



MEDIATE FIRST  
調解為先

# 2022年調解徵文比賽優勝作品集

## Mediation Essay Competition 2022

### Collection of Winning Essays

# 構建 **Constructing** 和諧社會 **a Harmonious Community**



律政司  
Department of Justice



中華人民共和國香港特別行政區政府  
教育局  
Education Bureau  
The Government of the Hong Kong Special Administrative Region  
of the People's Republic of China

Rotary  
District 3450



亞洲排解爭端學院  
Asia Conflict  
Resolution Institute



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## 前言 Foreword



### 林定國資深大律師, SBS, JP 香港特別行政區政府律政司司長

律政司一直不遺餘力提倡社會利用調解，友善地解決爭議。不積跬步，無以至千里。我們深信培育下一代擁有正確的解決爭議價值觀，長遠將有助實現「和諧社會」這願景。就此，我們透過不同途徑，增強學生對替代爭議解決方式的認知，及鼓勵他們多在日常生活中利用調解來解決爭議。

在合辦機構的支持下，繼於2020年成功舉辦調解徵文比賽及校園調解研討會，律政司於今年5月初的調解周再度舉辦校園調解研討會。延續上屆調解徵文比賽的成果，律政司與教育局、亞洲排解爭端學院有限公司和國際扶輪3450地區今年再度合辦調解徵文比賽，主題為「調解: 構建和諧社會」。

2022年徵文比賽旨在向學生推廣「調解為先」的文化，提升他們對調解的認識，並讓學生深思調解與構建和諧社區之間的關係。我們期望學生可藉參與徵文比賽，深入了解調解作為日常技巧，可有效及友善地化解爭議，並體會善用調解技巧對維持人際關係以至構建和諧社區均大有裨益。

縱使受疫情影響，同學們依然踴躍投稿。律政司共接獲來自43間學校，合共超過280篇參賽作品。我們樂見一眾參賽作品水準不俗，同學們文筆流暢、條理清晰。而得獎作品更是文情並茂、言之成理，反映同學們不單對調解有充分的認識，亦對如何在日常生活中善用調解技巧化解衝突有獨特見解，委實令我們印象深刻。本書收納了所有得獎文章，供各位細閱。

我在此勉勵各位同學參與徵文比賽後，繼續向其他同學推廣調解的好處，在校園締造「調解為先」的文化。若日後在校園內遇到紛爭時，同學們亦可以身作則，主動運用調解技巧化解分歧，為構建和諧社區出一分力。

最後，我在此衷心感謝各合辦單位，包括教育局、國際扶輪3450地區和亞洲排解爭端學院，對是次徵文比賽的鼎力支持，及各專業評審在百忙中撥冗選出優勝作品，令徵文比賽得以順利完成。

## 前言 Foreword

### **Mr Paul T K Lam, SBS, SC, JP** **Secretary for Justice, Hong Kong SAR Government**

The Department of Justice (“DoJ”) spares no effort in promoting the use of mediation in our society to resolve disputes amicably. As the old saying goes, “A journey of a thousand miles begins with a single step”. We believe that nurturing the youth with a positive mentality when facing disputes will be an instrumental step towards a harmonious community in the long term. To this end, we are organizing various activities to raise the awareness of alternative dispute resolution amongst students and encourage them to resolve disputes by mediation.

With the support of our co-organisers, the Mediation Essay Competition 2020 and the School Mediation Seminar 2020 were successfully held. This year, the DoJ organised the School Mediation Seminar 2022 during the Mediation Week 2022 in May. Riding on the past success, the Education Bureau, Asia Conflict Resolution Institute Limited, Rotary International District 3450 and DoJ joined hands again to co-organise the Mediation Essay Competition 2022 (“Competition”) with this year’s theme of the Competition being “Mediation: Constructing a Harmonious Community”.

This Competition aims to promote a “Mediate First” culture to students by raising their awareness of mediation and encouraging students to reflect upon the role of mediation in constructing a harmonious community. It is hoped that through their participation in the Competition, students will appreciate the importance and usefulness of mediation skills as life skills in resolving conflicts amicably, which underpins healthy interpersonal relationships and are instrumental to the realization of a harmonious community.

The Competition has received overwhelming support from the students amid the COVID-19 pandemic. The DoJ has received over 280 entries from students across 43 schools. We are glad to see that the essays are of high quality and are well-written. The winning essays impress us in particular with forceful arguments and unique insights on how mediation skills shall be applied in real-life conflicts. They are published in this book for all to enjoy.

I would like to take this opportunity to encourage students to continue to promote the benefits of mediation to their peers after this Competition so as to cultivate a culture of mediation in the campus. I also encourage them to contribute to the construction of a harmonious community by being a role model and making good use of mediation skills to help their peers when conflicts arise in the campus.

Last but not least, I would like to extend my heartfelt gratitude to our co-organisers – the Education Bureau, Rotary International District 3450 and Asia Conflict Resolution Institute – for their unfailing support to this Competition, as well as the adjudication panel members for taking time out of their busy schedule in assessing and selecting the winning essays professionally.

## 歡迎辭 Welcome Messages



**Mr Ronald Sum, JP**  
**Partner, Baker & McKenzie**  
**Member of the Steering Committee on**  
**Mediation**

Thank you for the Secretary for Justice and the Department of Justice in leading the organization of the Mediation Essay Competition 2022 with the Education Bureau, the Asia Conflict Resolution Institute and the Rotary International District 3450.

As a legal practitioner in an international legal firm specializing in dispute resolution, I have witnessed the "pain and agony" in parties involving in any adversarial form of dispute resolution mechanisms. There are many forms of dispute resolution mechanisms, the more common of which are court litigation and arbitration. These forms of dispute resolution mechanisms have traditionally been effective, but in recent times, these mechanisms have become rather stressful, time-consuming and expensive, resulting more importantly in a total breakdown of any relationships.

These "pain and agony" do not only apply in the commercial world. They are equally applicable to disputes arising in our society. Having been involved in the education front and having sat in School Sponsoring Bodies, I have witnessed many disputes occurring at schools amongst students, parents, principals and School Sponsoring Bodies. I have also been involved in various forms of disputes occurring inside the schools' environments. What started off as a small dispute between a couple of friends at school ended up involving the social workers, parents, principals, School Sponsoring Bodies and lawyers. Many of these disputes will end up in costly and time-consuming litigation. In many instances, these "friends" will end up going their separate ways. Such an unsatisfactory situation can easily be avoided by way of another form of dispute resolution mechanism, namely "mediation" and "peer mediation".





## 歡迎辭 Welcome Messages

It is with this background, together with the adversarial nature of our society, that the Department of Justice, together with the support of the Education Bureau, the Asia Conflict Resolution Institute, the Rotary International District 3450 and the Public Education and Publicity Sub-Committee, initiated the Mediation Essay Competition in 2020. The purpose is to instill the knowledge of mediation to the schools, parents, students, and everyone involved in the education front. Since the first competition in 2020, I see that an increasing number of schools, parents, students and social workers have embraced the concept of mediation. I have seen many of the students involved in the first Mediation Essay Competition have now utilized such mediation skills at universities, and hopefully later in their career and life. I am hopeful and delighted to see many of our younger generations embracing mediation.

In reading the numerous mediation essays submitted, I am delighted to see the students have gained much understanding in the practice of mediation and peer mediation. The students are also very supportive and receptive to the idea of mediation. They have not only raised many scenarios where mediation can be practiced, they have also raised many innovative ideas in which mediation and peer mediation can be practiced more effectively. I am happy to see such high standards and great efforts put into these mediation essays.

I take this opportunity to thank all the schools, students, parents, social workers in participating in this Mediation Essay Competition. I also thank the Alternative Dispute Resolution Team of the Department of Justice, and the Secretary for Justice in investing many hours of hard work in making the Mediation Essay Competition a success. Finally, without the assistance of Professor T. K. Lu of the Asia Conflict Resolution Institute, Dr. Peter Pang of the Rotary International District 3450, the panel of judges and many dedicated persons at the Education Bureau, this Mediation Essay Competition would not have been conducted so smoothly and a reality.

## 歡迎辭 Welcome Messages



### 姚定國教授, MH 律師/調解員/大學客席教授 亞洲排解爭端學院有限公司創辦人/ 董事

記得在唸中學時，當年自以為是的我狂妄地將一些本人的拙作如散文和新詩等，投稿至不同的報張及雜誌以求出版，並大膽地參加青年文學獎比賽。

因當時文筆幼嫩、思維混亂，在寫作上並沒有獲得任何獎項和值得一提的成就。作品偶爾被刊登，對我來說不單是天大的喜訊，亦讓我有無限的存在感。

殊不知現在我作為調解推動者，常常要執筆寫作，分享調解的經驗和為香港向世界訴說我們作為解決爭議樞紐的佳話。

自2020年2月起，我每兩個月就會在國際的調解網路日誌 (Kluwer Mediation Blog) 發佈文章，讓身在香港之外的調解朋友，了解本人的調解心路以及香港在推動調解的成就。讀者只需花兩至三分鐘閱讀的短文，我卻要花上幾天甚或數星期去撰寫和修改，過程極不容易。當截稿日遇上工作忙碌時，心中的焦慮惶恐，難以形容。幸好年少時累積了一些基礎，才得以勉強矇混過關。

我得悉2022年調解徵文比賽雖然在疫情陰霾下舉行，但反應相當踴躍，也欣喜地知道參賽作品水平甚高，題材相當豐富和具有創意。這反映了同學們的努力和熱誠。



## 歡迎辭 Welcome Messages

我除了向得獎的同學送上衷心道賀外，同時感謝所有參賽的同學，亦向在他們背後支持的老師和家長致敬。

是次作品集不但結集優秀的作品，更重要是為推動調解和寫作埋下優良的種子。我懷着謙卑的心，向調解朋友和對調解有興趣的人士，推薦作品集裡的得獎作品。

最後，我在此萬分感謝律政司司長林定國資深大律師、副司長張國鈞律師和律政司的同事，在今次徵文比賽中擔當重要的角色，並讓亞洲排解爭端學院繼續參與是次別具意義的活動。

## 歡迎辭 Welcome Messages



**Dr. Peter Pang, MH**  
**Past District Governor (2015-16),**  
**Rotary International District 3450**  
**Peace Committee Chairman 2022-23**

It is our belief that peace can be achieved through mediation. To this end, Rotary International District 3450 has been promoting peace through various methods, including music, calligraphy, online courses, exhibitions, to name a few. For the past 5 years, we have been promoting peace by teaching secondary school students peer mediation skills and holding secondary school peer mediation competitions. We have also started an alumni group of past winning students at the Hong Kong Secondary School Peer Mediation Competition (“HKSSPMC”). These students help raise the awareness of mediation in secondary schools by sharing mediation skill sets, organizing peer mediation competitions and helping other students to be ambassadors of peace.

