



Paul Balen

Solicitor qualified in 1977

Mediator since 2004

Civil Mediation Council Registered Mediator

Specialist areas: Clinical negligence, personal injury, defamation, product liability and group actions

Paul was educated at Nottingham High School; obtained a First Class Honours degree in Law and was President of the University Law Society at Cambridge. He was articled at what is now Freeths in 1975; qualified as a solicitor 1977 and became partner in 1980 where for the last 16 years he has been a Consultant currently on a very part time basis.

He was President of the Nottinghamshire Law Society 2005-6; President of the Nottinghamshire Medico-Legal Society 2007-8; and Secretary of APIL 1998-2000. He was one of the first Senior Fellows of APIL; is a former Chief Assessor for the Law Society Clinical Negligence Specialist Panel and is accredited as a clinical negligence practitioner by APIL and AVMA. He prepares assessment for the APIL Clinical negligence specialist panel and for APIL corporate accreditation.

He is the Editor of a textbook "Clinical negligence" published by LexisNexis in which he personally contributes the chapters on inquests and on the use of ADR in clinical negligence cases.

With 50 years' experience working in a professional environment where confidentiality is paramount; over 20 years as Chair of a Charity; 15 years as Chair of a successful family company and 15 years as a public-school governor, 8 of which were as Chair, Paul has wide-ranging experience of communicating with interested parties and stakeholders in both the public, commercial and charity sectors. Since its inception in 2016 his reputation and contacts have enabled him to liaise productively with all stakeholders involved in the success of the NHS Resolution Mediation scheme for which he has been the Trust Mediation contracts manager and enabled him to deal proactively with parties bringing cases to mediation under the scheme.

Extensive Personal Injury and Clinical Negligence expertise

As a solicitor Paul has over 45 years' experience in advising in a wide range of complex clinical negligence and personal injury cases. He has a national reputation for the coordination of multi-party actions and the creation of compensation/alternative dispute resolution schemes in groups of clinical negligence and medical product claims.

He has been described in Chambers as "like a dog with a bone" when given a difficult case. "He's incredibly clever and hard-working and he gets results," "He is particularly commended for his strategic thinking". He "knows what's what," say commentators. He is famed for his "extremely professional" demeanor and his "sensible approach. He is consistently reported to be "one of the most highly rated practitioners in the country".

Holistic approach

Paul's approach with clients is renowned to be holistic. He has been involved in the implementation of safer procedures within the NHS through meetings with the CMO; membership of the paediatric sub-committee of the former Patient Safety Agency and through the publication of case notes, lectures and training sessions. He has been commended for this in judgments in both the Court of Appeal and High Court. He routinely proposed ADR resolution of his cases. In one of his last cases, he received judicial approval of a multi-million pound cerebral palsy settlement achieved after adopting a collaborative approach with the defence solicitor which resulted in settlement without any relevant court directions, adversarial discussions or expert meetings. In his part time role as a consultant, he regularly supplies opinions, risk assessments and dispute resolution advice to colleagues running cases.

Mediation

It was building on his interest in and use of ADR settlement schemes that led Paul to qualify as a mediator with the ADR Group in 2004. Since then, has mediated around 350 cases including personal injury, clinical negligence, probate, sport and commercial disputes. Over 250 of those cases have been under the NHSR Mediation Scheme. He has also mediated a dispute between two national professional sports bodies; a young professional sportsman and his club; and a multi-party consumer action against a "Big 5" energy supplier. Some of the cases have involved acutely sensitive issues including discrimination; sexual abuse; family relationship issues particularly following serious injury or death and fertility issues. He has on occasions been requested to provide a neutral evaluation as part of the mediation process. In 2024 the Legal 500 noted that Paul "remains extremely highly regarded for his mediation work" in clinical negligence. He has been invited to lecture on mediation to a national conference of forensic accountants and has devised and participated at mediation training sessions at solicitors and insurers. He was awarded Mediator Achiever of the year at Personal Injury Awards ceremony in Manchester on 28th November 2018.

Testimonials

"Esteemed expert Paul Balen remains at the forefront of clinical negligence law, having handled the full spectrum of cases in his lengthy career. He is "very tactically minded," and "very much a respected opinion" on clinical negligence matters, sources say" (Chambers Directory 2016)

"Just wanted to thank you for your mediation yesterday. I have to confess I have hitherto been slightly sceptical of the value of mediation, working on the basis that 2 reasonable counsel could thrash out most issues."

"I have to say I was very impressed with the way you conducted matters and would be the first to concede that I very much doubt the claim would have settled but for your input." (Claimant's counsel 2009)

"I'm most grateful for the work you did to bring this case to settlement. We did not expect to leave with a deal". (Defendant's solicitor)

"I just wanted to thank you properly for all your hard work on my late husband's case, It was nice to 'meet' you last Thursday. You put me at ease, and I felt in very safe hands. I was very pleased with the outcome". (Claimant in a virtual mediation 2020)

"Paul's experience of clinical negligence work over the years, and his positive/supportive approach. He remained strictly neutral throughout, encouraging both parties to engage in discussions; remained constantly engaged with legal team and client- made our client feel at ease in expressing her hopes and opinions".

"I liked how the client was involved in the process and could give information directly to the mediator, rather than talking through lawyers. The open approach of the Defendant was also extremely beneficial and the posturing that can sometimes occur at RTMs was avoided."

"Paul communicated effectively with us throughout the day and was instrumental in both parties taking a sensible approach when looking at settlement sums".

"He provided a pragmatic commercial approach".

"Very practical approach. Good understanding of the issues and interplay between the Parties".

"He had a brilliant grasp of all of the issues and was able to make sensible suggestions throughout in order to facilitate settlement".