

Russell Evans LLB (Hons), CMC, Director of Hampshire Law Society - Winner 2021 UK Mediation Expert of the Year

IS A QUALIFIED MEDIATOR (Elite Mediator)

General Information

In 2021 Russell was recognised in the **Global 100** and won the award as **UK Mediator of the Year**. He has more than **30 years experience** as a litigation & dispute resolution solicitor and mediator. Russell **judges both national and international mediation competitions** and **lectures on mediation for the Law Society, RICS and CIS**. He has also **won a number of other national mediation awards**. Russell is down to earth, pragmatic and proactive in assisting parties to resolve disputes.

Russell is an **expert in contentious probate, inheritance Act, tolat and property** claims. He has **conducted mediations** for numerous family members including spouses, partners, siblings, adult and minor children as well as beneficiaries, trustees and executors. He has also conducted mediations at the behest of the Charity Commission. More than 80% of his contentious probate and inheritance mediations settle on the day.

Russell is also an **expert in commercial, partnership, company shareholder and sport** disputes. He has **conducted mediations** for **ftse** companies, government agencies, world top 10 universities, premiership football clubs, world sports champions as well as national and international charities with royal patrons. He has also conducted mediations for many under privileged and deprived. More than 80% of his commercial mediations likewise settle on the day.

Unlike many mediators Russell has conducted court cases in relation to all the types of cases that he mediates and is familiar in consequence with the intricacies of litigation and dispute resolution.

Russell regularly mediates in London & Bristol, the Midlands, the South and South West. hded Russell has mediated from Newcastle to Exeter and is available to conduct mediations throughout the UK or Online by way of ZOOM Pro.

Russell's **expertise in contentious probate and tolat claims** includes claims for undue influence, lack of capacity and approval, mis-appropriation of assets and funds, proprietary estoppel, common intention trusts (**Jones v Kernott & Marr v Collie**) as well as claims under the **Inheritance Act 1975 (Ilott v Mitson & Ilott v Blue Cross)**. He is also an expert in Court of Protection work and cases involving care homes and fees. He has successfully mediated such cases for more than 300 parties.

"I was delighted that we used Mr. Evans for our mediator. He dealt with the most difficult situations very diplomatically and professionally. The Middle East Peace Talks could do with his diplomacy." **EC MBE**

"Russell was perfect at his job. A sophisticated communicator - able to listen and hear and to know when to speak. He was very discreet. I hope never to be in such a tormented situation again, but will readily recommend Russell to others. I thank him from the bottom of my heart." **Dr KO**

"Thank you for mediating for us yesterday. It's been a rollercoaster of emotions over the last 6 years. Last night at 8pm we opened a bottle of fizz to toast the NHS and to celebrate the end of one era and the start of a new. Today I have a far more positive attitude to life and am in a much happier place. Happy VE Day." **SS**

"Russell Evans was perhaps a little more hands on than other mediators I've used before, which was refreshing and appreciated. Russell adopted a pro-active approach to facilitating dispute resolution, which assisted greatly in this particular case. Russell was also down-to-earth and friendly, and did an excellent job of helping the parties feel at ease. I would certainly use Russell again and recommend his services to others." **PF Sol**

Russell is also an **expert in highly emotional partnership, company director and shareholder disputes** including actions by minority shareholders and claims for unfair prejudice. He has successfully conducted mediations involving more than 30 parties. Recent cases have included a property development company, a farming business, care homes, a solicitors practice and a financial services company in the City of London.

"Russell was by far the most attentive, pro-active and hands on mediator I have used and his ability to rapidly hone in on the key issues and address them in a realistic and pragmatic way was highly impressive. His determination to get the job done with empathy, enthusiasm and energy stood out and I would highly recommend him accordingly." **CH Ceo**

"A tough mediator with excellent commercial and costs awareness. I would not hesitate to recommend Russell. Amongst the best I have used." **SL Sol**

"Russell has an impressive approach to mediation combining a relaxed style that calms and reassures the client with an almost clinical ability to keep the client focussed on the issues and outcomes throughout the day. He is unarguably one of the most effective mediators I have come across and I would use him again without hesitation" **MD Sol**

"The dispute was complicated. There was a great deal of animosity between the parties and I have to say that I had little hope that an agreement would be reached at mediation. There is no doubt in my mind that had Mr Evans not been as experienced as he was and had he not handled the mediation in a professional way no settlement would have been reached. I was impressed with his ability, communication skills and performance as a mediator. I would have no hesitation in recommending to future clients that they use his service as a mediator." **MA Sol**

"You are amazing." **Dr AI**

Russell is a **former President & current Director of the Hampshire Law Society**. He is also Chairman of its Litigation & Dispute Resolution Committee. He has chaired talks with Lord Briggs and Jim Al-Khalili OBE and also facilitated talks with Lady Hale. He is also a former course assessor at Southampton University.

