



CEDR Accreditation: 2017

CEDR Panel Admission: 2019

Languages: English

Location: United Kingdom

***"Terry acted as a mediator for our client. He was helpful, calm and friendly. He identified the key points on which the parties were able to make progress and assisted them to reach a settlement on the day"***

- "Magic Mediator!" **Lawyer for party**

## Terry Renouf

### Overview

Terry Renouf was a practising solicitor in a leading dispute resolution practice acting for defendants for 30 years. He left in 2018 to become a full time commercial mediator. Terry was both Managing and subsequently Senior Partner of his practice and brings a client's perspective to the mediation process: he has not only advised on disputes but has had to take the final commercial decision to resolve the dispute.

Terry is widely respected in the insurance and risk management sector where he was recognised as a "Senior Statesman" by Chambers and Partners.

Terry is a CEDR Panel Mediator and CEDR ADR Official. His mediation includes assisting on a number of CEDR Schemes including the Central London County Court Scheme and those for the Federation of Master Builders and National Association of Funeral Directors.

Terry is also a Trustee of the Education and Training Trust of the Chartered Institute of Insurers.

### Professional Background

Terry practised throughout his career as a litigator for BLM undertaking a wide variety of work principally for defendants. Terry was both Managing and latterly Senior Partner dealing with the myriad of issues that occur when running a multi-million pound legal business. Terry has always been actively involved in seeking solutions broader than the narrow confines imposed by litigation. He initiated his firm's work in policy development. He assisted the Woolf Reforms of the late 1990s as one of the core writing team of claimants and defendants that wrote the UK's first Pre-Action Protocol. He was also extensively involved in the changes to insurance law. He lobbied, lectured and advised widely both prior to and after the enactment of the Insurance Act 2015 preparing clients for the first substantive change in commercial insurance statute law in

a century. Terry was variously recognised by the legal directories throughout his career latterly and since 2013 until he left private practice in 2018 as a “Senior Statesman” by Chambers and Partners.

### Expertise

- Insurance
- Charity
- Clinical Negligence
- Construction
- Neighbourhood
- Partnership
- Personal Injury
- Product
- Professional Negligence
- Property

### Dispute Experience

Terry Renouf spent 30 years as a solicitor, associate and partner at BLM resolving the vast majority without trial. He acted for many clients involved in tortious disputes generally but not exclusively personal injury claims. Latterly Terry’s business and partnership skills were recognised when he was appointed to be the business’s Managing and Senior Partner. Terry became involved in the many different commercial and partnership issues required to manage a large, multi-million pound, multi-site business with more than 1000 staff.

Terry became a CEDR accredited mediator in 2017, a registered mediator with the Civil Mediation Council in the same year, a CEDR Official in 2018 and came on to the CEDR Panel in 2019. Terry acts as a mediator /conciliator on CEDR scheme mediations for the Federation of Master Builders, the National Association of Funeral Directors and the Central London County Court.

Terry is also a Community Mediator for Mid-Surrey Community Mediation and “My Neighbour” (East Surrey Community Mediation).

### Commercial

- Claim for breach of contract and counterclaim for damages arising from contract to outsource appraisal and monitoring of health of substantial workforce engaged on heavy manual labour.
- Dispute about indemnity / guarantee offered by defendant following default by a Company on repayment of a revolving credit facility
- *Obtaining recovery / damages by way of judgment against a company and several intermediaries that had wrongfully acquired property belonging to the client*
- *A dispute between Bureau de Change and security company about liability for loss (arising from an armed robbery) of foreign exchange being delivered to the premises of the Bureau.*

### Construction / Property

- Dispute between property developers owning adjacent properties. Alleged trespass during re-development works and access to utilities / services.

- Dispute between related parties over appropriate division of sale proceeds of a number properties in the United States and Europe.
- Claim arising from failure to complete on purchase of residential property and counterclaim against vendor for fraud / misrepresentation.
- Dispute between Contractor and employer relating to re-development of a residential property in to a number of flats.
- Dispute between tenants in common about proportion of equity value of property where one party had made no financial contribution to the asset for a number of years.
- Dispute between property owners and builder relating to specification and construction of a loft conversion.
- Dispute between property owner and builder relating to quality of work relating to a bathroom.
- Dispute between property owner and builder relating to extension of ground floor, reconstruction of perimeter and extensive ancillary renovation to remainder of property
- Dispute between property owner and builder relating to quality of completed works and retention
- Dispute between property owner and builder relating to extent and quality of works (including allegations of fraud) and payment terms
- Dispute between property owner and builder over quality and remedial works appropriate for a contract relating to landscaping and minor building work

