

**Independent
Mediators**

Going Greener by Chance.

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Going Greener by Chance.

I am always a little worried that claiming to be an environmentally friendly mediator can be seen as a bit of “greenwash” if we are not careful and consistent. So I thought I would share how I took one step in this direction for reasons other than a simple desire to improve and preserve our world.

I was sitting in economy on an aeroplane in 2016 on my way from London to Madrid to spend a couple of days with my son and daughter in law who live there. It was a weekday and a few days later I had a mediation back in London. The papers had arrived and so I thought that the hours spent in the airport or on the plane could be well used to read at least one of the 2 lever arch files I had been sent for the case. In fact, I took both with me.

As you can imagine, this added considerably to the luggage I was allowed to take on the plane. As I struggled to read the papers, whilst attempting to keep them confidential and take notes, I thought there has to be a better way to do this. I remembered a mediation a year or so previously where one of the experts had turned up with no papers, just his laptop.

Back in London I gave further thought to this and purchased an iPad Pro. I asked the office, who deal with the administration for my mediations, if they would ask the law firms to start sending me the papers electronically rather than in hard copy. Most firms, and especially the larger ones, were pleased to do so as they had already moved, or were moving, to mainly paperless working.

It was with some trepidation that I awaited my first electronic file for my next mediation. The good news was that they arrived in PDF form and so I was able easily to open and store them on the iPad. The bad news was that there were about 50 separate PDF's, each of which had to be downloaded and moved to the file I had created for that case. I thought, at the time, that a couple of lever arch files with 50 separate tabs would have been much easier to navigate. However I persevered and mastered the files and conducted the mediation, which I am pleased to say settled.

Since that time, nearly all the papers for my mediations have been sent in electronic form. On average I would receive about 400-500 pages of documents for each mediation and, even printed both sides, as most were, this amounted to over 300 sheets of paper per mediation. Sometimes it was considerably more.

By agreeing to receive the papers electronically, I estimate that I have saved from printing, over 100,000 sheets of paper since 2016. That's over 200 packets of photocopying paper!

My arms have been delighted in not having to carry large bundles of papers across the country and it has meant that I can prepare for mediations wherever I am, whether or not there is internet, as long as I have downloaded the documents beforehand.

At times it has been challenging to master and cross reference the documents. My computing skills have never been brilliant and I expect there are better ways to do this than I use. However, when we were locked down last year, the ease of continuing to receive papers by email was much appreciated. No need for the printing and then arranging for delivery. I don't need to be there when they arrive. They can be sent and indeed added to as required by the instructing firms as and when it is convenient for them.

I have learnt a number of things about this over the years. Sometimes I am given access to datarooms in order to see the documents. This can pose problems as I need to be able to download the documents so that I can mark them up on the iPad. Not all datarooms seem to allow this. PDF's usually work best. One needs a good internet link and plenty of capacity to receive bulky emails. I still use pen and paper to note which documents are significant and where they are, electronically. Comparing documents can, at times prove tricky.

Would I go back to receiving papers in hard copy? Absolutely not. I don't believe my work is any less effective as a result of receiving papers electronically. The settlement rate does not appear to have lessened.

I have been happy to play a small part in this way, in reducing the cost and waste of so much paper which is generally used for so little time. It is just one way in which, as mediators, we can make a difference.

I will save comment about airplane travel and travel to mediations, rather than conducting them online, for another time. None of these issues are easy. But, as we have to adapt the way we work to the new realities of climate change and environmental destruction, the changes we make can be beneficial to us in other, and sometimes surprising, ways.

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