

VIAC – Questionnaire for Mediators

1. **Name:** Dr Anna Howard

2. **Nationality:** British and Brazilian

3. **Contact information**

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4. **Education and professional experience (original profession; where did you study?):**

Education & professional qualifications

2020: PhD (Commercial law, mediation) School of Law, Queen Mary University of London

2014: Certificate of competence in mediation (Core Solutions, led by John Sturrock QC)

2003: Qualified as a solicitor and admitted to the Law Society of England & Wales.

2000-2001: The Legal Practice Course, The College of Law. Sponsored by Freshfields Bruckhaus Deringer.

1999-2000: The Postgraduate Diploma in Law, The College of Law. Sponsored by Freshfields Bruckhaus Deringer.

1995-99: BA/MA (Modern Languages) Oxford University (The Queen's College), 2:1.

Professional experience

Sep 2019 – current: **Post-doctoral Researcher**, Centre for Commercial Law Studies, Queen Mary University of London.

July 2016 – May 2021: **Associate Editor**, Kluwer Mediation Blog.

June 2016: **Research Assistant** to Prof. Nadja Alexander, Singapore Mediation Centre.

Jan 2015 – July 2016: **LLM Tutor**, Centre for Commercial Law Studies, Queen Mary University of London.

July 2012-June 2014: **Lecturer of Law**, School of Law, Singapore Management University.

August 2011-July 2012: **Adjunct Lecturer of Law**, Singapore Management University.

May 2011-August 2011: **Lecturer**, The University of Newcastle, Singapore.

October 2005- April 2010: **Associate** in EU & Regulatory Team, Fieldfisher, London.

August 2001-July 2005: **Solicitor and trainee** at Freshfields Bruckhaus Deringer, London and Madrid.

5. **Core area of current professional activity:**

Academic focusing on mediation and arbitration.

6. **Accreditation in the field of ADR (including relevant trainings and connected qualifications):**

Core Certificate of Competence in Mediation Skills, Core Solutions (Scotland, led by John Sturrock QC), January 2015.

PhD in mediation (2020, Queen Mary University of London).

7. Practical experience in mediation

- **How many (international) mediations have you participated in**
 - as single/co-mediator/in a team?
 - administered by an institution; under which Rules?
 - in which areas/fields?
 - how complex (*please provide examples, participation of lawyers/experts*)?

I have participated in four commercial mediations as an assistant mediator to John Sturrock QC:

- Mediation of a dispute between a government body and a group of companies regarding a regulatory matter (London, December 2018);
- Mediation of a dispute between two companies regarding the provision of technological services (London, November 2016);
- Mediation of a dispute between a company and an individual regarding a Sale and Purchase Agreement (London, April 2016); and
- Mediation of a contractual dispute between two companies regarding the provision of technological services (London, April 2015).

All of these mediations were complex commercial mediations at which either or both in-house counsel and external lawyers were present. The disputes were also of high value.

- **How often have you acted in a different function (e.g. consultant, expert)?**

Before training as a mediator, I practised as a commercial lawyer at the leading international firms Freshfields Bruckhaus Deringer and Fieldfisher where I specialised in EU and UK competition law. After 9 years practicing law, I started teaching at university level, first in Singapore and then in London. I then did a PhD in cross-border commercial mediation at Queen Mary University of London. I am currently a Post-doctoral Researcher at Queen Mary University of London where my research focuses on mediation and arbitration.

- **What other ADR-experience do you have?**

In addition to my practical mediation experience, I have experience as a mediation and arbitration academic. My main areas of research interest are cross-border mediation and investor state dispute settlement. My book, [*EU Cross-Border Commercial Mediation; Listening to Disputants – Changing the Frame, Framing the Changes*](#), was published by Wolters Kluwer in 2021 and draws on my PhD research for which I interviewed senior in-house counsel of multi-national companies regarding their use, and lack of use, of mediation for their cross-border disputes. In addition to my research on mediation, I am also currently working on a large empirical research project on investor state dispute resolution with colleagues at Queen Mary University and Cardiff University which will result in a number of publications. Further, at Queen Mary I have supervised LLM dissertations on mediation and other ADR subjects.

8. Languages (including levels)

Mother tongue: English

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct mediation proceedings in this language): English.

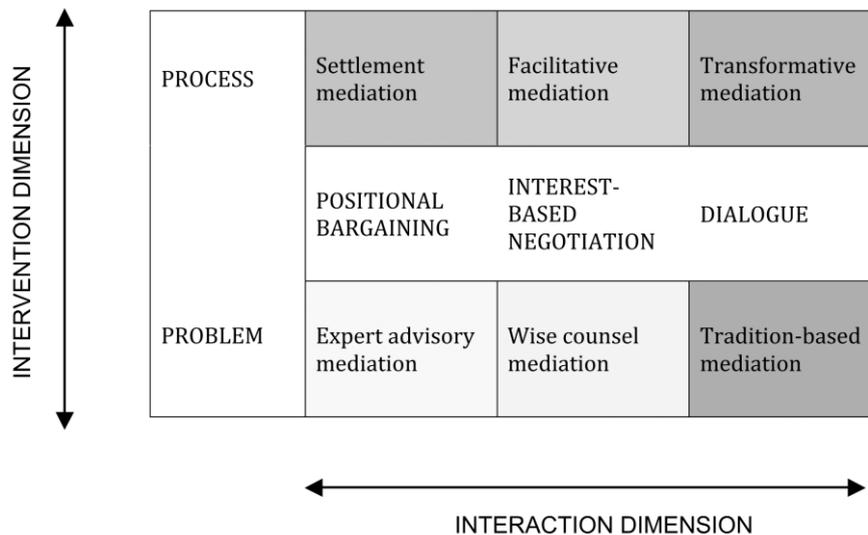
Advanced level: Spanish and Portuguese.