#### **Insurance**

Terry has throughout his career acted for policyholder and insurer on a dual retainer. The coverage issues that can arise from the need to discuss a “reservation of rights” are ingrained as are the practical issues that arise from policy limits, policy excesses and those issues that arise from policies placed in the London Market. Terry worked extensively with insurer clients in both the consultation and post-enactment phases of the Insurance Act 2015. The extensive work undertaken by Terry and his team was recognised with the Award of Commercial Insurance Law Firm of the Year 2016

- *Preparing responses to the House of Lords Special Public Bill Committee considering the Insurance Bill 2014*
- *Preparation of Guide to Insurance Act 2015 for Managing General Agents Association*
- *Advising Broker(s) on Insurance Act 2015, processes and procedures and changes to TOBAs*
- *Advising insurer(s) on necessary changes to policy wordings consequent commencement of Insurance Act 2015*

#### **Neighbourhood**

- Dispute between neighbours arising from unauthorised works / trespass on to adjoining land
- Dispute between adjoining property owners about construction of boundary fencing
- Dispute between adjoining property owners about size / height of trees alleged to be dangerous

- Dispute(s) between tenants relating to noise / anti-social behaviour

## Partnership

Terry had roles as both managing and senior partner in one of the UK's best known dispute resolution practices. The business grew and had more than 50 equity partners during his term as senior partner. Responsibilities included the transfer of partnership business to LLP, recruitment and integration of incoming and management of departing partners.

- *negotiation of agreement to acquire part of business of incoming partner including TUPE transfer of staff, WIP balances and payment terms*
- *negotiation of terms with leaving partner(s) including terms of restrictive covenants*
- *negotiation of agreement to acquire part of business of incoming partner including TUPE transfer of staff, agreement on liabilities and insurance arrangements in respect of "successor practice" issues*
- *Devising and agreeing partner remuneration structures, promotions to partnership, funding issues relating to acquisition (and corresponding issues on partner departures)*
- *Setting up a LLP structure, negotiation with banks / funders, extensive communications with clients, suppliers and staff on all issues relating to transfer of the partnership business to the LLP.*

## Personal Injury

The bulk of Terry's casework when in private practice related to personal injury claims. He was acknowledged by Chambers and Partners from 2014 to 2018 as the "Senior Statesman" within that area both for his casework and his profile on dealing with public policy issues. Terry's work included making representations to Government on reform of civil process which included drafting England and Wales' first pre-action protocol in 1998 and extensive work on the "Jackson" Reforms of 2012. Terry has advised extensively on cases arising from accidents at work, motor accidents, disease cases and public liability claims.

- \*Clinical negligence relating to failure to diagnose a child with lifetime sequelae where sum in dispute was £10m
- \*Motor accident involving a teenager who sustained head injuries with continuing losses and needs where sums involved were claimed at £5m.
- *A disease claim (asbestos / mesothelioma) where claimant was a successful businessman where valuation of his contribution to the business required complex expert evidence*

- *Advising the ABI, post-Fairchild on issues of contribution and drafting of Code of Conduct for handling of mesothelioma claims by insurers.*
- *Disease case(s), generally originating in exposure to asbestos, where contribution of defendant employers and insurers was complicated by issues of “dose”, period of employment, insolvency of employer and / or of insurer and partial contributions available from FSCS.*
- *Pursuing a case to first instance judgment to secure a finding on the trigger date for purposes of Limitation Act 1954*
- *An action brought by the estate and family of a young Doctor ordinarily resident in Sri Lanka*
- *An action arising from a head on collision caused by a motorist who had just returned to the UK and was driving on the wrong side of the road. The claimant suffered catastrophic injuries (paraplegia and blindness) necessitating ongoing care for life and extensive aids / equipment*
- *An action brought by a paraplegic teenager arising from a motor accident with consequent ongoing needs for care and equipment*
- *An action arising from a workplace accident at a steel stockyard resulting in initial minor trauma and where substantial causation issues arose when the claimant suffered a severe stroke the following night*
- *An action arising from a workplace incident where a lubricant was sprayed in to the eyes of the claimant. Ongoing symptoms were claimed but disputed amid issues arising from claimant's psychological vulnerability.*
- *An action brought in Scotland arising from a motor accident. The pursuer suffered paraplegia necessitating ongoing care, accommodation and other consequential losses.*

### **Product**

Product issues are not infrequently the initiating cause of a claim for personal injury or property loss where cases that Terry handled are in those separate summaries.

