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| **The ADR Spectrum**  **- How to Choose Between**  **Different Dispute Resolution**  **Process?**  *by*  Mr. Danny McFadden, LLM, FCIArb,  Arbitrator, Lawyer, Mediator, Trainer,  Council Member & Lead Assessor,  HKMAAL,  CEDR Director & Managing Director,  CEDR Asia Pacific, Hong Kong |  |

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| C:\Users\botyrone\Desktop\the.profectional.company.limited\events\EVT000000001\robert.lee.jpg | Danny has been a CEDR Director since 2004 and is dually qualified as a lawyer both in Australia and the UK. He has been involved in negotiation, conflict resolution training, mediation and international business for over 20 years. After completing his Masters in Commercial Law he specialised in dispute resolution and international trade. Now based in Hong Kong, and as a CEDR Accredited Mediator, Danny mediates regularly in the commercial, international trade, property and workplace mediation sectors with a particular expertise in cross-cultural/multinational disputes.  Danny is a fluent speaker of both Mandarin Chinese and Indonesian. Before entering the legal profession he worked throughout Asia and has managed a number of businesses providing commercial services to international clients. The experience of running his own businesses in Australia and Asia means Danny fully appreciates the underpinnings of the business environment. He has worked with people of all nationalities and has a clear understanding of the dynamics of mediating and arbitrating across national boundaries.  He has worked to develop CEDR's capacity to offer cross-cultural mediation and his efforts have resulted in CEDR establishing an international mediation service in Beijing with the China Council for the Promotion of International Trade (CCPIT) Mediation Centre, which is the largest in Asia, and providing consultancy to the legislatures of Hong Kong and Vietnam.    In recent years Danny has delivered conflict resolution training courses in Azerbaijan, Cameroon, China, Guyana, Vietnam, the UK and Kazakhstan and is a member of CEDR's training faculty. He is in demand as a speaker and has presented papers on ADR and conflict resolution at conferences in China, Hong Kong, Ireland, USA, UK, Poland, Sweden, Taiwan, Australia and Spain.  In 2008, taking temporary leave of absence from CEDR, Danny joined the United Nations Ombudsman's Office in New York as an expert adviser on the establishment of a new Mediation Division. His report on the design integrated conflict resolution systems formed part of the terms of reference for mediation in the new UN Justice System. In 2009 he spent a further 3 months as the Interim UN Director of Mediation in New York, mediating cases and also assisting in the selection of staff for the new Mediation Division. Danny opened CEDR's first overseas office in Hong Kong in early 2011 and is developing its dispute resolution practice throughout South East Asia. In 2013 he is under contract to the UN and also the World Bank as an on-call mediator and consultant.  Danny is a member of the Hong Kong Steering Committee on Mediation, International Ombudsman Association, Law Society of England and Wales, Civil Mediation Council, International Bar Association, World Jurist Association, Asian Lawyers Association, 48 Group, British Expertise and a Fellow of the Chartered Institute of Arbitrators. He is currently serving on Mediator Panels: United Nations Mediation Division New York, ADR Chambers, CEDR Solve, World Bank Group and CCPIT Mediation Centre Beijing.  He is also a Council Member, Lead Assessor as well as the Chairperson of the Assessor Working Group of the Hong Kong Mediation Accreditation Association Limited (HKMAAL) and an Adjunct Professor of the Singapore Management University. |

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| **The Dynamics of Conflict and Conflict Management** | |
| * *By the end of this session the delegate will be able to provide an analysis of conflict and recognise the underlying causes of conflict and dispute resolution styles.*   1. Awareness/exposure to the characteristics and the range of causes of conflict   2. The ability to identify when each type of conflict response is appropriate   3. Understanding the special/unique characteristics of conflict models   4. How to select the most appropriate conflict response to a dispute   5. Introducing conflicts and its origins, styles of dealing with conflicts and the comparisons with litigation | |
| **Understanding the Alternative Dispute Resolution Spectrum** | |
| * *By the end of this session the delegate will be able to provide a working definition of the ADR spectrum and recognise the value of each type of dispute resolution process.*   1. Awareness/exposure to the characteristics and the range of dispute resolution methods   2. The ability to identify when each type of dispute resolution process is appropriate   3. Understanding the special/unique characteristics of each ADR process   4. How to select the most appropriate dispute resolution process for a case   5. Providing the client value and confidence in the type of process chosen | |
| **Mediation and the Phases of Mediation** | |
| * *By the end of this session the delegate will understand the types of mediation models the objectives of the mediator, and the mediation, throughout the various stages of the mediation process.*   1. Understanding the various phases of mediation and what to expect in each phase   2. Possessing an awareness of the mediator’s role in each phase of the mediation   3. Overview of some of the major legal issues to consider in mediation   4. Knowing what to expect at each stage of the mediation   5. Identifying the major legal issues/concerns in mediation and how to deal with/respond to each of these issues | |
| **Arbitration Process in Hong Kong and China** | |
| * *By the end of this session the delegate will understand the uses of different types of arbitration and how to use arbitration effectively.*   1. Understanding the various stages of arbitration and what to watch out for when preparing a case for arbitration   2. Possessing an awareness of the arbitrator’s role   3. Overview of some of the major legal issues to consider in preparation for arbitration   4. Knowing what to expect at each stage of the arbitration process in Hong Kong and China   5. Identifying the major legal issues/concerns in arbitration and how to deal with/respond to each of these issues | |
| **Adjudication - Preparing the Team for Adjudication** | |
| * *By the end of this session the delegate will be able to consider the main points that they need to bear in mind when preparing for adjudication.*   1. How preparation for adjudication differs from that for litigation, mediation and arbitration   2. Identifying the main preparation issues for parties and lawyers in adjudication   3. Being able to select the most appropriate strategy   4. Adjudication in UK, recent legislation and the future of adjudication in Hong Kong | |
| **Preparation for Alternative Dispute Resolution - An Overview of All Potential Processes** | |
| * *By the end of this session the delegate will be able to identify/recognize the change in dynamics and the responsibilities/role of lawyers and parties in different ADR processes.*   1. Aims of ADR professionals   2. Role of lawyer and client   3. Strategies for ADR success   4. To prepare an ADR plan for use in disputes   5. To develop an overall strategy for all types of dispute resolution methods |  |

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| Time: | **14:30 - 17:45** | Accreditation(s): | **LSHK 3.0 CPD Points**  **HKMAAL 3.0 CPD Points**  **HKIAC 3.0 CPD Points for**  **Accredited Mediators** | |
| Venue: | **9th Floor,**  **The Chinese Club Building**  **21-22 Connaught Road Central**  **Central, Hong Kong** | Request for  Rerun: | **Please** [**Contact Us**](mailto:marketing@profectional.com)  **for Details** |  |