Basic level: French

9. Style of mediation

Where do you see yourself? Please tick box as appropriate or indicate your preferred style.

I see myself as offering predominantly facilitative mediation.



© Alexander, Nadja (2011) "The Mediation Meta-Model - the realities of mediation practice," *ADR Bulletin*: Vol. 12: No. 6, Article 5. Available at: <http://epublications.bond.edu.au/adr/vol12/iss6/5>; see also here for a detailed description of the 6 mediation styles.

10. Please describe aspects of your personality which could be interesting to clients you are going to mediate; what would former clients emphasize in your work?

Former clients and colleagues have emphasised my calm and considered approach describing, for example, my "light but firm touch". They have also emphasised my attention to detail, patience and dedication. Further, I also bring an international perspective to my work as I am half English and half Brazilian and have also spent time living abroad in Spain and Singapore.

11. Publications and other activities in ADR related matters (e.g. training sessions, seminars, conferences, articles and others): Publications

My book, [EU Cross-Border Commercial Mediation; Listening to Disputants – Changing the Frame, Framing the Changes](#), was published by Wolters Kluwer in 2021. It draws upon my PhD research, including interviews with senior in-house counsel of multi-national companies regarding their use, and lack of use, of mediation for their EU cross-border commercial disputes.

Together with colleagues at Queen Mary and Cardiff University, I am currently writing two articles on investor state dispute settlement which will be submitted to journals in 2022.

Further, as Associate Editor of the Kluwer Mediation Blog (July 2016-June 2021), I reviewed and revised submissions from mediation academics and mediators and was also a frequent contributor of blog posts. Examples of my posts include:

- Howard, A., Investor-State Mediation: Who will be at the (top) table? (October 2020)
- Howard, A., Sturrock, J., Macduff, I., The Mediators' Green Pledge (October 2020)
- Howard, A., 'Don't just do something. Sit there. The power of silence' (December 2018);
- Howard, A., 'The soul of mediation & leaving a legacy for the next generation' (June 2018);
- Howard, A., 'ICC Mediation Competition 2017: in conversation with the finalists' (April 2017);

- Howard, A., Alexander, N., and Quek, D., 'UNCITRAL and the enforceability of international mediated settlement agreements' (Sep 2016); and
- Howard, A., 'In conversation with Suzanne Rab on mediating competition law disputes' (Sep 2016).

All of my Kluwer Mediation Blog posts can be viewed [here](#).

Speaking invitations

Invited by Scottish Mediation to be the keynote speaker at their Mediate 2021 conference on 15 & 16 November 2021. The title of the conference "Changing the Frame; Framing the Changes" draws on my book's title.

Invited by the Athens Mediation and Arbitration Organisation to give an opening speech ("An empirical study: listening to disputants regarding their use of EU Cross-Border Commercial Mediation") at the 3rdEODID International Mediation and Arbitration Conference on 19 May 2021.

Invited to present my book's findings as part of the ADR Midweek Talk series on 28 April 2021 (Austria)

Invited by Scottish Mediation to speak about the impact of my book's findings on the promotion of mediation: "Listening to Disputants – Changing the Frame; Framing the Changes", 22 April 2021.

Invited by CEDR to deliver a Masterclass on EU Cross-Border Commercial Mediation (8 April 2021).

Invited by Core Mediation (Scotland) to speak at an event to discuss my book's findings with panelists Prof. Emeritus John Lande (Missouri University) and Charlie Irvine (Strathclyde University), 11 March 2021.

Invited by The London Chartered Institute of Arbitrators (London Branch) and the London Court of International Arbitration to be a panelist at their co-hosted event "Sustainable ADR – Recalibrating for the future", 18 February 2021.

Invited by Professor Nadja Alexander (Singapore International Dispute Resolution Academy) to speak at the UNCITRAL ABLI Emergence Conference 2018, July 2018, Singapore.

Invited to speak at and facilitate workshop sessions at the International Academy of Mediators' Conference, Edinburgh, May 2018.

12. Memberships in mediation institutions / functions in mediation institutions/organizations:

Member of UNCITRAL Academic Forum on Investor State Dispute Settlement.

Member of Steering Group of Mediators' Green Pledge.

13. Special expertise or specializations (*please list a maximum of three*) in your ADR-practice:

Commercial mediation

Cross-border mediation

Investor state dispute settlement

14. Soft Skills (e.g. intercultural competences):

I bring an international approach and perspective to my mediation practice. I am half English and half Brazilian and I have spent time living abroad in Singapore and Spain.

15. How do you ensure your professional quality (e.g. coaching, practice supervision, etc)?

I build upon my mediation accreditation with further training and opportunities for development. These include, for example, attending a 2-day mediation masterclass by Kenneth Cloke in November 2020. I will also undertake further mediation training, in community mediation, at Wandsworth Mediation Service in 2022.

16. Date of birth: 19/08/1977

VIAC offers mediation practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate a mediator of their choice and so is the VIAC Board when appointing a mediator. These presentations do not constitute recommendations but may assist the parties in choosing a mediator willing to conduct proceedings according to the Vienna Mediation Rules. The fact that a mediation practitioner appears on this list, does not authorize this person to use the title "VIAC-mediator".

- ✓ I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.
- ✓ I hereby consent that the data provided in this questionnaire may be processed for the appointment of mediators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information see our privacy statement at www.viac.eu.

23/12/2021

Date

and

Signature