Essay-writing is an effective method in promoting mediation amongst students. In order to write an essay, students need to perform research. The research process enriches their knowledge on mediation and rectifies any misconceptions. Students then have to organize the knowledge they learn in a presentable way in order to write a good essay. This is one of the effective ways to internalize their mediation knowledge to their heart. We have suggested a number of topics and enlightened them to look at mediation in different perspectives. We are delighted to see their unique views on mediation, especially when they cite their real-life experience as examples.



## 歡迎辭 Welcome Messages

I would like to thank Secretary for Justice Mr Paul Lam, Deputy Secretary for Justice Mr Cheung Kwok Kwan, my teacher Mr. TK Lu and the staffs of the Department of Justice for making this Mediation Essay Competition a success. I would also like to express my heartfelt gratitude to the adjudicators who needed to go through more than 280 essays as well as the principals and teachers for encouraging students to participate. Most importantly, I hope that our participating students will benefit from this Competition by internalizing knowledge on mediation with their writings.

Raising awareness amongst our students is merely the first step. I would like to encourage them to find out more about mediation and to put mediation skills into practice after this Competition. It is my wish that some of them will continue to help their peers at school or even pursue a career of mediation by becoming a professional mediator in the future.

I urge our students to live with a mediation attitude and to equip themselves with mediation skills. Such a mentality would possibly help them avoid disputes and develop their characters all together, thereby a more peaceful world can be achieved.

## 鳴謝 Acknowledgements

特此鳴謝是次調解徵文比賽各位評審小組成員。承蒙各位鼎力支持，比賽得以完滿舉行。

Special thanks to the adjudicating panel members of the Competition. Your time and dedication allows for the success of the Competition.

### **陳家成大律師**

Mr Vod Chan

### **金鈴小姐**

Miss Kam Ling

### **梁海明教授**

Prof. Leung Hai Ming, Raymond

### **梁慶豐教授**

Prof. Leung Hing Fung

### **梁偉峰博士**

Dr. Leung Wai Fung, Joseph

### **呂哲盈博士**

Dr. Lui Chit Ying, Wendy

(按字母順序)

(In alphabetical order)


 初中組 得獎文章 Junior Division Winning Essays

**冠軍 Champion**

## 陳穎彤 中二 地利亞修女紀念學校（百老匯）

### 積極傾聽及對話

「積極傾聽及對話」對我們的人際關係存在莫大的益處，亦可讓我們理解另一個人的觀點，並予以「同理心」作為回應。「積極傾聽及對話」包括容許提出相關的問題，確保聆聽者正確無誤地理解說話者所講述的內容。在這過程中，我們亦能驗證說話的一方所分享的內容，並延展彼此之間的交流時間。

我們必須透過「積極傾聽及對話」，方可準確接收別人的訊息。人與人之間的交流以及訊息傳遞與「積極傾聽及對話」密不可分。試想像假如你不先行了解事情之始末，你怎能成功為他人解難分憂呢？

「積極傾聽及對話」過程必須全神貫注。全神貫注，才能給予對方最具成效的回饋。我們的情緒及臉部表情也相當重要。臉部的表情與個人情緒反映你內在「積極傾聽」的程度。必要時，可運用肢體動作和手勢協助展現自己的參與及投入程度。

「積極傾聽及對話」同時包含接收者的反應，有來有往，方是其真諦。聆聽者與說話者彼此互相建立信任及和諧融洽的關係乃非常重要的一環。非語言之暗示，諸如：點頭、向前傾斜身體、眼神接觸等，如能恰好地運用，有助更佳的推進「積極傾聽及對話」之成果。

於「積極傾聽及對話」之進展性階段，聆聽者亦應盡量避免或盡量延緩作出任何個人主觀的判斷。良好的傾聽者應是客觀持平，摒棄私人的主觀情感及思維。

讓我們共同携手「積極傾聽及對話」，並肩「構建和諧社會」。

亞軍 First Runner-up

冼唯  
中三 樂善堂楊葛小琳中學  
我的調解故事

有人的地方必有紛爭和矛盾，大至國與國之間，企業與企業之間，小至朋輩與朋輩之間，父母與兒女之間，兄弟姊妹之間。這些紛爭可能會引起戰爭，導致經濟的損失，或是感情破裂。這時就該有調解員出現調停。

每個人有各自的性格，而每個人都有自己的執著和任性的時候。正如我，小時候也經常和姐姐爭執，而我們身邊的調解員，就是媽媽了。小時候不懂，現在慢慢體會到這個角色不是那麼容易做。首先要有耐性聆聽和分析問題所在，要保持中立，不可以偏袒一方。

記得有一次，我變身成一個調解員。那一次我參加了一個日營，到了煮午餐的時候，我和同學們三人一組分工合作，我負責處理配菜，小鋒和小浩負責燒雞。忽然，我聽到他倆在大聲吵鬧，我走過去一看，天啊！整隻雞已經掉進火堆了。他們兩個在互相推卸責任，初而動口，繼而動武，我費盡九牛二虎之力將他們分開，並對他們說：「先冷靜下來，現在不是追究責任的時候，大家都餓了，我們先解決午餐吧。」接著他們氣鼓鼓地各自做各自的事，我們簡單地吃了一個午餐之後，我分別找他們談話，開解他們，讓他倆不要為了這件事而傷害大家的感情。我告訴他倆，說我知道他們都想把這隻雞燒得更美味，但我們第一次沒有經驗，希望下次吸取教訓。經過我的調解，他們都放下心中的怒火，接下來互相解釋和聆聽彼此的感受。及後他們和好如初，開開心心地繼續以下的行程，我也因而感動起來，很有滿足感呢！

每個人都有機會被調解或者成為調解員，若果人人都肯站出來就可以化解矛盾和仇恨，就能共同構建一個和諧社會了。



 初中組 得獎文章 Junior Division Winning Essays季軍 **Second Runner-up\*****Poon Clarisse**  
**Form 1 St. Paul's Co-educational College****The Antidote to Antagonism**

Hong Kong is often rated as one of the least happy cities in the world. As a Hongkonger, have you ever been sucked into an argument with someone that was never resolved and left you flustered and frustrated? Often, such disputes in fact result from misunderstanding. If we can keep an open mind and are willing to open up, such disputes can be clarified and resolved, and our community will have a chance of achieving harmony.

Since I was a child, piano has been the centre of my universe. There has not been a day that passed without my fingers running on the keyboard without care until an old lady moved in next door. She knocked on my door one day to complain about the “noise” from my flat. She claimed she suffered from chronic psychiatric illness and needed peacefulness. I thought she was a liar because I had never played the piano at midnight.

Despite the incessant door-knocking and even brusque email complaints sent to my dad's company, I did not pay heed because she had to be a liar - I never practised at midnight. Also, she seemed completely healthy when she insulted me with words like: “You nasty little child! Why can't you stop playing that “broken” piano? If you really have the potential, you don't have to practise. If you don't have potential, then it's a waste of time.”

I was dying to return some insults, but days went on and I no longer met Mrs. Wong in the lift in the morning. The security guard told me that Mrs. Wong was staying at her son's place and would only return once a week. Despite her rudeness, I realised I had forced her out of the neighbourhood and was filled with guilt.

\* There are 3 second runners-up due to same overall marks.

## 初中組 得獎文章 Junior Division Winning Essays

I stopped practising my piano. After a week, when she finally reappeared, I knocked on her door and promised to stop my selfish behaviour. She softened up, “You don’t need to stop doing what you love. Perhaps we could discuss and try to reach a mutually beneficial solution.”

In the end, we sought the Chairman of the Mutual Aid Committee for suggestions. We were told to be open-minded, sit together and open up.

Mrs. Wong and I followed his advice and we voiced our concerns and opinions. While she cared about peacefulness, I spoke about my passion for piano. Most importantly, we dispelled each other’s prejudice and misunderstanding upon further investigation during the conversation. It dawned on me that it was my sister who played the piano at midnight. I apologised for my sister’s behavior and she apologised for her insults. I promised, “I am willing to stop practicing by 7 p.m.” She smiled and replied, “8 p.m., deal.”

The conflict between Mrs. Wong and myself was caused by misunderstanding and prejudice, and the conflict was finally resolved because we opened up and listened to each other. We were able to resolve the conflict because we identified the misunderstanding and reached a mutually acceptable compromise arrangement. We can apply this learning experience in a bigger social context. The COVID-19 pandemic has given rise to disputes, such as late payment of rents due to decline of businesses. For example, a landlord may see a tenant as untrustworthy, but the tenant may have legitimate financial difficulties. If stakeholders in a dispute clam up, the antagonism will persist. If everyone keeps an open mind and is willing to open up just like Mrs. Wong and I eventually did, our community can be harmonious.

