

doughty street chambers



MEDIATION AND ALTERNATIVE DISPUTE RESOLUTION

ALTHEA BROWN

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ALTHEA BROWN is an accredited mediator and barrister who believes passionately in the effective use of alternative dispute resolution processes - especially mediation - to achieve meaningful outcomes. Whether as an alternative to litigation, to restore damaged professional working relationships, or simply to enable participants to move forward with certainty and a sense of closure, Althea's long experience is that mediation works.

Her approach to mediation is underpinned by over 20 years' in-depth knowledge and expertise in the practical application of the law and litigation. From this she has gained an understanding of the diverse range of complexities, not least the human component, which lie at the heart of many disputes, and which often respond better to collaboration than confrontation.

Althea's skills as a mediator, strengthened by her time in legal practice, include the ability to assimilate complex material quickly, and a keen appreciation of the importance of neutrality and impartiality. Having represented many parties in legal disputes she also has a clear insight and appreciation of the respective position of participants, understanding that, whether a dispute arises from the workplace or employment, a civil claim against a public authority, or alleged breaches of professional conduct or discrimination, all participants coming to mediation may well arrive having found themselves on opposing sides of a conflict in which they face the most difficult challenges of their professional and personal lives.

Every mediation is different and it is important to adapt to the particular circumstances, but in all mediations Althea's style aims, throughout the process, to identify and focus on the essentials, to encourage progress, and to highlight fresh perspectives which allow mutual understanding and agreement. She is also committed to liaising closely with participants to facilitate communication, to ensure they feel fully engaged, and to establish an environment where they feel enabled to negotiate safely and effectively in a full, constructive, and creative way.

Other core elements of her mediation practice include:

- Taking responsibility for running the mediation process, deciding the order of events, so as to allow the parties to concentrate on the issues;
- Engaging with each party both impartially and entirely confidentially in order to help the parties to find ways forward out of impasse;

- Being proactive in the mediation process to help parties to move on towards compromise in a way which tackles the barriers that may hinder progress in negotiation.

Experience

Althea's practice as a mediator and barrister means she is very familiar with a wide variety of the private and public law contexts, including associated professional and regulatory standards, from which disputes can arise between parties. Most recently she has been instructed in mediations concerning:

- A tragic and complex case involving a racially motivated assault. This multi -party mediation involved local authorities, police, grieving family members and insurers;
- Civil action against police in a claim alleging assault, false imprisonment and discrimination;
- Workplace mediation where there was an ongoing employment relationship between individual and large public body relating to serious allegations of sexual harassment and bullying;
- Whistle -blowing claims brought by a senior Consultant in the NHS;
- Disability discrimination mediation involving allegations of mistreatment between individual and public health institution;
- Disability discrimination claim against Prison Service brought by a serving disabled prisoner;
- Employment mediation between senior company executive and FTSE 100 company relating to Equal Pay legislation.

Feedback

Feedback on Althea's recent mediations from both professional and lay participants consistently evidence that her knowledge, commitment, long experience, diligence in preparation and sensitive, insightful approach is highly valued. Comments include:

"I have to say, I was not hopeful that mediation would work for this one given the nature of the dispute. In fact it allowed the parties to discuss directly an alternative way of resolving the dispute which would not have been open to the court. The matter was then resolved without the need for an expensive contested hearing."

"Althea managed an extremely difficult mediation magnificently. She was patient and attentive with all of the parties involved."

"I was very impressed by the quality of work put in both in the mediation and behind the scenes."

"Althea played a significant role in helping us reach a very useful result in our workplace mediation and encouraged the parties to think outside the box."

"In our commercial mediation Althea displayed real skill and empathy...she had prepared very thoroughly."

"Althea was very helpful in guiding the process."