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| <b>CEDR</b>           | 1999           |
| <b>Accreditation:</b> |                |
| <b>CEDR Panel</b>     | 2002           |
| <b>Languages:</b>     | English        |
| <b>Location:</b>      | United Kingdom |

*“Stephen is a brilliant mediator. He spent some days preparing and speaking to the parties separately before the mediation day, followed by intense and occasionally surreal negotiations on the day. His calm and attentive manner, as well as his ability to manage the parties’ expectations are exceptional”*

Client Feedback

## Stephen Shaw

### Overview

Stephen is an Associate (Mediator) Member at Lamb Chambers in the Temple, London, where he practised as a Barrister for over 30 years, Specialising in contentious commercial and property-related work. He was Gray’s Inn Scholar. He represented individual corporate clients in the first instance and appellant courts in a wide range of property/commercial trials and appears in the law reports in several high-profile cases.

### Professional Background

Stephen trained with CEDR, and attained accreditation in 1999. In 2007 he devoted himself entirely to Mediation. He writes widely on property and mediation matters, and is frequently asked to conduct seminars for solicitors and wider groups on the topic of Alternative Dispute Resolution generally. He practises as a Mediator of a broad range of property and commercial disputes, as well as property and commercial professional indemnity claims. He is a **Deputy District Judge**, and a **Judge of the First Tier Tribunal (Property Chamber)** in London.



Stephen has been appointed a Fellow of the Civil Mediation Council, its highest accolade reserved for the most accomplished and experienced mediators. He is a graduate of the **Harvard Business School Negotiation Mastery Programme**, and a Member of the **Legal 500 Hall of Fame**, having been repeatedly ranked as a Leading National Mediator for many years.

## Expertise

- Boundary Dispute
- Commercial and Residential Landlord and Tenant Disputes
- Construction
- Dilapidations and Rent Arrears
- Easements
- Joint Ventures
- Professional Negligence
- Property And Commercial disputes
- Trust and Inheritance

## Dispute Experience

A small sample of Stephen's wide and varied range of mediation experience is set out below:

### Property Rights

A dispute between a property management company and property owners over rights and title to various vacant plots and roadways situate on an exclusive residential estate.

### Joint Venture Dispute

A dispute between property agents and developers over the remuneration terms agreed for location of a potential development site.

### Professional Negligence

A professional negligence claim concerning industrial waste and pollution of a commercial property site.

### Family Inheritance Dispute

A family dispute relating to an alleged life tenancy of part of a deceased parent's estate. Further issue of Constructive Trust.

## **Dilapidations and Rent Arrears**

A dilapidations and rent arrears dispute between landlord and tenant upon termination of a business tenancy.

## **Workplace Dispute**

A dispute between an employer and employee over alleged possessory title of agricultural property.

## **Commercial**

A commercial dispute between a business utilities provider, and a small business, alleging it was being charged exorbitant rates.

## **Boundary Dispute**

A boundary dispute involving two adjacent substantial residential properties, one of which had been extensively redeveloped, and the boundaries, allegedly, disturbed.

## **Service Charges**

A complex service charge dispute between council tenants in a large estate, and the local authority.

## **Construction Dispute**

A building dispute involving employers, architects, contractors and solicitors, concerning development and refurbishment of a local community centre, later found to be in breach of planning and building regulations.

## **Easements**

Multiple disputes involving rights to light, alleged rights of way, and nuisance related construction disputes alleging breaches of various legal rights

## Personal Style

Stephen has a good practical feel for how judges might respond to cases and arguments, and brings this experience to bear in his mediation work. Feedback frequently describes him as having been sensitive to the parties, in what are sometimes highly charged situations, and patient in hearing their narrative. At the same time, he is reported to combine this sensitivity with a heightened consciousness of the need to keep focused, and remain “on track.” Most mediations are booked for one day, and although Stephen loves the law, his primary aim is to help the parties to achieve a mutually acceptable “deal.” He leaves no stone unturned in seeking an overall resolution acceptable to both sides, and is passionate about his work.

He is happy to talk, on a “no-obligation” basis to parties by Zoom or telephone if they wish first to meet with him, before any mediation is fixed. He standardly meets the parties or their representatives remotely in a pre-mediation “chat” a week or so before the mediation takes place.

## Feedback

The following is a sample of testimonials principally from solicitor professional clients:

- *“Stephen is a calm and measured thorough and effective mediator, focused on bringing the parties together. Our experiences have been positive, and the outcomes successful. We would be pleased to use Stephen again”.*
- *“Stephen Shaw is an excellent mediator. He resolves disputes in a way that allows parties to compromise without feeling that they have settled disadvantageously.”*
- *“He is calm in his approach and exudes a friendly authority. Parties feel that he understands their concerns and position. This encourages parties to be positive in their attempts at settlement.”*
- *“He avoids exacerbating conflicts between parties. By gaining their respect he is able to move parties gently towards settlement in even the most unpromising situations.”*
- *“Stephen was well prepared and focused on the main issues. He had a calm, courteous and professional approach and, most importantly, was able quickly to gain the parties' trust. On several occasions the client was ready to walk. However, the manner in which Stephen handled the mediation persuaded him that it was worthwhile to stay. Stephen worked exceptionally hard to achieve a settlement and did an outstanding job in a difficult situation with strong willed parties”.*

- *“Stephen was engaged to act as a mediator for a dispute that had certain sensitivities. I thought his approach to the mediation throughout in no small part resulted in the dispute settling, and I would have no hesitation in proposing him as a mediator in the future.”*
- *"I have assisted/co-mediated with Stephen on two occasions - both of them complex and lengthy cases. His calm manner and clarity enable him to gain and maintain the respect and confidence of all parties in order to engage successfully. Stephen is a highly skilled and rigorous practitioner who I have no hesitation in recommending."*
- *"Stephen Shaw was instructed to act as mediator in a highly contentious dispute concerning development land. When agreement was eventually reached, it came about principally by reason of his efficient analysis and assimilation of each party's case and interests, and his sensitive assistance with, and where necessary prompting of, the negotiations. I have no hesitation in recommending him."*

## Other Information

- “Brave New Digital World?” – Solicitors’ Journal – 24th June 2022
- “What Djokovic can teach us about Mediation” Mediator Directory Services – 7th July 2022
- “Taking a View” - Estates Gazette – 16th July 2022
- “Constructive Trusts and the 'Louis Syndrome' ” – Estates Gazette 22nd August 2022
- “How to Work for your Mediation and Make your Mediation Work for You – Practical Law, Thomson Reuters – September 2022
- “The Elephant in the Room” - 7th September 2022 – Civil Mediation Council