



Anne M. Coles

CEDR Accreditation: 2001

CEDR Panel Admission: 2003

Languages: English

Location: United Kingdom

***“Well prepared and very good insightful understanding
of the dynamics of the dispute.”***

Mediation Feedback

Overview

Anne Coles has been actively involved in mediation for over 20 years as a lawyer, mediator and managing director. She is an expert in dealing with difficult employment and professional partnership disputes having worked on complex and sensitive issues involving professionals and top managers for many years. A consummate diplomat, Anne commands the respect of people at all levels and is adept at getting them to start working constructively together. This coupled with her expertise in the laws underpinning professional services firms has made her particularly effective in dealing with partnership disputes.

Anne has been actively involved in the development of mediation for employment disputes serving on CEDR’s Employment Law Advisory Committee for five years. In 2003, she organised a “Think Tank” to consider the development of mediation for employment cases with major stakeholders such as the former Dept of Trade and Industry, Trade Unions, Employers organisations, ACAS and employment tribunals.

Professional Background

Anne is a specialist employment and professional services partnership lawyer. She has worked as the District Secretary to a Local Council and Head of Legal at the Law Society before going into private practice with the law firm Fox Williams. Anne is currently the principle and MD of AMC Legal, a boutique employment & HR law firm in the East Midlands.

Expertise

- Charities
- Commercial Contracts
- Employment & Workplace
- Partnership & Shareholder
- Public Sector

Dispute Experience

Charities

- An acrimonious multi-party dispute between the Trustees of the charity, three employees and the Chief Executive – an action plan to take forward agreed within 1 day.
- A dispute involving the merger of two high profile charities with various issues arising from the assimilation of the two workforces including discrimination allegations – settled within 1 day.

Commercial Contracts

- An £8 million dispute concerning the construction of a refurbishment contract to a significant and well known building – settled within 1 day.

Employment & Workplace

Anne has worked extensively in the employment law field for the last 15 years whilst at AMC Law, Fox Williams and prior to this as Head of Legal at the Law Society, she advised on strategic HR issues and acted in all senior, high profile matters at the time. She has written and lectures for the CIPD.

- Unfair dismissal and sexual harassment claim against employer and named individual.

Discrimination

Anne has acted in many high profile sex, race and disability discrimination claims and has represented both employers and individuals. She has recently acted in a gender reassignment case. A significant number of her cases have been high value claims in excess of £1million. Anne is one of the few employment and discrimination lawyers who are also regarded as an expert in discrimination in partnerships and LLPs.

- £1.3 million sex discrimination claim involving a very high profile employer - settled within 2 days.
- A difficult disability discrimination claim settled within 1 day.
- A longstanding £400,000 disability discrimination claim by a well known academic researcher against a high profile employer settled at 1 day mediation.

- A highly acrimonious sex discrimination case involving a senior women in one of the major public services.
- Two disability discrimination claims involving the same employer and two employees who worked together and who made linked claims – settled with 1 day. Claims totalled over £1million.

Pensions

- A £200,000 pension claim involving questions as to whether all or which parts of a remuneration package constituted pensionable salary - settled within 1 day.
- Anne has been responsible in her past career for advising two large occupational pension schemes.

Restrictive Covenants

- A complex dispute involving breach of restrictive covenants in an executive service agreement, injunctive relief, breach of contract claims and inducement to breach contract settled within 1 day.

TUPE

- Anne has advised in relation to a number of significant TUPE transfers and also undertaken some corporate support work.

Unfair Dismissal

- A £750,000 unfair dismissal and breach of contract claim involving a senior director with rights under a shareholder rights agreement - settled in 2 days.
- A £1million unfair dismissal/whistle-blowing claim, also involving breach of contract and breach of shareholder rights agreement, loan notes and debentures - settled within 1 day.

Workplace

In the last five years, Anne has developed considerable expertise resolving team disputes and helping teams to address differences and work out more effective ways of working together.

- Dispute between Employer and two ex-employees who had set up in competition.
- Serious dispute between management committee's member of a national well known membership organisation and the Society itself arising from an ongoing series of dispute with another member of the management committee.
- Emotive and difficult dispute between higher academic institution and a severely disabled Student concerning an alleged failure to make reasonable adjustments.
- A workplace mediation involving changes to terms and conditions of employment (including a reduction in pay and changes to working hours) settled within 1 day.
- Former employee dispute.

Partnership & Shareholder

Whilst working at the Law Society Anne became an expert in partnership law including taxation and authored the Law Society's response to a review of partnership law carried out in the late 90's. She also wrote various consultation papers on the drafts of the Limited Liability Partnership Act 2000. She has acted for an extensive range of firms from large global multi nationals down to small 2 and 3 partner firms in serious disputes where dissolution, injunctive relief and a breakup of the firm may be contemplated. She has also dealt with individual partner exits, team moves and acquisitions and disposals.