- *\*Multi-party product liability action arising from property damage consequent on failed electrical equipment which caused property damage of approximately £175k*
- *Acting for security company defending allegations of loss following alleged failure of alarm system*

### **Professional Indemnity**

Terry's experience as managing partner meant that he had responsibility for supervising his firm's complaints and claims, compliance with SRA regulations and renewal submissions

- *\*Solicitors professional negligence claim arising from failure to ensure termination of lease where sum in dispute was £2.5m*
- *\*Accountancy negligence claim arising from failure to advise on tax issues of domicile where sum in dispute was £0.5m*



Better conflicts, Better outcomes, Better world

- Mediation of numerous business to consumer disputes arising from failures to provide services to the appropriate contractual standards by funeral directors
- *Acting for surveyor in professional indemnity action resulting in Middle Eastern investor surrendering deposit monies on substantial domestic property*

#### Unlawful Detention / Misfeasance

- Claim by litigant in person for unlawful arrest / misfeasance in public office

#### Personal Style

Terry's years of experience as a senior partner means that he brings a pragmatic, calm and authoritative style to mediation. He is noted for his patience and optimism that every case can be resolved in whole or in part. He naturally empathises with parties gaining their confidence. Terry's pragmatism and years of experience managing a business mean that he explores creative settlement options with parties. Terry is committed to extensive preparation and early pre-mediation engagement with the parties to ensure that the most effective use is made of the mediation itself.

#### Feedback - Clients

"Magic Mediator!"

"Your work was impeccable."

Solicitor for party

Solicitor for party to online mediation

*It was good to talk to you this morning, and thank you for talking [my solicitor] and me through "Zoom" and the Mediation process. As a septuagenarian, with limited technological expertise, I found the session very helpful, and was surprised at how effective the medium is, despite having only an old, basic laptop. I am sure that, with your continued guidance, it will work very well [at the mediation].*

Party to online mediation

*"Terry acted as a mediator for our client. He was helpful, calm and friendly. He identified the key points on which the parties were able to make progress and assisted them to reach a settlement on the day"*

Solicitor for party

*"Once again I can't thank you enough for your sympathy and sympathetic way in which you have dealt with the matter. It was refreshing for me to talk about to someone neutral."*



Better conflicts, Better outcomes, Better world

Party to mediation

*"Over a period of years I have seen and worked with Terry where he has identified a complex problem, brought opposing parties together and persuaded them to take an holistic view of the issue ultimately achieving a lasting solution to the mutual benefit of all those involved. I am confident that those skills will benefit those who instruct him as a mediator."*

- Ashton West, CEO MIB 2003-2018

*"Terry led his firm's submissions to the Law Commission on insurance law reform and in subsequently explaining and preparing clients for the new law. He brought many of the skills of the mediator to that work, identifying areas where brokers, insurers and policyholders either agreed or disagreed. He at all times provided a clear understanding of the underlying themes and principles of the legislation and enabled clients to find solutions to issues generated by the new Act."*

- David Hertzell, Law Commissioner 2006-2014

*"Terry brings a unique blend of deep legal knowledge combined with a very pragmatic approach to helping parties achieve a settlement - all combined with a sense of confident calmness and lightness but certainty of touch that can ease the path through more challenging areas of any dispute."*

- CA, COO and investor in Green Energy Sector

*"I have worked with and taught many lawyers and Terry is one of the very few who have the skills, patience and determination to find solutions for the seemingly intractable disputes that go to mediation."*

- PK, Professor of Law, University of London

## Legal Directories

### Chambers and Partners 2018

"Senior Statesman"

Terry Renouf offers clients the depth and breadth of his experience in managing multi-track personal injury claims.

### Chambers and Partners 2017

"Senior Statesman"



Better conflicts, Better outcomes, Better world

Terry Renouf offers clients years of experience in handling the full range of personal injury matters, including catastrophic injury, fraud and occupational disease cases.

#### **Chambers and Partners 2016**

"Senior Statesman"

Terry Renouf has an abundance of experience to call upon in a variety of personal injury matters. He regularly handles high-value claims, particularly occupational disease, fraud and catastrophic injury matters.

