

DAVID RICHBELL FCI Arb (Mediation)

CIVIL & COMMERCIAL Mediator

Tel: 01234 241242

Email: david@richbell.org www.richbell.org



STYLE

Rapport Building

“A fantastic intuitive mediator”

“Particularly recommended for his ability to gain the confidence of both parties” “A superb communicator...really engages the parties”

“supreme people manager”

“Clients respond well to his forceful and credible style”

Effective mediation depends upon the Mediator building a relationship of trust with the parties. David creates rapport instinctively.

Patience

“brings a courteous, calm and efficient manner”

Patience and tenacity are hallmarks of David’s style. He believes the Mediator should be the last to leave.

Commercial Negotiator

David’s business background (he had his own Chartered Surveying business for 18 years up to 1996) gives him a powerful foundation for understanding commercial needs and imperatives. He has a strong understanding of, and ability in commercial mediation.

Evaluative/Non-evaluative

David is a committed advocate and practitioner of non-evaluative mediation. With the help of the Mediator the process gives the parties an opportunity to find their own solution; it is not the Mediator’s role to express opinions on the relevant law or on the merits of particular positions.

However, David is an expert in reality-testing and challenging party’s positions, whilst ensuring that the responsibility for the problem and the solution remains with the parties.

EXPERIENCE

Mediating since 1992

David was trained as a commercial mediator in 1991/2 and has practised full time since 1995. Although numbers do not make a good mediator, David had mediated nearly 1000 cases by the end of 2014.

Most appointments are due to this considerable experience.

Multi-party

“When it comes to multi-party mediations....considered a pre-eminent practitioner”“...remains calm in multi-handed mediations”Many disputes particularly in construction, are multi-party; the largest number of people David has mediated is 76. Success depends on efficient management and keeping the parties engaged in the process.

Complex cases

David has mediated cases valued from £4,000 to £650 million. It is not just value that causes complexity - high emotion, volume of documents, complexity of detail and commercial imperatives all bring their complications.

International

A significant proportion of David's mediations have an international dimension, at least one party being non-UK.

David has mediated cases in Italy, Bangladesh, Channel Islands, Isle of Man, Bermuda and Dubai.

Ethnic parties

Having a personal background working in multi-racial communities David has built a reputation in successfully mediating cases involving ethnic minority parties, both in business disputes and those within faith communities.

SETTLEMENT

"A remarkable settlement record"

".....numerate in a lateral way, devising novel and agreeable solutions" ".....knocking heads together only as necessary".

David's average settlement rate is 85% over the last 4 years.

EXPERTISE

"His busy practice extends considerably beyond the construction sphere"

Legal/Non-Legal

David is not a lawyer. However mediations do not settle because of legal argument or the Mediator's legal knowledge but because of the Mediator's ability to manage the mediation process and assist the parties in their commercial negotiation. David's business experience is therefore invaluable in assisting the parties in negotiating a deal.

Specialist

David's background is construction and property and he published his award - winning book "Mediation of Construction Disputes" (for users of mediation)

in 2008. However, it is true to say that a good Mediator can mediate anything and so expertise is not as significant as experience. It is recognised that expertise may give comfort to parties but there is a danger that expert mediators get into the detail when the "big picture" is more important.

CO-MEDIATOR

"Co-Mediation is another of his specialist areas"

David wrote the chapter "Co-Mediation" in the acclaimed book "Mediators on Mediation" (Butterworth 2005). David has an established pairing with Eve Pienaar of Mediation Wise and with Rosemary Jackson QC. Co-Mediation is ideal for multi-party disputes and for large complex cases.

COST

David is a highly-experienced commercial Mediator and his rates reflect this. Generally a day's mediation including preparation costs between £2,000 and £3,000 per party but, as will be seen from the Guide to Fees, fees are 'negotiable according to need'.

AVAILABILITY

David is a full-time Mediator and so, subject to appointments for other cases, is generally more available, often at short notice, than other Mediators who mediate as a 'bolt-on' to another profession.

To check availability or confirm appointment please contact either David at 01234 241242 or Clerks at IPOS Chambers 0844 5563510.