



James Watson KC

Mediator since 2000

Specialist areas: clinical negligence, personal injury & professional negligence

James has longstanding experience of alternative dispute resolution.

His 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 he was instructed.

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

Although his direct association with CEDR lapsed in the years when ADR has not been taken up frequently in his primary specialist area of clinical negligence he has kept in touch with my mediation skills and continued to mediate in his own right from time to time until joining Trust Mediation in 2016.

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

His experience as a barrister in practice over 40 years has given him technical familiarity with a wide range of disputes. From an initial general common law base in civil and crime James became a specialist firstly in construction and commercial litigation, and then in police law. From the mid 1990's his practice included both professional disciplinary and regulatory work, personal injury and clinical negligence and in more recent years he has focussed increasingly on the latter areas. James has dealt with most types of claims within these fields and has a particular level of expertise in maximum severity injury claims involving obstetric and pediatric negligence. In terms of balance and perspective he has always tried; and mostly succeeded in retaining a broadly even spread between claimant and defendant work. In terms of his skills in both the evaluation and management of disputes, James has benefited from experience gained as a legal assessor (in the General Optical Council and other healthcare profession regulatory bodies) and from his work as a Recorder in the Crown Court and County Court since 2006.

Specific skills as a mediator

His professional skills and experience as a barrister, legal assessor and part time judge enable James to understand and evaluate not only the relevant law underlying the claims that he mediates but, where appropriate, to offer a sounding board to help the parties understand their strengths and weaknesses.

Approach to mediation

James regards 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.

James has represented many types of individual be they claimants or defendants in the litigation process. This has helped him to understand the pressures and impact of such disputes upon those who become engaged in it. He is 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. James finds that the flexibility and informality of mediation is helpful in achieving this.

Testimonials

“He shows fantastic attention to detail, pick up the key points quickly, deals with issues practically and in a sensible way, and is a good negotiator as well.” Chambers & Partners

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