

Peter Causton
Civil and Commercial Mediator
International Online Mediator (ADR Group)
Barrister
Solicitor
Deputy District Judge

PROFESSIONAL EXPERIENCE

Promediate - set up Mediation service provider certified by Chartered Trading Standards Institute "CTSI" to provide ADR for disputes between businesses and consumers, pursuant to the ADR Directive and ODR Regulations. Also provides mediation for business to business disputes and insurance litigation as well as workplace mediation. Certified to provide ADR for disputes between lawyers and clients

Set up the Greater Manchester Chamber of Commerce Dispute Management Service in 2016 to deal with business to business, business to consumer and workplace disputes.

Board Member of the Civil Mediation Council Limited

Chief Assessor of Law Society Civil Mediation Accreditation Scheme

Deputy District Judge, with experience of personal injury claims and assessing damages

Member of the Law Society of England & Wales Civil Justice Committee for 9 years

Member of the Civil Justice Council Costs Committee having reported to the Master of the Rolls on Guideline Hourly rates

Member of the Editorial Board of the Jackson ADR Handbook distributed to every Civil Court in the land

Chair of the United Kingdom Association of Part Time Judges

Practising insurance litigation Solicitor from 1997-2016 including BLM 2012-2016

Conducted over 100 mediations ranging from 1 hour telephone mediations, online to hill day.

CAREER

- Qualified as a barrister in 1995
- Cross qualified as a solicitor in 1997
- Mediator in 2009

Worked for various law firms including Berrymans Lace Mawer in Manchester dealing mainly with pre-litigated cases falling within the pre-action protocol.

Involved in mediations as a party and recently as a mediator since began career over 15 years ago. 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. Peter is a firm believer in setting deadlines and in time limited mediations. For this reason, Peter was recently able to conclude a mediation at 3.30pm.

Mediation Settlement Meetings

Peter believes 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 his experience, the opening session sets the tone for the whole mediation and a settlement will often flow from an effective opening session.

Peter does not think that mediation is an “about me”, but rather about the parties. Nonetheless, Peter has considerable mediation experience.

Peter has 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 Peter takes an evaluative approach, Peter is not judgmental as a mediator. Everyone makes mistakes but on the other hand, not every mistake leads to a successful claim.

Peter is passionate about encouraging the use of mediation as has seen the positive results in so many cases. 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, Peter is an expert in the litigation field and is fully aware of the implications for litigants of the Jackson reforms and the changes to litigation funding being introduced from April 2013.

Publications

Peter has had articles published in various publications including the Solicitors Journal and the New Law Journal. Peter is on the editorial committee producing the official Jackson ADR handbook