

Lawrence Kershner KC

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Background

Lawrence is recognised as one of the UK's most experienced mediators and was ranked by Who's Who Legal in 2016, 2017, 2018 & 2019 as one of the world's leading commercial mediators. He has been a CEDR accredited mediator for nearly 20 years, and now works exclusively in mediation and training mediation skills. Lawrence practised as a barrister for more than 30 years in a broad range of civil, commercial and complex criminal cases, and sat as a Recorder of the Crown Court; his understanding of civil and commercial litigation is second to none. He blends experience of many years mediating, familiarity with litigation, and the practical application of communication skills.

Lawrence's mediation experience includes commercial contracts, banking and financial services, construction, defamation, engineering, inheritance, insurance, intellectual property, manufacturing, media, partnership, police, professional negligence, property, shareholdings and voluntary organisations. He is also an experienced workplace and employment mediator. Lawrence has experience in cross-cultural mediations, e.g. working with parties from Denmark/Norway (oil industry); Italy/India (manufacturing); US/ Denmark (pharmaceuticals); Israel/Ireland (charity); Switzerland/Iran (property).

He has developed and run training courses in mediation and negotiation in the UK and abroad for a number of years, most recently for judges in Egypt and Morocco. He aims to adapt the mediation process to the specific needs of the parties, drawing on his experience as a trainer in communication skills such as NLP and Non-violent Communication.

Given the effectiveness of dialogue in resolving conflict and making better relations, Lawrence qualified as a restorative facilitator. He has been actively involved in the development of Restorative Justice in the UK, both in the criminal field and in schools and organisations. From 2003-12 Lawrence was a Board member and latterly Chair of

the Restorative Justice Council, and is trained as a restorative facilitator. He has also acted as observer for Amnesty International in trials in the Gambia, Israel and Grenada, and in 1991 mediated between the Government of Grenada and 14 death row prisoners.

To support the international work of Search for Common Ground in conflict transformation and peace-building he helped establish Search for Common Ground in the UK in 2007. He was its Chair until 2012 and remains a Board member. In 2007 he was honoured to be appointed Chief Pa Kumrabai of Yoni Bana Chiefdom in Sierra Leone.

He is a certified trainer of Neuro-Linguistic Programming and is also accredited as a trainer of Nonviolent Communication, the work of Dr Marshall Rosenberg.

Lawrence speaks French and conversational Italian.

Mediation Style and Approach

His style has been described as assertively facilitative. Lawrence has an energetic approach to the process, and aims to develop dialogue and build momentum as soon as possible. He also looks to adapt the process to the specific needs of the parties and any underlying issues. He is often engaged where there are elements of high conflict, and draws on his experience of restorative process and training as a restorative facilitator. He sometimes finds that humour helps the process.

Practice areas

Assisted deal-making
Banking
Betting and gaming
Breach of contract
Bullying & harassment
Clinical Negligence
Commercial agency, EU regulations & distribution agreements
Commercial contracts
Commodities
Construction & property
Cross-border & international
Defamation
Discrimination
Distribution, agency & licensing
Education
Employment
Engineering

Environment

Family

Financial services

Fraud, deceit & conversion

Government and local government

Human rights

Information technology (IT)

Insolvency

Insurance

Intellectual property, trademark, patents & copyright

International trade & shipping

Landlord & tenant

Manufacturing

Media, entertainment & the arts

Mergers & acquisitions

Mortgage lending

Motorsport

Partnership disputes

Pensions & life assurance

Personal injury

Planning

Police & crime agencies

Product liability

Professional negligence

Public sector

Religious disputes

Retail

Rights of way, boundaries & adverse possession

Sale of goods and services

Shareholder disputes

Sport

Telecoms

Trespass & nuisance

Trusts, wills, probate and inheritance

Undue influence

Workplace

Legal Directories

The most recent editions of the legal directories say the following about Lawrence:

Chambers and Partners, 2021:

Lawrence Kershen QC is a well-regarded and deeply experienced mediator. His expertise spans a wide range of issues, including those concerning commercial contract, financial services and intellectual property disputes. "He has great instinct in judging the direction or mood of a party in mediation."

Chambers and Partners, 2020:

Lawrence Kershen QC is regarded by sources as a "fantastic mediator who prepares very hard for cases and has real gravitas." He offers a wealth of experience in commercial mediations, including frequent instructions in contractual, banking and shareholder disputes.

Chambers and Partners, 2019:

Lawrence Kershen QC is an "accomplished mediator" who offers "a wide range of skills," according to interviewees. He is a highly experienced mediator and is often appointed in disputes concerning commercial contracts, construction and professional negligence, among other areas.

Chambers and Partners, 2018:

He is admired by one commentator for "his even-handedness, his gravity and, at the same time, his approachability," and by another for "always appearing patient and willing to listen, and keeping the parties focused on the issues."