## 初中組 得獎文章 Junior Division Winning Essays

季軍 **Second Runner-up\***

### 翟彤 中二 地利亞修女紀念學校（百老匯） 雙贏局面

「雙贏」對於日常生活以及構建和諧社會，擔當著非常重要的角色。打個比方，「雙贏」就像栽種過程中的「肥料」或是維持健康體魄的「營養素」。「雙贏」有助維繫良好的人際關係；擴而充之，亦有助促進社會邁向更「和諧」的階梯。

「雙贏」從字面上看意思，已能清晰理解是關於「雙方皆贏」。換言之，人與人之間的相處及交往之中，彼此皆能從中得益獲利，沒有任何一方遭受虧損。「雙贏」簡直是「百利而無一害」。

「雙贏局面」一般而言乃建基於人與人之間彼此的互信。倘若人際交往之間欠缺彼此的互信，實在難以達致「雙贏局面」。試想像對方與你互相猜忌，互不信任，這種關係連彼此間交流也難以達至「真誠」境界，甚至互相「避之則吉」，這樣豈能談得上「雙贏」呢？由是觀之，「雙贏局面」前提是需要雙方建立一定程度之互信。

大家曾否耳聞「鸕鶿相爭，漁翁得利」這則寓言故事呢？西漢的劉向在《戰國策》中提及鸕鶿相爭的故事。烈日當空，蚌高興地曬著日光浴。鸕鶿剛好經過，向蚌打壞主意，希望啄食蚌肉。蚌緊閉其殼，牢牢夾緊鸕鶿嘴，使其動彈不得。牠們之間互不信任，互相猜忌，雙方互不退讓，僵持不下。這個「相爭局面」僵持了良久。最後，來了一個漁翁，他輕鬆地擄獲鸕鶿和蚌。這個故事深刻印證著：「相爭容易雙輸；相讓有助雙贏」！

倘使人與人之間維繫「雙贏局面」，「構建和諧社會」這個宏願指日可待！

\* 由於出現同分情況，初中組季軍由三位參賽者共同獲得。

季軍 **Second Runner-up\***

## 王然柏 中一 樂善堂楊葛小琳中學

### 以調解排解朋輩紛爭

在不同地方，有人居住的地方便可能會有紛爭出現，因此，「調解」不論身處何地也是十分重要的。而調解在紛爭中亦擔任着十分重要的角色。在校園內，我們經常也會遇到朋輩間出現大大小小的紛爭。我認為身為同學或朋友的我們應該要儘量擔任調解的角色，不要讓小紛爭發酵成大紛爭，從而破壞朋輩之間的友誼。

正值青春期的我們，思想上偶爾也可能會與朋輩有着不同的觀點。尤其是中學階段，我們的情緒有時候可能會比較波動，一旦不懂去處理或者是處理得不恰當，後果有機會不堪設想。

在我的經歷中，我也曾遇過身邊朋輩間的小紛爭。當紛爭發生時，紛爭中的雙方各持己見，他們在紛爭開頭可能會各自尋找自己的支持者，以證明自己是對的。我認為若然朋輩間出現這類紛爭，我們不應只聽取其中一方的言論，而應聽取雙方面的意見，從而作出適當的調解。

在聽取完雙方各自的見解後，我們應該儘量尋求事實的真相，例如我會聽取兩位當事人以外其他朋輩的意見，或以他們眼見的事實作為依據去分析，然後作出調解。假如只不過是一件很小的紛爭，朋輩間的調解會在一定程度上達至和解。畢竟，我們年紀尚小，朋輩間很多的紛爭我們或許不懂怎樣去處理或調解。就好像大人口中常常掛着的一句老話——「我吃的鹽比你吃的飯多」。長輩的人生經驗一定比我們多，所以若然我們「調解失敗」，便應尋求他們的協助和意見。適當時，讓長輩擔任「調解者」的角色，也不失為一個好辦法。

\* 由於出現同分情況，初中組季軍由三位參賽者共同獲得。

## 初中組 得獎文章 Junior Division Winning Essays

## 優異獎 Merits Award

## 古樂峰 中二 地利亞修女紀念學校 (百老匯)

### 我的調解故事

某個週末，我與朋友相約外出遊玩散心。途經荔枝角公園時，我們看到很多居民正在共同抗議，公園似乎存在著兩股不同勢力，彼此正在爭論著甚麼重大的議題似的。於是，我與結伴同行的友人不約而同地駐足細察觀望。

原來，區內鄰近公園的居民極為不滿在公園晨操的長者們長期於清晨時分在公園裏播放擾人清夢的強勁音樂。然而，公園裏這群耳不聰、目不明的老年人卻又似懂非懂的堅持「日日運動身體好，男女老幼做得好」，樂於聽從康樂及文化事務署與衛生署共同推廣的全民運動。

我與友人意識到毗鄰的居民們與晨操的長者們彼此之間存在著矛盾與誤會，以致出現紛爭。一眾耆老一意專注晨操運動、強身健體，以樂伴舞、以歌會友；而附近的居民則一心希冀擁有寧靜而清幽的生活環境。雙方的需求存在差異，導致彼此願望落空。

當我了解到這個要點，我竭力思考調解雙方的方案，期望友善化解紛爭。我主動請纓，挺身而出，提出幾個建議，希望能夠有效協助他們雙方達成共識，彼此携手共同構建和諧社會。

首先，我希望他們彼此能夠互相體諒對方的背景及處境，易地而處，將心比心；繼而，雙方能夠正面並具建設性地思考及解決問題。

具體的調解方式，包括：長老們承諾體恤區內居民，避免清晨及入夜時分播放強勁的音樂與歌曲。居民們亦需理解年邁長者已屆退休階段，身心健康只能寄寓與之年齡相若的耆老們身上，載歌載舞、載欣載奔，歡度餘生、安享晚年。

## 優異獎 Merits Award

### 張子嫣 中三 樂善堂楊葛小琳中學

#### 如何解決朋輩糾紛？

在我們日常的學習和生活中，時時刻刻都存在矛盾，如果這些矛盾沒有很好地解決，只會愈演愈烈，釀成更多矛盾。那麼，如何解決朋輩之間的矛盾呢？

首先，我認為當發生矛盾時，矛盾的雙方要保持冷靜。俗話說，一個巴掌拍不響，冷靜才是分解矛盾的最佳態度。當我們冷靜的時候，我們就會變得理智，冷靜會化解一切矛盾的煙雲，從而使人們成功度過矛盾的危機，從矛盾之中解脫出來。

其次，在處理矛盾的過程中，不妨試試採用「換位思考」，盡可能設身處地地為對方著想。換位思考是融洽人與人之間關係的最佳潤滑劑，假如我們能換一個角度，站在他人的立場上去思考問題，會得出怎樣的結果呢？最終的結果就是多了一些理解和寬容，改善和拉近了人與人之間的關係。

但是如果矛盾發展到僵持的時候，不妨通過正確的途徑，尋求老師、家長、學校或者有關團體、單位、社區的幫助。通過幫助，使得矛盾的雙方從危機的邊緣走向合作夥伴的境地，就如我們平常所說的「退一步，海闊天空」。

解決矛盾的方法還有許多，需要我們在日常的生活中去摸索和實踐。矛盾無時不有，無處不在，只有當我們一個個地去解決它，矛盾就會慢慢消失。

## 初中組 得獎文章 Junior Division Winning Essays

## 優異獎 Merits Award

王菀泠  
中三 樂善堂楊葛小琳中學  
如何解決朋輩糾紛？

糾紛是指人與人之間的爭執，經常在日常生活中「探訪」大家，卻很難請走。現今科技發達，接二連三地出現了许多交友平台。無論是網上交友，或是見面交友，雙方都難免會有自己的想法。當一方的動機、目標、觀點和另一方不一致就會產生矛盾，這種矛盾阻礙了其中任何一方滿足自己的目的時，往往就會發生糾紛。要解決糾紛，可以嘗試以下方法。

首先，要保持冷靜。發生衝突時避免任何懊惱或憤怒，以免衍生更嚴重的怒氣。生氣時我們開放思維的能力會被削弱，讓我們的思想只集中於眼前的勝負，不願一切地用語言和行動傷害對方，使友誼出現裂痕。因此，出現衝突時最重要是冷靜下來，避免後果嚴重。

其次，要聆聽對方意見。雖然這個步驟聽起來相當簡單，但許多人就算沒有社交障礙，在發生爭執時都很難做到。人們在爭吵時只會不斷解釋自己的想法，卻沒有瞭解對方生氣的原因。舉例來說，大部分人爭執時只想強調自己的看法，只要對方說的其中一個字不對，就會打斷他的說話，然後澄清自己沒做過或推卸責任。這只會使爭執沒完沒了。由此可見，冷靜下來後，應聽取對方意見，才能更好地把爭執化解。

最後，要表達自己的意見並找出雙方意見中的共同之處。知道對方的想法後，可以開始解釋自己的想法，並在結束說話前總結對方說了甚麼重點，以及與自己一樣的想法。這樣，能讓自己及對方更有效地想到解決問題的方法。如果沒有共同之處，那就退一步吧！儘管不能滿足自己的目的，也不要繼續爭吵下去，使那裂痕去到無法彌補的地步。

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糾紛最怕的就是以上這些方法。把這些方法印在腦海裏，糾紛便不會再「拜訪」你，亦不用煩惱如何趕它走了！



## 初中組 得獎文章 Junior Division Winning Essays

## 優異獎 Merits Award

**Yang Jinting**  
**Form 2 St. Joseph's College****Mediation: Constructing a Harmonious Society**

Nowadays, people are like dynamites, we are easily set off by small things. Big and small rows happen all the time in Hong Kong with anyone anywhere. This is when mediation comes in to help people resolve conflicts. I would like to share my own mediation experience which happened when I was in primary school.

I first experienced mediation in Primary 3. I had a row with my best friend in school and, in retrospect, the dispute was unnecessary. It started out with who was going to apologize for breaking a pen. One day, I was in my classroom when my friend, Jason, came to talk to me. He didn't notice my pen on the floor and stepped on it, which broke the pen on the spot. Unfortunately, that was my favourite pen and the damage was beyond repair. Even though he apologized again and again, I shouted at him at the top of my lungs and called him a "blind dummy". Of course, he was not going to put up with that and shouted back, urging me to apologize to him for that.

