



CEDR Accreditation:	2019
CEDR Panel:	2022
Languages:	English
Location:	United Kingdom

Iain Christie

***“The mediator played a blinder!”
Solicitor in high value commercial
mediation***

Overview

A full-time mediator since 2014 (first accredited in 2004), Iain has successfully resolved hundreds of disputes drawing on his expertise as barrister, diplomat, certified coach and qualified facilitator. Comfortable with handling conflict at all levels of complexity, Iain brings developed skills in negotiation, communication and relationship-building to the mediation room. His complementary practices in civil and commercial, family and workplace mediation allows him to be flexible with the process and creative in generating solutions to seemingly intractable problems. He is a Fellow of the Civil Mediation Council in recognition of his long-standing contribution to mediation.

Professional Background

Iain has a professional background as a barrister, having been called to the bar by the Inner Temple in 1989. Between 1992 and 2000 he was employed as a legal adviser at the Foreign & Commonwealth Office. This role included conducting treaty negotiations on behalf of the United Kingdom at the United Nations and Council of Europe as well as handling cases before the European Commission and Court of Human Rights.



He returned to private practice at the media and information law chambers 5RB where he co-founded the leading textbook on Privacy and the Media and was instructed in both private and public law cases across a broad range of subject matters. He spent ten years on the Attorney General's Panel of Crown Counsel dealing with data protection and freedom of information matters. In 2020 Iain returned to Government service for a two-year appointment as the Lord Chancellor's Policy Fellow in which capacity he set up the MOJ Dispute Resolution Team and devised a 10-point strategy to integrate mediation into the civil justice system in England and Wales.

Expertise

- Commercial Contracts
- Data Protection
- Employment & Workplace
- Intellectual Property
- Media & Entertainment
- Personal Injury
- Professional Negligence
- Property
- Public Sector
- Sale of Goods & Services
- Sport
- Trust, Wills & Probate

Dispute Experience

Commercial Contracts

- Dispute between founders of a distillery over expenses and share of business profits. The founders had been friends as well as business partners and the conflict affected their wider families. A creative settlement was reached involving staged payments dependent on future profits as well as expressions of regret and apologies.

Employment & Workplace

- Breakdown in relationship between middle managers in national company causing loss to productivity and conflict between wider teams, successfully resolved by individual conflict coaching with each party before bringing them together to agree schedule of changed behaviours.
- Conflict between a Head of Department at a national charity and their Director, resulting in under—performance, absenteeism and threatened resignation. Following individual and joint sessions an agreement was reached which resulted in new working arrangements and withdrawal of threats to escalate.

Intellectual Property

- A patent infringement claim which the parties had agreed to cap at £500,000 to come within the Intellectual Property Enterprise Court threshold. Settled near to this level with restored relationships between competitors.

- A long-standing acrimonious relationship between two companies where previous attempts at settlement had failed. The dispute was very complex legally, but settled by shifting the focus to the commercial reality of how two competitors could co-exist in the same market.

Media and Entertainment

- Privacy action between an acquitted defendant and a news publisher who named him as having been a suspect despite an order in place protecting his anonymity.
- Libel action between nursery workers, their employer and the media over allegations of child abuse. Qualified privilege applied in respect of some publications but not others.
- Defamation action in which the Charity Commission successfully claimed qualified privilege in respect of comments contained in an investigatory report into a charity.
- An application to require news publishers to inform subjects of their investigations of their intention to publish material likely to be in breach of their right to respect for private life.
- The largest award of libel damages in a personal claim (£1.5 million) was challenged as being disproportionate to the need to protect the victim's reputation.
- An application to identify the source of disclosure of confidential commercial information of a corporation to the media.
- Disclosure of confidential information relating to the health of a person in public life by the media.

Data Protection/Freedom of Information

- An appeal against refusal to recognise data held in manual records disclosable in a subject access request.
- A claim for disclosure of confidential information held by a Government Department and whether it was in the public interest to maintain exemptions relating to development of government policy.
- A challenge to the system of interception of communications and whether sufficient safeguards exist to review the authorisation procedure.

Sport

- Libel action between a kennel club and a competitor alleged to have defamed members of the Committee. Delicate handling of counsel who failed to recognise qualified privilege defence resulted in withdrawal and drop hands settlement.
- Consideration of whether decisions of sporting regulatory bodies are amenable to judicial review.

