



# Trust Mediation

**James Watson QC**

**Mediator since 2000**

**Specialist areas: clinical negligence, personal injury, professional negligence**



## **Experience in the Mediation field**

I have longstanding experience of alternative dispute resolution.

My initial engagement in alternative dispute resolution techniques was acquired in the late 1980's when the "mini trial" form of ADR process was deployed successfully to resolve several major construction disputes in which I was instructed.

I qualified formally as a CEDR accredited mediator in 1994 /1995 and remained a CEDR mediator for a number of years.

Although my direct association with CEDR lapsed in the years when ADR has not been taken up frequently in my primary specialist area of clinical negligence I have kept in touch with my mediation skills and continued to mediate in my own right from time to

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time until joining Trust Mediation in 2016.

Overall to date I have conducted over 110 mediations overall predominantly relating to clinical negligence and personal injury claims or professional negligence issues arising out of such claims.

My experience as a barrister in practice over 40 years has given me technical familiarity with a wide range of disputes. From an initial general common law base in civil and crime I became a specialist firstly in construction and commercial litigation, and then in police law. From the mid 1990's my practice included both professional disciplinary and regulatory work, personal injury and clinical negligence and in more recent years I have focussed increasingly on the latter areas. I have dealt with most types of claims within these fields and have a particular level of expertise in maximum severity injury claims involving obstetric and paediatric negligence.

In terms of balance and perspective I have always tried, and mostly succeeded in retaining a broadly even spread between claimant and defendant work.

In terms of my skills in both the evaluation and management of disputes I have benefited I believe from experience gained as a legal assessor (in the General Optical Council and other healthcare profession regulatory bodies) and from my work as a Recorder in the Crown Court and County Court since 2006.

### **Specific skills as a mediator**

My professional skills and experience as a barrister, legal assessor and part time judge enable me to understand and evaluate not only the relevant law underlying the claims which I mediate but, where appropriate, to offer a sounding board to help the parties understand their strengths and weaknesses

### **My individual approach to mediation.**

I regard mediation as an opportunity for the parties to discuss and explore the issues in an environment which is informal but managed so that they can participate directly in seeking to resolve the claim under dispute.

### **Equality and diversity, flexible time management etc**

I have represented many types of individual be they claimants or defendants in the litigation process. This has helped me to understand the pressures and impact of such disputes upon those who become engaged in it. I am very much aware of the increasingly well defined obligations upon those who help to conduct dispute resolution processes to ensure that these are adapted to allow those involved in the dispute to present their case and their point of view regardless of any individual characteristic which might otherwise impair or inhibit them from doing so. I find that the flexibility and informality of mediation is helpful in achieving this.

### **Background and Professional Details**

currently Serjeants' Inn Chambers 85 Fleet Street, London EC4Y 1AE  
([www.serjeantsinn.com](http://www.serjeantsinn.com))

2007 - 2012 Head of Chambers

2005 Appointed Recorder, Western Circuit (Crime and later Civil)

2000 Appointed Queens Counsel  
1994/5 CEDR mediator accreditation  
1979 Called to the Bar  
1975.78 Cambridge University

Professional Negligence Bar Association  
London Common Law and Commercial Bar Association  
Contributing Editor to the Lloyds Law Reports Medical

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