



Association of Arbitrators
(Southern Africa) NPC





Jonathan Dingle!





THE
SOCIETY OF
MEDIATORS



United Kingdom partners include:

-  Kings College London;
-  The Bar Council of England and Wales;
-  Sheffield Hallam University;
-  The Severn Deanery (NHS England).

Training Accredited / Recognised by:

-  The Civil Mediation Council (CMC);
-  The Chartered Institute of Arbitrators (CI Arb).



The Society of Mediators is a London-based Charity authorised worldwide to provide mediation training, education and development. Registration #1151526.

REMOTE MEDIATION
TRAINING COURSES



The Association of Arbitrators (Southern Africa) NPC (the Association) is delighted to renew its partnership with the leading London mediation training charity The Society of Mediators (the Society). Members will recall that the Society's Faculty - led by Jonathan Dingle FRSA, Andrea Barnes, and Zoey White - trained over 100 mediators in recent years in a series of courses in Sandton and have worked across Africa.



Mediation continues apace but, as we all appreciate, COVID-19 has changed everything. Lives. Families. Businesses. Economies. It has caused people to re-evaluate how they train, learn, and work. Their priorities and their ambitions. It has meant that organisations have had to re-assess how they permit key events and structures to happen, to minimise risk and promote results.



Globally this has included parliaments and parties, courts and conferences, meetings and mediations. What was previously unthinkable is the new normal. What was previously thought unworkable has been adapted to succeed and work.



For many involved in dispute resolution, this has included both mediations themselves, and the training and preparation for mediation. For decades, it had been mainstream thinking that mediation and the training of mediators could only successfully be delivered face-to-face. Within 6 months of Lockdown in the United Kingdom, however, Society of Mediators members were reporting 90% of their work was now online (remote) mediation with increased volumes of business.



Remote mediation now accounts for 97.3% of all United Kingdom civil and commercial mediation. Whether by Zoom or Starleaf, Teams or Skype, FaceTime or WhatsApp, Telephone or S4B, the process of settlement at mediation has continued and flourished.

INTRODUCTION



INTRODUCTION

More than 15,000 mediations will take place in the United Kingdom this year and 84% will result in settlement on the day. The business will save £Billions and will generate income to mediators of more than £30million - with few overheads.

This is a pattern that can be replicated worldwide. A mediator can be based anywhere. Time zones no longer matter - nor do travel restrictions or visas.

Some countries have adopted similar models and options. Others have not. But what is clear is that to be successful there must be a cohort of trained mediators, an appropriate code of conduct, appropriate protocols and support.

The Association is determined to take the lead regionally and to offer its members the chance not only to train (or retrain) in online (remote) mediation but also to offer the process nationally and internationally through a network of specifically trained mediators. They will be supported by protocols and a Code of Conduct.

The Association considers it vital that this training meets and exceeds international norms. To that end we have agreed with the Society that it will provide online the following courses:

1-day extension courses in remote mediation for existing mediators; and

5-day foundation courses in remote mediation for new mediators.




There will also be face-to-face conversion courses for those trained online who also wish to undertake in-person mediations. Details of all these courses are below.



1-DAY ONLINE EXTENSION COURSE














Who should attend:

The 1-day online extension course offered by the Association with the Society is intended for mediators who have:

-  Previously trained with the Association;
-  Trained elsewhere and hold a recognised certificate;
-  Not trained but can demonstrate suitable experience.

Learning outcomes:

The course is conducted online, from London, and will build on the experience of this cohort of recognised mediators and introduce them to the additional skills and pitfalls of online (remote) mediation. It covers:




-  Effective use of the technology and software;
-  The different agreements, Code of Conduct, and protocols;
-  The pre-meetings, tech-checks, and emergency procedures;
-  Confidentiality and identity checks;
-  Protection of privacy, participants, data, and materials;
-  Recording of mediations;
-  Transmission of offers;
-  Completion of settlements;
-  Adjournments and loss of connectivity;
-  Abuse and misconduct;
-  Terminating a mediation;
-  Control of the mediation;
-  Inclusion, diversity, and vulnerabilities.