Chambers and Partners, 2017:

Lawrence Kershen QC is an experienced full-time mediator whose background as an advocate in civil, commercial and criminal litigation gives him a strong base for his ADR practice. He has been appointed on a number of complex disputes arising from commercial contracts, construction, property, IP and professional negligence.

Chambers and Partners, 2016:

"a "great communicator" and an "instinctive mediator"

Chambers and Partners, 2015:

"a very good rapport with people - he puts them at ease and helps them deal with their problems in a very sensitive way." "exceptional. He enables all parties to feel heard and respected and to articulate their fundamental needs, and he has a unique approach and set of conceptual tools."

Chambers and Partners, 2014:

A "key leader in the field" and "particularly well known for his effectiveness relating to cross-cultural issues." "should be considered to be among the outstanding experts" in his jurisdiction.

Chambers and Partners, 2013:

"Facilitative without being intrusive and masterful yet empathetic...He has the ability to connect with clients so that they know that he understands and sympathises with them and will help them look for common ground."

Chambers and Partners, 2012:

"...attracts great praise for the depth and breadth of his mediation expertise...absolutely top rung and a natural mediator."

Chambers and Partners, 2011:

an "instinctive mediator" with experience across professional negligence, finance and IP disputes, amongst others. He attracts particular praise for his mediation training programmes

Chambers and Partners, 2010:

...a "calm, alert and facilitative mediator who hides a hard edge." His background as a trial advocate means he is extremely incisive and he has carved out a marked presence in the mediation world.

Chambers and Partners, 2009:

...is an "exceptional listener", a "truly great people person", and someone who's "never afraid to get stuck in". Clients like his relaxed attitude, and respect the fact that he is "time conscious" and "drives the process forward". (2009)

Legal 500, 2025:

Lawrence Kershen KC conducts mediations with 'skill and commercial awareness'. A longstanding CEDR-accredited mediator, Kershen's mediation experience encompasses commercial contracts, banking, financial services, construction, defamation, engineering, inheritance, IP, and insurance. He is also experienced in mediating disputes involving manufacturing, media, partnerships, professional negligence, property, shareholdings, and voluntary organisations. Kershen additionally handles workplace and employment mediations, as well as cross-cultural matters. Recent highlights include a film finance scheme that was disallowed by HMRC; an aviation joint venture for private jet sales; a pharmaceutical-related supply contract; and a construction claim concerning housing development defects and insurance and indemnity issues.

Legal 500, 2024:

With 'gravitas and wide-ranging, cross-disciplinary experience', Lawrence Kershen KC is appreciated for his 'combination of calmness and rigour'. Mediating for over a quarter of a century, Kershen's recent experience includes mediating an aviation-related joint venture involving private jet sales; a construction case concerning housing development defects, and insurance and indemnity issues; a breach of confidence and data protection claim concerning the unauthorised disclosure of information; and a matter regarding accountants' professional negligence, in relation to advice on offshore investments. Kershen also regularly trains mediators from across the UK, as well as internationally.

Legal 500, 2023:

Lawrence Kershen KC is 'calm and calming and very personable, but firm when necessary. He has real gravitas'. Kershen's recent highlights include mediating in relation to a film finance scheme disallowed by HMRC; pharmaceutical-related contract terms; a breach of confidence and data protection claim regarding unauthorised disclosure of information; an aviation joint venture; and accountants' professional negligence. He also recently trained mediators from both across the UK and internationally in mediation and advanced techniques.

Legal 500, 2022:

Mediating for over 25 years, Lawrence Kershen QC 'has a superb manner that is entirely suited to mediation - he focuses on the human and commercial considerations, which are hallmarks of a good mediator'. Kershen is particularly sought out for high-conflict disputes, where there are strong emotions or entrenched positions; and recent mediations include disputes involving a film finance scheme disallowed by HMRC, pharmaceutical-related contract terms, an aviation joint venture, housing development construction defects, and accountants' professional

negligence.

Legal 500, 2021:

Lawrence Kershen QC has mediated for over 25 years and is regularly appointed in high-conflict disputes. Recent mediations include disputes relating to a film finance scheme that was disallowed by HMRC; the facilitation of workplace communication between a clinical director and a psychiatrist; the terms of a pharmaceuticals supply contract; housing development defects, insurance and indemnity issues, and an aviation joint venture involving private jet sales.

Legal 500, 2020:

In Place of Strife's Lawrence Kershen QC is 'exceptionally helpful and easy to work with'. He is one of the UK's longest practising mediators, and the recent subject matter of the disputes he has mediated include financial services, media and entertainment, banking, gaming, breach of contract, inheritance and shareholder disputes. (2020)

Legal 500, 2019:

In Place of Strife's Lawrence Kershen QC is 'wise, concerned, committed, astute and fully wins the confidence of clients and fellow professionals'.

