

# What is an Arbitrator & How do I become one?



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## Introduction

Arbitration is probably the best-known form of alternative dispute resolution, and is a formal, binding process where the dispute is resolved by the decision of a nominated third party, the arbitrator.

In arbitration, the award is enforceable across international boundaries. Being a private process, confidentiality is one of the features that attracts many parties to use it. Arbitration is often much faster than litigation, and can be less expensive. In addition, the parties can choose their arbitrator; therefore in a particular type of dispute, an arbitrator may be chosen for their special skill and expertise.

## Skills/knowledge needed

Arbitrators need to have knowledge of the laws of contract, tort and evidence. They must understand and be able to use the applicable procedural law. They must be able to evaluate the arguments and evidence which seemingly supports conflicting points of view, and determine the award.

Where disputes revolve around issues of law, lawyers often make the best arbitrators. However, where the dispute revolves around issues of fact, the parties may prefer to have an arbitrator who is skilled in the particular sector involved.

There are at present about 400 Chartered Arbitrators in the UK and of those, about forty per cent are lay arbitrators (non-lawyers such as engineers).

## Becoming an arbitrator

Becoming a Chartered Arbitrator is a rigorous process, involving a number of stages. In the UK, the Chartered Institute of Arbitrators trains and accredits practitioners – please see their website for more details: [www.arbitrators.org](http://www.arbitrators.org).

In brief, there are three grades of membership of the Institute: Associate, Member and Fellow. Reaching each of the stages requires a varying amount of practical experience and qualifications. Once a practitioner has become a Fellow, they undertake a period of practical training which can take a number of years, and which involves shadowing and learning from experienced arbitrators.

Once a practitioner can demonstrate advanced knowledge and understanding of arbitration and its practical application, they can apply to become a Chartered Arbitrator by passing a demanding interview.

Qualified lawyers can take alternative, fast track routes to Membership and Fellowship; please see the Institute's website for further details.