IPOS Mediation

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Mark Shaw KC

Mark is recognised by Legal 500 and Chambers UK as a leading silk in administrative and public law, environmental law, civil liberties & human rights law, information & data protection law and professional disciplinary/regulatory law.



Background

Mark is recognised by Legal 500 and Chambers UK as a leading silk in administrative and public law, environmental law, civil liberties & human rights law, information & data protection law and professional disciplinary/regulatory law. He qualified as a mediator in 2008 and has since participated in mediations arising across those and many other areas of law for example: commercial, contract, tort, professional negligence, pensions, land and property, local authority, social care, costs, police, immigration and public procurement disputes. His strong background in public law and human rights gives him an unusual depth of insight into the legal, presentational, financial, personnel and policy issues which often tax public and regulatory bodies. This experience extends to central and local government bodies, professional disciplinary and regulatory agencies, police authorities, utilities and media organisations.

In 2018 Mark was admitted to the Legal 500 Hall of Fame for excellence in mediation and Shortlisted for "Silk of the Year" in the Chambers Bar Awards (one of three nominees) in the field of Professional Discipline.

In July 2007, before accreditation, Mark acted as a hybrid mediator/adjudicator/ visitor for Exeter University dealing with a challenge by the Christian Union to (1) its suspension from the Students Union for refusing to allow non-Christian members to become members or leaders and (2) the requirement for it to be renamed the Evangelical Christian Union. A judicial review claim by the Christian Union under the Human Rights Act 1998 (articles 9, 10 & 11 of the ECHR), against the underlying decision and the adjudication, was stayed pending the mediation/adjudication, then revived and dismissed by the Administrative Court. The adjudication is published on www.exeter.ac.uk.

Mark has since mediated a wide variety of disputes, by no means limited to his main areas of practice. This has included a joint mediation (with Lord Woolf, the former Lord Chief Justice) of a dispute over the very large bill of costs to be assessed after settlement of a very substantial negligence/nuisance claim brought as a class action. He has also recently completed a workplace mediation involving pension changes for 1000's of public sector workers. Other mediations have involved partnership, neighbour, financial regulation, immigration/nationality/EU, trade union disputes, property/land development, professional negligence, misfeasance, commercial disputes and public sector/workplace pension disputes. Many millions of pounds might be at stake. Or the solutions may involve no financial remedies at all. Most of the mediations take place in the UK but Mark has also mediated extensively abroad,

such as in the Channel Islands and the Caribbean

Mediation Style and Approach

Mark says:

Old problems often need to be approached from new angles, if middle ground is to be found. I find that this is best done by getting quickly to the true underlying issues: simplifying what seems to have become complex. What is really relevant to the parties now? Lowering the temperature helps to increase confidence and flexibility. So I aim to inject some calm and informality too, but with sufficient authority and initiative to coax parties towards new solutions. Almost without exception, the ground for this is prepared in advance: by remote meetings enabling me to get to know the parties, the dynamics and the issues. Not only does this save loads of time on mediation day, it also helps me devise the best structure and create the right atmosphere from the very start.

Practice Areas

Contract / Commercial

Education

Employment / Workplace / Union

Environment

Freedom of information & data protection

Gaming

Human rights

Immigration

Land / Property / Boundary / Neighbour

Licensing

Local authority, including social care

Misfeasance

Partnership

Pensions & life assurance

Planning and local government, including social care

Police and other crime agencies

Public procurement

Public sector, including administrative law and judicial review

Professional discipline and regulation

Professional negligence

Religious disputes

Statutory authorities, including utilities and financial regulators

Tort

Legal Directories

As Counsel, Mark has been consistently recognised by the legal directories. The most recent editions say the following:

Legal 500 2026:

Mark Shaw KC is 'extremely candid and able to cut through the emotive aspects of cases, in order to guide parties towards what a resolution could look like'. An accredited mediator since 2008, Shaw's mediation experience covers a broad range of disputes. Examples include conflicts surrounding contracts, torts, costs, commercial issues, partnerships, (re)insurance, land, construction, and planning. Also at IPOS Mediation, Shaw is additionally experienced in disputes involving boundaries workplace matters, industrial relations, pensions, healthcare, financial services, and professional negligence (among others).