Legal 500, 2017:

Lawrence Kershen QC at In Place of Strife is 'an excellent mediator, who is calm, friendly and tends to put the various parties, including the lawyers, at their ease'.

Legal 500, 2016:

The 'hugely impressive' Lawrence Kershen QC at In Place of Strife 'has a friendly, easy but determined manner; he is an interventionist and works hard to keep the parties talking in order to achieve a resolution'.

Legal 500, 2014:

"A mediator of great experience...extremely personable" "extremely helpful in different types of mediations of different sizes"

Legal 500, 2012:

"... enjoys a very strong reputation, and really knows his stuff."

Who's Who Legal: UK Bar: Mediation

Lawrence Kershen KC enjoys a fantastic reputation on the market for his vast expertise in commercial contracts, professionally negligence and intellectual property matters to name a few.

Lawrence Kershen KC is a go-to mediator who works across a range of industries. He is known for conducting exceptional commercial, civil and criminal mediations. He is "a top practitioner with immense skills, experience and a delightful manner" according to peers who "would recommend him without reservation". He has over 20 years of experience in a broad range of disputes. (2019)

At In Place of Strife, Lawrence Kershen KC is "very good on tough commercial cases" according to sources, who describe him as an "incredibly bright" mediator. (2018)

In Place of Strife Lawrence Kershen KC emerges as one of the bar's most reputable mediators with one source praising him as "a very effective mediator with a stellar practice". Although he has mediated a wide range of disputes, he is particularly well known for his work in complex cross-border disputes. (2017)

Lawrence Kershen KC "brings a sense of calm to even the most fraught of mediations" "one of the worlds leading commercial mediators". (2016)

A "key leader in the field" and "particularly well known for his effectiveness relating to cross-cultural issues." "should be considered to be among the outstanding experts" in his jurisdiction. (2014)

Ranked as one of the world's leading commercial mediators - 2016, 2017 and 2018

Career History

1994 - present: Independent commercial mediator

1967 - 1999: Barrister, Queens Counsel

1986 - 1999: Crown Court Recorder

2012 - Restorative Justice facilitator

Professional qualifications and affiliations

CEDR accredited

Lead Trainer, Mediation & Negotiation Skills

Chair, Search for Common Ground UK

Former chair, Restorative Justice Council

Publications

Articles include:

Healing the Wounds of War - Restorative Justice in Sri Lanka. Cordoba Foundation 2014 (scheduled)

A restorative justice system. The Custodial Review, 2013

Why RJ? Probation Junior, Romania, April 2013

Making justice systems more restorative - a view from the Bench. Law Society Gazette, November 2012

ADR - the Nestle Way. Resolutions, CEDR, September 1998

and has contributed to:

Independent Police Complaints Commission Report. House of Commons Home Affairs Committee 2013

Prisoner Rehabilitation. House of Commons All-Party Parliamentary Penal Affairs Group 2012

Making Mediation Work for You. Legal Action Group, 2012.

Restorative Justice - a Victim Perspective. University of Applied Sciences, Kiel, Germany 2012 - EU Project 'Improving Knowledge and Practice of Restorative Justice'

ADR Principles and Practice - Brown & Marriott. Sweet & Maxwell, 2011

The Role of the Party Lawyer - Mediation as an Opportunity. Jurist-og Okonomforbundets Forlag, Denmark 2011

Mediator Handbook. CEDR, 1997 to 2010

Training and Facilitation

For more than 20 years Lawrence has created and led training courses in mediation and negotiation skills around the world. His training programmes are designed to develop skills-based learning for individuals and organisations, and facilitate dialogue and communication.

He has been a lead trainer for organisations including the Centre for Effective Dispute Resolution, London, the Danish Bar and Law Society and the Ismaili Conciliation and Arbitration Boards, Europe and North America.

He designed and chaired the first South Asian Regional ADR Conference in Dhaka, Bangladesh in 2004 for the British Council, subsequently leading Mediator Skills Training and Train the Trainers Courses there in conjunction with the Ministry of Justice, as well as courses for the Central Board of Revenue in Pakistan.

He has also led mediation trainings for lawyers, judiciary and others in UK, Slovakia, Finland, Iceland, Egypt, Morocco and Lebanon. Most recently he facilitated workshops on Reconciliation as part of the Commonwealth Heads Of Government Meetings in Sri Lanka.

Interests

Lawrence has a special interest in his Wife and two children, his other interests include sculpture, film making, swimming, Chianti and the voluntary sector including peace building. Lawrence also speaks French and conversational Italian.

Client Feedback

"a highly experienced mediator - calm and proactive in narrowing the issues whilst injecting a sense of realism in the parties expectations" October 2019

"I just wanted to thank you for your assistance and patience during mediation. Although unsuccessful, I think you were possibly placed in an impossible position to result in successful negotiations from the start. We were informed the day following mediation that prior to mediation, during and after Executors had still not obtained written authorisation to deal. Apologies for wasting your time and many thanks for your time and great efforts."