Russell is a long-standing Member of the Civil Mediation Council, Chartered Institute of Arbitrators and British Insurance Law Association.

Professional Background

Russell has worked at Ashurst Solicitors (City of London) as well as Paris Smith and Eric Robinson Solicitors (Southampton). Russell has also worked for the Red Cross. Throughout this time Russell also worked Pro Bono for a number of Law Centres as well as the CAB. Russell's work has always been engaged in and focused on dispute resolution.

He has acted on behalf of FTSE 100 Companies, International Prize Winning Scientists, Diplomats and Sports Stars & Celebrities in the UK, Europe, Far East & Americas. Russell has also acted on behalf of the Law Society, the ordinary man on the street, the disabled and disadvantaged. He has experience of dealing with a wide diversity of cultures.

He has been **appointed by the Football League** to determine **Sports Disputes**. He has also acted on behalf of Premiership and England Football Players, Football Clubs and Club owners as well as Olympic participants and referees. His appointments include acting as **Chairman of the Football Disciplinary Commission**. He has also been an Arbitrator & Mediator with **Sport Resolutions**.

Russell has chaired Audit Committees as well as Grievance and Disciplinary Panels. He has also been a Property Adjudicator determining property disputes..

Russell has extensive experience of **Chancery & QBD** business as well as the **Business and Property Courts** including contentious probate, property and commercial claims. He also has extensive experience of professional negligence claims across a wide variety of professional disciplines.

Style

Russell is astute, perceptive and proactive with a warm embracing approach aimed at taking all parties on board. He is also sensitive to case dynamics and politics. Russell is prepared though to challenge assumptions, to provoke thought and think outside the box with a view to focusing on resolution. Russell has been described as 'outstanding' in his mediation work and praised for his 'excellent impact' lateral thinking and attention to detail.

Russell tries to engage with all parties to assist in the healing process, to open up new horizons, provide a landscape of fulfilling outcomes and reconciliation where this can be achieved.

"This was an extremely difficult and important mediation for me and our family. The contention had fractured our family beyond repair and I had dreaded the day. Yet from the outset Russell made the day a success. He had emotionally and mentally prepared us beforehand by giving us the opportunity to speak with him and communicate with him, so that on the day certain things did not need to be said and the hurt could be left in the past. This set a positive framework for the day. He ensured that what had been doomed would reach the desired outcome. I feel able to move forward and build some bridges. We achieved the desired outcome, but more importantly, Russell removed a lot of the stress that had been upon my shoulders for nearly three years. This would not be possible without the amazing work that Russell did on Monday. He was not afraid to ask the difficult questions and listened to the answers. What makes Russell a brilliant mediator is that he is a genuinely nice person. Do you want to know something completely amazing? **The mediation was so successful that one party took a member of the other party home by car. They had not spoken properly in years. What a breakthrough!** Would I recommend him to anyone? The answer is a resounding YES. I am so glad I found him and I am so grateful to him for giving us a chance to grieve and move on. **There is no better person to have handled our case."** KG

Recent Mediations

Russell has conducted mediations valued from £100k to in excess of £30m. Russell has also successfully conducted mediations for more than 30 parties both Online and Face to Face.

Recent Mediations - Contentious Probate & Inheritance and Tolata:

