



Trust Mediation

Lea Brocklebank
Mediator since 2005
Specialist area: personal injury



"This was not a typical mediation as no financial offers were made and it was shorter than 4 hours as one party had to leave early. It did achieve an excellent result at low costs nevertheless."

April 2014

Professional

Lea is a Partner at DAC Beachcroft Claims Ltd and was accredited by CEDR as a Mediator in 2005.

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Lea is a very experienced solicitor and Mediator. She works hard in attending to the needs of the parties and creating a settlement environment during the mediation. She is energetic and enthusiastic and is particularly attentive to Claimants who have been very seriously injured to ensure that they feel able to fully participate in the mediation. Lea qualified as a solicitor in 1991 and has practiced in the field of personal injury and insurance disputes for 25 years. She deals with catastrophic employers' liability, public liability and road traffic personal injury claims, together with medical negligence and marine related personal injury claims.

Lea is a past President of the Forum of Insurance Lawyers and was previously Chairman and a Trustee of the Wessex Neurological Centre Trust. Lea has spoken regularly at conferences and industry events organised by Insurance Times, JPIL, Central Law Training, FOIL and the International Underwriting Association. She has also been a regular commentator in the industry press on Process Reform and the Ministry of Justice Consultation on Case Track Limits and Claims Process. She has presented to insurers and Defendant Practitioners on the benefits of mediation.

She has particular expertise in relation to:

- High value catastrophic brain injury involving protected parties. Her current case load involves a number of catastrophic brain injury claims and she is the named individual lawyer for five client's catastrophic injury work.
- Occupational stress cases.
- Subtle brain injury.
- Psychiatric injury and hysteria.
- Chronic pain.
- Cases involving traumatic amputation and prosthetics.
- Spinal injury.
- Cases involving the consideration of funding arrangements for continuing future care.

Mediation experience:

Examples of mediations conducted by Lea include:

- A claim in negligence for personal injuries sustained by a Claimant caused by a dispensing pharmacist's mistake resulting in the Claimant undergoing an unnecessary operative procedure.
- A claim brought by a diabetic patient with vascular disease against a GP and NHS Trust for damages arising out of alleged management of condition and treatment.
- A claim by a prison officer for damages for injuries sustained at work during alleged assault by inmate; liability causation and quantum.

- A claim brought by a Claimant with a history of diabetes and hypertension against GP and NHS Trust for alleged failure to prescribe anti-coagulants and whether or not that would have reduced the risk of a stroke; whether or not Claimant informed of material risks and of reasonable alternatives.
- A public liability claims for damages against a local authority arising out of a tripping accident where the parties were significantly apart in respect of quantum.
- A high value public liability claim for damages where the Claimant sustain catastrophic injury leaving her paraplegic, where liability was contested by three Defendants.
- A public liability claim for damages for injuries allegedly sustained by the Claimant whilst in the Defendant's custody; liability was contested by two Defendants.
- An employer's liability claim for damages by a fisherman who was injured at sea; both liability and quantum were disputed.
- An employer's liability claim for personal injuries sustained by a Claimant on a construction site. Liability was not disputed but there was a substantial difference of opinion on causation between medical experts.
- A vicarious liability claim for damages for alleged sexual abuse against multiple Defendants; consideration of limitation issues and date of knowledge; questions of vicarious liability and quantification of losses between the Defendants.
- A substantial claim for personal injuries brought by a construction worker against multiple Defendants who fell from the roof of a warehouse under construction; liability and quantum disputed; issues around whether or not he was a sub-contractor or employee and, status and contribution of other contracting parties.
- A substantial claim for personal injuries to a Claimant who sustained orthopaedic and psychiatric injuries from a road traffic accident alleging that the accident had caused her to change her career track as a teacher.
- A substantial claim for personal injuries sustained by an elderly Claimant in a road traffic accident involving issues of ill-health retirement, pension loss and ongoing claims for DIY, gardening and household maintenance.

- A claim for substantial personal injuries and future losses sustained by a teacher. Issues involved quantification for future losses for pension, care, cleaner, gardener, farm hand and future loss of earnings.
- A substantial claim for personal injuries pleaded just under £3,000,000 brought by a Claimant who was injured in a road traffic accident as a child. Involving issues of adequate future provision, including future loss of earnings, pension, future case management and support worker, future employment of a nanny.

Feedback:

- *" Excellent grasp of papers and details of the claim. Excellent skills and knowledge. "*
- *"Her temperament and personality fit mediation very well".*
- *"Her relationship skills are very suited to mediation. She has a degree of energy, enthusiasm and personal warmth. She is relaxed and attentive to the needs of the parties."*
- *"In reality testing her quiet tone and calmness were extremely helpful."*
- *"She built up a good rapport with the parties and, more importantly, very quickly fostered a good rapport between the parties."*
- *"She was extremely approachable."*
- *"She got to grips with the issues quickly."*

Contact

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