#### **Chambers and Partners 2015**

"Senior Statesman"

Terry Renouf retains an impressive profile in the field. His experience covers areas including occupational disease and catastrophic injury, and he is well regarded for his depth of market knowledge.

#### **Chambers and Partners 2014**

"Senior Statesman"

London-based national senior partner Terry Renouf receives widespread acclaim for the depth of his experience throughout the personal injury sphere. He handles cases across the spectrum of complex personal injury claims, particularly those relating to disease.

#### **Chambers and Partners 2013**

Senior partner Terry Renouf in the London office is still considered to be "*very impressive*" by market sources. He has decades of experience in the personal injury sphere.

#### **Other Dispute Resolution Experience**

Terry was legal advisor to the insurer team that agreed the success fee uplifts for employers liability and disease claims. The agreement was secured through the process of a multi-party mediation that involved insurers, claimants, representative bodies, trades union and judicial parties.

Terry is a CEDR Official, has mediated on numerous occasions on CEDR schemes for the Federation of Master Builders and National Association of Funeral Directors.

Terry is also a community mediator for Surrey Mediation and is a member of their online working group.

#### **Publications**

[More Mediation in 2020? Certainly](#), blog January 2020

[ADR and Mediation for the new Decade](#), November 2019 Temple Legal News



Better conflicts, Better outcomes, Better world

[Tactics following Court of Appeal mandatory ADR order](#), blog October 2019

[The Overriding Objective and ADR](#), blog September 2019

[Court Orders ADR without party consent](#) blog September 2019

[Fixed Recoverable Costs: it's not about the drill](#), blog June 2019

[Fixed Recoverable Costs: Effective now?](#) blog April 2019

[Wake up and Sell the Coffee!](#) blog April 2019

[Courts to Insist on Mediation](#), March 2019 Temple Legal News

[Mediation Works](#), Association of Costs Lawyers, February 2019 (or alternatively a link is [here](#) to Renouf Mediation web page reproducing the article)

[Mediation and Dispute Resolution in 2019](#), "Clinical Thinking" Newsletter published by Temple Legal Protection, January 2019

[#N2M 2020- the Notice to Mediate](#), blog January 2019

[New Year Irresolution](#), blog January 2019

[More New Year Resolution](#), blog December 2018

[New Year Resolution](#), blog December 2018

[CJC Final ADR Report: Planning for mandatory mediation](#), blog October 2018

[Managing Mediation](#), blog September 2018

[CEDR Audit 2018: the A2J issue](#), blog July 2018

[Lord Chief Justice: modernisation, resolution and mediation.](#), blog June 2018

[MoJ Keen on more Fixed Costs & QOCS](#), blog May 2018

[Mandatory / Automatic Mediation?](#), blog March 2018

[What does the ADR consumer want? A key question for the March CJC Workshop](#), blog February 2018

[The pre-action protocol at 20](#), article, Post Magazine, 27 February 2018

[Insurance Act 2015, A guide for MGAs](#), BLM for MGAA, editor and contributor

[Maximising ADR - a one way street](#), blog, BLM RED, November 2017

[Building ADR in to Civil Justice Reform](#), ADR Institute of Ontario, Fall Newsletter, September 2017

[Insurance Act Anniversary: No news is.....?](#), blog, BLM RED, August 2017

[Third Party \(Rights Against Insurers\) Act 2010: a Happy 1st Birthday](#), blog, BLM RED August 2017

[Insurance Act: the first issues to be decided](#), blog BLM RED June 2017



Better conflicts, Better outcomes, Better world

[Insurers' empty promise?](#), blog, BLM RED November 2016

[In the ghetto](#), blog, BLM RED September 2016

[A little less conversation](#), blog, BLM RED, August 2016

[....a little more action\(s\)](#), blog, BLM RED, August 2016

[All this aggravation ain't satisfactioning me...](#), blog, BLM RED, August 2016

[A little more bite and a little less bark](#), blog, BLM RED, August 2016

[A little less fight and a little more spark](#), blog, BLM RED, August 2016

## Podcast

[Civil Litigation Costs Review: Jackson LJ's latest recommendations for fixed recoverable costs](#), Lexology, August 2017

## KEY

*Italics – professional experience*

Standard font – mediation experience

\*asterisk – observed mediation