

## **Emma Gooding**

**MA (Hons) in Law, University of Cambridge**

**Admitted as a Solicitor England and Wales 1998  
and Hong Kong 2002 (now non-practicing)**

**CMC Registered for Civil/Commercial and Workplace Mediations**



### **Mediation Qualifications and Awards**

1. Emma became an accredited Civil & Commercial Mediator in 2008, having completed her mediation training with CEDR. She has been mediating civil and commercial disputes ever since.
2. As an extension to her experience mediating employment-related civil disputes, Emma also became an accredited workplace mediator in 2019.

### **Professional Experience**

3. Emma graduated from Cambridge University in 1994 with an MA (Hons) in Law. She obtained a Post-graduate Diploma in Legal Practice (LPC) from the College of Law, York in 1995, passing with Distinction.
4. Emma completed her training contract with Allen & Overy in London and New York. She qualified as a solicitor in 1998, qualifying into Allen & Overy's Commercial Litigation department where she specialised in advising on commercial and banking & finance disputes. Mediation was, at the time, in its infancy in the resolution of commercial disputes. Having been involved as a mediation advocate to the parties in a number of these early commercial mediations, Emma experienced first-hand the benefits mediation can bring, and became determined to become a mediator herself.
5. In 2001, Emma relocated to Hong Kong where she re-qualified and was admitted as a solicitor of the High Court of Hong Kong. She spent a number of years as a commercial dispute resolution solicitor with Herbert Smith (not Herbert Smith Freehills) Hong Kong office, where she was a strong advocate for the use of mediation in resolving commercial disputes. She achieved her long-held ambition of becoming an accredited civil and commercial mediator in 2008.
6. Between 2006 and 2016, Emma was a Principal Lecturer in the Department of Professional Legal Education at the University of Hong Kong, where she was the Course Leader of the Commercial Dispute Resolution part of the PCLL Course (LPC/BVC equivalent). She specialised in lecturing on alternative dispute resolution, combining this with her active career as a mediator.

7. Since returning to the UK from Hong Kong in 2016, Emma has focussed on building a full-time UK-based mediation practice.

### Mediation Training

8. During her time at the University of Hong Kong, Emma designed and delivered an experiential mediation advocacy training programme for PCLL students, as part of the Commercial Dispute Resolution Course. At the end of the course, students took part in a full-day, multi-party mediation simulation of a commercial dispute, and were assessed on their mediation advocacy skills. Emma also acted as team coach for University of Hong Kong teams participating in the ICC International Commercial Mediation Competition.
9. Since returning to the UK, Emma has designed and delivered mediation training, both in-house and as part of accredited mediation training programmes.

### Current Position

10. Emma combines her civil & commercial and workplace mediation practice with her work as a mediation trainer.
11. As part of her wider commitment to mediation in the community, she also operates a free and reduced-cost mediation scheme in collaboration with the Bath & North East Somerset Citizens' Advice Bureau.

### Mediation Experience

12. Emma became a CEDR accredited mediator in 2008, and has been mediating civil and commercial disputes ever since.
13. Emma has broad civil & commercial mediation experience, including mediating disputes involving insurance, property, partnership and minority shareholder issues, private client and trust matters, employment, professional negligence, financial services, product liability and media disputes as well as general contractual disputes. She also regularly mediates workplace disputes.
14. Emma invests time in building a rapport with the parties prior to the mediation day, allowing them to voice any concerns and be fully involved in planning the mediation. Her considerable experience as a lawyer representing parties to mediation allows her to understand and engage with the parties' commercial interests. This, combined with careful preparation, allows swift and effective progress to be made on the mediation day.
15. Emma is calm, creative and adaptable, using the mediation process flexibly to overcome barriers to settlement and keep the parties on track. Facilitative and

perceptive, she is nevertheless not afraid to ask difficult questions and challenge preconceptions. Her ability to build rapport and her excellent communication skills, combined with a tenacious and proactive approach, allow her to deal with high levels of conflict and entrenched positions, and to defuse difficult dynamics.

16. Emma is equally comfortable mediating in person and online via Zoom and other video-conferencing platforms.

### **Mediation feedback**

The parties to Emma's mediations have often noted her warm approach and ability to find a way forward, achieving settlement in cases where all parties thought this would be impossible.

A selection of mediation participants' feedback appears below:

"Emma is a highly competent and warm mediator. She did an excellent job of building a relationship with the parties, focusing them throughout and managing the whole process."

"Thank you for everything you did to help to bring about a settlement at today's mediation. The client, as you know, was initially sceptical about using mediation but was delighted by the result and is now something of a convert!"

"[Emma] approached the mediation with energy and personal warmth, encouraging the parties to actively engage in the mediation"

"A sure-footed and accomplished mediator. Emma was highly effective at managing the parties and made huge progress at mediation, leading to an early settlement which at the outset seemed unlikely."

"You made the parties feel comfortable but yet left no stone unturned in assisting them to achieve an agreement in mediation. It was a privilege to see you in action."