

Book review

MEDIATION OF CONSTRUCTION DISPUTES

David Richbell. Blackwell Publishing, Oxford, 2008. ISBN 978-1-4051-6931-8, £44.50, 192 pp.

David Richbell's *Mediation of Construction Disputes* is an excellent, practical and up-to-date guide to mediation in the construction industry. It covers not only an explanation and description of the procedure of mediation, and indeed many other dispute resolution procedures, but also focuses on the issues that specifically relate to building disputes. He, of course, explains the principles of mediation, but also sets out how one should prepare for and subsequently present oneself at a mediation. The chapter dealing with negotiating at a mediation is also very helpful. Many people do not realise that the traditional negotiation approaches just do not work at a mediation. You cannot negotiate in a traditional way with the mediator because the dynamics are entirely different. Richbell also reviews some of the typical scenarios that lead to disputes within the construction industry. He explains who does what at the mediation and how also to

conclude a mediation. He helpfully considers what can go wrong. There is some useful guidance in respect of avoiding disputes, and throughout the book he provides some practical, short case summaries.

The appendices are equally helpful. He sets out some examples of the methods that people occasionally use in order to review their positions before and at a mediation. For example, a risk analysis checklist and an example of a 'decision tree' are included. There is also the very useful pre-mediation checklist as well as a typical mediation agreement and settlement agreement.

Richbell has extensive experience as a construction mediator, and this he has used to advantage in order to produce an excellent book.

NICHOLAS GOULD
Fenwick Elliott LLP

