



律政司
香港特別行政區政府
Department of Justice
The Government of the Hong Kong
Special Administrative Region



2024年調解周
MEDIATION WEEK 2024

在家事法庭中採用替代爭議解決模式 — 共享璀璨成果

The Splendor of Alternative Dispute Resolution (ADR) in Family Court



調解為先：
築融和之橋
創美好未來

MEDIATE FIRST :
BRIDGE CULTURES
BUILD FUTURES

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PROGRAMME

在家事法庭中採用替代爭議解決模式
— 共享璀璨成果

The Splendor of Alternative Dispute Resolution (ADR) in Family Court

日期：2024年5月9日 (星期四)

Date: 9 May 2024 (Thursday)

時間：上午 10:00至中午 12:15

Time: 10:00 am – 12:15 pm

合辦機構：律政司和司法機構

Co-organisers: Department of Justice and the Judiciary

地點：香港中環下亞厘畢道18號律政中心中座1樓多功能活動廳

Venue: Function Hall, 1/F, Main Wing, Justice Place, 18 Lower Albert Road, Central, Hong Kong

形式：混合

Mode: Hybrid

活動將以粵語進行，並提供英語及普通話即時傳譯

The event will be conducted in Cantonese, with simultaneous interpretation into English and Putonghua.

司法機構於2023年10月起實施「家事法庭聆案官制度」。在此之前，司法機構亦一直致力探討，如何以替代爭議解決模式處理家事法庭的案件，當中不乏植入調解的元素。

在2003年及2012年，司法機構分別引入「排解財務糾紛(FDR)」和「排解子女糾紛(CDR)」計劃。縱然上述計劃及調解兩者均有其獨特之處，但法庭留意到調解員的參與，確實能為排解該些糾紛帶來協同效應。有鑑於此，司法機構於2019年起在家事法庭設立「調解員輔助的排解財務糾紛(MFDR)」及「調解員輔助的排解子女糾紛(MCDR)」計劃。那奠定了替代爭議解決模式與訴訟雙軌並行的基礎，且成效是有目共睹的。

另一方面，司法機構自2024年3月推行「家事法庭轉介調解計劃(FCAMS)」，為期兩年。當值的家事調解員將以服務提供者的身份，在有需要時被委任並替經濟資源較少的離異雙方提供調解服務。該計劃旨在通過家事法庭法官及聆案官(主審司法官員)、綜合調解辦事處及家事調解員之間採取協作方式，協助離異雙方即在法院大樓內解決彼此的爭議。

The Judiciary has implemented the Family Masters System since October 2023. Prior to this, the Judiciary has explored various ADR mechanisms for handling family court cases. Some of them were incorporated with elements of mediation.

In family proceedings, Financial Dispute Resolution (“FDR”) and Children Dispute Resolution (“CDR”) are procedures introduced since 2003 and 2012 respectively. In spite of the uniqueness between mediation and FDR / CDR, the court saw the potential for synergy by having a mediator within the process of FDR / CDR. In this light, Mediator-assisted FDR (“M-FDR”) / Mediator-assisted CDR (“M-CDR”) has been introduced in Family Court since 2019. It is a model of a continuous alternative dispute resolution process running in parallel with litigation, which have been proven to be effective in dealing with the financial and child issues in a matrimonial case.

The Judiciary has just launched a new pilot scheme namely Family Court-annexed Mediation Scheme (“FCMAS”) for a period of two years starting from March 2024. Freelance duty mediators, being engaged as service providers, would provide mediation service for suitable court cases involving litigants-in-person on both sides with less financial resources. The new pilot scheme plans to assist the parties to settle their disputes timely and effectively by adopting a collaborative approach among the Judges/Masters in Family Court (“Presiding Judicial Officers”), the Integrated Mediation Office IMO and family mediators at the court premises.

