

Charles Powell

Head of Risk & Compliance

"...handles mediations exceptionally and establishes a good relationship with parties and assists in achieving results. Charles also has a good grasp of the facts and the law and explores the strengths and weaknesses of cases in a sensible manner."

(The Legal 500, 2019)



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Charles has been advising corporate clients, insurance companies and financial institutions on dispute resolution for over 35 years. He is National Head of Risk & Compliance and has also been an active Mediator for over 15 years. He was a partner at Pinsent Curtis solicitors in Leeds for six years and at Shoosmiths in Nottingham for five, before joining Freeths LLP as a Partner in 2001. Charles became Freeths' Head of Risk and Compliance in 2012.

Charles trained as a mediator with both ADR Group (accredited 1992) and CEDR (accredited 1996). He has conducted well over 450 commercial mediations and, in addition, has considerable experience of taking clients through the mediation process.

Charles is listed as a Recommended lawyer in the Legal 500 (2019 Edition) and is ranked in Chambers (2019 Edition) as a Leading Individual.

Mediation

Charles' experience as a mediator includes:

- Professional negligence claims (solicitors, architects, accountants and surveyors)
- Construction & property claims (including Landlord & Tenant and fire damage claims)

- Shareholder/warranty disputes
- Commercial Agents claims
- Contractual and negligence claims
- Partnership disputes – particularly Solicitors partnership disputes
- Banking and asset finance disputes
- Personal injury claims
- Employment disputes
- Contested Wills & dependency claims
- Franchise disputes
- Product liability claims

Charles is a founder member of the Association of Midlands Mediators, a member of ADR Group, a member of Civil Mediation Council and a member of the Sport Resolutions mediation panel. He is also a founder member of Hexagon Mediation which is a small specialist mediation provider.

Charles is a regular speaker at seminars on mediation in particular, and ADR in general, and the author of many articles and newsletters on the subject of mediation. He is also a panel member of In Place of Strife.

Selected Cases

- Mediated in a dispute concerning breach of fiduciary duty against the First Defendant; a debt claim against the Second Defendant and a Petition for relief under s.994 of the Companies Act 2006. The issues in the matter were complex but Charles was able to achieve a settlement on the day of the mediation.
- Mediated in a dispute relating to the purchase of a hotel and the accountant's business plan at the time the hotel was acquired. The Claimant's case was that the market value at the time of the acquisition did not reflect the actual business operation which the Claimant claimed was far less than the price paid for it. Charles was able to assist the parties to reach a settlement shortly after the mediation.
- Mediated in a solicitor's professional negligence claim arising out of their handling of a personal injury RTA. The matter was high value and involved complex issues on liability, causation and quantum. Settlement was achieved at the mediation.
- Mediated in a claim under the Commercial Agents (Council Directive) Regulations 1993 and a Counterclaim for losses suffered as a result of the Claimants' alleged repudiatory breach of contract. This matter involved significant expert evidence on the counterclaim for loss of profits. Settlement was achieved at the mediation.
- Mediated in a negligence claim made against an architect in respect of a residential construction project that did not proceed as the Claimants had hoped. The issues in the matter were complex but Charles was able to assist the parties reach a settlement in the week following the mediation.