

Biography for David and Maria

MARIA ARPA

FOUNDER AND CHIEF EXECUTIVE, Centre for Peaceful Solutions www.centreforpeacefulsolutions.org

Maria has made interpersonal skills a lifetime project. Alongside a 25-year career in marketing and advertising, she developed her talent for engaging people in healthy conversations through her experiences as a Samaritan volunteer, a counsellor, a Reiki Master and a mediator. Maria also spent time at the sharp end running her own business for 15 years and working as a stand-up comic for five years before becoming the Chief Executive of a Community Mediation Service. She regards being a mother to two young adults as her most rewarding communications challenge.

Maria is a former Chair of Mediation UK, has a Master's degree in mediation and conflict resolution and is a sought after speaker and trainer. Described by the Civil Mediation Council as one of the UK's 'top' mediators, Maria developed a communications tool called the Dialogue Road Map which has gained recognition amongst senior mediation professionals.

She is founder of the Centre for Peaceful Solutions, a charity which offers mediation and mediation training for civil, commercial, workplace, family and community disputes. In 2010 the charity completed a 3 year project funded by HM Treasury to develop a sustainable mediation model for violent crime and anti-social behaviour. The work has taken her into some of the most deprived areas of London.

Maria's 'hands-on' experience ranges from Multi-National Corporate business deals to Street Gang threats to life and everything in between. Typical cases include business deals gone wrong, interpersonal conflicts at work, neighbours at war, youth postcode conflicts, family break up, family reconciliation, and group communication break-down. Most recently, Maria is setting up a street gang mediation service run by ex-offenders in New York and introducing Restorative Justice and Mediation to a private boarding school.

Maria's book, The Heart of Mindful Relationships was published in June 2012 and her second book Mindfulness at Work has just gone into reprint.

DAVID ELLIS

DIRECTOR, Peaceful Solutions Mediation Service Ltd www.peacefulsolutions.org.uk

David made a radical life change 7 years ago from Managing Director of a three-generation family publishing business to becoming a mediator and is now the lead mediator and Practice Manager at Peaceful Solutions. David's hands-on experience in business operations and administration contributes a wealth of knowledge. This, coupled with his detailed understanding of the products and services of Peaceful Solutions, delivers a key resource to the business and the charity.

Maria and David



David trained as a mediator in response to Maria's request for support and for the last 7 years, they have co-mediated over 250 cases and trained around 2000 people. Maria and David actively live the principles of their work in their personal and professional relationship, continuously striving to ensure that they are congruent with the theory and practice they promote.

About the Speaker

Prof. Andrew Goodman LL.B., MBA, FCI Arb, FInstCPD, FRSA, Barrister



Andrew Goodman has been a barrister since 1978 (Master of the Bench of Inner Temple), now at 1 Chancery Lane, an arbitrator since 1988, and an accredited CEDR mediator since 1993 practicing in commercial, construction, partnership, franchising, professional negligence and farming disputes. He has been recommended as a leading junior in professional indemnity work and mediation in the *Legal 500* for 20 years and for four years was listed in *Chambers Directory* as a leading practitioner in ADR. He is currently Professor of Conflict Management and Dispute Resolution Studies at Rushmore University, a visiting lecturer on the LLM/MA courses in Dispute Resolution at UCL and SOAS, University of London, and a peripatetic lecturer in mediation at the Universities of Reading, Southampton, Cardiff, Birkbeck College, London, MMU, NTU, LMU, the College of Law and BPP University College. He is a member of the Independent Standards Commission of the International Mediation Institute and its Independent Appraisal Committee, of the Bar's ADR Committee and is an internationally recognised mediation advocacy trainer. He was requested to submit evidence to Lord Woolf's Committee on Access to Justice on court annexed ADR Practices in other jurisdictions and on mediation to Lord Justice Jackson's Review of Civil Costs.

Between 2007-2010 he was Director of Mediation Training for the RICS and still leads the CMC approved RICS mediator training courses in the UK and abroad. He is a guest lecturer on ADR for the Lord Chancellor's Visiting Chinese Lawyers' Fellowship Programme and has trained in mediation and conflict management in the UAE, Kuwait, Oman, Nigeria, Turkey, Hong Kong, Malaysia, The Netherlands, France and Belgium; he advises governments, judiciaries and NGOs on mediation advocacy in Belgium, Croatia, Nigeria, Nepal, Ghana, India and the People's Republic of China. He speaks

widely on the subject both on an in-house and open basis and offers private in-house consultancy on conflict avoidance and management.

Andrew is a member of the MoJ/DBS Working Party on Business-led Dispute Resolution, and the Attorney General's Committee on International Pro-Bono Work and the Judicial Assistance Network. He is a Bar Council, Inner Temple, NITA (UK) and NLS accredited advocacy trainer.

He is the author and editor of over 40 books including *Mediation Advocacy* (2nd edn Nova Law & Finance, 2010 with editions in Hong Kong, Nigeria and India) *How Judges Decide Cases: Reading, Writing and Analyzing Judgments* (Xpl, 2005), *Effective Written Advocacy in Practice* (2nd edn Wildys 2011), although most well-known as author of *The Court Guide* (20th edn PP Publishing 2011-12). In April 2006 Andrew Goodman established Xpl-Professional Skills Training offering bespoke in-house specialist and advanced training in commercial law and practice, specialist and written advocacy and mediation representation/advocacy: see <http://www.xpl-pst.com> and has since become a senior consultant to training organizations in the Middle East specialising in oil and gas, utilities, transport, infrastructure and construction.