- Contentious probate claim between brother and sister alleging undue influence
- 6 party Contentious probate claim - capacity
- Contentious probate claim involving shipping magnate
- 8 party contentious probate including allegation of undue influence
- Contentious probate involving a farm, development land and deed of variation
- Contentious probate involving issue as to knowledge and understanding and witness execution
- Contentious Property Trust including claim for undue influence
- Contentious Probate including Breach of Trust
- Contentious Probate including claim for proprietary estoppel
- 1975 Inheritance Act Claim by adult child – Ilott v Mitson
- Power of Attorney, Lifetime Gifts & Breach of Trust
- Contentious Family Property Trust including Farm Development
- 1975 Inheritance Act Claim by Adult Child including claim for Undue Influence
- TOLATA Trusts of Land re farm and business enterprises
- Lifetime Gift of £1m+ Property – Undue Influence
- Multi Party Partnership Dispute involving an Estate
- Contentious probate, property and investment trusts
- TOLATA Constructive Trust of Property – Jones v Kernott
- Inheritance Act 1975 – Adult Child – Issue as to Statement of Wishes and Estate issues as to company shareholdings and insurance provision
- TOLATA Constructive Trust – Jones v Kernott – express/implied common intention and undue influence
- Contentious Probate involving remarriage and multiple children
- Tolata Property Trust including allegation as to misappropriation of funds
- Executor administration dispute including issues as to property and lifetime gifts
- Contentious Probate – Issue as to Capacity
- 1975 Inheritance Act Claim by spouse including family business issues
- Proprietary Estoppel
- EPA & Court of Protection Proceedings – Contested Executorship & Contentious Probate Proceedings
- 1975 Inheritance Act Claim – Unmarried Partner - lavish lifestyle - Bahouse v Negus
- Lifetime Transfer – Property Acquisition – Undue Influence
- Proprietary Estoppel Claim including 3 sets of Court Proceedings
- TOLATA involving multiple properties
- 1975 Inheritance Act Claim by partner
- 1975 Inheritance Act Claim by spouse
- Proprietary Estoppel & Business Partnership
- 1975 Inheritance Act Claim - spouse
- 1975 Inheritance Act Claim - adult child
- Attorney & Lifetime Financial Transactions
- Tolata & Partnership Dispute involving 10 properties and 2 businesses
- Contentious Probate – Dementia & Capacity

- Tolata – Jones v Kernott
- 1975 Inheritance Act – Minor Children
- Tolata involving property, 3 businesses and Equity of Exoneration

Recent Mediations – Commercial & Property Disputes:

- Claim against Directors for breach of restrictive covenants and competition
- Company shareholder unfair prejudice claim including issues as to valuation and cross claims as to competition
- Action in relation to a company takeover including allegations of financial misrepresentation
- Judicial Review of County Council's Policy on care home fees
- Professional Negligence claim involving accountants, 5 companies, director and HMRC investigation
- Construction Dispute re industrial infrastructure
- Financial Director, Whistleblowing & Breach of Duty
- Shipping Dispute
- £7m dispute re Bank & Receivership
- Professional Negligence – Solicitors - involving 2 proceedings & Court of Appeal
- Franchise Dispute including issues as to performance, representation and termination
- Board Dispute involving Management and direction of National Charity
- Oil Consortium & IT Contract
- Asset Finance Litigation involving commercial plant
- Building Dispute at Landmark Ftse Company Development
- Contentious Family Property Trust including Farm Development
- Top Flight Premiership Football Club & Football Player
- TOLATA Trusts of Land re farm and business enterprises
- Company Share Purchase Dispute
- Building Dispute involving leading international University
- Commercial Loan & Company Investment
- Multi Party Partnership Dispute involving an Estate
- Boardroom Dispute involving Government Agency and Whistleblowing
- Contractual Interpretation of Best Endeavours Obligation
- Dispute involving World Boxing Champion, Title Contender & Manager
- Charity Commission Intervention – Trustees & Management Dispute – International Charity
- 10 partner Partnership Dispute
- Commercial Property Fire Claim including issues as to Ignis Suus
- Partnership Dispute including Titanic Papers
- Building Dispute involving historic house, new build, flooding & 3 experts
- Joint venture development dispute involving state of the art care facility
- Board Dispute involving 2 Buddhist Charities
- Multi-jurisdictional asset claim involving 3 sets of court proceedings
- Professional Negligence - Architect – Building Development
- Partnership Dispute
- Commercial Dispute re Football Pitches
- TOLATA involving multiple properties
- Company Loan, Investments & Personal Guarantee
- Mediation for the Church of England
- Restrictive Covenant & Building Development
- Partnership Dispute – Farming Business
- Tolata & Partnership Dispute involving 10 properties and 2 businesses
- Partnership Dispute – Law Firm
- Company Shareholder Dispute
- Insurance Coverage involving flooding and international directors
- Tolata involving property, 3 businesses and Equity of Exoneration
- Company Shareholder Dispute
- Company Director & Shareholder Dispute – Financial Services – City of London

Email: mediation@clerksroom.com

Clerksroom, Equity House, Blackbrook Park Avenue, Taunton TA1 2PX