1-DAY ONLINE EXTENSION COURSE

Successful completion:

Successful completion of the course will give the qualifying member:

-  The Association's Certificate in Remote Mediation;
-  6 CPD hours;
-  Access to free support from the Society for 12 months through email in respect of online Remote Mediation.

Dates, fees and registration:


-  Places are limited on each course and strictly first paid, first served.
-  The online course lasts 6 hours and will be held on the following date and time:

Friday, 12 March 2021

08:30 to 15:30

-  Fees are inclusive of VAT, per person:

R2 875.00

-  To register, please complete and return the **Enrolment Form**.
Upon receipt of payment, you will receive a link the online course and course material.



SOM/2021/157

Presenters:






-  Jonathan Dingle;
-  Zoey White;
-  Ruby Sandhu.
-  Andrea Barnes;
-  Lord Ian Strathcarron; and

OVERVIEW OF
TRAINING COURSES



5-DAY ONLINE MEDIATION FOUNDATION COURSE

Who should attend:


-  The 5-day online extension course offered by the Association with the Society is intended for mediators who have:
 -  Members wishing to train to become mediators to international standards;
 -  Members wishing to act as advocates at remote mediation;
 -  Those considering membership of the Association who wish to train as above.
-  Neither previous legal training, nor training as an arbitrator, are pre-requisites. The skills required will be given on the course but, those without degree-level education or professional experience, may struggle.

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5-DAY ONLINE MEDIATION FOUNDATION COURSE

Learning outcomes:

 The online foundation course provides everything necessary to meet and exceed international standards from the perspective of the London experience, working worldwide. The course satisfies the accreditation and the Society's International Certificate in Remote (Online) Mediation. It also provides the foundational skills that are the core for full face-to-face training which, with an additional day of assessment and a further exam, leads to full accreditation to international standards if so desired.

 The course will cover:

-  The mediation process;
-  Ethics and inclusion;
-  Building rapport and establishing interests;
-  Effective use of technology and software;
-  The mediation agreement, Code of Conduct, and protocols;
-  Control and management of the mediation;
-  An online examination;
-  Live case studies and practice mediations;
-  An assessed mediation with feedback.

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5-DAY ONLINE MEDIATION FOUNDATION COURSE

Successful completion:

Successful completion of the course will give the qualifying member:

- The Association's Certificate in Remote Mediation;
- 40 CPD hours;
- Access to free support from the Society for 12 months through email in respect of online Remote Mediation.

Dates, fees and registration:

- Places are limited on each course and strictly first paid, first served.
- The online course lasts 40 hours and will be held on the following date and time:

Monday, 22 March 2021 to Friday, 26 March 2021

08:30 to 16:30

- Fees are inclusive of VAT, per person:

R13 800.00

- To register, please complete and return the **Enrolment Form**. Upon receipt of payment, you will receive a link to the online course and course material.



SOM/2021/973

Presenters:






- Jonathan Dingle;
- Andrea Barnes;
- Zoey White;
- Lord Ian Strathcarron; and
- Ruby Sandhu.

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5-DAY ONLINE MEDIATION FOUNDATION COURSE

The online training week in detail:

-  The online training week is in 3 modules.
-  The timings are given in South Africa time throughout: London is usually 1 hour behind South Africa. Thus 08:00 on the timetable is 07:00 in London.
-  If trainees are in different parts of Africa, or indeed the wider world, the tech-check in Module 1 will ensure that the timings are assimilated for the week.
-  The week runs as follows:
 -  **Monday (Module 1):** has a short registration and introduction session for 1 hour at 08:00 (ZA-time). The rest of the day consists of a Mediation 101 dedicated reading day whereby trainees work through the course text book supplied as a downloaded PDF for preparatory reading that day: it takes around 4 to 6 hours to read, and make notes. There are questions to answer online at the end of the reading to confirm assimilation which need to be submitted before 08:00 on the second day (Module 2);

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5-DAY ONLINE MEDIATION FOUNDATION COURSE

The online training week in detail:



Tuesday (Module 2 - phase 1): This Module works towards and through the first co-mediation:

- 08:00** Mediation 101: consolidation;
- 09:30** Negotiation exercise in parallel breakout rooms;
- 10:00** Mediation 102: the protocol and pre-mediation preparation;
- 10:30** How to manage and run a remote co-mediation;
- 11:00** Remote co-mediation demonstration;
- 12:00** Lunch and preparation;
- 13:00** Mediation case study allocations and methodology - Zoom links sent;
- 13:30** First case study in parallel co-mediation groups, each faculty-hosted;
- 15:30** Ethics and challenges;
- 16:00** Homework pre-discussion and allocations for Wednesday;
- o/c** Close.