As a result, a small thing turned into a big fight and in the end, we both found ourselves facing the scary discipline teacher. We stood there with our hands sweating and waiting for the teacher to punish us for making a scene in the classroom. She didn't. Instead she told us in a calm tone no one had ever heard before to tell her what had happened. We both got emotional and raised our voices speaking at the same time before she cut us off. She asked us individually why we were angry with each other. We told her what just happened was really trivial and it was absolutely ridiculous to start a fight over it. We also regretted that we had traded insults in the heat of the argument. Surprisingly, I wasn't angry at Jason after that. After all, it was an accident. Our teacher let us decide how we were going to settle our differences. She made us promise to apologize to one another for our mistakes and be friends again. We did so, and the whole row was over.

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When I looked back at this incident, I learned that mediation was all about finding a solution TOGETHER so that we could realise our own mistakes and settle the matter in a “win-win” way. Later on, when I was made a school prefect, I used mediation to resolve peer conflicts that were quite common in my school. This turned out to be more efficient than the “old-fashioned way” we were so used to: to make judgement immediately deciding on who the “trouble maker” is and who the “victim” is, then proceed to punish the troublemaker.

From my personal experience, mediation is very useful in settling minor disputes, such as peer conflicts at school. I hope that more young people will try mediation so that our society will have a better, more efficient way to resolve differences.

## 初中組 得獎文章 Junior Division Winning Essays

## 優異獎 Merits Award

李錦堂  
中三 樂善堂楊葛小琳中學

## 我的調解故事

矛盾，幾乎是與人交涉時必然會出現的問題，矛盾可大可小，輕微的矛盾可由幾句帶過，但嚴重的矛盾，便可能令友情破裂，甚至引發肢體衝突，當遇到這種情況時，調解的重要性便體現出來了。

學校是許多人能夠建立友誼的地方，當然同學之間的接觸多了，矛盾也自然多了。過往我遇到過有兩位同學因為雞毛蒜皮的小事而吵了起來，一開始狀況還尚算穩定，但轉眼之間，兩人情緒變得越來越激動，甚至出現開始咒罵對方的情況。在這種劍拔弩張的處境下，我唯一能做的便是調解這個糾紛。

兩人矛盾的展開源於一位同學丟失了文具。他的文具後來在另一位當事人的書包裏找到，在爭論中兩人都不肯承認自己的錯誤，才激發了矛盾。

當下兩人的情緒都像是點燃了的火藥桶一般，隨時爆發，所以調解的第一步一定是將兩人的情緒緩和下來。待兩人冷靜過後，我便開始嘗試瞭解事情的緣由。兩人回憶起當時旁邊有一位同學正在溫習作業，也許詢問一下那位同學說不定會有意外收穫呢！

在我們幾人的詢問下，得知當時有一位同學鬼鬼祟祟地在附近遊蕩，並將手伸入了受害者同學的書包裏。到此得悉並不是對方所為後，我們找到惡作劇的同學並向他追問。最終那位作惡的同學也承認了是他的作為，並向我們道歉。至此，大家才成功化解了爭執，結束了這場鬧劇。

其實，事情的真相有時並不是十分重要，重要的是人們面對事情的態度，若能認真思考事情的對錯，並站在對方的角度考慮問題，便能減少爭端。但若在事情無法受控制時引發了爭端，調解的重要性便體現出來了。

**優異獎 Merits Award****Lam Sheung Fai Alex  
Form 3 St. Joseph's College****Active Listening and Dialogue - the Integral Procedure  
in Effectively Resolving Conflicts as a Mediator**

Mediation is well-known for its crucial role in resolving disputes between parties in conflict, creating a sustainable future for cooperation, and, on the whole, maintaining a harmonious community. Unlike litigation, mediation has often been preferred by the general public due to its nature of seeking compromise rather than being adversarial, which results in a win-win situation rather than a win-lose outcome. This is why mediation falls within the definition of “Alternative Dispute Resolution”.

It is virtually impossible for conflicting parties to solve problems on their own due to their tense relations. This is why an absolutely neutral third party, namely the mediator, is an indispensable component in the process of mediation. The role of a mediator is to facilitate, not to judge. This is because decisions should be made by the disputants themselves, not the mediator. The ideal mediator shall act as the leader, motivating and assisting disputants to work towards common objectives, while ensuring effectiveness and efficiency by preserving order during discussion and reminding disputants the importance of peace, calm and mutual respect. While the disputants are more likely to act emotionally, yet, with the help of the mediator, both parties should be able to settle peacefully and come to terms that everyone should bear some parts of responsibilities.

Not only is the mediator required to listen to claims from both sides, but he/she is also responsible for considering them and providing constructive feedback, in order to clarify misunderstandings and eliminate disputes. This involves a stratagem called active listening.

Active listening is essential in identifying the problems in a dispute. It is obvious that a problem has to be clearly defined before its solutions can be considered. While both parties are in hot debate of who is right and so on, the role of the mediator is to navigate the situation and identify the problem, and solve it together with the most efficient and fair method as well as in a calm and orderly manner with all the parties concerned.

One technique is to observe disputants' body language and facial expressions in order to understand their feelings, or at least, make them feel understood. It is suggested that mediators should ask questions in detail but not vaguely. For instance, instead of asking closed-ended questions such as "Do you often argue with your siblings?", mediators should rephrase and ask "How do you maintain your relationships with siblings?" or "How would you describe the way your siblings treat you?", attempting a more "open-ended" approach, allowing disputants to provide a well-elaborated explanation.

Besides, active listening allows one to construct a full picture of the issues disputed. An active listener ought to care for the emotions, needs as well as the intentions of the individuals. Negative feelings, such as disappointment, frustration, agitation, suspicion, and resentfulness cannot resolve conflicts, instead, they intensify conflicts. These individuals may want timeout for a minute or two. The mediator shall guide all parties to call for reason to prevail over force, and focus on the objective truths but not the subjective opinions. With this being said, both sides of the conflicting parties can eventually understand each other's concerns and needs, while having a clear view of the current situation. Then, considering the interests of both parties, the mediator shall help the parties accept each other and cast aside the extremely narrow standpoints on both sides. Finally, the conflicting parties will have the opportunity to give comprehensive, positive attention towards both the common and individual interests without too much hindrance.



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Active listening is also indispensable in brainstorming solutions. As the mediator has a clear view of the problem based on what is provided by the claims of the disputants, he shall proceed to suggest possible solutions which everyone can agree to. The mediator shall summarise the opinions and concerns of both parties, then encourage them to put forward their own ideas (the mediator can comment or suggest, but their neutrality has to be ensured). Active listening plays an important role in this process again as it facilitates positive and constructive interaction between the parties. Under the guidance of the mediator, the disputants can compromise and weigh their own options, then work towards the agendas.

The main idea of active listening is to strive to handle conflicts rationally and peacefully and create a win-win situation. Under this condition, people can live under a system which allows members to understand each other's needs, so everybody is able to mutually respect one another in a harmonious society. As the saying goes, "Learning from conflict is the best of all experiences. It brings out the true shine in our souls." Active listening is the approach to mediation, whereas mediation can be seen as the methodology in dealing with conflicts or disputes. It is a matter of choice. It is the benevolent attitude that benefits people around us.

**優異獎 Merits Award**

**Chan Yin Long Kyle  
Form 2 St. Joseph's College**

**Why Mediation Is Good to Resolve Conflicts**

Imagine how infuriated you would be if you were given a supercilious look and slandered by your boss! The computer was too slow and it turned off accidentally - your proposal was deleted. It wasn't your fault, what should you do?

In our daily life, it is commonplace to face conflicts in different situations. Though most of us are eager to resolve the conflicts, we could be blinded by our impulsive feelings when the situation aggravates. At last, we might blurt out something that we might regret and the conflict does not get resolved. We should not belittle the significance of mediation to resolve conflicts. It is indisputable that mediation is effective in resolving conflicts and the reasons are as follows.

Mediation can ensure fair treatments to both sides who wish to resolve their differences. A mediator is not biased and has no authority to impose settlements on the parties concerned. He/She uses rational thinking to effectively analyse the misunderstanding between the two parties about what they misinterpreted about the whole incident and provide an objective and comprehensive view of the issues involved. As a result, both parties could think deeply and differently about the conflict, which will help them get to the root of the problem and find compromises and solutions together. The role of a mediator is to be fair and equal as the decision should be agreed mutually by the two parties concerned. For example, classmates were beating their gums and talking thunderously. A student from another class asked you to tell a classmate to come out. You screamed loudly and the teacher would punish you for it. However, in mediation, the mediator could review the whole incident. Not only he/she could convince the teacher to apologise, but also he/she could tell the students not to shout afterwards. If the teacher and the student did not consider to have mediation, the student will be wrongly blamed and these situations will continue on and on.



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Furthermore, mediation helps open up our heart to the people we have conflicts with. In places such as workplaces or schools, social hierarchy may prevent the subordinates to express their true feelings. When they are afraid of offending and displeasing their teachers or bosses, the subordinates may hide their feelings and opinions in front of their superiors. According to a research about hierarchical labor conflicts in the Netherlands, subordinates experienced a higher level of negative emotions during mediation than their supervisors did. Mediators perceived the supervisors' emotions more accurately than they did to the subordinates' emotions. However, there will not be any pressure when facing the mediator. The subordinates can talk freely and express their own feelings without the fear of repercussion which will allow the mediators to gain a more comprehensive picture of the conflict and to tackle problems more easily.

Hizkias Assefa, an experienced conflict mediator once said, "Mediation and reconciliation work is rediscovering the human spirit that has been lost or shattered through human conflict, cruelty, ignorance and greed." This informal and flexible dispute resolution process can settle disputes and untie a knot in both parties' hearts which helps construct a harmonious community.

優異獎 Merits Award

**Chung Hei Man Isabel**  
**Form 2 Diocesan Girls' School**

**Why Mediation Is Good to Resolve Conflicts**

Everyone is unique. That's why each and every one of us have different perspectives and different ways of thinking or seeing the world, which often results in disagreements that might lead to arguments and conflicts. Whether in business or our personal lives, we have all been in some sort of conflict in one way or another, and sometimes these conflicts can be too much to handle for both individuals. This is why I substantiate that mediation is a great way to resolve conflicts compared to arbitration or litigation.

Firstly, mediation increases the control both parties have over the resolution. According to the HKIAC<sup>1</sup>, Mediation is a “confidential, voluntary and private dispute resolution process in which a neutral person (the mediator) helps the parties to reach a negotiated settlement.”

