

DISPUTE RESOLUTION

QEB offers six particular forms of complementary Dispute Resolution, by way of an alternative to the stress, delay and essential uncertainty of litigation and court proceedings:

MEDIATION

Mediation is a voluntary process that encourages co-operation, supportive relationships and better communication. An impartial mediator is appointed by the parties to assist them to reach their own decisions rather than having a decision imposed upon them by the court; the process is almost always quicker and less costly than court proceedings.

The Mediation Team offers the full range of family mediation models, including direct party-only mediations and represented mediations (with parties and their solicitors/counsel). In whatever format, our mediations benefit from QEB's state-of-the-art expanded modern premises and our mediators offer their experience in both money and/or child cases separately as well as through all issues mediation if appropriate. The aim is to help the parties explore and test their family and money options in a safe way, so that they can check whether a reasonable consensus is possible between them. The parties will have plenty of opportunity to consult their own legal advisors, and the parties are particularly encouraged to do that before they reach any legal-binding agreement.

Sir Alan Ward is currently the chair of the Civil Mediation Council and is a CEDR mediator. Tim Amos QC, and Michael Hosford-Tanner are Resolution trained Mediators, and Tristan Harvey is CEDR and FMC accredited and sees clients for pre-issue Mediation, Information, and Assessment Meetings ("MIAMS"). As an example of the diversity of practice-offering, Tim Amos recently conducted a successful German-German children mediation in German.

Clients can be referred to a mediator by their lawyers or they may appoint a mediator at QEB directly.

Fees

Mediation Phase

	Rate per 1 hour	Documentation
Sir Alan Ward	£500+VAT	£500+VAT

Tim Amos QC	£500+VAT	£500+VAT
Michael Hosford-Tanner	£250+VAT	£375+VAT
Tristan Harvey	£200+VAT	£200+VAT
Daily	Fixed Fee	Documentation
Tim Amos QC	£4,000+VAT	£500+VAT
Michael Hosford-Tanner	£2,000+VAT	£375+VAT
Tristan Harvey	£1,250+VAT	£200+VAT

For further information please contact [Howard Rayner](#), Chambers' Senior Clerk.

ARBITRATION

Arbitration is an alternative to having your financial dispute determined in court. The parties appoint an arbitrator to make a binding determination as to the appropriate division of their assets. Whilst the outcome is binding between the parties, it is still possible to appeal to the High Court on a point of law. The main advantages of this process are that it is entirely confidential (as opposed to the court process, where members of the press may attend), the parties can select their arbitrator (they cannot select their judge at court), and the parties are not delayed by the heavily-burdened court diary. The parties and arbitrator are able to agree the level of financial disclosure that is required and it is possible to ask the arbitrator to decide a specific point that is in issue and not just the whole outcome.

QEB is now also able to offer arbitrations in children cases after the scheme was launched in July 2016.

The members shown in the table below are all qualified arbitrators.

Fees

Arbitration

Arbitrators at QEB are happy to offer a fixed fee service. The cost - including the award writing - for a one file, one day arbitration is:

Reading In	Daily Rate	Award Writing
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Sir Alan Ward	£600+VAT (per hour)	£5,000+VAT	£600+VAT (per hour)
Sir Paul Coleridge	£600+VAT (per hour)	£5,000+VAT	£600+VAT (per hour)

Fixed fee for reading in, conducting one day arbitration and award writing:

	Fixed fee	Additional File	Refreshers
Stewart Leech QC	£6,000+VAT	£500+VAT	£4,000+VAT
James Ewins QC	£5,000+VAT	£500+VAT	£4,000+VAT
Alexander Thorpe QC	£5,000+VAT	£500+VAT	£2,000+VAT
Katie Cowton	£4,000+VAT	£500+VAT	£1,500+VAT
Marcus Lazarides	£4,000+VAT	£500+VAT	£1,500+VAT
Duncan Brooks	£4,000+VAT	£500+VAT	£1,500+VAT
Morgan Sirikanda	£3,000+VAT	£500+VAT	£1,500+VAT
Tristan Harvey	£2,500+VAT	£350+VAT	£1,250+VAT
Marina Faggionato	£2,500+VAT	£350+VAT	£1,250+VAT

For further information please contact [Howard Rayner](#), Chambers' Senior Clerk.

MED-ARB

Med-Arb melds two established forms of dispute resolution - mediation and arbitration - into one hybrid process. When the process begins, clients agree to arbitrate in the event that their dispute is not resolved in mediation.

As discussions in mediation are without prejudice, different members of chambers act as mediator and, if necessary, arbitrator. Only the financial disclosure provided in mediation will carry across into the arbitration phase; any other discussions will not be shared with the arbitrator.

Med-Arb is ideally suited to clients who hope to reach a consensus in mediation, but want the security of knowing that if that is not possible a neutral third party will make a decision for them. The arbitration phase offers all of the benefits of a stand-alone arbitration: confidentiality, flexibility and speed. In most cases, the

overall cost will also be significantly less than using the court process.

