

# CONTENTS SUMMARY

*Glossary and abbreviations*

xxxv

*Table of cases*

xxxviii

*Table of statutes*

xlvi

---

## PART I HISTORY AND RANGE OF ADR METHODS

1	Introduction	3
2	Overview of ADR options	22
3	Factors influencing the selection of an ADR option	36
4	Funding ADR procedures	52
5	Online ADR options and ODR	67
6	Professional ethics	75

---

## PART II THE INTERPLAY BETWEEN ADR, CPR AND LITIGATION

7	The approach of the courts to ADR	95
8	The sanctions for refusing to engage in ADR processes	116
9	Recovery of ADR costs in litigation	134

---

## PART III NEGOTIATION AND MEDIATION

10	Overview of negotiation and mediation	143
11	Styles, strategies and tactics in negotiation	144
12	Preparing for negotiation	158
13	The negotiation process	177
14	Mediation	200
15	Preparation for the mediation	237
16	The mediation process	254
17	Reaching a settlement	277
18	Court mediation schemes and other schemes	282
19	International mediation	303

---

## PART IV EVALUATION, CONCILIATION AND OMBUDSMEN

20	Conciliation	319
21	Complaints, grievances and ombudsmen	324
22	Early neutral evaluation	332



**PART V RECORDING SETTLEMENT**

23	Recording settlement	341
----	----------------------	-----

**PART VI ADJUDICATIVE ADR**

24	Expert or neutral determination	363
25	Construction industry adjudication	377
26	Arbitration	393
27	Arbitral tribunals	415
28	The commercial arbitration process	424
29	International arbitration	451
30	Arbitration awards and orders	471
31	High Court jurisdiction in arbitration claims	479
32	Enforcement of settlements and awards	501

**APPENDICES**

APPENDIX 1	ADR providers	513
APPENDIX 2	CEDR Model Mediation Agreement (13th edn)	517
APPENDIX 3	Key provisions of the Arbitration Act 1996	521

*Bibliography*

565

*Index*

565