It is not an imposed settlement and is completely voluntary, which means both parties may withdraw anytime. Moreover, the mediator(s) or locations appointed by the parties are not limited to the panel of mediators provided by mediation companies or courts. According to the Research Study on Hong Kong Mediation Services conducted by the Hong Kong Mediation Council<sup>2</sup>, 71.4% of the mediation users were very satisfied with the mediation services, and the 93.9% of respondents felt that they were being heard during the process and in control of the mediation process. Mediation can result in terms of settlement of greater flexibility and in more practical ways going beyond the legal remedies that the court is empowered to grant. The solutions reached by the parties can be different according to their situations, or of which litigation cannot provide, such as negotiating divorce issues, or dividing up assets and property in an amiable way. Both parties can make their own decisions and reach agreements with which the parties would be more willing to comply and

<sup>1</sup> HKIAC Mediation Rules. HKIAC. (2022, February 15). Retrieved January 31, 2022, from <https://www.hkiac.org/mediation/rules/hkiac-mediation-rules>

<sup>2</sup> Research Study on Hong Kong Mediation Services – standard ... (n.d.). Retrieved January 31, 2022, from <https://www.hkis.org.hk/ufiles/researchreport-201410b.pdf>

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obey, compared to litigation or arbitration, where parties have to accept the judgement made by arbitrators or judges.

Secondly, the flexibility of mediation, as compared to litigation, saves both time and money. According to the Hong Kong Mediation Council<sup>3</sup>, out of all mediation reports in district courts in 2020, an average of 4 hours were required to reach a full agreement, with an average cost of \$3,700 per hour, whereas for litigation, most lawyers charge \$2,500-5,000 per hour, excluding the court fee of \$1,045 and expert fees, with an average wait time of around 168 days, according to Yan Lawyers<sup>4</sup>. This proves how costs for mediations are generally lower than costs for arbitrations or litigations, which have unpredictable costs as the case progresses. Mediation is conducted in a more casual and informal manner under which parties tend to be more open to accept certain solutions, compared to the intense, formal atmosphere in the court. This explains why agreements in mediation are often reached more efficiently than pursuements through courts.

Last but not least, mediation can help maintain a healthy and harmonious relationship between the parties involved in the dispute and may even improve that relationship. Unlike litigation, everything said at the mediation is entirely confidential to the parties. Besides avoiding the risk of losing a lawsuit, parties can avoid suffering from the anxiety and disturbances to their normal life which may be one of the consequences going through court proceedings.

To conclude, I substantiate that mediation is a great way to resolve conflicts in comparison to arbitration or litigation because it allows parties to have a greater control over the resolution, is more time-efficient and cost-effective, and is kept confidential at all times. It not only promotes communication between both parties, but also helps to teach the parties an effective way of resolving disputes through co-operative decision making, which is crucial to build a harmonious community.

<sup>3</sup> Research Study on Hong Kong Mediation Services – standard ... (n.d.). Retrieved January 31, 2022, from <https://www.hkis.org.hk/ufiles/researchreport-201410b.pdf>

<sup>4</sup> Yan lawyers- Hong Kong solicitors and PRC Lawyers. YAN LAWYERS - Hong Kong Solicitors and PRC Lawyers' Hong Kong solicitors and China lawyers. (n.d.). Retrieved January 31, 2022, from <https://www.cnhklawyer.com/en/>

## 優異獎 Merits Award

### 林慧斌 中一 樂善堂楊葛小琳中學

#### 積極傾聽及對話

一句話，可以鼓勵人心，也可以引起衝突。我們總是不經意間說出令人不適的話，讓別人生一肚子氣，誤會和衝突便在此時發生。我們到底要怎樣才能讓這些誤會和衝突不會發生？最後怎樣和別人和睦相處？以下我會嘗試解答這個疑問。

假設，你的家人誤會你一天到晚都在房間裡沉迷於電腦和手機中，他們一定會武斷地認為你一定正在玩遊戲。你很無辜，明明一直在處理網上的功課，可家人不肯聽你的解釋，你要怎樣處理這件事情呢？

首先，在家人的角度上看，如果我不聽他們的說話，一味自顧自地解釋，那麼這場語言衝突將會一發不可收拾，還傷了和氣。所以我們要先積極傾聽，了解家人的立場和意思，才冷靜地開始為自己申辯。

當家人發表了自己的意見，我們不要立刻反駁他們，或者一切要重頭開始。我們應該要正眼望向家人，先解釋自己其實被誤會了，再拿出證據證明自己沒有撒謊，例如功課的記錄。解釋時要時刻注意家人的情緒，不要火上加油。

相信現在有了證明自己清白的證據後，家人的態度也不會比開始時激烈，這時我們要乘勝追擊，主動和解這次衝突，讓對方都有下台階，這樣既不傷和氣，還能藉此機會了解對方，下次才有更融洽的解決方法。

總括而言，傾聽和對話是調解不可或缺的。只要耐心，還有真誠面對問題，相信所有衝突都會解決，在生活中遇到的誤會也能最終調解成功。

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## 優異獎 Merits Award

## 楊雪兒

### 中二 港澳信義會慕德中學

#### 一次調解紛爭的經過和感受

要調解紛爭是很困難的事，但是我就試過成功調解朋友的紛爭。

有一天，我邀請了三位好朋友到我家玩耍。我玩大富翁，一局後，心心發現卓琳不遵守遊戲規則，她們吵起來，思賢說：「不如我們休息一會，喝一杯果汁後再玩吧！」。

她們把果汁放在地上，卓琳不小心把果汁灑在心心的裙子上，心心生氣地說：「這條裙我昨天才買的，很貴的，你一定是因為我剛才說你不遵守遊戲規則，現在報復是嗎？」。卓琳說：「你有病呀？」。她們開始吵架起來了……

我和思賢開始勸她們：「不如你們互相道歉，原諒對方好嗎？」。她們大聲說：「不要。」我和思賢都很無奈。想盡辦法去調解。想了一會兒，累了，我勸她們，朋友不應該因為這麼小的事而產生紛爭。我的說話好像令她們有一點想道歉，但是可能因為面子，誰都沒有行動。

我們十分苦惱，就在想放棄的那一刻，我腦海閃過一個劇集的畫面，我興奮地跟思賢說：「我們兩個分別和她們說對方想向自己道歉，然後問她們是否應該向對方道歉。」，我們就和她們說了，她們知道後，也願意向道歉，就是這樣，成功調解了她們的紛爭，我們很激動，以後又可以和平地一起玩了。

經歷了這次調解紛爭，我真的很累，希望不會有下一次，和別人發生紛爭，又傷感情，又傷體力，這麼不好的事情，就不要做了。以後要和朋友好好相處，不要吵架了。沒想到原來看劇集都可以解決生活上的問題呢！

**優異獎 Merits Award**

**Kwok Ching Fung Rayn  
Form 2 St. Joseph's College**

**Why Mediation Is Good to Resolve Conflicts**

When was the last time you had a conflict with somebody? A week ago? Yesterday? If so, how did it end eventually? Did both of you go away in a state of anger and disagreement? Well, I would like to introduce to you a method to deal with conflicts. It is mediation. Allow me to explain what mediation is beforehand. According to the Cambridge Dictionary, mediation means 'the process of talking to two separate people or groups involved in a disagreement to try to help them to agree or find a solution to their problems.' Then you will ask: why is mediation good to resolve conflicts?

For starters, a win-win outcome can be achieved through mediation. When we use the method of judgement in the face of conflicts, we usually analyse the situation and most of the time we decide a definite 'winner' or 'loser'. However, the main purpose of mediation is to obtain an outcome which both parties are satisfied with, instead of judging who is in the wrong or not. For example, if two students are quarreling over who shall take up the role of class monitor, the solution provided by judgement will be voting, while mediation will provide a more flexible solution like sharing the time as a monitor together. As seen, mediation is successful in leading both sides to an agreement, thus resulting in a win-win situation.

Apart from that, the relationship between both parties can be preserved. Mediation can let both sides part on good terms with each other, which may be useful in the future if they want to start business together, as any past dispute will not be present anymore. Alternatively, for judgement, the losing side will clearly have a very strong animosity against the winning side, thus they won't be able to cooperate with each other. Therefore, mediation leaves both parties with minimal negative impressions of each other and can even repair broken feelings, so as to avoid confrontation as an option of settling the matter, which can destruct valuable past relationships.



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Furthermore, mediation is quick and inexpensive. The time required is less than that is needed to go to court, as any venue can be used as a spot for mediation as long as both parties attend the session. This allows a quicker resolution of conflicts. In comparison, in-court cases take months and even years. Mediation is also cost-effective because hiring a mediator is much cheaper than hiring a lawyer.

Last but not least, mediation is confidential. Both parties involved won't have to worry about their personal privacy leaked to third parties, except if both parties provide consent for outsiders to view the process. After mediation, the mediator will destroy any existing evidence such as notes taken and papers. All discussions cannot be transferred to court for reference use. This is important as mediation often digs into deep-seated and sensitive feelings, which many people do not wish to share to the public eye.

In conclusion, mediation has many benefits and I believe that solving issues with mediation is the best way to go.