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PROGRAMME

10:00 - 10:05

主持人致開幕辭

Welcome Remarks by Moderator

林雪兒女士

Ms April Lam

司法機構總司法行政主任(調解事務)

Chief Judiciary Executive (Mediation Affairs) of the Judiciary

10:05 - 10:35

在家事法庭實施「家事法庭聆案官制度」、

「調解員輔助的排解財務糾紛(MFDR)」

及「調解員輔助的排解子女糾紛(MCDR)」

**Implementation of Family Court Master System
and Mediator-assisted Financial Dispute
Resolution (MFDR) & Mediator-assisted
Child Dispute Resolution (MCDR) in Family Court**

分享關於上述三項措施的資訊

Sharing the updates of Family Court Master System and MFDR/ MCDR

講者 Speaker:

區域法院主任家事法庭法官陳振國

HH Judge CK Chan

Principal Family Court Judge

10:35 - 10:55

**曾參與「調解員輔助的排解財務糾紛(MFDR)」
及「調解員輔助的排解子女糾紛(MCDR)」
的家事調解員經驗分享**
**Experience sharing from the angle of a
Family Mediator in Mediator-assisted
Financial Dispute Resolution /
Mediator-assisted Child Dispute Resolution**

講者 Speaker:

**林慧儀律師
Ms Amy Lam**

家事調解員/家事調解監督
Family Mediator / Family Mediation Supervisor

10:55 - 11:55

在家事法庭轉介調解計劃(FCAMS)下處理家事案件的概覽
**Overview of conducting family cases under
Family Court-annexed Mediation Scheme (FCAMS)**

講者 Speaker:

**家事法庭聆案官龍軍庭
Master Bryan Lung**

Family Court

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11:55 - 12:05

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Closing Remarks

終審法院常任法官林文瀚
The Hon Mr Justice Johnson Lam PJ
司法機構調解工作小組主席
Chairman of the Judiciary's Working Party on Mediation

12:05 - 12:15

問答環節 Q&A

開幕致辭

WELCOME REMARKS



林雪兒女士

司法機構總司法行政主任(調解事務)

林女士現時擔任總司法行政主任(調解事務)一職，主管司法機構調解服務組。她是香港調解資歷評審協會有限公司和香港國際仲裁中心的認可家事調解員和綜合調解員。

林女士自2005年加入司法機構以來，一直致力推廣家事調解。於2008年，她主力統籌成立設於土地審裁處之建築物管理調解統籌主任辦事處的事宜。民事司法制度改革在2009年4月推行後，她負責策劃綜合調解辦事處所提供的服務，鼓勵在高等法院和區域法院民事案件中的當事人更廣泛地使用調解。林女士亦在推行由香港調解資歷評審協會有限公司和司法機構合辦的家事調解督導計劃中擔當重要角色，以提升香港家事調解員的數量和專業水平。2022年，林女士被委派在毗鄰西九龍法院大樓地點建立綜合調解辦事處(西九龍)的任務，致力為公眾提供與法庭有關的調解資訊，並為小額錢債審裁處轉介的訴訟人安排調解服務。司法機構現有的調解設施在她任內建立穩固根基，體現出調解工作在排解糾紛方面的成功發展。

Ms April Lam

Chief Judiciary Executive (Mediation Affairs) of the Judiciary

Ms Lam is currently holding the post of Chief Judiciary Executive (Mediation Affairs), heading the Mediation Section in the Judiciary. She is an Accredited Family Mediator and General Mediator of Hong Kong Mediation Accreditation Association Limited (HKMAAL) and Hong Kong International Arbitration Centre.

Ms Lam has been instrumental in the promotion of family mediation since she joined the Judiciary in 2005. In 2008, she was commissioned to coordinate the setup of the Building Management Mediation Co-ordinator's Office in the Lands Tribunal. Consequent to the Civil Justice Reform launched in April 2009, she had carried out the service provision planning for the Integrated Mediation Office advocating the extensive use of mediation on all civil cases in High Court and District Court. Ms Lam also played a significant role in supporting the implementation of Family Mediation Supervision Scheme jointly organized by HKMAAL and the Judiciary to enhance the quantity and professional standard of family mediators in Hong Kong. In 2022, Ms Lam was given the task to establish the Integrated Mediation Office (West Kowloon) at the site adjoining the West Kowloon Law Courts Building, with a view to provide the public with mediation information related to the courts and arranging mediation services for litigants referred by the Small Claims Tribunal. During her tenure in the Judiciary, solid foundation for the current mediation establishment has been laid which manifests in the successful running of its operation for the alternative disputes resolution.