Arbitration Phase

The cost - including the award writing - for a one file, one day arbitration is:

Med-Arb team

Sir Alan Ward	Alexander Thorpe QC
Sir Paul Coleridge	Duncan Brooks
Stewart Leech QC	Morgan Sirikanda
	Marina Faggionato

Mediation fees are available upon request from [Howard Rayner](#), Chambers' Senior Clerk.

PRIVATE FINANCIAL DISPUTE RESOLUTION / EARLY NEUTRAL EVALUATION

The members shown in the table below including Sir David Bodey, conduct early neutral evaluations/private FDRs. In addition, Sir Alan Ward (recently retired from the Court of Appeal), and Sir Paul Coleridge (former High Court Judges), offer early neutral evaluations and FDRs under the QEB umbrella. Sir Paul Coleridge sits at regular intervals as a s.9 High Court Judge hearing financial cases.

The Financial Dispute Resolution (FDR) hearing, is a key stage of financial proceedings in the Family Courts. An FDR is an informal hearing before a Judge when the Judge hears a summary presentation of each side's case and gives "early neutral evaluation" of the likely outcome if the case were to proceed to a final hearing. Following an indication from the Judge the parties aim to negotiate a tailor-made solution for themselves aided by an understanding of what a court might be likely to order if the case went to a final hearing. It is, in effect, non-binding arbitration. This procedure is generally successful in producing autonomous settlement in 80-90% of cases which would otherwise involve judicial determination at a final hearing and which, in reality, would otherwise involve months of further waiting (and significantly increased legal costs) for a final court hearing.

However, such is the pressure on the Court's listing of cases that even a supposedly straightforward FDR may itself involve a wait of many months just to get a Court date in front of a Judge who in some courts may turn out not to be an expert in money cases, and/or has not had sufficient chance to read the case papers in

advance of the FDR appointment, and/or who may not be able to devote sufficient time to securing a negotiated settlement. The prospects of settlement are increased where the parties elect to have a private FDR as the facilitator will have pre-read the papers and will be available for the whole day.

A private FDR avoids the inherent risk of insufficient court time or judicial expertise. It also avoids the delay in waiting for a court date. And, very importantly, it can take place wholly outside the Court process - with or without the existence of court proceedings in parallel - and is not confined to financial issues (as is the case with Court-FDRs).

Private FDRs are not just appropriate for “big money” cases and can save costs. The length of a Private FDR can vary, and solicitors may choose to represent their clients themselves, thereby avoiding the cost of instructing counsel on each side. Private FDRs are very effective before court proceedings have been issued, where the parties have exchanged disclosure but where agreement has not been reached.

A QEB private FDR provides:

- A date without delay
- An appointment of flexible duration
- An expert who will have read the papers thoroughly in advance and who will be able to give the parties the time which they may need in order to resolve the dispute; and assistance with drafting if required.

Members of the Evaluation Team also offer early neutral evaluations in Children Act ENE cases.

For further information please contact [Howard Rayner](#), Chambers’ Senior Clerk.

Fees

Financial Dispute Resolution

Sir Alan Ward	£7,500
Sir Paul Coleridge	£9,000+VAT
Sir David Bodey	£9,000+VAT

Tim Amos QC	£7,500+VAT
Lucy Stone QC	£7,500+VAT
Lewis Marks QC	£7,500+VAT
Stewart Leech QC	£7,000+VAT
James Ewins QC	£6,500+VAT
Alexander Thorpe QC	£5,000+VAT
Oliver Wise	£3,000+VAT
Elizabeth Clarke	£4,500+ VAT
Catherine Cowton	£4,000+VAT
Sarah Phipps	£3,500+VAT
Marcus Lazarides	£3,500+VAT
Duncan Brooks	£3,500+VAT
Daniel Bentham	£3,500+VAT
Tristan Harvey	£2,500+VAT
Morgan Sirikanda	£3,000+VAT
Rosemary Budden	£3,000+VAT
Charanjit Batt	£3,000+VAT
Samantha Singer	£3,000+VAT
Marina Faggionato	£3,000+VAT
William Tyzack	£2,500+VAT
Amy Kisser	£2,500+VAT

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COLLABORATIVE LAW

Tim Amos QC, Michael Hosford Tanner, Duncan Brooks and Tristan Harvey are all Resolution trained collaborative lawyers. Uniquely for a barristers' chambers all have completed the full Resolution course, and not the abridged course for counsel. They all offer their services as experts within the Collaborative process. Typically, they will be involved as experts or impasse-breakers in five-way meetings (solicitors have found it helpful for a jointly-instructed barrister to outline the applicable law to both parties), or will advise in writing about a point of law or the likely court outcome if the Collaborative process were to break down.

For further information please contact [Howard Rayner](#), Chambers' Senior Clerk.

ROUND TABLE MEETINGS/JOINT CONFERENCES

We have plenty of office space within Chambers for three-room meetings at which both sides to litigation may discuss their case in privacy and comfort, away from the courtroom, and then negotiate in a third room (either face-to-face or through their chosen representatives).

For further information please contact [Howard Rayner](#), Chambers' Senior Clerk.
