

## Hugh Elder, mediator, profile

### Overview

Hugh Elder is a civil and commercial mediator, [www.hugheldermediation.com](http://www.hugheldermediation.com), after a career as a solicitor of over 40 years in private practice mainly spent in the field of dispute resolution.



When in practice his clients ranged from private individuals and family businesses to banks and substantial corporations. He represented numerous clients at mediations for some 20 years and has mediated on his own account for seven years. As a solicitor Hugh acted in a very wide range of disputes and in particular in relation to:

- contract and other commercial disputes, including competition;
- inheritance disputes and other probate and trust issues;
- landlord & tenant, dilapidations, boundary, and other property disputes;
- professional negligence claims; compliance and costs issues within the legal profession;
- shareholder and partnership disputes.

Further details are available upon request.

Hugh's mediation practice reflects his broad experience and he has mediated a wide range of disputes, including (pro bono) small claims consumer disputes.

### Professional background

Hugh read law at Edinburgh University and qualified as a solicitor in England in 1973. He was engaged continuously in full-time practice until retirement in August 2017. Hugh was President of the London Solicitors Litigation Association from 1998 to 2000 at the time of the Woolf Reforms, which encouraged and incentivised litigants to mediate and was managing partner of Gordon Dadds, with which firm he spent most of his career, from 2003 to 2013.

Hugh was accredited as a mediator by CEDR in 2015 is registered with, and a panel member of, the Civil Mediation Council in 2016. Hugh is also on the panels of TBG ADR (formerly Clerksroom), The Society of Mediators (Free Mediation Project) and Unity Legal Solutions.

### Approach to mediation

Hugh is a firm believer in the merits of mediation as part of the dispute resolution process. As a result of his management experience, he is acutely aware of commercial pressures and demands on those running businesses and the need to find a realistic and workable solution to time-consuming and expensive disputes without just papering over cracks.

He has advised numerous private individuals unaccustomed to being involved with the legal system, developing a reputation for guiding them through an unfamiliar process with tact and sensitivity.

Hugh adopts an approachable facilitative style encouraging parties to work together, while (in private, confidential meetings) he uses his experience to help each party undertake a realistic appraisal of the merits of their case.

## **Feedback**

*As a mediator:*

“We were in a very sticky place. I settled for something I would not have gone anywhere near before the mediation. Hugh’s best skill was opening my mind to the option of drawing a line under this and getting on with my work. Specifically this was achieved by not trying to convince me too much, rather by placing options on the table allowing me to see more clearly the ramifications of whichever path I chose. By not convincing me, I feel far more comfortable with the outcome as I feel I made that decision myself rather than be coerced in any way and then suffer from ‘buyer’s remorse’ after.” – Party to mediation (company director) (2023)

“I cannot thank you enough...your kind and gentle demeanour put me at ease...I am so grateful for your time and expertise.” – Party to mediation (litigant in person) (2022)

“The service was excellent. Hugh Elder is a fantastic mediator and helped drive the parties toward settlement.” – Solicitor (2022)

“It was a great help and understanding of my case in the eye of a neutral person and their assistant”. [Co-mediated] – Party to mediation (litigant in person) (2019)

“Very helpful to consider and narrow issues. Only unsuccessful due to parties’ positions/expectations.” [Co-mediated] – Barrister (2019)

“I have no hesitation in recommending Hugh as a mediator and was impressed that he was able to bring the mediation to a success. Not only was he well prepared for the mediation (having read the papers and had productive pre-mediation discussions) and stayed well beyond the allocated time, but his manner during the day meant that my client felt she was part of the process, which mediators in difficult mediations sometimes forget. This was particularly important in this mediation as the other side had declined the opportunity of an open meeting. I was particularly impressed that Hugh took the time to ask my client to tell him her story and to listen. That made sure that my client felt she was being listened to in circumstances where discussions had mainly occurred through lawyers. Equally important was the realistic view Hugh took in the negotiations. That was important in respect of the early unrealistic offer made by the other side and the honest and open stance taken in the final stages of the negotiations when the lay clients became fraught.” –Barrister (2018)

“My client and I are most grateful to you for your thorough and tactful handling of the mediation... You dealt with things in an exemplary manner.” – Barrister (2017)

“We would like to thank you for mediating, your demeanour and skills helped us to work with you towards a positive resolution that enables us to move on.” - Party to mediation (2017)

*As an assistant mediator:* “Hugh is a pleasure to work with. His calm, relaxed manner helps him build rapport and win the trust of clients with ease. His wealth of experience as a litigation solicitor enables him to look at the problem and possible resolution from all angles. He is proactive in making sure that a settlement is a workable and comprehensive one, which meets the needs of all parties” – Leading mediator (2016)

*As a mediator at a CEDR training mediation:* “We were both very impressed by the way you handled the mediation. We felt that you had an excellent manner and delivered the mediation in a calm, assured and effective way. I was really impressed by your use of reality testing and exploration and that you pulled out the extra interests from your clients. It was very good.” – Senior CEDR trainer (2015)

*As a litigation solicitor:* “Good with clients.” “You can pit him against the best.” – Chambers Directory

#### *Career:*

Radcliffes & Co (now Weightmans): February 1971 to February 1976 (articled clerk and assistant solicitor). Admitted as solicitor of the Supreme Court December 1973.

Cameron Kemm Nordon (now CMS Cameron McKenna Nabarro Olswang): March 1976 to December 1979 (assistant solicitor).

Gordon Dadds LLP : January 1980 to 31 August 2017 (retired). Assistant solicitor January 1980 to July 1981; partner 1 August 1981 to 31 August 2017.

Head of litigation: 1981 – 2008; managing partner 2003 – 2013; compliance officer for legal practice and finance and administration 2012 – 2015.

Independent mediator: 1 September 2017 to present; over 25 mediations completed.

#### *Education:*

Sherborne School, Edinburgh University (LLB. 1970), Bristol Polytechnic (now UWE, Bristol – Law Society courses Parts 1 and 2 (September 1970 – February 1971; February 1973 – August 1973).

#### *Personal*

Hugh is married with two grown-up children and four grandchildren and lives in London. When he is not working or spending time with his family, he enjoys choral singing, golf, walking and cooking. Hugh is a liveryman of the Merchant Taylors’ Company and has been a trustee of their charities. He is also a Friend of The Tate Gallery, and The National Gallery.

#### *Professional memberships:*

Law Society; Society for Computers & Law; MyCEDR, Westminster & Holborn Law Society