



Trust Mediation

Tim Wallis

Mediator since 1994

Specialist areas: personal injury, clinical negligence, multi party.



The "deeply impressive" Tim Wallis has built a reputation as a specialist in mediating personal injury and insurance disputes. One market source observes that "he's a very measured individual and he's good at bridging gaps between people," while another comments that "he was very calm, collected and quietly effective."

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Professional

An independent mediator with a successful mediation career spanning two decades,

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Tim Wallis has extensive experience of a broad range of clients and claims, from individual claims to high-value multi-party disputes. Whether mediating with hard-nosed negotiators or claimants new to and unsure of the mediation environment, Tim consistently demonstrates extraordinary empathy combined with a direct and determined approach that gets results.

- **Extensive professional experience.** Tim qualified as a solicitor in 1978, was accredited as a mediator in 1994 and became a mediator full time (save for some director's duties) in 2007. As a civil litigation solicitor for 30 years he was mainly involved in personal injury, clinical negligence, professional negligence and commercial litigation. He acted for claimants, trade unions, defendants, insurers, health authorities, NHS Trusts and also for health professionals in regulatory and disciplinary matters. As a mediator he has mediated over 250 disputes including many multi party industry legal costs disputes.
- **People-focused, commercially minded.** With a natural ability to connect with people and build bridges, Tim also has the utmost clarity of purpose, with an ability to see the bigger legal and business pictures and to help parties find resolutions that satisfy both personal and business ends.
- **Personal injury and clinical negligence expertise.** Tim's litigation and mediation experience of personal injury and clinical negligence claims led him to work with Sir Henry Brooke and others to establish the specialist mediation provider Trust Mediation Ltd in 2007. He has regularly mediated personal injury claims and clinical negligence claims since then. Trust Mediation settles about 80% (clinical negligence) to 90% (personal injury) of claims on the day of the mediation or shortly afterwards. Many of these settlements are delivered by Trust Mediation's unusual 4 hour model and some from telephone mediations.
- **Clinical Negligence expertise.** By the time that the NHSLA opened the competitive tender for what is now called the **NHS Resolution Mediation Scheme** in 2016, Tim had been conducting clinical negligence mediations for 8 years. He called upon this experience and, his prior litigation practice in this area, to lead the successful Trust Mediation tender bid. Since Trust Mediation was appointed to the scheme Tim been a popular mediator in this area, conducting over 40 mediations since the inception of the scheme. These have involved a broad range of claims: high value, low value, high emotion, multi-party, pre-litigation and all stages during proceedings.

Feedback:

"Tim made the client feel relaxed, at ease and most importantly, that she had been listened to. It was a pleasant environment for settlement of a case of this nature (fatal). I would recommend [mediation] to colleagues, particularly in cases of a particularly sensitive nature...."

Claimant firm, clinical negligence mediation, March 2016.

"The mediator was able to reassure both parties of his neutrality and his role to assist and read the progress of the negotiations.

"It was extremely helpful to have the first meeting as this defined the issues and clarified for the Defence team what had blocked previous attempts at settlement. A trial would not have provided this opportunity.

"We were able to trust that the mediator was explaining our position to the Claimant. This resulted in a settlement which saved further distress for the Claimant and legal costs on both sides."

Defendant firm, clinical negligence mediation, March 2016.

- **Mediation experience – personal injury.** Tim has been mediating personal injury and insurance related claims for over 25 years. He has dealt with the full range of claims: road traffic, employer's liability, public liability, disease (individual claims and schemes), pi based professional negligence. He has found mediation particularly useful for stress claims, multi-party claims, claims involving a psychiatric element and situations where the parties are a long way apart on liability/causation and or quantum. Having litigated on both sides of the claimant and defendant divide he has a good knowledge of how trade unions, legal expenses insurers and other funders work as well as experience of working closely with insurers, re-insurers, corporate defendants and NHS Trusts and health authorities.

Recent claims include:

- RTA, two claimants, two collisions, two defendants, two insurers, six firms of solicitors representing the parties. Liability, causation and quantum.
- Stress claim. Litigant in person. 4-hour mediation model.
- RTA claim. Ten car collision. Liability. 4-hour mediation model.
- Bullying and stress claim. Litigant in person. 4-hour mediation model.
- Pedestrian run over. Quantum.
- Injury during imprisonment. Liability and quantum.
- Stress claims, various
- Catastrophic injury. Fall from height. Quantum only – costs of care.
- Brain damage. Quantum only. Family issues.