Legal 500 2025:

Mark Shaw KC 'possesses a diverse array of mediation expertise and skills and consistently demonstrates his ability to navigate complex disputes across a broad spectrum of legal and regulatory contexts'. Also at IPOS Mediation, Shaw is increasingly mandated to mediate high-stakes, multi-party, international mediations. His recent track record includes a workplace and industrial relations mediation involving pension changes for thousands of public sector workers.

Legal 500 2024:

Mark Shaw KC is 'a very approachable mediator, who exudes authority and unsurpassable knowledge of public law. It is a rare quality to be able to make people feel comfortable and get parties to open up in a mediation, while still maintaining mastery over the mediation process'. Shaw's experience covers the mediation of disputes involving contracts, torts, costs, employment, family law, pensions, and financial services, as well as public sector and public procurement-related claims.

Legal 500, 2023:

A CEDR-accredited mediator since late 2008, Mark Shaw's mediation track record includes disputes over contracts, employment, costs, pensions, and public sector and public procurement matters (among others).

Legal 500, 2022:

Well-regarded for his aptitude for 'ensuring that mediations are kept on track', Mark Shaw QC has been an accredited mediator since 2008, his experience includes mediations arising from contract, tort, costs, immigration, employment, public sector and public procurement disputes.

Legal 500 2021:

The mediation experience of Mark Shaw QC includes disputes arising from contract, tort, costs, immigration and public procurement issues. Recent work has included mediating a high-value dispute, which concerned the decision of an NHS Trust to abandon a public procurement process for a large hospital redevelopment scheme.

Legal 500 2020:

Mark Shaw QC 'has an outstanding character and extremely high level of expertise'. Shaw mediates a broad range of cases, though his work frequently focuses on the public sector. Recent mediations include resolving two long-running disputes concerning changes to pension arrangements.

Legal 500 2019:

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Mark Shaw acts in mediations that compliment his significant public law background. Other mediations include partnership, property and land development, professional negligence and commercial disputes.

Mark was also recognised in The Legal 500 Hall of Fame for 2018.

Legal 500 2017:

Within: Civil liberties and human rights (including actions against the police) – Leading silks:

"Combines phenomenal forensic intelligence with great personal charm."

Within: Professional discipline and regulatory law (including police law) – Leading silks:

"The go-to counsel for complex cases involving public law issues."

Chambers and Partners 2024, UK Bar, Band 4:

Mark Shaw KC possesses broad commercial experience, with a notable specialism in public procurement, immigration and other mediations involving public bodies. He also offers additional expertise in disputes involving human rights issues. "Mark is a good mediator that comes with gravitas and he's very helpful."

"He is extremely bright and committed to getting an agreement. He's willing to see through to the bitter end of a dispute irrespective of the time."

"Mark is fair and a pleasure to deal with."

Chambers and Partners 2023, UK Bar, Band 4:

Mark Shaw KC possesses broad commercial experience, with a notable specialism in public procurement, immigration and other mediations involving public bodies. He also offers additional expertise in disputes involving human rights issues. "He had a good approach and was very clear on the set of mediation and did a good job of helping the clients understand the process."

Chambers and Partners 2022, UK bar, Band 4:

Mark Shaw QC possesses broad commercial experience, with a notable specialism in public procurement, immigration and other mediations involving public bodies. Also offers additional expertise in disputes involving human rights issues."He really understood the case and had a good feel for where bridges could be built."

Chambers and Partners 2021, UK bar, Band 4:

Mark Shaw QC possesses broad commercial experience, with a notable specialism in public procurement, immigration and other mediations involving public bodies. Also offers additional expertise in disputes involving human rights issues."An exceptional mediator who brings to mediations a very calm and empathic approach while also maintaining a persona of authority that clients respect."