演講者 SPEAKER



陳振國法官

區域法院主任家事法庭法官
司法機構調解工作小組委員

陳振國法官於2019年1月獲委任為主任家事法庭法官。

陳法官於1989年在倫敦大學取得法學士學位，1990年在香港大學取得法學專業證書，1997年在香港城市大學取得法學碩士學位。陳法官於1992年成為執業事務律師。他於1998年加入香港司法機構成為常任裁判官，於2004年開始擔任家事法庭的暫委法官，並於2009年獲委任為區域法院法官。

His Honour Judge C.K. Chan

Principal Family Court Judge
Member of the Judiciary's Working Party on Mediation

His Honour Judge C.K. Chan was appointed as the Principal Family Court Judge in January 2019.

His Honour Judge C.K. Chan obtained his LL.B. from the University of London in 1989, P.C.LL. from the University of Hong Kong in 1990 and LL.M. from the City University of Hong Kong in 1997. He started to practice as a solicitor in 1992 and joined the Hong Kong Judiciary in 1998 as a permanent magistrate. He started to sit in the Family Court as a Deputy District Judge in 2004 and was appointed as a District Judge in 2009.

演講者 SPEAKER



林慧儀律師

家事調解員/家事調解監督

林慧儀律師於1992年在香港獲得律師資格，現為鄧黃張律師事務所的顧問。

林律師由2000年開始成為認可綜合及家事調解員，並於2001年成為家事調解監督。自2005年以來，林律師擔任綜合調解員認可評核試的評核員，亦為各個認可綜合及家事調解訓練課程、香港城市大學法學專業證書課程調解及談判科和香港大學法學碩士課程[仲裁及排解爭端法]提供協助。林律師於2022年起的不同時期獲委任為區域法院的案件和解會議聆案官。

Ms Lam Wai-yee, Amy

Family Mediator / Family Mediation Supervisor

Ms Lam was admitted as a Solicitor of HKSAR in 1992 and is a consultant of Messrs. Tang, Wong & Cheung, Solicitors.

She started practicing as accredited general and family mediator since 2000 and as family mediation supervisor since 2001. She is the assessor for accreditation of general mediators since 2005 and assists in various accredited general and family mediation training, PCLL course in mediation and negotiation in City University of Hong Kong and LLM degree programme in arbitration & disputes resolution in Hong Kong University. Ms Lam sits as a Master of Case Settlement Conference in District Court in various periods since 2022.

演講者 SPEAKER



龍軍庭聆案官

家事法庭聆案官

司法機構調解工作小組成員

龍軍庭聆案官於2005年取得香港律師資格，並於2020年加入司法機構出任常任裁判官。他於2009年成為香港國際仲裁中心的認可綜合調解員及家事調解員並開始從事調解工作。他在2011年獲香港國際仲裁中心認可為家事調解督導監督。龍聆案官於2013年成為香港調解資歷評審協會有限公司的認可綜合調解員、家事調解員及家事調解督導員。在加入司法機構前，龍聆案官曾擔任調解評審會調解員的評審員及認可的家庭調解課程的導師。加入司法機構後，他曾出任勞資審裁處審裁官、小額錢債審裁處審裁員及區域法院聆案官，並參與多項法庭轉介與法庭導向服務的調解計劃，包括將合適的案件轉介至西九龍調解中心，亦擔任小額錢債審裁處的審裁員和擔任案件和解會議的聆案官。龍聆案官現為家事法庭聆案官。

Master Lung Gwun Ting, Bryan

Family Court Master

Member of the Judiciary's Working Party on Mediation

Master G.T. Lung was admitted as a solicitor in Hong Kong in 2005 and joined the Judiciary as a Permanent Magistrate in 2020. He started his mediation practice as an accredited General Mediator and Family Mediator of Hong Kong International Arbitration Centre (HKIAC) in 2009. He was then accredited by HKIAC as a Family Mediation Supervisor in 2011. He became an accredited General Mediator, Family Mediator and Family Mediation Supervisor of Hong Kong Mediation Accreditation Association Limited (HKMAAL) in 2013. Before joining the Judiciary, Master Lung was HKMAAL's mediator assessor and a trainer of accredited Family Mediation courses. After joining the Judiciary, he acted as Presiding Officer of the Labour Tribunal, Adjudicator of the Small Claims Tribunal and Master of the District Court and involved in various Court-annexed and Court-based mediation schemes, including referral of suitable cases to West Kowloon Mediation Centre as an Adjudicator of the Small Claims Tribunal and sitting as a Master of Case Settlement Conference. Master Lung is now sitting as Master in Family Court.