優異獎 Merits Award

王慧盈  
中二 保良局顏寶玲書院  
衝突與調解的法則

世界各地的司機都知道交通意外的禍害，但新聞依然不絕於耳；正如我們在人生旅途中難免與人發生衝突，初則口角，繼而動武，甚至對簿公堂。明知損失慘重，衝突為何依舊頻頻發生？

衝突是因溝通、價值觀、角色期待及權益造成。龍應台說「所謂父母，就是那不斷對著背影既欣喜又悲傷，想追回擁抱又不敢聲張的人。」可見親子衝突源於溝通不良。「割席分座」故事中，管寧割斷席子和華歆分開坐，因為志不同道不合，難以成友。張愛玲揚言「一個人沒空，是因為他不想有空；對你藉口太多，是因為不想在乎。」戀人對角色過分期期待更常引致悲劇收場。喬布斯在董事會的鬥爭失勢後，離開蘋果公司，權益導致糾紛發生的例子更是多不勝數！

衝突可以調解嗎？

2019年，香港調解員人數達 2324人，我們可以將其技巧和知識帶到每場衝突中：首先選擇清靜的地方，穩定情緒。接著，理性討論二人之間存在的芥蒂和矛盾。透過打開心扉，表達各自的看法，繼而重新審視問題，終能找出雙方的共識，達成滿意的解決方案。切勿不斷埋怨對方或以消極方式逃避，令衝突不斷發酵。

衝突的代價無疑是沉重的，只要大家切身處地思考，那麼全人類就不會有紛爭了。希望我們不需要調解員，共同建構一個和諧社會！





**冠軍 Champion**

## **Agatha Tsang** **Form 5 St. Paul's Convent School**

### **Mediation: Immediate + Meditation**

Etymology reveals the origins of a term and its evolutionary journey. Relationships between words can be inferred based on resemblances in appearance, serving as a telescope into the meanings mankind bestowed onto these archaic ideas. On a less grandiose scale, the interchangeability of these phonetic synonyms offers a generous buffer zone for any spoken errors, bringing me to this core question:

Consider meditation, immediate and finally, mediation. What do these concepts have in common?

Many of you shrewd observers will have been able to navigate past the strategically worded tongue-twister to extrapolate the following conclusion: Mediation is a combination of immediate and meditation, both physically and metaphorically. Confused? Allow me to explain.

First, let's define mediation. According to Merriam-Webster, mediation describes the intervention between conflicting parties to promote reconciliation. Legally speaking, it poses an alternative to jumping straight into the legal battlefield for settling disputes, allowing stakeholders to air their grievances whilst sparing them of exorbitant fees and the mental fatigue a lengthy lawsuit entails. By eliminating the tense atmosphere of a courthouse, the unfeeling jargon of subpoenas and warrants, the accumulated acrimony of long-term rivalry, entities can constructively work together as a team towards closure. Instead of antagonizing each other and falling victim to destructive mentalities, mediation facilitates heart-to-heart conversations that direct both sides towards a goal of mutual satisfaction, mitigating damages by reaching arrangements both acquiesced to. Knowing that the process of mediation may ultimately bring about the same or arguably, better conclusions, it's certainly a win-win proposal.

In any conflict, our immediate response is to defend ourselves by hurling scathing critiques at others—it's in our best interests to strike first, while our opponents are still attempting to register what had just occurred. Throw in rage and indignation as catalysts, and you'll have an explosive argument spontaneously. This is why 'mediate' is immediate minus 'I'm'—it encourages us to break free from the fetters of our own emotions, stand back and view the situation from a bird's eye perspective. In contrast to deepening our divides with meaningless quarrels, obtaining an impartial 3rd opinion can massively increase the pace at which we resolve issues. Mediation appeals to our rationale as it shifts our objectives from simply ourselves to everyone involved, guaranteeing contentment on all sides in the long-run. Indeed, it sacrifices the fleeting shrapnel of glee we may receive by temporarily besting our adversaries, but by focusing on the holistic benefits, mediation takes us closer to what we're truly seeking: inner peace. By setting aside our previous prejudices and communicating amicably with each other, no bitter memories will be generated and the sooner we can emotionally recover from the affair.

In a way, what mediation aims to achieve runs parallel to what meditation does. Meditation is widely associated with spirituality, but it doesn't have to be—it's the act of attaining inner tranquility through the cessation of superfluous thoughts. The sole dichotomy between meditation and mediation is its scope: while meditation refers to the introspection of an individual, mediation is when both parties collectively do so. By stripping away external factors such as financial restraints and social status, it forces participants to reflect and evaluate their true priorities. On the other hand, hiring attorneys over insignificant matters only further muddies the waters by compounding concerns and amplifying burdens to those involved. Discarding the obsolete notion of 'me vs you' and embracing the idea of 'me and you' will indubitably save time and effort, reducing contentions from fiscal, mental and time consuming blackholes to efficient discussions. Working with each other as opposed to against one another seems almost intuitive, but it's ironic how we humans are inclined to choose the more convoluted route.

I would know, because I've experienced this myself.

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A few months ago, I was in charge of a fun booth at school. Considering that it was the first time our teachers entrusted me with such a mission, I made a point of being meticulous. I obsessed over the itinerary, double-checked everyone's schedules, even prepared several contingency plans...then disaster struck when the games we painstakingly created went missing. Noticing that we had 15 minutes before recess commenced, I was on the verge of combustion. Face flushed and hyperventilating, I was about to berate the juniors when something clicked: yelling at them wouldn't help, in fact it would only decrease our already beaten morale. Hurriedly, I calmed myself down and collaborated with the artists to produce a makeshift replica of our original apparatus. In the end, the event went swimmingly. In chatter and laughter, I got an answer as to why the mistake occurred: because the club member responsible matched names with another one of our members. Going back into my work allocation charts, I realized I never distinguished between the two. Putting myself into their shoes made me see that it was neither our faults, but just miscommunication.

Remember how initially, I began with the fungible nature of words? They're akin to human interactions in the sense that words have dual meanings. Everyone has their own perceptions and interpretations, what bridges that gap is communication. If everyone learned to listen and work out their differences, society would be much more harmonious. It's inevitable that friction arises as we socialize, but what's crucial is how we deal with these crises. So, readers, why risk our relationships and reputation, when mediation is the clear solution?

亞軍 **First Runner-up**

**Ng Tsz Yeuk Pollia**  
**Form 5 Good Hope School**

**Mediation: the True Path to Victory**

There is nothing quite like the feeling of victory. Not only does it establish your dominance, but it also sends a clear message to the world—defeating an opponent. Like a drug, it injects a desire for victory like no other, and you return to it again and again. Your source of gratification becomes conflict, making you drunk with holding power. You endlessly pursue that one goal that seems to draw closer with every show of power, every display of control, but it actually recedes gradually into the realm of impossibility. This addiction to victory blinded me to resolve conflict through understanding, until mediation drowsed me soberly with a cold bucket of water.

Jordan and I were close friends, with our mutual interests drawing us together. Within the symphonic orchestra, I held the position of chairperson while she held the position of vice-chairperson, an arrangement that proved successful. However, she was often absent due to other endeavors. I bit my tongue and tolerated. Perhaps those activities called for her presence more than rehearsals. I thought to justify her priorities.

Days before our pre-concert rehearsal, she told me in a nonchalant manner, “I’m going to be absent because I have to attend the Prefect Board Leaders Camp. You understand, right?” The indifference in her expression was infuriating and led to my assumption that she did not value the orchestra. “How can you be absent for the most important rehearsal we have? And without the slightest apology? It is your responsibility to be there and oversee everything.” Months of pent-up anger suddenly poured out, even surprising myself. She seemed to feel confused by my strong tone. “I cannot miss the Prefect Board Leaders Camp. It is unfathomable to not attend it and even more irresponsible. You just have to understand that...” she said. Her response left no room for discussion. Overwhelming anger washed over me and I was on the brink of exploding. We argued back and forth until I stormed off.

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Multiple times I attempted to convince Jordan that she was in the wrong over the week, which made our relationship even more fraught with resentment. Our estrangement created tension within the orchestra, forcing people to take sides with little spats beginning to erupt between our two 'camps'. Old resentments bubbled up and soon the orchestra seemed to be in shambles before the concert even started.

Charlotte, our friend from the orchestra, tried to intervene. I was delighted at the prospect of gaining someone on my side—an ally to show Jordan I was supported. I told her, here are the reasons why I am right:

- 1) You did not uphold your responsibility as the vice chairperson by being absent from the pre-concert rehearsal.
- 2) You've disregarded the importance of our pre-concert rehearsal by prioritizing the Prefect Board Leaders Camp.
- 3) You've undermined my authority as chairperson by trying to defeat my reasons for opposition with arguments.
- 4) You took previous absences for granted by not apologizing.
- 5) You've used our bond to prompt understanding from my part for your failure to prioritize the orchestra.
- 6) ....
- 7) ....
- 8) ....

It gave me perverse satisfaction to hold what seemed like the 'moral high ground'. I gloated my superiority over Jordan and imagined that she would realize her errors and apologize profusely. Then, I could claim my place as the victor of our fight.

“What are you hoping to achieve with these reasons you outlined?” Charlotte asked. I faltered. For a moment, I wanted to arm myself with destructive language to defend myself, but I could not direct them to her. She, as a mediator, did not deserve the brunt of my anger. “It does nothing but embroil the orchestra in an endless fight,” Charlotte continued. “I can share Jordan’s view with you. While the pre-concert rehearsal is of great importance, the camp is also integral for the new Perfect Board. She also thought that the orchestra would have someone reliable—you—to lead them, even without her. She feels sorry that she did not explain it better and couldn’t understand your feelings at that moment.” My arguments suddenly crumbled before me, revealing to be merely products of a false sense of power and control. They were driven not by a desire for righteousness, but a desire for victory. I suddenly felt so... little. Without the weight of my arguments, I was vulnerable to emotions of regret and guilt I haven’t felt before.

The following day, Jordan and I met with Charlotte to resolve our conflict. Charlotte led our conversation, eliciting our thoughts with an understanding tone. It seemed like unfamiliar territory to expose my own misgivings and vulnerabilities, but I felt that there was an openness to understanding. I then offered an apology to Jordan with sincerity. She offered the same and with a sincere glance to her, I understood that there was no more between us but harmony. The conflicts within the orchestra were resolved as well with mediation, and the spirit of harmony persevered throughout the year.

Our primitive desire for victory often clouds our judgement, with ‘winning’ as the first resort to every conflict. But this ‘victory’ we chase is artificial - it only leads to more conflicts where no one is willing to surrender, creating an atmosphere constantly disrupted by spats and ill-will. However, through mediation, we can let go of our control and become understanding. Only by making mediation the first resort to conflict can we truly build a harmonious community free of unresolved resentment. We can thus achieve true victory—harmony.