"... provided reassurance to us as a legal team from our first call and...got the process going even before the day"

"a very thorough understanding of the legal issues and also the complexities of and background to the case... very skilful in managing personal relationships between the respective legal teams ...The speed with which you picked up the issues, the depth of preparation including detailed chats with all involved prior to the mediation and careful explanation to the client...the positive yet also very realistic approach."

"Patience, firmness, clarity, good humour... helped keep my clients focused on achieving a settlement and being realistic about what could be achieved. Lawrence was very positive, very firm with the parties, kept things moving. He was excellent."

"Lawrence's wisdom and good humour clearly won the confidence of both sides...and he made an enormous contribution to a successful outcome."

"very aware of the facts and did not shy away from confronting the difficult issues...management of relationships very good. Sensitive to the needs/aims of the parties."

"Good communication skills, excellent cost/benefit analysis, patience and empathy. Did not feel pressured even when ran over allocated time. Felt able to consolidate advice already given to client about level of damages to be achieved... very successful"

"...invaluable assistance and skill in resolving this long running dispute ...I had serious reservations about whether it would be possible to find a solution...allowing all parties to work effectively together and to re-establish a degree of trust. I can only attribute this success to your skill as a mediator, your patience and professionalism."

"very good yet again. He's very good at what he does and we will certainly be using him again."

"really good...very user friendly.. accessible...temperament was very calmed and perfectly suited for our client. We got a settlement under very difficult circumstances. I would certainly .. recommend him."

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

Case examples

Banking - interest rate swaps - £15m, £20.5m; private equity fund re structure and operation of fund - £2.6m; price sensitive confidential information about bank published by national journal

Commercial agency - toy manufacturer and agent re unpaid commission and termination of contract - £800K

Commercial contracts - Scandinavian and UK companies pharmaceuticals joint venture - £8m; legal recruitment services €480; industrial cleaning business £40K

Defamation - Premier league football club and national newspaper re intentions for funding; pharmaceutical company and clinician re effect of drug on patients; wife and common law wife re comments on social media

Employment - bank private equity division and fund managers - £600K; termination of contracts of director/shareholders in property and construction co - £900K

Engineering - aluminium extrusions compliance with relevant BS - £1.9m; subsea pipelines £16m

Environmental - decontamination of water and remediation of land, tanning processes - £990k; hydrocarbon contamination of land re escape of petro- chemicals, multi-party - £1.5m; stakeholder dialogue re decommissioning of nuclear power station; stakeholder dialogue re air festival

Family - uncle and nephews shareholders in family property business; family trust £3m

Financial Services - Bank property investment fund and investors - £36m

Fraud - investment in failed property development in Dubai \$5m; directors liability to liquidators - £400m

Government - multiple claims re miners' compensation £10m; a Department of Justice and legal profession re Legal Aid regulations

Harassment - MP & constituent; neighbours re noise

Human Rights -Caribbean Government to commute 14 death sentences

Inheritance - widow and daughters claim against estate administered by common law wife and son - £6m

Insolvency - stockbrokers' trading loss in liquidation - £1.2m

Manufacturing - cake manufacture £1.5m; tortilla bases £180K

Intellectual Property - authority for use of filmed interview £500K; rights to software on termination of employment £150K

Partnership - property development and funding £1.6m; father and 3 brothers over joint property development - £3m

Personal injury – Dentist incapacitated by work-related illness - £750K; laser surgery £1.2m

Police - unlawful arrest and false imprisonment - £222K; undercover officer forming relationships with subjects of surveillance

Product liability - automotive fuel filler pipe hoses re manufacturer's liability for defects - \$700K

Professional negligence – Investment advisors; actuaries; pension trustees claim for lost investment value - £4.78m; solicitors – drafting of charges over leases of equipment by asset finance company – £276K; barrister - client imprisoned 7 years after witness not called

Property – hotel and estate management over service charges and rent - £800K; commercial premises on sale of mini-cab co - £1.8m

Religious disputes - Minister and Trustees of Church, ownership of assets and liability for debts - £50K

Rights of way, boundaries – neighbouring owners of properties and land – fencing on boundaries, rights of access, flooding damage

Shareholders – Sales of minority shareholding and timber importing company - £1m; company sale of engineering premises – £500K

Telecoms – Mobile phone service provider and retailer re 'topping-up' pay-as-you-go phones - £28m; provision and return of mobile phones by manufacturer - £2.4m

Trusts, Inheritance – Family dispute over ownership of farmland (24 parties) - £2m

Undue Influence – sisters re mother's will - £450K

Workplace – director and manager of Security Company: heads of divisions in government department re management of staff