總結

CLOSING REMARKS



林文瀚法官

終審法院常任法官

司法機構調解工作小組主席和

司法機構家事法律程序法庭使用者委員會主席

林文瀚法官於2021年7月30日獲委任為終審法院常任法官。

林法官於1961年在香港出生。他於1983年在香港大學取得法學士學位，並於1984年取得香港大律師執業資格，自1985年從事私人執業，執業範圍主要是財產法和家事法。

林法官於2001年加入司法機構出任區域法院法官。於2003年，他獲委任為原訟法庭法官。他於2003至2009年期間，擔任土地審裁處庭長，於2008年至2011年期間，擔任遺囑認證訴訟案件專責法官，並於2011年至2013年期間，擔任憲法及行政訴訟審訊表專責法官。林法官於2012年獲委任為上訴法庭法官，並於翌年出任上訴法庭副庭長。

林法官於2003年至2013年期間，擔任民事法庭使用者委員會委員，於2009年至2015年期間，擔任民事司法制度改革監察委員會核心小組成員，並於2012年至2015年期間，擔任律政司司長調解督導委員會轄下評審資格小組委員會委員。林法官於2013年至2019年期間，擔任民事法庭使用者委員會主席一職。林法官現為司法機構調解工作小組和家事法律程序法庭使用者委員會的主席。他亦是律政司司長調解督導委員會的委員。

The Honourable Mr Justice Johnson Lam Man-hon, PJ

Permanent Judge of the Court of Final Appeal
Chairman of the Judiciary's Working Party on Mediation and
Chairman of the Family Proceedings Court Users' Committee

Mr Justice Lam was appointed a Permanent Judge of the Court of Final Appeal on 30 July 2021.

Mr Justice Lam was born in Hong Kong in 1961. He obtained his LLB from the University of Hong Kong in 1983 and was called to the Hong Kong Bar in 1984. He commenced private practice in 1985, practicing generally in the fields of property and family law.

Mr Justice Lam joined the Judiciary as a District Judge in 2001. In 2003, he was appointed a Judge of the Court of First Instance. He was the President of the Lands Tribunal from 2003 to 2009 and a Probate Judge from 2008 to 2011. From 2011 to 2013, he was the Judge in charge of the Constitutional and Administrative Law List. He was appointed a Justice of Appeal in 2012 and became a Vice-President of the Court of Appeal in 2013.

Mr Justice Lam was a member of the Civil Court Users' Committee from 2003 to 2013, the Core Group of the Civil Justice Reform Monitoring Committee from 2009 to 2015 and the Accreditation Sub-committee under Secretary for Justice's Steering Committee on Mediation from 2012 to 2015. From 2013 to 2019, he was the Chairman of the Civil Court Users' Committee. He presently chairs the Working Party on Mediation and the Family Proceedings Court Users' Committee of the Judiciary. He also serves on the Secretary for Justice's Steering Committee on Mediation.

支持機構

SUPPORTING ORGANISATIONS





香港和解中心
Hong Kong Mediation Centre



Hong Kong Mediation Council
香港調解會
(法律專業發展研究中心)



Joint Mediation Helpline Office
聯合調解專線辦事處



THE
LAW SOCIETY
OF HONG KONG
香港律師會



中國貿促會/
中國國際商會調解中心

內地—香港聯合調解中心
Mainland - Hong Kong Joint Mediation Center



香港和解中心





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提問表格 Q&A Form



<https://forms.gle/nFbavACJnGabWU3U9>

如果您對演講嘉賓有任何提問，請掃描二維碼，填寫問答環節提問表格。

If you have any questions for the speakers, please scan the QR code to fill in the Q&A form for the Event.

問卷 Questionnaire



<https://forms.gle/jBwnUX7wvqGGap3z7>

感謝閣下出席「在家事法庭中採用替代爭議解決模式 — 共享璀璨成果」。現誠邀您掃描二維碼，填寫一份簡單問卷，您的寶貴意見能夠讓我們日後提供更優質的服務。

Thank you for attending The Splendor of Alternative Dispute Resolution (ADR) in Family Court. We would be grateful if you could scan the QR code to complete the questionnaire. Your comments are important for us to provide better service.