Andrew is Convenor of the Standing Conference of Mediation Advocates (www.mediationadvocates.org.uk), a cross-professional association of practitioners devoted to creating a bench mark standard in mediation representation as a specialist area of practice and Director of the Higher Education Disputes Advisory Service.

KEN SALMON – DISPUTE RESOLUTION PROFILE



**Chartered Institute of Arbitrators (CI Arb) Accredited and panel Mediator
Solicitor England & Wales and in Eire
MCIArb**

**Firm: Senior Counsel and independent consultant at Weightmans
LLP solicitors, Pall Mall Court 61–67 King Street Manchester M2 4PD**
Tel: Work (DD) 0161 214 0515
E: ken.salmon@weightmans.com; or kentsalmon@gmail.com

Construction: contentious and non-contentious business experience

- Building, civil engineering, professional negligence, rail, marine, energy, site remediation
- Representation and advocacy in adjudication, arbitration, litigation, mediation, conciliation and expert determination
- Defence of prosecutions under Health & Safety and Environmental legislation
- Drafting and negotiating construction documentation

Non construction legal experience

- Professional negligence
- Commercial disputes
- Personal injury for claimant and defendant
- Landlord and Tenant

Recent mediation experience

- Dispute about quality of work and materials between employer and flooring contractor
- Assistant mediator in a professional negligence claim against structural engineer over design of steel-framed 3-storey building
- Assistant mediator in a professional negligence claim by home buyer against solicitors and surveyors
- Tenant's claim for rent and Landlord's counterclaim for dilapidations (telephone mediation)
- Disputes between employer and contractor under a building contract over sums due
- Claims and counterclaims about determination, repudiation, payment, costs of completion and defects, concerning plumbing works under a series of contracts
- Claims and counterclaims under a contract for cladding and roofing works, with issues over price, measure, defects and following disputed determination over loss of profit.
- Claim by builder for payment and loss of profit on repudiation with counterclaim by building owner for defects and damages for delay and repudiation
- Claim by builder for payment with counterclaim by employer for defects and loss of rents
- Dispute between partners over retiring partner's entitlements
- Claims and counterclaims arising out of proposed sale of industrial unit
- A tripartite dispute concerning liability for damage to two electrical motors used for power generation and cost of replacement, loss of profits and management time
- Assistant mediator in a five party dispute concerning alleged defects in an air handling unit leading to a flood
- A three party dispute over defects in shop premises with claim for future loss of profits
- High value dispute over the valuation of work of refurbishment of a substantial private residence
- Tripartite dispute over testamentary dispositions involving allegations of misrepresentation and undue influence
- Assistant mediator in a dispute over a business lease involving issues over meaning of terms including rent review, calculation of profit related element of rent and market rent
- Time limited mediation concerning carriage of goods, lien, loss of profit

- Time limited mediation about the quality of hardware, software and service under several IT contracts
- Six figure construction dispute over contract terms, variations and valuation

In addition, Ken has represented parties in mediations (and other ADR processes) on many occasions

Other information

2007 Chartered Institute of Arbitrators Mediator Accreditation

Member of the Panel of Mediators of the CI Arb

Member of the Panel of the Association of Northern Mediators

Chairman ANM Construction SIG

Member of the Panel of Mediators of Effective Dispute Solutions Ltd

Member of Panel of LawWorks

Member of CI Arb and Committee member NW Branch

Member of TeCSA

Member of the Adjudication Society

Member of SCMA

Author of *The Enforcement of Construction Adjudication Decisions* (2012) published by CI Arb

Endorsements

"Ken was a rock: calm, organised, thoughtful, creative and supportive. He was clearly up-to-speed on the papers, sensitive to the situation and parties' needs, and always looking to assist the process. He has a charm and ease with people that is an effective asset" **Quentin Smith Mediator**

"His skill at conciliatory mediation was in my opinion, the catalyst to the agreement reached...". "...both parties...have continued to trade..." "I greatly appreciate the efforts of [Ken] and recommend him highly." **Q**

Flooring Systems Limited

"... Mr Salmon put our client at ease and had clearly read and understood all of the documentation provided to him in advance. He took a flexible approach to the mediation and ultimately the dispute was resolved without the need for the usual round-table session. Mr Salmon came across as knowledgeable and familiar with the law, the type of dispute and the mediation process. The over all impression was that Mr Salmon was a very experienced and competent mediator." **Pannone solicitors**

"I appointed Ken Salmon as mediator on a construction dispute which had been on going for a significant period of time with the costs of litigation a concern for all. Through his calm, organised and commercial approach Ken was able to help negotiate a settlement which was satisfactory to the parties when this had appeared unlikely prior to his involvement. I would instruct Ken again and would recommend him to mediate on disputes of this nature." **Richard Preston, Beswicks solicitors Stoke on Trent**

"Ken Salmon recently dealt with a tricky building dispute by mediation. The issues were made more complex by reason of the fact that there was little helpful documentation and there were differences on a personal level between the parties. His preparation was meticulous and he kept the mediation running with a practical approach which ensured that we made progress throughout the day. His warmth and humour helped the parties to unbend and with a measure of relief on both sides we concluded a settlement without having to enter into one of those intolerable late evening sessions".

John Alcock DAVIS · BLANK · FURNISS

"I will certainly be nominating you again after your splendid work. My clients commented to me after the event how important they felt your involvement had been in securing a settlement." **Neil Hunter Systech Group PLC**