## 高中組 得獎文章 Senior Division Winning Essays

## 季軍 Second Runner-up

李紫晴  
中五 金文泰中學

## 天敵

「不是這樣！不是這樣！你要把這……」 「甚麼不是的，我才沒做錯……」 遠處的廚房又傳來了祖母和母親不耐煩的吵鬧聲。整天總是沒完沒了地為一些瑣事而爭執，而今天的導火線就是——蒸魚。

的確，自古婆媳關係就是天敵，難纏不堪，她們共處一室猶如兩大條炮仗同時燃燒，一直不停連環轟炸着我的耳朵，可憐的是，這炮仗恐怕難有燒完的一天。

不久，母親氣沖沖地從廚房走出來，氣急敗壞地拉着我理論，看來勝負又已分了。我讓母親先冷靜下來，慢慢訴說緣由，原來只是放調味料的次序換轉了，我想：這麼小的事也值得讓你們費勁爭執嗎？我倒了杯冰水端到母親面前，帶她站到窗旁，讓微風輕撫她紅燙的臉，安慰她鬱悶的心靈。

安頓母親後，祖母一把拉我進去廚房，讓我嚐嚐剛蒸好的、熱騰騰的魚，她嘮嘮叨叨地說了一番，大意就是抱怨母親連調味料的次序也可以弄錯，還說會影響魚的口感，幸虧有她亡羊補牢才不至於浪費了這麼好的食材。看她一臉躊躇滿志且無一絲悔意的樣子，不禁令我慨嘆了一聲。

我在想，今天不當調解員，恐怕大家連飯都嚥不下。

於是，我把外婆和母親拉到桌前坐下，她們不揪不睬，雙手交叉橫放胸前，我迅速搭着她們的手，投以平和的眼神，微笑說道：「祖母廚藝了得，經驗豐富，母親自當比不上，應該好好向你學習。但我相信每個人有自己的做法，結果亦有所不同，未必有絕對的對與錯。其實一道美味的佳餚，就算放調味料的次序不同，也無損它的鮮味，因為心意才是最好的調味料。」語畢，我望向她倆，火藥味好像消散了不少，我接着說：「我有一位寬宏大量的祖母，一位謙恭禮讓的母親，真是幸福呢！」我一邊說，一邊慢慢把她們的手拉近對方，疊在一起，她們也終於甩掉掛了整天的「苦瓜臉」，露出了淡淡的微笑，言歸於好了。

晚上，月光皎潔柔和，如同緩緩流動的清水，微風吹拂大地，蕭蕭瑟瑟彷彿如搖籃曲般，讓大地沉睡。今夜，我忽然感到久違的靜謐，屋簷下再無傳來昔日的吵鬧聲。原來，要化解人與人之間的矛盾與衝突，總要有一個人站出來，充當調解員一角。調解的過程或許不易，但也總沒想像中困難，只要客觀地分析事情的原委，顧及雙方的感受，情理兼備，自能解開心中的鬱結。

我把一塊魚肉放在口腔中，細細咀嚼這人情真味。



## 高中組 得獎文章 Senior Division Winning Essays

## 優異獎 Merits Award

## 郭庭光 中四 喇沙書院 和平使者

推己及人，往往能構建和諧社會。

我，身為一位學生，總想在日常生活中找一些實踐調解的經驗，但即使鑽天覓縫也找不到。殊不知，那天就發生了一件預想不到的事。

一天放學後，我如常乘搭巴士回家。甫入車廂，一名中年男子對着老婦人厲言疾色地大喊：「為何他不戴上口罩！」眾人隨即上下打量，以歧視的目光注視着老婦身旁的小孩。他緊蹙眉頭，把攔在下巴的口罩摘下，瑟縮在一角。老婦連忙為他戴上口罩，可是，他卻大發雷霆，不願戴上。我望着老婦空洞的眼神，彷彿只看見無奈，我不禁搖搖頭，默默地站着。老婦尷尬地說：「他……他就是不肯戴口罩啊！」男子隨即猛拉她的手臂，在眾目睽睽之下把她扯到車門前，聲如洪鐘地喊：「那你倆立即下車吧！這裏不歡迎你！」我深感疑惑：「為何那位中年男子不體諒身邊的老婦人？難道他看不見婦人已不斷嘗試讓小孩戴上口罩？」此時，一位青年大聲鼓譟：「打吧！趕快打他吧！」身邊漸漸擠滿了一群圍觀的乘客，不時瞎起鬨。老婦緊攥拳頭，掌摑男子的臉部。此時的我察覺事態嚴重，便加插道：「停手！」

我鏗鏘有力地說：「暴力是不能解決問題的！婆婆，介意跟我說他有甚麼原因而不能戴上口罩嗎？」「是的，是的。他有中度智障……」老婦人如釋重負地回答。「那您為何不選擇好好地解釋他的情況，而選擇了以牙還牙？」「先生，我理解你對公共衛生的關注，可是，你有沒有想過婆婆真的沒法迫使那孩子戴上口罩？而你更不應如斯猛力地拉扯她？」「依我看來，不如雙方各退一步吧。婆婆，您試試安慰他，待他

冷靜後再讓他戴上口罩；先生，介意稍移玉步，到上層就座嗎？」隨即，老婦人默不作聲地點點頭；那位中年男子低頭沉吟了一會兒，便走上上層。幸好，我及時地把兩人分隔，令事件告一段落。依我看來，何必因如斯小事而大打出手？雙方各持己見，執持不讓，這樣不但不能化解紛爭，更會對各方和身邊的人造成不必要的傷害。

世界彷彿停頓了片刻，只剩下一片寂靜。至於那位男孩在餘下的車程有沒有佩戴好口罩，我也記不清了。只記得老婦在下車前，向我微笑，並說了聲：「謝謝！」

我不禁思索：其實，香港是一個共融的社會。在疫情下，有些人看見別人沒有正確佩戴口罩，會感到憂慮。不過，我們必須明白，這些有特殊需要的人士在配合上會遇到一定的困難。他們需要大眾的包容和體諒。所謂事出必有因，試試從今天開始推己及人，將心比己，嘗試以開放的心聆聽別人的看法，看看眼中的世界會否變得更美好？畢竟看法糾正了，怒氣消卻了，衝動的行為減少了，就自然會減卻生活上許多不必要的衝突。

調解並不只是一個步驟，更着重的是態度。調解員自身必須有同理心，懂得換位角度思考，並嘗試多聆聽雙方的看法。同時，亦應從理性客觀的角度作出分析，提出具說服力的折衷方案，打破僵局。所謂：「忍一時風平浪靜，退一步海闊天空。」在日常生活中不妨留些空間替對方設想一下，相信爭議自然會迎刃而解。其實，要構建和諧社會，人人也可以出一分力，以身作則，在日常生活中擔當調解的角色呢！

**優異獎 Merits Award****Wong Yifeng Gavin  
Form 4 Singapore International School  
(Hong Kong)****Mediation: a Win-win-win Outcome**

Dispute resolution usually involves two parties. Some may call the traditional, more time-consuming, and more costly litigation a lose-lose outcome, and the quicker, less risky, and more amicable mediation a win-win outcome; but I prefer to believe that there is a third winner in mediation - the judicial system. In this essay, I will explore the three winners of mediation: the two parties, and the judiciary.

Firstly, mediation is a more amicable method of dispute resolution. When disputes arise, it can often be the first response for parties to file litigation claims over each other, fueled by their immediate anger and inability to think rationally and calmly in the heat of the moment. Once the litigation path is chosen, parties get sucked into the whirl of an adversarial system, focusing purely on attacking their opponent, rather than finding a resolution that is reasonable to both parties. By contrast, the purpose of mediation is to facilitate a conversation between the two parties, so they are focused on cooperating with - and not attacking - the other party. More importantly, it also gives time for both parties to calm down and acknowledge the views and interests of the other party, removing any misunderstandings and allowing the parties to make a rational, informed decision on how to proceed, rather than one swayed by their emotions in the thick of the action. One can look at *CLL v. SW*<sup>1</sup>, involving the dispute between two parents over the custody and maltreatment of their 7-year-old daughter. Regretfully, the parents picked the litigation path, pitting the father and mother against each other, both focused solely on blaming and attacking their ex-spouse. It is a classic example of how litigation can deteriorate and destroy familial relationships, and one can only imagine the

<sup>1</sup> FCMC10564/2009

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psychological trauma faced by their 7-year-old daughter, whose childhood was plagued by the legal disputes and hostility between her parents. Even if one party were to 'win' the case, it would be at the expense of a life-long relationship and a happy, peaceful childhood for their child.

Let us consider how mediation would have led to a more favourable outcome for both parties: for starters, mediation takes just weeks on average - a fraction of the 2-3 years that litigation can stretch on for - facilitating a conducive and loving environment for the child to grow up in once the dispute has been resolved; secondly, instead of splashing money on attorneys for litigation, mediation would have allowed the parents to instead invest the money into better education and a brighter future for their daughter; thirdly, through facilitating calm and rational discussions between the father and mother, they can cooperate to find a win-win solution that they can agree upon – perhaps even re-building their relationship in the process, rather than tearing it apart in a courtroom. From saved time and cost, to the elimination of litigation uncertainty, to its amicable and cooperative nature, it is clear that mediation is the optimal dispute resolution tool to reach an equitable, win-win outcome.

Finally, we must also acknowledge the benefits of mediation to the judicial system. It is no secret that the Hong Kong judicial system has been somewhat overworked in recent years: the Judiciary Annual Report 2014<sup>2</sup> has revealed that the waiting time for a criminal case from the filing of indictment to its hearing was nearly double the target time, with similar trends in civil cases as well. This has gradually improved from 2014-2022, and the increase in the efficiency of the judiciary can perhaps be partially attributed to, inter alia, the increase in cases settled through mediation. Greater use of mediation means less cases need to be settled through litigation, reducing the caseload for the judiciary. In the short term, this allows cases to be heard and decided upon quicker, increasing the efficiency of the justice system. In the long run, the increased use of mediation to resolve simpler, factual disputes may also enhance the development of the common law, as it allows the judiciary to

<sup>2</sup> [judiciary.hk/en/publications/annu\\_rept\\_2014/eng/home.html](http://judiciary.hk/en/publications/annu_rept_2014/eng/home.html)

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spend more time on cases disputing legal principles, giving judges more time to write well-reasoned judgements on such principles, to form part of the case law. It may also help attract even more knowledgeable and accomplished judges to become part of the judiciary, as they know their workload will become more manageable.