Feedback:

"I would recommend to any personal injury practitioner both the mediation process but also Tim Wallis as mediator. He was approachable, empathetic and knowledgeable having worked for both claimants and defendants."

Paul Brown, Thompsons Solicitors 7th May 2014

"We have no doubt that settlement would not have been achieved today but for the input and discipline of the mediation, ably conducted by Tim Wallis."

Claimant's Solicitor, Peter McGowan, BRM Solicitors, Chesterfield and Claimant's Litigation friend Christine Clegg. 16th August 2011

"Tim is clearly a very experienced mediator and was able to put the parties at ease in a potentially explosive situation"

John Danaher, Freeth Cartwright. March 2012

- **Multi Party – industry and legal costs mediations.** Tim has mediated many personal injury industry legal costs mediations concerning, for example, predictable costs in RTA claims, success fees and fixed fees for the Claims Portal. These high value mediations were usually hosted by the Civil Justice Council and the Ministry of Justice. The Master of the Rolls was a participant on occasions. On

most of these mediations Tim co-mediated with fellow Trust Mediation director Frances McCarthy.

This work necessitated earning the trust and respect of those leading the insurers and the representatives of those speaking for all personal injury lawyers. The experience has proved invaluable to Tim when mediating multi party civil litigation claims and it led to his appointment as Chair of Claims Portal Limited, a post he has held since 2010.

Feedback:

“Lord Justice Jackson has appointed two assessors. The assessor with carriage of the fixed fee mediations is Mike Napier. The sessions are hosted by the CJC and the Mediator is Tim Wallis who is well known to FOIL members. I have to say that Tim has carried out this role with great aplomb: it takes a great deal of skill to inspire confidence from both sides in these circumstances.”

Dan Cutts, Weightmans, Forum of Insurance Lawyers, on the Lord Justice Jackson/Civil Justice Council fixed fee mediations. 2009.

- **Recognised mediation expert.** Tim contributes the ADR sections in the White Book and in APIL Personal Injury Law Practice and Precedents. He is on the editorial advisory committee of The Jackson ADR Handbook and he has also written numerous articles on mediation for various legal journals. He runs mediation training courses for mediators and for users of mediation. He has studied mediation in North America during two visits and participated in numerous advanced mediation training courses including the JAMS judiciary course in New York and a foundation course in transformative mediation.
- **Leadership roles – board-room gravitas.** Tim was managing and then senior partner of Crutes Law Firm for the 10 years prior to 2007. (Crutes’ legal work was in the personal injury, professional negligence and health sector.) He is a director of a number of mediation companies, the former chair of an Association of British Insurers’ committee on credit hire and has chaired Claims Portal Limited since its inception in 2010. (The Claims Portal, which combines dispute resolution and technology, deals with about 1 million personal injury claims p.a.) These posts demonstrate that Tim is accepted as a dependable neutral across the civil justice sector. Further, the level of responsibility arising from these leadership posts and the portfolio nature of Tim’s professional activities call for flexible time management and the abilities to meet deadlines and to liaise in a timely manner with a range of stakeholders. He has had the role of Chair for a number of organisations since the 1990’s.
- **ADR policy.** Tim has been continuously involved in the development of ADR in the civil justice sector continuously since 1991. (Law Society ADR Committee, Civil Justice Council, Civil Justice Council’s Online Dispute Resolution Advisory Group. His work with Claims Portal and with Professor Susskind on the CJC group has led to his current involvement in projects focussing on the development of ODR.)

- **Peer recognition.** Tim is listed in the Chambers and Legal 500 directories. His work in ADR has been recognised by the following awards:
 - Mediation Achiever of the Year: Personal Injury Awards 2014
 - Lifetime Achievement Award: Claims Innovation Awards 2014
 - Lifetime Achievement: Modern Claims Awards 2016

Finally

Tim Wallis comments:

- *“My particular interests lie in ‘unsettleable’ cases and multi party claims. I enjoy a challenge!”*
- *“I believe in **preparation, persistence and a people-based approach** to mediation, while maintaining a sense of humour.”*

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