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5-DAY ONLINE MEDIATION FOUNDATION COURSE

The online training week in detail:



Wednesday (Module 2 - phase 2): The second phase of this Module allows all trainees to mediate and then to consider the solo mediation skills needed in remote mediation:

- 08:00** Homework – consolidation;
- 08:30** Fraud, ethics, abuse, and remote mediation;
- 10:00** Case Study Two;
- 12:00** Lunch and preparation;
- 13:00** Case Study Three;
- 15:00** Solo mediation skills;
- 15:30** Technical challenges, the Code of Conduct, and the Protocol;
- o/c** Homework and allocations for Thursday;
Close.



Thursday (Module 3 - phase 1): The third module ensures that all trainees are safe running a remote mediation on their own account and demonstrates various challenges:

- 08:00** Homework – consolidation;
- 08:30** Case Study Five;
- 10:00** Plenary session;
- 10:30** Case Study Six;
- 12:00** Lunch and preparation;
- 13:00** Case Study Seven;
- 14:30** Homework and allocations for Friday;
- 15:00** (or overnight) online examination to demonstrate assimilation;
- o/c** Close.

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5-DAY ONLINE MEDIATION FOUNDATION COURSE

The online training week in detail:



Friday (Module 3 - phase 2): This part of the third module completes the course and mediation on their own account and demonstrates various challenges:

08:00 Homework and examination consolidation;

08:30 Case Study Eight;

10:00 Plenary session;

10:30 Case Study Nine;

12:00 Lunch;

13:00 Case Study Ten;

14:30 Plenary session;

15:00 Remote debrief arrangements and award of certificates;

o/c Close.

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COURSE STRUCTURES AND REQUIREMENTS

Both online courses are offered through the Society's platform with fully downloadable materials, record keeping, and interactivity.



Whilst conducted using a Zoom-Pro link, it is live and interactive, with the same internationally known faculty led by Jonathan Dingle, Andrea Barnes, Zoey White, Ruby Sandhu, and Lord Ian Strathcarron who have been at the forefront of the development of mediation training for two decades, most recently as the Bar Council of England & Wales' partner for mediation.



The 5-day course is that which has been developed with the Society's partners for King's College London and is taken up by its students in numerous jurisdictions. It is robust, clear and structured to ensure the best opportunity for learning wherever the trainee mediator is working. It covers all aspects of the syllabus and includes work by mediators in both co-mediation and solo mediation, ethics and procedure.



The remote (online) courses are conducted by the trainee from any venue which suits them: either collegiately or solo. No conditions are imposed save that the environment for the trainee should not distract them nor other course attendees. The courses can be taken in consecutive modules. There is an examination. All materials are downloaded from the Society's new training platform which records all interactions and chases-up any overdue downloadings.



Those wishing to progress to the full face-to-face accreditation must attend a one-day course with an assessment in person at later date at one of the designated venues. These will begin in August 2021 in Sandton and Cape Town.



The training is delivered using the Society's Zoom Pro system. No special tech is required by trainees, however: trainees can use a Mac, any PC, iPad or tablet or even smartphone to connect through all recognised browsers. A tech-check is undertaken to resolve any issues although the system has been tested on low- and high-bandwidth, and even basic 3G systems, worldwide.

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FACE-TO-FACE TRAINING

Who should attend:

Face-to-face training is offered to anybody:

- Who has successfully completed an online course, as stated above; and
- Wishing to undertake in-person mediations.

Learning outcomes:

- Full accreditation to international standards for in-person mediations.

Successful completion:

- Successful completion of the course will give the qualifying member:
 - The Association's Certificate in In-person Mediation;
 - 7 CPD hours;
 - Access to free support from the Society for 12 months through email in respect of online Remote Mediation.

