

Mediation Task Force moves full steam ahead to promote mediation

The Mediation Task Force is moving full steam ahead to promote the wider use of mediation to resolve civil disputes, the Deputy Law Officer (Civil Law), Mr Simon Lee, said today (April 22).

The Task Force is actively considering the 48 recommendations put forward by the Working Group on Mediation's three-month consultation and report. The recommendations cover three main areas: the promulgation of a mediation ordinance; formation of a single accreditation body for mediators; public education and publicity.

"There was overwhelming support from stakeholders during our public consultation for the enactment of a mediation ordinance which should be aimed at providing a legal framework for the conduct of mediation in Hong Kong, without hampering the flexibility of the mediation process," Mr Lee noted.

Mr Lee said the Task Force is now working on the contents of the proposed legislation and seeks to introduce the Mediation Bill into the Legislative Council towards the end of this year.

"The Bill will primarily define the meaning of mediation so that there is no confusion. It will also cover confidentiality and privilege in mediation," Mr Lee said.

On accreditation of mediators, Mr Lee said that there are at present various accrediting organisations. Among them were established mediation service providers including the Mediation Council of the Hong Kong International Arbitration Centre, the Law Society of Hong Kong, the Hong Kong Mediation Centre, the Hong Kong Institute of Surveyors, the Royal Institution of Chartered Surveyors Hong Kong and the Hong Kong Institute of Architects. Twenty one of these mediation

service providers, including those mentioned above, have adopted the Hong Kong Mediation Code promulgated by the Working Group on Mediation in 2010.

"The majority of the submissions received during the consultation urge that a single accreditation body for mediators be set up as soon as possible rather than reviewing such a need in five years, as recommended in the Working Group report. The Task Force supports and is working towards the setting up of a non-statutory industry-led single accreditation body.

"Meanwhile, the Task Force is deliberating on the terms and conditions of the body," Mr Lee said.

On public education and publicity, Mr Lee said the Task Force planned to hold the second Mediation in Hong Kong Conference (following the first conference held in 2007) early next year and produce an Announcement in Public Interest to promote mediation.

"In addition, the Pilot Project on Community Venues for Mediation, which started in 2009 to provide block booking of community venues for conduct of mediation, will continue.

"To conclude, the Task Force will work closely with various stakeholders, including Government bureaux and departments, as well as professional bodies to implement the recommendations."

The Mediation Task Force, chaired by the Secretary for Justice, Mr Wong Yan Lung, SC, was established to advise on and assist in the implementation of the recommendations put forth by the Working Group on Mediation last year.

Members of the Task Force include Mr Justice Johnson Lam Man-hon; Mr Rimsky Yuen, SC; Mr John Budge; Mr Chan Bing-woon; Dr Raymond Leung Hai-ming; Mr Christopher To Wing; Professor

Nadja Alexander; the Director of Home Affairs, Mrs Pamela Tan; the Deputy Director of Legal Aid, Mr Thomas Edward Kwong; and the Law Officer (Civil Law) of the Department of Justice, Mr Benedict Lai.

Ends/Friday, April 22, 2011