



Ewan Malcolm

Consultant Mediator



In Brief

Formerly solicitor - since 2002, full time mediator, facilitator and trainer

Mediator of the Year, Law Awards of Scotland 2008

Available in both London and Scotland

Specialises in resolution of complex and high value disputes where continuing relationships are important.

Board/Shareholders

Contracts

Employment and workplace

Intellectual Property

Multi party

Negligence – professional and clinical

Partnerships

Sport

Third sector organisations

Wills and Estates

Mediation Experience

Ewan Malcolm is a very experienced **mediator**, an accomplished **facilitator** and an engaging **trainer**.

Having clocked up nearly 200 mediations and around 1000 hours at the mediation table, he is considered to be a safe pair of hands. People who have mediated with him say he is able to rapidly *“command the respect and trust of both sides”* and manages *“to create an environment which allowed very positive discussion”*.

As a facilitator, he has constructed effective consensus building events for Boards, for Government and independent Public Bodies, for charities and for commercial firms. He has also run over 50 interactive awareness raising workshops and presentations when he was chief officer of the Scottish Mediation Network.

Training is part of Ewan’s DNA. He started coaching his sport at the age of 14, developing skills of beginners and World Champions alike. In the field of negotiation and ADR, he has trained lawyers from a variety of backgrounds including Employment Judges.

Comments ...



People who have mediated with him say he is able to rapidly *“command the respect and trust of both sides”* and manages *“to create an environment which allowed very positive discussion”*.

“Ewan spends a good deal of time quietly listening and rapidly establishes the confidence of the parties to a dispute. His gentle and soft-spoken manner is particularly welcome when one or both parties may have been emotionally hurt and needs to feel personal trust in the mediator. Although non-directive and clearly a strong believer that the parties should come to any decisions of their own volition, Ewan has some effective ways of getting a person to think about the consequences of resolution or of remaining in conflict. He is also efficient and meticulous in all the practical arrangements for mediation.”

After a multi-party mediation, one party's solicitor said:

“the approach which you took was useful, in the sense that you were able to command the respect and trust of both sides, and were able to have them consider sensible suggestions as to the way forward.”

Another senior partner commented about Ewan:

“From the Partners response I can tell you that you managed to create an environment which allowed very positive discussion. We are all most grateful. Thank you once again for your invaluable support.”

A senior manager at one large financial organisation commented:

“Many thanks again for Monday - it came across as a very good day and the feedback I have heard since has been excellent.”

Style ...

Ewan uses a wide range of mediation strategies. He encourages co-operation in joint problem solving from the outset. His courteous manner however, is never employed at the expense of working through a rigorous process when the difficult questions are addressed. Ewan works tenaciously with the parties to find solutions that they can live with.

Ewan is committed to continuing his professional development. In 2009, he embarked on the Masters Degree programme in Conflict Resolution and Mediation Studies at Birkbeck, University of London.

Personal Values in Mediation

Ewan believes that when parties have enough information through improved communication they can usually achieve an outbreak of common-sense. Conflict erodes relationships. He knows from repeated experience that structured and focused conversations with a skilled outsider can usually get things back on track in a relatively short time. He will stick with the process patiently and with persistent optimism.

Professional Background...

Partner with leading firm of Scottish solicitors (WS) from September 1989 to May 2003.

Legal Background

He was in private practice as a solicitor for nearly two decades and started his mediation training in 1995. Ewan is trained as a commercial, a family and a community mediator.

Professional Qualifications

1983 LI.B University of Edinburgh



- 1984 Dip LP** University of Edinburgh
- 1985** Enrolled as a **Solicitor** by the Law Society of Scotland (LSS) and **Notary Public**
- 1993** Admitted as a **Writer** to Her Majesty's Signet
- 1995** Accredited as a **Solicitor Mediator** by the LSS
- 1996** Accredited as a **Family Law Mediator** by the LSS
- 1999** Qualified as a Community and **Neighbourhood Mediator**
- 2000** Achieved SVQ **Certificate in Training Practice**
- 2000** Admitted as an **Associate of the Chartered Institute of Personnel and Development (CIPD)**
- 2001** Admitted to the **Mediation Panel of Consensus Mediation**
- 2006** Appointed **Director of Training for CALM**
- 2007** **Scottish Mediation Registered** mediator
- 2007** Achieved **SVQ Level IV in Mediation**
- 2008** Appointed to the mediation Panel of **Scottish Legal Complaints Commission**
- 2008** **Mediator of the Year**, the Law Awards of Scotland 2008
- 2009** **Co-editor of A Guide to Mediating in Scotland**
- 2009** Accredited Trainer with **Mediation Training Institute International**
- 2007-9** Member of the **Civil Courts Review** Advisory Group chaired by Lord Justice Clerk Gill

Why choose consensus mediation...?

Our role ensures that...

- Mediators remain wholly impartial and focused on the dispute because we handle all the fee negotiations, contracts, documents and logistics;
- Mediators do not become disqualified from acting (even by perception) because of previous direct or frequent instructions from one party or solicitor;
- Clients and their solicitors can concentrate on the case while we sort out all the administration and logistics.

We quote an inclusive fee for the mediator's time and the administration of the entire mediation process. Consensus Mediation does not charge for "overtime" or for any other hidden extras.

For an informal discussion call one of our Case Managers now on **0844 561 1763**