- An acrimonious partnership dispute involving challenges by several different vested interests settled within 1 day.
- A sex discrimination claim involving serious allegations against several members of an LLP – settled within 1 day.
- A partnership exit involving sex discrimination and other claims settled within 2 weeks.
- A total breakdown in relations between the two principals in a 2 partner firm settled by way of 1 day's mediation and 2 weeks of further intermediation.
- A breach of restrictive covenants and breach of duty of good faith due to a team defection settled within 1 day.

Public Sector

Anne has considerable experience of the way public authorities operate, the need for accountability and the need to keep within the legal framework. She acted in a number of the Law Society's high profile judicial review cases occurring during the 1990's. In 1998 she became the first employed solicitor to act as junior counsel in the House of Lords. She is also a trainer and lecturer in public administrative law

- A serious sex discrimination claim against several senior officers in an Environmental Health department – settled within 1 day.
- A £100,000 claim involving allegations of negligence, breach of duty of care and discrimination against Her Majesty's Prison Service settled within a few weeks after mediation.
- A dispute involving unions, staff representatives and a workforce concerning a local council's proposal to change shifts and on call rosters settled within 2 days.

Regulation

As Head of Legal at the Law Society, Anne was responsible for advising the Society on both strategic and case work aspects of professional regulation and she was also linked into a network of other professional regulators. Professional partnership clients find her deep knowledge of the regulatory field within which they operate invaluable. Her last major project whilst at the Law Society was the establishment of the current scheme for providing solicitors professional indemnity and the arrangements to put the old Solicitors Indemnity Fund into "run off". This was a complex assignment involving setting up new corporate structures and dealing with a mixture of insurance, corporate, public law, employment and data protection issues.

Other Dispute Resolution Experience

Early neutral evaluations - Anne has carried out a number of case assessments and neutral evaluations to assist the parties in understanding the strengths and weaknesses of their positions; for example Anne was asked to carry out an early neutral evaluation in relation to a serious discrimination claim against members of the armed forces which was set down for a 3 month trial. Following the issue of her determination the case settled within 24 hours.

Expert determinations - a recognised expert in the field of discrimination, partnership and professional regulation, Anne has carried out a number of expert determinations for a variety of organisations.

Work Place/Team Disputes –Collective Disputes involving Trade Unions, Works Councils and other Representative Committees – gained whilst a senior director working for public authorities, Anne was responsible for dealing with a variety of disputes including changes to pay and conditions and working practices.

- More than 20 years as a litigator operating in UK and international courts and tribunals at all levels. In 1998 Anne became the first Solicitor Advocate to appear as junior counsel in the House of Lords.
- As a former Local Government Officer, Anne is active in her local community and has worked with a number of charities helping them to resolve and avoid conflict.

Personal Style

Anne's is a tenacious, determined and creative mediator. She has also been described as "warm, direct, probing and pragmatic". She immediately demonstrates to the parties that she understands their concerns and the various perspectives to the dispute and quickly helps the parties towards taking a more realistic view of their exposure.

Feedback

- *"This was an extremely challenging mediation and one which I did not expect to succeed – thank you."*
- *I am so relieved that this dispute might finally be over. Thank you for all your hard work in getting us to this position."*
- *"We had been trying to ignore the underlying issues, you have really helped us to focus upon what we need to do to sort this problem out."*
- *"Anne showed a good understanding of the complex and intricate negotiating positions between the parties."*
- *"Her in-house experience as well as her warm open and unaffected style meant that she quickly created a rapport with the parties."*
- *"I felt that the mediation day was very successful. You were great and so easy to talk to!"*

Professional Background

2006 – to date: AMC Law – Senior Partner

2001 – 2006: Fox Williams – Consultant

1993 – 2001: The Law Society – Head of Legal and In house General Counsel

1989 – 1993: South Northants Council – Deputy Chief Executive and District Secretary

1981 - 1989: The Borough Council of Wellingborough – Borough Solicitor

1978 – 1981: Northampton Borough Council/Northampton Development Corporation

Qualifications

- BA Hons Law and Economic History
- LLM in Advanced Litigation
- Solicitor
- Higher Rights of Audience (Civil)

Other Skills

Anne regularly lectures, seminars and workshops for a variety of training organisations such as the British Standards Institute, Local Authorities, Professional Regulators, CIPD, Business Link, Transatlantic Events, Privacy Laws and Business and the East Midlands Equality and Diversity network.

Direct business experience has been gained most recently running her own law firm AMC law and previously in local government and at The Law Society as a director and member of the management team and as a senior member of a City law firm in private practice. Clients value Anne's understanding of the manager's perspective.

Coaching and mentoring – Anne has acted as confidential mentor to a number of in house general counsel from FTSE 100 and 200 companies.

Anne acts a school governor to Wellingborough School and is Chair of the Strategic Planning Committee.