Mediation or via solicitors. Mediation is a quicker and more cost-effective way of having these discussions and exploring options.

Second step – draft Consent Order

Once an agreement is reached, it is drafted into a formal document by a solicitor.

If you are attending Mediation and don't have a solicitor, don't worry; one person must attend with a solicitor once Mediation is complete. This keeps legal costs to a minimum as the Solicitor is only instructed to draft the Consent Order.

Third step - submit to court

The Consent Order is submitted to the court for approval. The court's role is to ensure that the agreement is fair and reasonable before granting the Consent Order.

Time Scale

Attending Mediation to negotiate financial arrangements averages 2-3 joint sessions over 3-4 months.

Drafting of the Consent Order by a solicitor averages 2 months and costs approximately £600-1000 (often shared between you and your former partner).