Chambers and Partners 2017, UK Bar, Band 4 (Admin & Public Law):

"Down-to-earth, professional advice. He is user-friendly, bright and able to analyse complex situations with ease."

Chambers and Partners 2016, UK Bar, Band 1 (Professional Discipline):

"He has an exceptional mind, particularly in relation to regulation and professional discipline work. His knowledge is encyclopaedic, he's personable and can understand the law and apply it in a creative manner." "Mark is both very bright and very personable. He is one of the go-to counsel for complex, high-profile cases involving public law issues."

Chambers UK and Legal 500 also note his client endorsements as “simply excellent”, “a thoroughbred performer”, “insightful”, “entirely practical” and as “immensely knowledgeable and reassuring” with “complete moral and intellectual integrity”.

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Career History

1988 to date: Practising barrister and (since 2002) King's Counsel at Blackstone Chambers, Temple, London (where Mark did pupillage from 1987 to 1988).

2008 to date: CEDR accredited mediator.

2008 to date: Fellow of the International Academy of Trial Lawyers.

1998-2016: Leading (Senior) Special Advocate, appointed by the Attorney General and security cleared to a high

(DV) level enabling representation of alleged terrorists in national security cases mainly before the Special Immigration Appeals Commission, the Proscribed Organisations Appeal Commission and the Administrative Court.

1995-2002: Junior Counsel to the Crown, then known as the Attorney General's "A" Panel (an appointment which Mark had to relinquish on becoming a Queen's Counsel).

1992-1995: Member of the Supplementary Panel of Crown counsel, then known as the Attorney General's "B" Panel.

1991: Pegasus (Inner Temple) Scholarship to Mallesons Stephen Jaques, a large firm of solicitors based in Melbourne (dealing with various aspects of commercial and public law, particularly public utilities, planning and freedom of information).

1986-87: Legal Department of Bournemouth Borough Council.

1986: European Parliament "stage" (scholarship) within the Human Rights Unit based in Luxembourg, Strasbourg and Brussels.

1985-86: Legal Department of Bournemouth Borough Council.

1981-85: Double first in law (BA and LLM) at Durham University (University College) and Cambridge University (Gonville & Caius College).

Professional Qualifications and Affiliations

Appointments

King's Counsel (since 2002, and barrister since 1987).

Leading (Senior) Special Advocate, appointed by the Attorney General and security cleared to a high level enabling representation of alleged terrorists in national security cases mainly before the Special Immigration Appeals Commission, the Proscribed Organisations Appeal Commission and the Administrative Court (since 1998).

CEDR accredited mediator (since 2008).

Fellow of the International Academy of Trial Lawyers (since 2008).

Previously, appointed by the Attorney General to the supplementary panel of Crown counsel (then known as the "B" Panel) from 1992 to 1995 and as Junior Counsel to the Crown (then known as the "A" Panel) from 1995 to 2002. The latter appointment had to be relinquished on taking Silk.

Memberships

ARDL (Association of Regulatory & Disciplinary Lawyers): member & former committee member. ALBA (Constitutional & Administrative Law Bar Association): member & former committee member.

Blackstone Chambers, Temple, London.

CEDR (Centre for Effective Dispute Resolution): member. CMC (Central Mediation Council): member.

International Academy of Trial Lawyers: international fellow.

Justice: member.

The Mediation Chambers (IPOS Mediation): panel member

Publications

Human Rights Law & Practice (contributor) Butterworths, 1999 and (supplement) 2000.

Halsbury's Laws of England: Immigration and Nationality , volume 4(2) reissue, (co-author) Butterworths, 1992.

The Primary Purpose Rule: A Rule with No Purpose (co-author) Justice, 1993.

JR, quarterly journal, (member of Advisory Board) Hart, since 1996.

