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Peter Causton : Mediator CV



Qualified :

Mediator (2009), Barrister (1995), Solicitor (1997).

Career

I qualified as a barrister in 1995, cross qualified as a solicitor in 1997 and a mediator in 2009. I have worked for various law firms and currently work at Berrymans Lace Mawer in Manchester dealing mainly with pre-litigated cases falling within the pre-action protocol.

I have been involved in mediations as a party and recently as a mediator since I began my career over 15 years ago. My main area of practice is professional negligence law, involving claims against the whole range of professionals, including the emerged professions. This area is particularly well suited to resolution through mediation as Insurers are often keen to settle claims early on before costs rise and litigants also understandably do not want to be involved in protracted litigation if it can be avoided. Resolving matters amicably through mediation can also protect the professional or individual's reputation, whereas a no holds barred approach to litigation only destroys relationships and reputations.

Pre-Mediation

A stitch in time definitely saves nine when it comes to preparation for a mediation. Each minute spent preparing is a minute saved on the day of the mediation, because less time is spent clearing up misunderstandings or dealing with information gathering and exchange. I am a firm believer in setting deadlines and in time limited mediations. For this reason, I was recently able to conclude a mediation at 3.30pm.

Mediation Settlement Meetings

I do believe that the most important meeting of the day is the introductory or opening session at which each party is able to set out their stall and look each other in the eye. Although often daunting and even somewhat traumatic this session is often transformative and cathartic in effect. It is well worth thinking very carefully about the opening statement and who will present it. In my experience, the opening session sets the tone for the whole mediation and a settlement will often flow from an effective opening session.

More About Me

I do not think that mediation is about me, but rather about the parties. Nonetheless, I do have considerable mediation experience. I have also trained as a deputy district judge on the Northern Circuit and use the experience of the Courtroom to challenge assumptions and inject reality into the situation. This has also enabled me to see both sides of the argument and to listen to what is said without prejudice. Although I take an evaluative approach, I am not judgmental as a mediator. Everyone makes mistakes but on the other hand, not every mistake leads to a successful claim.

I am passionate about encouraging the use of mediation as I have seen the positive results in so many cases. I am a board member of the Civil Mediation Council and am keen to see common professional standards introduced across the mediation profession so that consumers can have peace of mind when using mediation, particularly when it is regarded as being an alternative to the regulated litigation process and people's rights and obligations are involved and livelihoods at stake.

Memberships

As a member of the Civil Justice Committee of the Law Society, I am an expert in the litigation field and am fully aware of the implications for litigants of the Jackson reforms and the changes to litigation funding being introduced from April 2013.

Publications

I have had articles published in various publications including the Solicitors Journal and the New Law Journal. I am on the editorial committee producing the official Jackson ADR handbook.