

Speech by SJ at seminar on "ABCs of LawTech, ODR Platform and Generative AI and Positive Impact on Access to Justice and Increasing Economic Developments" (English only)

Following is the speech by the Secretary for Justice, Mr Paul Lam, SC, at the seminar on "ABCs of LawTech, ODR Platform and Generative AI and Positive Impact on Access to Justice and Increasing Economic Developments" held online today (June 27):

Honourable Chief Justice Chong (Chief Justice of the Supreme Court of Brunei Darussalam, Dato Seri Paduka Steven Chong Wan Oon), Mr Chan (Director of the AALCO Hong Kong Regional Arbitration Centre, Mr Nick Chan), Mr Sin (ODR Director of eBRAM International Online Dispute Resolution Centre, Mr Jacob Sin), ladies and gentlemen,

A very good morning to all of you from Hong Kong.

Last month on May 4, 2023, the Supreme Court of Brunei Darussalam and the Department of Justice of the Hong Kong Special Administrative Region (SAR) signed a Memorandum of Cooperation (MOC) to strengthen our co-operation on issues relating to dispute avoidance and resolution, and to facilitate development of the related services in the two jurisdictions. We were honoured to have received Chief Justice Chong and his colleagues in Hong Kong, and the chance to show the delegation our Hong Kong Legal Hub, in particular, visiting organisations contributing to shaping the development of Hong Kong's international and regional dispute resolution services as well as development in legal technology.

Today, it gives me great pleasure to welcome friends from Brunei joining this online seminar, signifying the first collaboration between the two jurisdictions under the MOC. I am most grateful to Chief Justice Chong and the Supreme Court of Brunei Darussalam for facilitating the arrangements, which is a great start to building closer ties for practitioners between Brunei and Hong Kong.

Today's seminar covers two topics. The first topic is "ABCs of LawTech, ODR Platform and Generative AI and Positive Impact on Access to Justice and Increasing Economic Developments". The second topic is "The Benefits of the APEC ODR Framework for Resolving Cross-border Disputes and How to Use the APEC ODR Rules". Historically, the legal sector has been slow to embrace the use of technology. The pandemic has no doubt changed the way we live and work. The legal sector, being no exception, has to react quickly to deal with the unprecedented changes through the use of legal technology or LawTech in short.

LawTech proves to enhance efficiency and effectiveness and continues to play an imperative role in the future of the legal sector. As we move on from the simple video conferencing system to sophisticated one-stop shop online dispute resolution (ODR) platforms with real-time transcription and translation services, LawTech will continue to revolutionise the way the legal industry operates.

LawTech can also advance access to justice by making legal services more affordable and accessible. Indeed, ODR has been regarded as a digital technology that can support green economy and hence sustainable development. For example, in April 2020, the Hong Kong SAR Government established the COVID-19 Online Dispute Resolution Scheme to provide speedy and cost effective multi-tiered ODR services to the general public and business, in particular, micro-, small- and medium-sized enterprises for disputes arising out of or in relation to the pandemic. With a nominal administrative fee of HK\$200 or approximately BN\$34.44 from each party, with subsidies from the Government, parties have access to online mediation and arbitration services to resolve their disputes. This in turn may help relieve the court's caseload during the difficult times.

ASEAN (Association of Southeast Asian Nations) has been one of the major trading partners of Hong Kong, which has been further strengthened with the ASEAN-Hong Kong, China Free Trade Agreement and related Investment Agreement entered into force in full on February 12, 2021. Hong Kong's imports from ASEAN totalled US\$119.7 billion in 2022, showing a 2.8 per cent increase compared with 2021. Hong Kong is a gateway to China. Since 2009, China has been ASEAN's largest trading partner and is expected to continue on its upward trajectory. With increasing cross-border trades and possible disputes, there will be growing demand from parties to shift towards the use of LawTech, providing cost effective and efficient dispute resolution services, which in turn will boost overall economic development.

Let me take this opportunity to briefly introduce the two co-organisers of today's seminar, the Asian African Legal Consultative Organization Hong Kong Regional Arbitration Centre (AALCO HK Centre) and the electronic business related arbitration and mediation centre, eBRAM.

The AALCO HK Centre was established in November 2021 with the centre officially opened in May 2022. The establishment of the AALCO HK Centre was only made possible with the staunch support from the Central People's Government. It is the latest addition to the other five regional arbitration centres of AALCO, being the only inter-governmental legal consultative organisation in the Asian and African region comprising almost all the major states from Asia and Africa. The establishment of AALCO HK Centre in Hong Kong is a vote of confidence from AALCO's members

of Hong Kong's strong rule of law, legal system, and talents in the provision of legal and dispute resolution services. Mr Nick Chan will shortly share with you more details about the AALCO HK Centre and the top notch services they make available for the market.

The Hong Kong SAR Government has been supportive of developing LawTech and ODR and deal-making platforms to provide services to parties in the region and beyond. Established in 2018, eBRAM is Hong Kong's home grown LawTech centre, offering unparalleled one-stop shop online dispute resolution services. eBRAM has since developed various ODR platforms or specific schemes to cater for resolving different types of disputes. In fact, eBRAM was engaged as the service provider for the COVID-19 Scheme which I mentioned earlier. eBRAM is also the first and only ODR provider from Hong Kong listed under the APEC Collaborative Framework for ODR of Cross-Border Business-to-Business Disputes. eBRAM has certainly laid a solid foundation for Hong Kong's development and research in the area of LawTech. In the later session this morning, Jacob will tell you more about eBRAM's services and how you may enjoy the best use of their services.

Ladies and gentlemen, I hope that you will find the seminar informative and fruitful. Once again, thank you very much Chief Justice Chong for your very kind support. I look forward to seeing our Brunei friends in person in Hong Kong soon. Thank you very much.