



Brian Dawson

Mediator since 1996

Civil Mediator Council Registered Mediator

NHSR approved Mediator

Specialist areas: clinical negligence, personal injury, inheritance, costs

Background and approach

Brian was formerly Senior Partner at Walker Smith Way Ltd, and subsequently the Head of Clinical Negligence at the Chester office of Slater and Gordon.

Brian is a Deputy District Judge.

Prior to becoming Senior Partner at Walker Smith Way, Brian worked his way up to the role of Head of Personal Injury, representing claimants in a mixed caseload of personal injury and clinical negligence.

Brian has extensive experience in clinical negligence gained from over 30 years of specialising in this area. He became an AVMA Panel member in 1996 and a Law Society clinical negligence panel member in September 2002. He headed up the catastrophic injury clinical negligence team at Slater and Gordon in Chester and dealt with serious cases, including spinal and brain/birth injury claims on a daily basis.

Although Brian dealt exclusively with clinical negligence claims at the end of his time in practice, he was a member of the Law Society Personal Injury Panel with extensive experience in personal injury and disease, ranging from relatively modest claims to catastrophic brain and spinal injuries.

He deploys oral and written communication skills in mediation, in training sessions and preparing training materials over many years operating as a lawyer, mediator and as a Deputy District Judge, requiring an understanding of and commitment to respect for equality and diversity.

Brian's various roles have involved dealing with complex issues of confidentiality throughout his legal, mediation and judicial career in various posts, all of which demanded the ability to liaise effectively with a range of stakeholders as well as flexible time management and the ability to meet deadlines.

Both in his role as a DDJ and as a mediator Brian has a proven record of total impartiality, sensitivity, oral and written communication skills, respect for diversity, confidentiality, flexibility in relation to time management and the ability to meet deadlines, along with a willingness to liaise in a timely manner with a range of stakeholders.

Indeed, appointment as a Deputy District Judge involves an evidence based initial assessment of all the above skills and attributes, which they must continue to display at every annual or bi-annual appraisal.

Brian has also developed a particular interest in costs in 1999 helping various Trade Unions to set up Collective Conditional Fee Agreements and funding for their Legal Services and dealing with various costs issues on their behalf for a number of years.

As a Deputy District Judge, Brian has dealt with personal injury, clinical negligence, costs and costs and case management from a judicial perspective.

Mediation experience

Brian was accredited as Mediator by ADR group in 1996 and CEDR (Centre for Effective Dispute Resolution) in 2001 and is also a Member of the Association of Northern Mediators.

He took part in the Central London County Court pilot and set up a local County Court scheme chaired by His Honour HHJ Halbert and helped run it for a number of years.

Brian has mediated in diverse civil actions including a significant number of Inheritance, Personal Injury and Clinical Negligence matters.

Brian believes that an extensive experience in general civil litigation Clinical Negligence and Personal Injury Litigation and in mediating those claims and inheritance matters over many years and a specialist knowledge of the field, provides an insight, which is invaluable in identifying the issues and the needs of the parties and helping the parties to resolve them.

Although Brian has acted for Claimants throughout his career, he strongly believes that being and being perceived impartial as a mediator and Deputy District Judge is vital and has found no issues so far as obtaining the trust of the parties at a mediation is concerned. In both roles, he works effectively with a range of clinical and non-clinical staff and other stakeholders, including patients, families and unrepresented claimants.

Over the last 5 years Brian has mediated 70+ clinical negligence cases ranging from multi-million pound birth injury cases to modest value (but of huge importance to the claimant) fatal claims.

Brian has a good working relationship with a number of panel NHSLA firms and claimant firms, reflecting an ability to work constructively with all parties. Brian has regularly given training on mediation through his position with Trust Mediation and privately.

Brian has conducting both facilitative and evaluative mediations, in-person, via online platforms such as Microsoft Teams and Zoom and also hybrid formats where the parties are both online and attending in-person;

Memberships & Qualifications

Deputy District Judge

Member of the Civil Mediation Council

Brian Dawson is a director of Trust Mediation and a member of their Personal Injury and specialist Clinical Negligence and Inheritance dispute panels. He is also a director of Trust Arbitration and a member of their arbitration panel.

Testimonials

"Brian Dawson was one of the four founding minds behind the creation of the pioneering Chester Mediation scheme which was based at Chester Civil Justice Centre and which ran from 2004 until absorbed into the (marginally less effective) National Scheme in 2008. The Chester Scheme was one of the most successful schemes in the country. It settled 81.4% of the cases referred to it and Brian's role in liaison between the Court and the Association of Northern Mediators was vital to this success." HH Derek Halbert, former Designated Civil Judge for Chester and North Wales.

"Brian Dawson's mediation style was just what was needed in a case that was causing my client considerable anxiety and concern. He was the key to securing settlement." Elizabeth Tythcott, Barrister.

"The structure and manner of the process you adhered to was fantastic in resolving an issue that has been present for nearly two years where we were able to close the issue off and move our lives forward in a safe and positive manner." Michael Griffiths, Client

"This was my first experience of mediation and Mr Dawson certainly impressed. He put my client at ease, identified and had a good grasp of the issues early on and supported both sides in reaching an agreement, despite the parties having a long history of litigating against one another. I would definitely recommend." Alex Mitchell, Solicitor and Partner, Watsons Solicitors

"Brian has a relaxed and engaging manner which puts the client at ease and assists in achieving settlement." Julie Case, Barrister

"His skills as both a negotiator and as a mediator are formidable." "He is pleasant, courteous and approachable. I have no hesitation in recommending him as a mediator". HH Derek Halbert, formerly Designated Civil Judge for Chester Civil Justice centre.

Contact: Registrar@TrustMediation.org.uk

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