Dates, fees and registration:

- Dates and times to be advised, COVID-19 permitting.
- Fees are inclusive of VAT, per person:

R8 625.00

- Qualifying members will receive registration details upon completion of an abovementioned online course.



SOM/2021/1968

Presenters:

- Jonathan Dingle; and
- Andrea Barnes.

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PRESENTERS

Jonathan is a Barrister, Mediator, Arbitrator and Accredited Mediator.

He is joint Head of Chambers at Normanton Chambers, prior to which he founded 218 Strand Chambers, Clerksroom and the London School of Mediation.

Jonathan is widely described as being 'instrumental' in the development of mediation both in the UK and Worldwide and has remained involved in the profession since 1996.



Working globally to develop mediation as a leading alternative to conflict and litigation, Jonathan is regularly consulted by governments and judiciary around the world regarding the introduction and development of mediation in those jurisdictions. He has completed over 1000 mediations and has acted as counsel on many more. Jonathan enjoys enviable feedback including the award of Mediation Achiever of the Year in 2009 and 2016. He has also co-authored three editions of the Mediation Handbook. His passion for teaching has gained him a deserved reputation for inspiring and motivating students of the profession in many countries, regardless of their backgrounds.



Andi is a Barrister, Mediator and Joint Head of Chambers at Normanton Chambers.

Before coming to the Bar, Andi was in-house counsel in the personal injury department of a major London firm and also undertook a nine month secondment to Zurich Insurance PLC giving pre-litigation case management advice on personal injury and property claims.

As a mediator Andi has over 16 years experience and was one of the founder members of the Court Based mediation Scheme.

She mediated a full range of civil and commercial dispute through the National Mediator Database and predominately high value personal injury, clinical negligence and costs matters through Trust Mediation.

Andi has strong links with South Africa and has been heavily involved in providing training to various organisations throughout the country. She is a Barrister of Lincoln's Inn and an Internationally Accredited Civil and Commercial Mediator.

Zoey is a Pupil Barrister at Normanton Chambers and a Civil and Commercial Mediator.

Having originally trained as a mediator with Clerksroom in 2006, Zoey has over ten years experience of mediation and has trained mediators across the UK as well as South Africa, Spain and the Cayman Island for the past six years.

She was the First Honorary Secretary of the Society of Mediators and has played a key role in its charitable work and the development of the Free Mediation Project since its inception.



Outside of mediation, Zoey was called to the Bar in 2018 after well over a decade working with the Legal Expenses industry on all types of contentious work. Zoey specialises in Personal Injury and Clinical Negligence particularly those relating to children, non-recent abuse and the military. She also has a keen interest in Family and Children matters due to her judicial work in this area. Zoey is a Barrister of the Middle Temple, a Family Justice, an Internationally Accredited Civil and Commercial Mediator and a Graduate Member of the Institute of Legal Executives.



Lord Strathcarron is Chairman of Unicorn Publishing Group LLP.

Lord Strathcarron spent ten years in the Orient working for Time-Life as a freelance journalist and copywriter. In 1970, he founded the Japan Europa Press Agency in Tokyo and sold it in 2006.

He became a partner in Strathcarron & Company in 1974, and a founder and Director of Global Alliance Automotive Ltd, a transnational version of Strathcarron & Company in 1993.



In 1995, he founded Strathcarron Sports Cars plc, manufacturers of sports/racing cars and since 2006 he has been a trustee and director of the National Motor Museum in Beaulieu, Hampshire. He is Chairman and Commissioning Editor of Unicorn Publishing Group LLP, a cultural and military history publishing company, Chairman of Sophie Macpherson Ltd, a fine arts recruitment and consultancy company, and Chairman of Play Associates Ltd, an interior design company, and a director of Art World Alliance Ltd, a grouping of UK art industry companies. In 2018, he founded the transmedia production company Affable Media Ltd.



Ruby is a Solicitor, Accredited Civil and Commercial Mediator, Charity Worker and Ethics Specialist.

