

Department of Justice committed to promoting "Mediate First" (with photos)

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Mediation enables parties to resolve disputes in an amicable and constructive manner and with the help of mediators, parties concerned can reach a mutually acceptable solution with controlled risks, costs and time, noted the Secretary for Justice, Mr Rimsky Yuen, SC, today (June 13).

Speaking at the "Mediate First" Pledge Reception 2017 organised by the Department of Justice (DoJ) today, Mr Yuen said that the Government has been committed to promoting the development of mediation in Hong Kong.

With a view to further promoting the use of mediation in resolving disputes, the DoJ also held for the first time the Mediate First Pledge Logo & Star Logo Competition for Secondary School Students this year. Enthusiastic responses were received with some 250 entries.

The winning designs of the Mediate First Pledge Logo and Star Logos will be used in the Mediate First Pledge Star Logo Award Scheme (Award Scheme). Under the Award Scheme, pledgees can display the Logo, as a notable symbol of "Mediate First" Pledge, at their shops or adopt the Logo in their letterheads. Moreover, pledgees who take part in promoting or supporting mediation to resolve dispute, will be awarded a Star Logo at the next Mediate First Pledge event. Pledgees' involvement can take various forms which include resolving disputes by mediation, inclusion of mediation clauses in contracts, and handling of customer complaints by mediation techniques. Details of the Award Scheme will be announced later.

Mr Yuen thanked the Education Bureau, the Hong Kong Subsidised Secondary Schools Council, the Grant Schools Council and the Hong Kong Direct Subsidy Scheme Schools

Council for their assistance in the Mediate First Pledge Logo & Star Logo Competition for Secondary School Students, which was carried out smoothly.

Looking ahead, Mr Yuen pointed out that the DoJ would continue to actively promote the development of mediation in Hong Kong and hope to see the enactment of the Apology Bill as soon as possible, as well as the amendment of the Mediation Ordinance to clarify that third party funding of mediation is permitted under Hong Kong law.

"The DoJ will also look forward to the construction of mediation facilities adjacent to the new West Kowloon Law Courts Building and the implementation of a pilot mediation scheme for resolving suitable Small Claims Tribunal cases and other appropriate types of disputes," he said.

Also speaking at the reception, the Vice-President of the Court of Appeal of the High Court, Mr Justice Johnson Lam Man-hon, noted that the purpose of promoting "Mediate First" was to encourage different organisations and the commercial sector to first consider resolving disputes by mediation instead of court litigation.

"Resolving disputes by mediation is more time-saving and economical than court litigations. It can also greatly reduce the pressure faced by the parties in continued disputes, including emotional distress. As mediation agreement is reached by the parties with the assistance of mediators, the agreement must be readily recognised and accepted by the parties. It will also allow more flexibility and satisfy the needs of the parties than judgments handed down by the court. Therefore, mediation can help maintain amicable relationships between the parties," Mr Justice Lam said.

Among the pledgees of the "Mediate First" Pledge, about 60 representatives of chambers of commerce, companies

and organisations attended the signing ceremony of the "Mediate First" Pledge during the reception today, pledging to consider mediation first as a means to resolve disputes.

More than 300 representatives of international enterprise private companies, public bodies, business associations and professional bodies, as well as professionals in the legal and mediation sectors joined the "Mediate First" Pledge reception.

In addition, the DoJ held a seminar on mediation earlier this afternoon to promote the use of mediation in a wide range of disputes, including commercial (such as intellectual property rights and cross-border trade disputes) and community disputes (such as disputes related to building management, consumer, peer and family); and to let the participants know more about the differences and characteristics of facilitative mediation and evaluative mediation. About 500 people attended the seminar.

Ends/Tuesday, June 13, 2017



