

WHAT GOES ON BEHIND THE MASK? – A LOOK AT THE ARBITRATOR'S METHODOLOGY

2011 is with us and AFSA wishes everyone strength, stamina and good fortune for the new year.

The AFSA schedule is going to be a busy one in all facets of its activities and we hope to announce a significant expansion in our activities during this year.

For the moment, though, I want to say a word about an interesting project which has to do with passing on the necessary arbitral skills to prospective arbitrators. In one of the courses which is running at the moment, we are trying to confront the question: How do arbitrators arbitrate? What methodology do they use, what private techniques to master the case and to assess the evidence and ultimately to make their decisions? We know that the technique of judging is an art, not a science and that one arbitrator's approach can be very different from another's.

In an attempt to throw light on this hidden art, we have invited some prominent and experienced arbitrators to come and tell us how they approach the business of arbitrating and judging.

Amongst those speaking will be retired Judge Mervyn King (in many ways the South African doyen of international commercial arbitration) as well as leading practitioners including Fanie Cilliers SC, Jeremy Gauntlett SC and Wim Trengove SC.

We think that what they say should enjoy a wider audience than the class participants who will hear them speak. And so, when they have had their say, we will try to persuade them to allow us to publish their talks here. So please keep watching this space during February and March when we hope to indicate what goes on behind the poker face of the arbitrator.

Meanwhile, we remind you that AFSA's flagship training course, offered in conjunction with the University of Pretoria, The Advanced Certificate in Alternative Dispute Resolution, commences in about May 2011 and that the number of class participants is unfortunately limited. Now is the time to book a place if you wish to acquire a comprehensive knowledge of all forms of alternative dispute resolution.

Component modules cover mediation and negotiation, private commercial arbitration both domestic and international, as well as labour and construction dispute resolution. It all amounts to an essential qualification in the important field of dispute resolution.