

SILAS TAYLOR – Mediator Profile

“I have not come across a better conduct of a mediation – Excellent”

“Understated but robustly effective!”

A leading mediator of international shipping disputes and one of the most experienced UK mediators, having been trained and accredited by ADR Group in 1991, Silas Taylor has mediated over 200 cases.

Chambers & Partners Directory: recommended in the practice area of Dispute Resolution: Mediators: UK Wide 2015/16

‘Taylor is a “robust mediator” with a “fantastic grasp of the facts”. Whilst his core area of expertise is domestic and international shipping mediations, he also handles general commercial disputes. “He conveys a strong degree of wisdom and experience to all the parties involved” say interviewees’.

Professional Background

Silas commenced articles at the firm of Andrew Jackson (Hull, UK) in 1975, the start of a career that has lasted over 35 years. Initially he had a particular involvement with the fishing industries at Hull and Grimsby and, by special dispensation from the Law Society, spent six weeks of his articles working on a deep water trawler in the White Sea – a formative experience!

Under his leadership, Andrew Jackson grew a shipping law department from the small beginnings to become the largest UK shipping practice outside London with fifteen specialist lawyers and an international client base.

Silas’ own practice covered a wide spectrum with emphasis on casualty related work. This included collisions, groundings, salvage and personal injury. He retained an involvement in the fishing industry and investigated a number of high profile total losses. He went on to develop a particular involvement in dock and harbour law with an emphasis on towage and pilotage issues. He also acquired a specialist involvement in the ferry industry and in later years this led to a considerable involvement with inland passenger vessels and general inland waterway issues. He also became an acknowledged expert on Limitation of Liability issues.

Within his law practice Silas progressed from being the Head of the Shipping and Transport Department to Joint Senior Partner. For over 20 years he was an active member representing his firm at the London Admiralty Solicitors Group.

In 2008 Silas retired from the partnership so as to concentrate on his mediation practice, although he continued as a part time consultant for three years and still retains close links with the firm.

In 2011 he was appointed a Non-Executive Director with Sunderland Marine Mutual Insurance Co. Ltd. (a major client during his practice) and continued in this role up to the time of the company merging with The North of England P&I Association in February 2014.

During his legal career Silas was involved in a number of reported cases including:

“The Harcourt” [1980] 2LLR 589 – relating to criminal liability of a ship’s master whilst off watch.

“The Ignition” [1983] 1LLR 382 – relating to the interpretation of an ‘offer’ of pilotage

“The Vegaland” [1991] 3ALLER73 [1992] 2LLR 470 – relating to proximity issues in a claim for nervous shock following a shipboard accident.

“The Progress” [1999] 2LLR 559 – relating to the liability of a fishing vessel owner to provide self inflating life jackets.

Clerk –v- Perks [2001] 2LLR 4331 – relating to whether a jack-up rig is a ‘ship’ for statutory purposes. The Court of Appeal decision gave an entitlement to offshore workers (for whom Silas acted) to recover over £100mil in overpaid tax.

Mediation Experience

Whilst he has considerable experience of a wide range of general disputes, the vast majority of his work is marine related.

Obviously with a casualty background, Silas is much in demand for cases involving collisions, salvage, groundings, shipboard accidents etc. However, Silas has mediated cases covering the whole range of maritime commerce and law and today the majority of his cases relate to ‘dry’ shipping problems rather than ‘wet’ ones.

Silas has been involved in many charter party disputes, especially those involving unseaworthiness and the whole spectrum of cargo claims and bunker disputes. He continues to mediate a significant volume of port related cases such as bad berth claims, collisions and allisions in enclosed waters and pilotage and tug problems. Ship repair cases also figure to include several dry docking accidents.

Some mediations have simply focused on the interpretation of commercial documents (including non-marine) or insurance policy coverage wording.

Typically his mediations involve foreign parties brought together by litigation or arbitration in London. His scope of experience in such matters includes, for instance, several cases involving incidents on the river Parana in South America and a number involving ice problems in the Baltic.

He successfully mediated the largest ever Scopic LOF claim and has dealt with claims of over \$50mil and disputes involving up to seven parties.

Silas has presented numerous lectures and seminars, particularly to marine insurers, on the subject of mediation. He spoke about mediation at the annual shipping law lecture at the University of Hull, sharing the platform with the then Master of the Rolls, Sir Anthony Clarke. He has also lectured on mediation in India and has participated in mock mediations as far afield as Oslo and Pireaus.

Publications

Contributor on shipping mediation: "How to Master Commercial Mediation" - David Richbell, Bloomsbury Publishing Plc (2014).

Mediation Style

Silas is an enthusiastic mediator who invests considerable energy into each case. At the same time he is a facilitator, adopting a conciliatory approach and seeking to establish a genuine rapport with the parties and an understanding of their real worth and needs:

"Very professional"

"Direct, determined, energetic, careful"

"Down to earth, accessible, effective"

"Steady and controlled; shows a genuine wish to achieve settlement"

Whilst in practice Silas was rated for many years as a top practitioner by both Legal 500 and Chambers Directory. Chambers described him as:

"An astute maritime lawyer, he's a realist but not afraid to knock heads together. A litigator with a fearsome reputation. As soon as his name is dropped into the hat people shudder a bit".

Silas has also been listed by Chambers Directory for many years as a 'Senior Statesman' and leading practitioner in respect of his work as a mediator. The Directory recently described him as having a 'Down to earth approach, coupled with sage guidance and a hard working attitude which means he is happy to continue his involvement with parties beyond the current mediation if necessary'.

Client feedback

"Commercial and accommodating. Probably first choice for shipping matters".

"Down to earth, attentive, diligent listener. Strikes a perfect balance between letting the parties stay in control of the process and maintaining a positive momentum towards settlement".

"Clear thinking, firm but sympathetic. A light touch. Helpful. A good judge of mood. Flexible".

"Deflected animosity / personal involvement on one side and frustration of lawyers on both sides. Allowed parties to 'vent' properly. Elicited sensible offers / counter offers".

"Grasped the issues in dispute quickly and well but saw the need to move the mediation into discussions on settlements quickly before it became bogged down".

"Well prepared – good grasp of the issues. Put the parties at their ease. 'Interrogated' us when appropriate. Highlighted the cases at risk when appropriate".

"Understated but robustly effective!"

"Kept things moving. Dealt with experts, parties and lawyers. Explained procedure to lay clients and kept negotiations amicable when they were in danger of breaking down".

"Calm and assured. Very professional".

'Effective. Prepared to highlight strengths and weaknesses of the party's case when appropriate. Commercially pragmatic. Easy to deal with'.

"Allowed the parties to argue their cases and then persuaded them to be sensible".

"Interacted well with our clients. Through pre-reading had a good grasp of the facts and issues and facilitated settlement".

"Ensured that the parties focussed on the weaknesses".

"Engaged with client / party. Played devil's advocate. Managed the exchange of information / arguments between the participants".

"Kept the pressure on to consider sensible offers of settlement'. 'Direct, determined, energetic, careful".

"I have not come across a better conduct of a mediation and have no criticisms or suggestions to make at all. Excellent".

Interests

In his spare time Silas is a keen fisherman, vegetable gardener and a devoted supporter of Hull City AFC.

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