



## Sir Henry Brooke, Chairman, welcomes you to Trust Mediation



“This organisation is unique - it draws on the best ideas of established players and then takes them to the next level: Trust Mediation is a not-for-profit organisation whose members are committed to mediation. Its directors are highly experienced volunteers who will not be paid for their board duties, and it provides notable personal injury mediators nationally for a fixed modest fee, using mediation suites in more than a dozen key locations. Frankly, this is exactly what mediation should be about: trust, neutrality, expertise, availability and affordability.”

See below for details of:

- the [success rate](#) – exceptional, at **90%** to date
- the [mediators](#) – all personal injury practitioners
- [fees](#) – no more than **£575 + vat** per party
- [how we mediate](#) – a proportionate **4 hour** model
- the [Advisory Council](#) overseeing Trust Mediation

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or book by phoning the Registrar on **0207 353 3237** or [email](#)

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A not-for-profit mediation service run by personal injury practitioners for personal injury practitioners at a proportionate and affordable cost

Trust Mediation Limited  
Registered in England No 06375267. Registered Office 218 Strand, London, WC2R 1AT



## Success Rate

Trust Mediation now has an **exceptional record** of settling claims economically – of the first 22 cases handled, 20 have settled on the day or shortly thereafter as a result of the mediation, a **90% success rate** which users ascribe to the fact that the mediators are skilled and deeply experienced personal injury practitioners. Cases that the parties at these mediations settled have included seemingly intractable liability disputes, quantum only cases, two (complicated) Fast Track cases and one matter where the difference between the parties was a substantial *seven figure* sum. The **efficient 4 hour model** is certainly working.

## What are you saying about Trust Mediation?

*“Skilled and knowledgeable mediator, who carries a weight with his presence.”* **“The mediator did an excellent job.”** *“(The mediator) played an important role in bringing together the parties in a difficult and tragic case, where emotions were running high.”* *“...it went very well ...the mediation process*

*“An excellent result with the Mediation Service being a pleasure to deal with.”* works well, saves time and costs and saves stress for clients.” *“Very positive process and it delivered on its promise.”*

**“Superb.”** **“Excellent.”** *“The mediator could not have been more pleasant nor more professional.”* **“I was very impressed with the whole experience + would certainly recommend it to others.”** **“Excellent, in difficult circumstances.”** *“Excellent – (the mediator) also telephoned me to discuss aspects of the case which gave me confidence.”* **“Without doubt (I would use mediation again.)”** *“(The mediator) was very pleasant and explained things very well.”*

*“(The mediator) put my partner and I completely at ease, was very friendly and explained things to us in a way we understood.”* *“This was not an easy mediation and (the mediator) was patient and diplomatic throughout the mediation.”* *“(The mediator) had obviously read the papers and knew the issues.”* **“Very good.”** *“Put all parties at ease from the start.”* *“Very impressed with (the mediator), showed she had detailed knowledge of the case and the issues being discussed.”*

*“The mediation was conducted in a professional manner, with all parties present being given an equal opportunity to speak and ask questions.”*

*“(The mediator) was very approachable and client was comfortable.”*

*“Ran very smoothly and was well structured. (The mediator) kept matters moving progressively forwards, culminating in a successful settlement.”* **“Excellent: had clearly read the papers.”** *“Very clear.”* *“Very good. It was particularly helpful that (the mediator) was familiar with the personal injury field.”*

**“(The mediator) had a very good manner with the claimant but at the same time asked effective and probing questions of both parties.”**

*“Excellent. In Particular, very proactive opening session with questioning.”*

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## Trust Mediation mediators – experienced personal injury practitioners

Ctrl + click on the mediator to go to the CV on the website (or phone us and we will send all the CVs)



Frances McCarthy



Judith Kelbie



Sir Henry Brooke



Jonathan Dingle



Tim Wallis



Martin Cockx

Trust Mediation's friendly Registrar is here to help.

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## Trust Mediation fees – affordable and proportionate

### Trust Mediation fees – in a nutshell

	<b>£</b>
Mediation Fee	1,000
VAT (if applicable)	150
Administration Fee	150
<b>Total =</b>	<b>1,300</b> (or £1,150 where no vat is payable)

This is £650 per party (£575 per party where no vat is payable).

### Trust Mediation fees – the detail

Trust Mediation operates a fixed price menu for a **4 hour mediation**. The mediator is paid £1,000 (plus VAT, where appropriate). The administration fee of £150 is to cover the cost of administering the process and the running costs of Trust Mediation. The total cost for the mediation is therefore £1,150 together with the relevant VAT. If the parties and the mediator agree to extend the mediation beyond 4 hours there will be an additional fee based on a rate of £150 per hour, together with the relevant VAT.

**Preparation, reading, the mediator's travel, and the mediation of up to four hours are *included in the fee*.** The venue for the mediation, and any cost for the venue and refreshments, is the responsibility of the parties (save in cases where the mediator can provide a venue). There are no hidden extras.

Fees are usually paid in advance by the Defendant where liability is not disputed but in many cases the parties agree that they will each pay half in advance (£575 plus any VAT) and then deal with the costs of the mediation as part of the claim. The parties are free to agree such terms on costs, as between themselves, as they think appropriate. The Mediation Agreement, however, provides for a presumption that, unless otherwise agreed or ordered, mediation fees and the parties' legal costs and expenses shall be costs in the case. Parties and their lawyers should consider what costs arrangements are suitable (whether the case settles, or whether it does not) prior to the mediation.

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## Trust Mediation – how Trust Mediation mediates

Trust Mediation uses “**facilitative mediation**” which means that the mediator helps the parties reach a settlement and does not evaluate the claim or offer an opinion about the merits. The mediator, however, will be an experienced personal injury practitioner, so he or she will understand the claim and be able to “reality test” what both/all parties put forward to advance or defend the claim. Trust Mediation’s **efficient 4 hour mediation model** is **affordable and proportionate** in respect of both time and cost.

The following documents on the Trust Mediation website provide further details about the mechanics. (Just press ctrl + click on the document to go directly to it.)

- [Trust Mediation Information Letter](#)
- [Trust Mediation Model Mediation Offer Letter.](#)
- [Preparing for mediation](#)
- [Mediation Agreement](#)
- [Trust Mediation's Mediation Rules](#)

## Questions?

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## The Advisory Council overseeing Trust Mediation

The objectives of the Council are to oversee the work and function of the Board of Trust Mediation, advising it how better to promote and discharge its not-for-profit mediation activities.

The members of the Advisory Council are:

- [Lea Brocklebank, Bond Pearce LLP](#)
- [Greg Cox, Colemans - cttts](#)
- [Colin Ettinger, Irwin Mitchell](#)
- [David Fisher, Axa Insurance](#)
- [Nick Gunter, Fortis](#)
- Gary McFarlane
- [Tony Newman, Allianz](#)
- [Rodger Pannone, Pannone LLP](#)
- [Rocco Pirozzolo, QBE Insurance \(Europe\)](#)
- [Terry Renouf, Berrymans Lace Mawer](#)
- [Paul Ryman-Tubb, Motor Insurers' Bureau](#)
- [John Spencer, CS2 Lawyers Limited](#)
- [John Usher, legal advisor to Unite](#)

Ctrl + Click on the name to go to the website of the organisation represented.

The last word goes to the **Master of the Rolls**, Sir Anthony Clarke MR, who said at APIL's 2008 annual conference:

*"My own view is that (mediation) has a valuable role to play in most types of case, including PI cases..."*

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