

Small businesses now able to access easy, low-cost alternatives to Court in the wake of the global pandemic

Submitted by: Centre for Effective Dispute Resolution (CEDR)

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Two of the world's leading dispute resolution organisations announced today that they had come together to offer a speedy, low-cost service for resolving commercial disputes. This followed calls by senior judges in the UK for a "breathing space" so that the courts can be spared from dealing with a deluge of cases arising from the global pandemic.

The Pandemic Business Dispute Resolution Service which offers facilitated negotiation, low-cost arbitration and mediation has been jointly created by the Chartered Institute of Arbitrators (CI Arb) the leading global professional organisation for Arbitration as well as other forms of dispute resolution and the Centre for Effective Dispute Resolution (CEDR), known internationally for its mediation work.

Businesses using the service can select individual options or proceed through a stepped process until their disputes are resolved. All the services are fixed cost and are totally on-line. The aim is to resolve disputes quickly and effectively to enable businesses to get back to work. Businesses can proceed with or without a lawyer.

The UK Cabinet Office Guidance 'Responsible Contractual Behaviour' (<https://www.gov.uk/government/publications/guidance-on-responsible-contractual-behaviour-in-the-performance-and-enforcement-of-contracts>) published on 7 May 2020 encourages "reasonable and fair behavior [...] in performing and enforcing contracts where there has been a material impact from COVID-19...the Government would strongly encourage parties to seek to resolve any emerging contractual issues responsibly – through negotiation, mediation or other alternative or fast-track dispute resolution – before these escalate into formal intractable disputes.". In that same spirit this service aims to help businesses deal with their disputes as smoothly as possible.

This service was established for disputes that have arisen because business has been interrupted by COVID-19 pandemic; however, any business can make an application. For a business to be eligible the amount in dispute must be over £5,000 and under £250,000. The service is designed for two-party disputes; however, additional parties may be added in consultation with CI Arb and CEDR.

Both organisations assist in the resolution of hundreds of cases every year and know that litigation may be unsuitable or unaffordable for many businesses. It is therefore vital that businesses can access a mechanism to avoid and resolve their disputes efficiently and affordably.

The service can be accessed via <https://ciarb.org/disputes/pandemic-business-dispute-resolution/> and <https://www.cedr.com/commercial/mediationschemes/pbdrs/>

Catherine Dixon, Director General of CI Arb, said of the announcement: "Ensuring everyone has access to redress is as the heart of what we do. The pandemic and its associated economic disruption have made it ever more important that we use our expertise to support businesses through this difficult time. We are proud to collaborate with CEDR in offering a low-cost, fast-track, on-line service to businesses for resolving their disputes."

James South, Managing Director of CEDR, commented: "Our collaboration with CIArb means that businesses can be reassured that whatever level their dispute they can always gain access to dispute resolution processes of the highest quality, which has always been at the core of our work."

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About CIArb

The Chartered Institute of Arbitrators (CIArb) is a Royal Chartered body and charity established in 1915 with over 16,000 members across the world. It exists to promote and facilitate all forms of alternative dispute resolution as an alternative to litigation. As an international centre of excellence for the practice and profession of alternative dispute resolution (ADR), CIArb is passionate about promoting a harmonious society and helping people and organisations avoid, manage and resolve conflict through a global network of 41 branches in 149 countries.

To find out more please visit www.ciarb.org

About CEDR

CEDR is Europe's largest independent Alternative Dispute Resolution Centre for both commercial and consumer disputes handling thousands of referrals a year. CEDR operates the Court of Appeal's Mediation Service and is certified by the Chartered Trading Standards Institute under the European Union Directive on Consumer Alternative Dispute Resolution. CEDR is a leading negotiation and conflict management trainer internationally in the field and its acclaimed Mediator Skills Training Accreditation has been awarded to over 7,000 mediators in 70 countries. As a non-profit organisation with a public mission to innovate and develop conflict management and dispute resolution. CEDR undertakes unique foundation activities such as the national negotiation competition, guidance for public inquiries and rules for settlement in arbitration.

To find out more information, please visit www.cedr.com

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