Until Mid-2013 Ruby was a Partner at an International Law Firm specialising in International Law and Public Policy. She left to run her own consultancy advising on Business and Human Rights, Corporate Social Responsibility (CSR) and Sustainability Law. Having undertaken training as a mediator she quickly saw the synergy between this form of ADR and her other areas of work. Ruby was involved in the Law Society research into Business Human Rights for the Legal Profession and initiated the Business Ethics Working Group in her role as Vice Chair of the Solicitor's International Human Rights Group.

Ruby is an ethical vegan and spends much of her free time on charity work in Eritrea and on animal rights related issues. She is an integral part of the Free Mediation Project, a trustee of SoM and a director of RS Collaboration.

PRESENTERS

The Society has assembled a world-class group of trainers and educators for its training programme.

Unlike other mediation "schools", "colleges", or organisations who make the same or similar bold claims, all our trainers actually mediate regularly, and have many years of experience so doing. Our trainers are diverse, and have worked internationally to great acclaim. Not only that, but they deliver these intensive courses in a way that makes learning fun and interactive – just ask anyone who has attended!

They have seen and delivered mediation in different contexts, communities, and commercial settings. They have built successful practises and can draw on thousands of mediations when they teach. With that very real knowledge of what it is like, acting as a neutral between those in conflict, our students learn practical and pragmatic mediation.

The training is recognised and accredited worldwide, recognised by the CMC, the CIArb and many other bodies. Our course leader co-founded the CMC and helped establish bodies in other countries. This exceptional pedigree offers you, or your organisation, the assurance of complete confidence and commercial competence.
It is mediation – for your future!



**Professor
Hugh Whitfield**
...

"In December 2018 I attended a five day mediation course run by the Society of Mediators. We were a group of 15, small enough to be able to get to know each other quickly and to be taught both as a group and as individuals by each member of the team of eight experienced mediators that had been brought together by Jonathan Dingle, the barrister who founded the Society, to initiate us into the art of mediation.

"Members of the group came from diverse backgrounds. This was a great advantage because we could learn from each other how mediation could fit into many different areas of conflict and dispute. We all had opportunities to play the role of mediator and also to display our Thespian talents as participants in the carefully planned scenarios that demanded role play.

The course was hard work. Nine hour days, with just enough time for tea, coffee and a hasty lunch, were followed by two hours' of homework. Our teachers generated such enthusiasm and belief that we were buoyed up and motivated. We knew that we would be faced with an examination, part written and part practical, and this helped to focus our minds.

By the end of the week we were all convinced that whatever our background we would be ambassadors for mediation and we were all looking forward to gaining experience and bringing resolution to conflict situations.

I can recommend the course very strongly. The Society of Mediators has charitable status and this was reflected in the modest fee for the course."

"This is just to say thank you so much for inviting me to do the mediation course and for your time. I feel so much more competent for mediation than I did before. The structure of the course works so well and I can safely say it's the most fun I've ever had whilst learning. The group was wonderful and I suspect we'll keep in touch for many moons! I am going to get my observations done as soon as possible, especially now whilst I have more time and flexibility and I look forward to my first mediation."

**Former NHS
Professional
retrained as a
mediator ...**

**Senior barrister
and part-time
judge ...**

"Many thanks for an exceptional week. Not only did I learn everything I could wish about mediation, I learned about myself and a better way of being a barrister. I should have done this 20 years ago. I have been on all manner of courses, through my time at the Bar but this was head and shoulders above them all. It was also, remarkably, fun - inspired by the diverse and extraordinary faculty and the people with whom I shared the learning. I was also really impressed by the level of after course support that is available and the structured learning. 10/10."

"The perfect week of learning. I recommended this in the strongest possible terms to all NHS colleagues - whether in consultant, specialist, nursing or administrator roles. There is so much wisdom and the benefit is clear. The five days passed in a flash, guided by superb tutors, and rarely have I come away from any professional matter with such a smile and happy memories. I look forward to returning for more."

**NHS Consultant
...**

THEY SAID WHAT?



Website:

www.arbitrators.co.za/education/

Please send your enquiries to:

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ENQUIRIES

NOTE:

**Dates subject to
pandemic travel
regulations in
RSA and UK.**