



Trust Mediation

Dr Chris Danbury

Mediator since 2015

Civil Mediation Council Registered Member



Specialist areas: Serious Medical Treatment, Clinical Negligence

"I'd worked previously with Chris Danbury as an expert in a case that went to the Supreme Court and thought he would be ideally placed to mediate a solution in a difficult dispute between clinicians and a family member about specific treatment during the pandemic. His unique combination of skills as a mediator and an intensivist allowed us to reach an agreement that satisfied all parties. Importantly we avoided expensive, time-consuming litigation with all the uncertainties and stress for family members and clinicians that it brings. It also allowed the family to maintain a working relationship with the clinicians at the Trust where the patient will continue to be cared for. The best possible outcome for all concerned."

Michael Mylonas QC

"I instructed Chris when relations between the patient's next of kin and the ICU clinical team had fundamentally broken down over a conflict as to what course of action was in the patient's best interests. Chris's exceptional experience and skill set in this niche field, calm authority, proactive and quietly determined manner, meant he was rapidly able to establish the trust of the family member and the professional respect of the treating team, facilitate constructive communication and formulate a pragmatic, cost-effective and mutually agreeable solution. This was a remarkable result in all the circumstances."

Sarah Williams, Legal Director, Payne Hicks Beach

Professional

Medical

Chris is a practicing Intensive Care Physician and has almost 30 years' experience as a doctor. He trained in general internal medicine and anaesthesia before switching to intensive care medicine.

He was appointed as a consultant intensive physician, at the Royal Berkshire Hospital in 2002 and moved to the University Hospital Southampton in December 2020. Chris has led dispute resolution in his ICU for over 15 years. Disputes are common in Intensive Care, with the Conflicus study showing that they occur in 80% of end of life decisions. With mortality on a typical UK ICU of 20%, this means that Chris has a large experience in resolving disputes in the most highly stressful situations. He has published in this area and is the lead editor on the textbook 'Law and Ethics in Intensive Care Medicine', which is just about to come out in a second edition. He is well known in UK intensive care medicine for his expertise in dispute resolution and is frequently sought out to lecture on the subject.

Legal:

Chris has an M.Phil in Medical Law, is Visiting Fellow in Health Law at the University of Reading and lectures on the LLB at the University. He has been in this role for over 15 years. He has a busy expert witness practice in intensive care medicine with a 50%:50% split between claimant and defence work.

Court of Protection:

Chris has an active practice as an expert witness in the Court of Protection. He is often instructed by the Official Solicitor in the most complex medical disputes. He is part of the pilot group leading mediation into the Court of Protection. He has lectured widely on the benefit of mediation in serious medical treatment disputes.

National:

Chris currently holds the following national roles:

Chair, Legal and Ethical Policy Unit of the Faculty of Intensive Care Medicine
Member, Committee of Ethics in Medicine at the Royal College of Physicians
Visitor, Medical Ethics Committee of the British Medical Association

Past appointments

Honorary Secretary of the Intensive Care Society, the national multidisciplinary body for intensive care medicine.

Member of NHS England's Clinical Reference Group for Critical Care Medicine.

Guidelines:

Chris has been heavily involved in the development of national guidance including:

Core Standards for Intensive Care Units, Faculty of Intensive Care Medicine (2013)

Guidelines for the Provision of Intensive Care Services, Faculty of Intensive Care Medicine (2015 and 2019)

Clinically-assisted nutrition and hydration, British Medical Association (2019)

Prolonged disorders of consciousness: national clinical guidelines (2020), Royal College of Physicians.

Mediation Experience:

Clinical Negligence

Chris is currently the only practicing doctor who is recognised by NHS Resolution to mediate clinical negligence disputes. His experience in medical law means that he understands and is fully prepared to examine the issues of liability, causation and quantum. At the same time, he has a great deal of experience in dealing with the emotions that can develop, both from the claimant and on occasion the defence.

He is experienced in helping parties bridge what, at first glance, appears to be an insurmountable gap.

He is on the Faculty of the London School of Mediation.

Serious Medical Treatment

Chris is experienced in mediating serious medical treatment disputes, one of very few mediators specialising in this area. He has successfully mediated disputes similar to Gard [2017] EWHC 1909 (Fam). This is an emotionally challenging area, but Chris has a high success rate with 80% of these mediations settling on the day or within the week. Even in the mediations that do not settle, there is a narrowing of the issues in dispute and the overwhelming majority of participants have said that they found the process helpful.

Qualifications

Member of The Academy of Experts (2018)
London School of Mediation (2015)
Fellow of the Faculty of Intensive Care Medicine (2011)
Fellow of the Royal College of Physicians (2010)
M.Phil (2005)
Fellow of the Royal College of Anaesthetists (1998)
MB BS (1990)

Finally, Chris Danbury comments:

- *"I am dedicated to developing mediation in healthcare in all its forms."*

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