Professional Negligence

- Proceedings brought by a regulatory body against one of its members for malpractice with a threat of a counterclaim for discrimination. Both sets of proceedings brought to end by broadening scope of discussion to encompass related threatened proceedings.
- Application of limitation period in relation to historic claims of sexual abuse.

Public Sector

- A threatened judicial review brought by a Leaseholders Association against the local authority in respect of its decision not to recognise them as an official representative of tenants over whom they had housing responsibility. Allegations had been made on both sides damaging the reputation of the other making it a highly charged environment in which to mediate. Settled, despite the participation of multiple members of the Association who were not agreed on their position.
- A threatened judicial review between a farmer and a Government agency regarding farm subsidies in the New Forest. Highly technical on the surface with deeper emotional grievances on one side and public policy considerations on the other.
- Action for breach of confidence in relation to publication of government secrets by newspaper. An undertaking previously given by the publisher not to publish without consultation had to be taken into account.
- Claim brought against the prison service for damages for invasion of privacy arising out of physical inspection of visitors to a prisoner in breach of prison rules.
- A challenge to the Executive's power to determine the tariff period which convicted murderers should serve in prison before being eligible for release.
- Whether individuals suspected of terrorist offences could be deported to countries where there was a risk of inhuman or degrading treatment.

Planning law

- A review of the fairness of planning procedure where the Secretary of State has a right to call in an application.
- A claim brought by travellers against the provision of satisfactory facilities for setting up their homes.

Other Dispute Experience

As well as his practice as a civil and commercial, family and workplace mediator, Iain is a certified NLP-based coach and holds two professional facilitation qualifications in Imago dialogue and the Dare to Lead/Daring Way curricula. He has a Diploma training in Conflict Resolution, Group Facilitation and Counselling Skills and has also trained as a professional actor. He uses these skills

to good effect in in-house training and leadership development, and in improving personal communications in businesses and law firms.

Iain has delivered training in the following areas:

- Diversity and Inclusion
- Building Motivated Teams
- Consultative Selling
- Using Emotional Intelligence to enhance your Leadership Skills
- Coaching Skills
- Difficult Client Conversations
- How to give effective Feedback
- Career Conversations
- Personal Impact
- Networking
- Dare to Lead
- The Daring Way

Personal Style

Extremely approachable and able to put the parties at ease, Iain uses a coaching style of mediation to get parties to explore creative options for resolving their dispute. Not afraid to have difficult conversations, he also has the courage to confront the elephant in the room. His numerous quasijudicial appointments on professional disciplinary and regulatory bodies are evidence of the authority he brings to bear in proceedings.

Feedback

- “Iain had a good manner and made me feel at ease” Disputant in high-value commercial mediation
- “A very able person” – solicitor in medium value civil mediation
- “Thank you so much Iain. I wanted to say again a big thanks for your wonderfully skilled support. I felt we were in very safe hands” – People Director at national charity
- “I was treated with dignity and respect and am very grateful for the help given” – litigant in small claims mediation
- “I have just filled in a response to Legal 500 for you. I hope your ears were burning; the praise was richly deserved. That we got as far as we did was in no small part a result of your skilful management of the day” – Counsel for the Government in administrative law mediation

- “Thank you so much. You are officially my first go-to for future external mediation needs” – Head of Employment at national charity
- “The mediator played a blinder!” – solicitor in high value commercial mediation

Chamber Rankings

- Listed in 2020 Legal 500 as Tier 5 Mediator
- “Perceptive” and “user-friendly” Legal 500
- “First-rate” Legal 500

Other Related Activities

- Iain is active in promoting the benefits of mediation through his former position as Secretary of the Civil Mediation Council and on the Steering Group of the All Party Parliamentary Group on ADR.
- He has appeared on Clive Anderson’s Radio 4 programme Unreliable Evidence alongside Lord Woolf, Baroness Scotland and Professor Dame Hazel Genn to talk about the advantages of ADR and has been guest speaker at various conferences and seminars on mediation related subjects.
- He also holds positions as an Independent Member on Police Misconduct Panels, Independent Member of the Standards Committee of the Press Relations and Communications Association and is the Independent Complaints Reviewer for the UK Endorsement Board.
- Iain is the former Chair of the Bar Standards Board Independent Decision-making Body, former Chair of the CMC’s Complaints and Discipline Committee and inaugural Chair of its Mediation Standards Board and former Director of IMPRESS, the Leveson-compliant press regulator.
- Since 2022 Iain has been a specialist member of the Parole Board of England and Wales.