



# The Mediator's Role at the Table: A Panel Discussion with Audience Participation

## How a mediator help facilitate negotiation in cross-cultural commercial disputes

20 May 2015 (Wed), 6:30pm - 8:40pm, HKIAC, 38/F, Two Exchange Square, Central

### Introduction

“It is common place that businesses nowadays are conducted regionally or even globally. The benefits of negotiation and mediation as a means of effective dispute resolution, such as cost-saving and preservation of a harmonious relationship, therefore become more and more appealing to business people who conduct their business in an increasingly international, cross-cultural arena. In this panel discussion, internationally renowned and local experienced mediation specialists will come to share their experiences as mediators, and how they see the challenges in a cross-cultural context, in an interactive manner”

### Topics

- The goal of mediation: to get a settlement or to see if a settlement is possible.
- The challenge: to build empathy and trust.
- The frustration: to get disputants to share information directly about their interests from different cultural background, e.g. when conflict is more normally addressed indirectly in Chinese culture.
- The process choice: meeting separately with each disputant prior to putting them together, after putting them together, never separating them.

### Speakers



#### **Prof. Jeanne BRETT**

Prof. Jeanne Brett is the DeWitt W. Buchanan, Jr. Distinguished Professor of Dispute Resolution and Organizations and the Director of the Dispute Resolution Research Center, Kellogg School of Management, Northwestern University, Evanston, IL. Her PhD is in psychology. She initiated Kellogg MBA courses in negotiations in 1981 and in cross-cultural negotiations in 1994. She is currently teaching Full-time/Part-time and Executive MBA in Cross-cultural Negotiation and Negotiation Strategies. Prof. Brett. has successfully introduced grievance mediation to the labor-management dispute resolution system in the US. She is also a co-author of the award winning book, *Getting Disputes Resolved* and the author of *Negotiating Globally*, now in its 3<sup>rd</sup> edition, and a co-author of the forthcoming, *Mediation*, with Stephen Goldberg and Nancy Rogers.



#### **Mr. David NEWTON**

Mr. David Newton is an international mediator, conciliator and facilitator with special experience in franchise, senior employee termination, construction and general commercial disputes. He is a Solicitor and the Managing Director of The Accord Group, an international dispute resolution firm. Mr. Newton has conducted mediator training in Australia, China, Macau, Cambodia, the Philippines, Malaysia, Bahrain, Singapore, New Zealand and Hong Kong. He is an Accredited Mediator under the Australian National Mediation Standards and a member of the mediator panels of various bodies in Hong Kong, Malaysia and India. He holds various statutory appointments from the Australian Government as Mediation Adviser and Dispute Resolution Adviser and he is the Australian Cinema Code Conciliator.



#### **Mr. Danny MCFADDEN**

Mr. Danny McFadden is a director of the Centre for Effective Dispute Resolution (CEDR) in London and the Managing Director of CEDR Asia Pacific Hong Kong. Mr. McFadden is dually qualified as a lawyer both in Australia and the UK, with a particular expertise in handling cross-cultural and multinational disputes in HK and China. He has been involved in negotiation, conflict resolution training, mediation and international business for over 20 years. Danny speaks Mandarin Chinese fluently. He mediates regularly in the commercial, employment, construction, succession and trusts, banking, insurance, and property sectors. He is an author of many articles on ADR and negotiation including “Mediation in Greater China” (2013).

Co-organized by



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## Prof. Hing Fung LEUNG

Prof. H.F. Leung is the Immediate Past Chairperson of Hong Kong Mediation Council, Hong Kong International Arbitration Centre (HKIAC). He is an Associate Professor in the Department of Real Estate and Construction, University of Hong Kong, specialising in property and construction law and dispute resolution. He practises as mediator, barrister and arbitrator.

Prof. Leung is a very experienced mediator and started practising mediation in 2003. He has mediated cases covering many different natures and wide range of disputed amounts, from small commercial cases to huge land disputes involving billions of Hong Kong dollars.



## Dr. Ngar Fun LIU

Dr Ngar Fun Liu teaches English at the Chinese University of Hong Kong, and she combines her dispute resolution and language skills to provide training in intercultural communication, conflict management and public speaking. She has an LLM Degree in Arbitration and Dispute Resolution. She is an accredited mediator of the HKIAC and HKMAAL and has acted as a mediator and mediation coach occasionally.

<b>Target Participants:</b>	Accredited Mediators/ Business Executives/other Professionals
<b>Languages:</b>	English
<b>CPD:</b>	HKMAAL, the Law Society, HKIAC & HK Mediation Centre: Pending
<b>Registration Method:</b>	<a href="#">Please click here to register online</a>
<b>Registration Deadline:</b>	13 May 2015, Wednesday
<b>Registration Fee:</b>	HK\$200
<b>Payment Method:</b>	Please make a crossed cheque in the sum of HK\$200 payable to “ <b>Joint Mediation Helpline Office Ltd.</b> ” and send to JMHO, LG102, LG1/F, High Court Building, 38 Queensway, HK. Please write your name and contact number at the back of the cheque (compulsory).

## Terms and Conditions:

1. Seats will be allocated on a first-come-first-served basis.
2. Registration will be confirmed upon receipt of payment. Confirmation will be issued via email after **13 May 2015**. No Refund will be made after confirmation.
3. The organizer reserves the right to accept or reject the registration. Notification and refund will be made in case of rejection.
4. The organizer reserves the right to modify, postpone or cancel the seminar.

For enquiries, please contact JMHO at 2901 1224 or email to [seminar@jointmediationhelpline.org.hk](mailto:seminar@jointmediationhelpline.org.hk)