

Mediation

As many professionals will be aware, mediation has become and is (and will continue to be) a very important aspect of litigation in the England & Wales as well as internationally.

Mediation has been endorsed by the LJ Jackson in his recently published review of civil litigation costs (Final Report, HMSO, 2009). Further there have been recent calls by Lord Hoffman for mediation (which he refers to as the twin of litigation) to be compulsorily taught in law schools and by others for Judges of all levels to have training in this form of ADR.

That court compelled compulsory mediation may be an infringement of Art. 6 of the European Convention on Human Rights (e.g. as referred to (*obiter*) by Dyson LJ in Halsey [2004] EWCA Civ 576) is now also considered doubtful: (e.g. see the AG's (Juliane Kokott's) Opinion delivered in the ECJ on 191109 in the four conjoined cases Telekom Italia SpA (C317/08- C320/08)

Andrew is a trained and experienced mediator, cost effectively facilitating the successful resolution of disputes between parties.

He is also registered with his professional body as a Bar Council mediator, with the Technology and Construction Court Bar Association (TecBar) and with the Northern Association of Mediators.

Recent appointments in chancery/property/commercial/construction disputes have included:

Chancery: Family dispute concerning a property purchased for two generations of the same family to live in;

Construction: Dispute involving many Defendants trying to agree liability sharing arrangements;

Construction: "How much is due" as between the parties often after consideration of time and money claims by and against each party;

Chancery: Contested will and boundary disputes;

Commercial: international dispute involving the buyer and seller of tiles;

Andrew also has considerable experience 'across the board' of his expertise as a specialist barrister at law in assisting parties successfully negotiate disputes. E.g.:

- Multi party construction & design defect claims;
- Professional liability claims against solicitors, surveyors and architects;
- Boundary disputes;

- Commercial/Partnership dispute involving several properties including equitable accounting between partners;
- Fees dispute between client and architects on substantial commission;

For a copy of Andrew's terms and costs, please email him on

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