Costs at the Leave Stage [1996] JR 8.

Costs against Magistrates [1996] JR 133.

Costs and Multiple Representation [1997] JR 4.

Discovery in JR (co-author) [1998] JR 12.

Interests

Golf: Member of Royal St.George's Golf Club, Sandwich, since 2004. Previously a member of Walton Heath Golf Club (1995-2004) and Parkstone Golf Club (1976-1984). Honorary Secretary and Treasurer of the Bar Golfing Society (1999-2003). Current handicap 12.

The Athenaeum Club: Member since 1986. Member of the Wine Committee (2008-2014), and its Chairman (2012-2014). Membership of most other committees, including the General Committee and the Executive Committee.

Running: mostly half-marathons.

Watersports: swimming, scuba diving and free diving.

Italy

Wine

Client Feedback

"Thank you very much indeed for stellar skill and professionalism. We all really appreciated your role and approach."

"We all appreciate the enormous amount of time and hard work you put in not to mention your stamina and endurance! It was above and beyond. I don't think anyone else could have mediated this case to settlement."

"a spectacularly good lawyer", "the magic combination of being academically excellent and practically brilliant",

"sound judgement and tactical acumen", "clear and persuasive" and "excels … in convincing clients of the best way forward".

Clients have commented that they find Mark's "approach extremely professional and informative"

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These comments, taken from direct user feedback, represent a fair and balanced summary of the responses received.

Case Examples

Breach of Contract

Partnership dispute concerning the division of responsibility for the failure of the business and the proper division of residual assets.

Landlord and tenant dispute regarding unpaid rent, holding-over and dilapidations.

Valuation of a business for sale, and associated restrictive covenants.

Disputed enforcement of a commercial loan agreement.

See: Workplace/Pensions

Environment

Dumping of contaminated waste by large UK-based multinational on shoreline in Abidjan, Ivory Coast.

Civil class action in London, involving multiple claimants, was settled; save as to costs.

Mediation of the allocation of costs, believed to be the highest costs bill in English legal history.

Immigration

Mistaken refusal by the Home Office of indefinite leave to enter the UK, and British citizenship, to the wife of a British citizen.

Remedial grant of rights, and compensation.

Parallel claim, involving different claimants but the same issues, mediated shortly afterwards.

Public law and civil dispute regarding the violation of EU free movement rights and immigration status.

Claims for substantial damages under the Human Rights Act 1998 and for misfeasance and negligence, arising from the withdrawal by the Home Office of sponsor licences issued, under the Immigration Acts and Rules, to education and training colleges serving foreign students.

Pensions and Life Assurances

See: **Workplace/Pensions**

Planning and Local Government

Challenge to a planning decision (part refusal, part conditions) and to the allocation of infrastructure costs by a local authority.

The joint venture development company claimed that the local authority had breached the underlying development agreement regarding land previously owned by a public body.

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High Court commercial dispute regarding the sale, servicing and development of land in Virginia Water, Surrey.

Police and Crime Agencies

Negligence claim against the Metropolitan Police by the victim of a domestic burglary.

The dog handler who attended the premises allowed his dog to roam around the house unattended; where it mauled the victim, believing her to be the burglar.

Public Sector

See: **Immigration, Planning and Local Government & Police and Crime Agencies**

See: **Workplace/Pensions**

Religious Disputes

University Student Union refused official society status to Christian Union as its rules denied membership to some (non-Christian) students. Was it entitled to official recognition and University funding?

Statutory Authorities

See: **Immigration, Planning and Local Government & Police and Crime Agencies**

See: **Workplace/Pensions**

Water Industry

See: **Environment**

Workplace/Pensions

Claim in the industrial relations sector, challenging a government decision to modify the private/contractual pension arrangements for 1000's of public sector workers.

Lengthy mediation, in various phases, involving the interface between legislation, litigation and collective bargaining through trade union representatives, against the background of both public and private funds/law."