

SJ: Task force set up to develop mediation

A mediation task force is being set up to advise on and assist in the implementation of the recommendations set out in the Report of the Working Group on Mediation (Working Group), the Secretary for Justice, Mr Wong Yan Lung, SC, said today (November 12).

Addressing a mediation workshop organised by the International Chamber of Commerce (ICC) today, Mr Wong said that the taskforce would continue with the momentum built up in the development of mediation in Hong Kong.

Mr Wong said that the task force would focus on the key issues identified from the public consultation of the Report of the Working Group. These included public education and promotion of mediation, the accreditation and training of mediators through the establishment of a single accreditation body and the promulgation of a Mediation Ordinance.

"While mediation has established a 'foothold' in areas such as family disputes and construction contract disputes, there is indeed a need for a concerted and focused effort to promote and facilitate the wider use of mediation," Mr Wong said.

"The benefits of mediation should be made known to a wider segment and to more diverse elements of the Hong Kong society. It should also cover a broader range of disputes ranging from complex commercial disputes to conflicts among ordinary citizens," he added.

Mr Wong said Hong Kong was unique in that all stakeholders, including the Judiciary, the Government, the legal professions, the mediators themselves and academia were speaking with the same voice in the promotion of mediation.

The Hong Kong Judiciary, which implemented Civil Justice

Reform in 2009, has taken a leading role in this regard. Mr Wong said, "The Court has since taken on the duty as part of active case management to encourage the parties to use alternative dispute resolution."

He also revealed the efforts by the Government and other stakeholders in promoting alternative dispute resolution methods including mediation services. Among them was the modernisation of the Arbitration Ordinance, which made Hong Kong's arbitration law more user-friendly to users from the international business community. There are sections in the ordinance that touch on mediation.

Other efforts in promoting mediation include the signing of the Co-operation Arrangement on Legal Services for Commercial Matters and Arbitration by the Department of Justice and the China Council for the Promotion of International Trade last month, and the setting up of the Joint Mediation Helping Office by eight mediation service providers for a one-stop mediation referral service for parties in need of mediation services.

"Hong Kong aspires to be the leading regional dispute resolution centre. We shall continue to make the most of our unique and strategic position as the most international city and the only common law jurisdiction within the PRC," Mr Wong said.

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