The benefits of mediation roam far beyond those to the parties involved. As set out in this essay, increased use of mediation is also hugely beneficial to the judicial system, allowing justice to be delivered more promptly, and helping in the development of the common law as a whole, to better represent the views, values, and ideals of our society. The increased awareness of mediation can also change the mindset of the public, where it is not their first instinct to blame or attack the other party in a dispute, but rather to acknowledge their views and enter into a calm and reasoned discussion with them. Such a mindset is not only limited to legal disputes, but also everyday incidents within the schoolyard, at the workplace, and in domestic settings, contributing to a more harmonious and amicable Hong Kong overall. Perhaps our community could benefit from a little less hostility and a little more cooperation and compassion.

**優異獎 Merits Award**

**Chan Yin Hei  
Grade 10 G.T. (Ellen Yeung) College**

**Potential Problems in Mediation and How to Overcome Them**

There was a saying that human history is the history of war. In the long twisting river of history, thousands of millions perished on the battlefield, their hopes and dreams buried forever. Even in the peaceful modern ages, failed resolutions of disputes break precious relationships, bring significant economic loss, and create incurable wounds that aches both sides. However, despite the dire consequences, humans repeat the same mistakes over and over again. Have you ever wondered why? In my opinion, there are some flaws we humans have problems dealing with, these weaknesses of humanity gets in the way of mediation and peacemaking, leading to failure of settling disputes.

First of all, one of the major issues people encounter is being overly emotional when they make decisions. This phenomenon is also called affect heuristic. Strong emotions such as anger, hate, and fear, often cloud the judgements of both parties during mediation, causing parties to distrust their adversary, and instinctively reject proposals of the opposite party or the mediator, rather than making rational decisions that brings the most benefits to both parties, and creates a win-win outcome. The phenomenon is a cognitive bias called reactive devaluation. Therefore making sure both parties are rational and uninfluenced by emotions is a major challenge in mediation.

One way to achieve this as a mediator is to allow some time between the time that the dispute started and the mediation to ensure both parties have already calmed down. Other than that, Roger Fisher, a Law professor in Harvard once said "Interests define their dispute". During mediation, it is essential to guide the conversation to focus on interest instead of personal sentiments of parties. It is equally important to identify interests of both parties as a mediator, to make sure the focus of parties are on interests, and to eliminate emotional interference. Besides, usage of phrases of affirmation,

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encouragement and praise, are beneficial to maintain a polite and peaceful conversation where both parties feel respected, to ensure minimum emotional influence to parties.

Secondly, a dangerous trap exists in mediation that many mediators and parties in dispute fall into easily. It is called confirmation bias, in which partakers tend to evaluate information according to their existing beliefs and only accept information that supports them. The human mind also tends to remember and recall information or memories in favor of existing beliefs. This may cause immense difficulties for both parties to see things from the adversary's perspective and increase tension and conflict between parties. However the worst part of this bias is that even mediators may fall into the well-hidden trap. During mediation, the mediator who is supposed to be fully neutral may develop beliefs regarding the case and therefore subconsciously gather information that supports initial views, as confirmation bias affects gathering, acceptance and memory of information. This may cause the dispute of parties to further inflate, as both sides have enforced their own opinions with biased data.

So how could mediators deal with this problem? The above cognitive bias usually occurs in quick-paced conversations where parties do not have much time to think and digest information. Therefore slowing the pace of the conversation to buy time for thinking and digesting new information would be highly beneficial. It is also extremely important to list information out clearly and gather raw data that hasn't been processed by people. To ensure that the data is neutral. It would also be a good idea to focus on finding a solution to prevent arguments that arise from the said issue.

Moving on, in mediation cases, it is a common occurrence that both parties in mediation are too egoistic to admit past mistakes and apologize, subconsciously trying to defend themselves, or claiming that they did nothing wrong. It is human nature to deny wrongdoings when being accused, which results in an awkward tension between parties. It is also a wrong aim of defending oneself instead of solving the real problem and coming to a resolution. Such animosity also causes parties to view each other as enemies

instead of partners seeking a solution together, and it may cause the mediation to fail and escalate to the courtroom, causing significant economic loss, waste of time and possibly a breakdown of relationships and bonds.

In this case, the mediator needs to make sure the conversation focuses on future solutions rather than past controversies. It is necessary to lead the focus back to a resolution when the conversation starts to get directed to defending faults and accusing each other. At this time, it would be helpful for the mediator to ask simple questions with definite answers such as “yes” or “no”, to ease the conflict between the parties and allow both sides to calm down and focus back on coming to agreements and solutions. Besides, the choice of wording of the mediator is significantly important at this point, accusing words or phrases that may offend the parties must be strictly avoided to prevent offending parties and making them feel accused.

Mediation is a very efficient and harmless way to resolve disputes. However challenges may be encountered as humans are not perfect and not completely rational under an inharmonious circumstance. It takes a skilled mediator to solve problems like biases, overly emotional parties, and denials of faults. With the tips above, hopefully all mediators can cleverly avoid potential traps, to bring peace and fairness, and to resolve problems.



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## 優異獎 Merits Award

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## 我的調解故事

調解，以中立人士的身份，協助爭議雙方尋求共同接受的解決方法。人的一生會遇到很多不如意、無可奈何的事，碰見看不慣的人，如果凡事計真，事事糾結，累的只會是自己。其實很多事可能只是雞毛蒜皮，只不過是放不下面子，沒有下台階，認為主動與人和好，是很丟臉的事，這個時候，就需要「中間人」的出現。有了「中間人」居中調停，不會使局面一下子陷於死局。幸好有「中間人」及時調解紛爭，避免了更嚴重的爭吵。

家庭中會有很多的矛盾和爭執，有可能因為柴米油鹽醬醋茶，有可能因為婆媳關係，也有可能因為父母的一碗水端不平，而涉及其利益，繼而發生爭吵等等。我，就是爸媽的「中間人」，我調解了我家的矛盾。這份「工作」聽起來似乎很簡單，卻沒有想像中簡單。我媽媽是個愛嘮叨、做事井井有條的人；相反，我爸爸卻是沉默寡言、漫不經心的人。有一次我放學回家，當我剛開門的時候就察覺氣氛不對，爸爸坐在沙發上發呆，眉頭皺得都能夾死一隻烏蠅了，媽媽在房間裏的床上坐着，他們都板着面孔，我知道，他們又爭吵了。

一屋子的冷空氣，是時候用我的調解方法了！第一招：我嘗試用我在學校發生的趣事緩和氣氛，把他們從剛才不愉快的事情裏拉出來，卻得不到回應。第二招：了解事情起因，以便調解。媽媽說爸爸襪子鞋子亂放、用完的東西不放回原位等等，媽媽一而再、再而三提點，爸爸唯唯諾諾就算，卻從不放在心上。爸爸又說東西不放回原位是因他待會兒還會用，而媽媽每次不聽他的解釋，就像機關槍一樣說個沒停，根本沒辦法插嘴。我一聽，心想：這事好辦，只是小事，虧我以為是什麼大事。

我在爸爸旁邊，向他解釋媽媽生氣的原因：一件事說太多次也會教人厭煩，請爸爸嘗試站在媽媽的立場上思考。我一邊說，一邊觀察爸爸的面色，看見他眉頭皺褶逐漸疏散，我就知道成功了一半！看見爸爸的面色徹底緩和下來，我便走進房間安撫媽媽。我坐在床上，看着媽媽坐在床上抽搐的側面，便先安慰她的情緒，待她情緒穩定下來後，便讓媽媽冷靜思考。最後在我的調解之下，家中又回復以往的熱鬧。

在我眼中，誰錯誰對並不重要，重要的是別讓爭吵和爭辯伴隨自己，也不要帶着情緒過夜，讓情緒成為心中的一道刺。不滿的情緒越積越多，終有一日會成為火山，火山爆發便沒法挽回。

爸媽每一次爭執，每一次經過我的調解後和解，都被我一記下來。看着本子上寫着：因爸爸喜歡喝冰水，媽媽卻認為對身體不好，因而發生衝突；媽媽把爸爸不可機洗的衣服放進洗衣機，導致衣服變形而鬧翻；爸爸用完紙巾不換新，而發生爭吵……這其實都是小事，我相信他們冷靜下來，也會很後悔為什麼會因為雞毛蒜皮的事而吵架，放不下面子，低不下頭而傷了感情。此時「中間人」的出現能及早阻止事情往更壞的方向發展。

我調解了爸媽林林總總的小事大事，我學會了說話的技巧、察顏觀色，更明白了人的一生很長，爭吵是避免不了的，憤怒不滿會衝昏頭腦，對着愛的人說傷人的說話，哪怕事實放在眼前，事實也無法打垮憤怒。兩個人吵架後冷靜解決問題當然是最好，感情就會越吵越好；而互不妥協的激烈爭吵，會使場面打上死結，令兩個人更加受傷。若你不願低頭，想找一個下台階，記住找「中間人」調解！

## 高中組 得獎文章 Senior Division Winning Essays

## 優異獎 Merits Award

吳家尚  
中四 拔萃男書院

## 調解基地在香港

調解是一種和平地解決爭端的文明方式，而香港，則一直被認為是亞太地區一個重要的調解基地。然而，有什麼原因令香港具備這方面的優勢呢？我認為有主要以下幾個原因：

首先，是地域優勢。中國是現今世界第二大經濟體、第一大貨物貿易國，及第一大工業國。很多經濟學家都預計，中國將在不久超越美國成為世界第一大經濟體。由於中國巨大的經濟規模，而且對外各種貿易投資交往日益頻繁，香港作為中國的一個特區，又位處經濟活力十足的大灣區，在一些中外商業糾紛出現，需要調解服務時，便可以佔有近水樓台的地利之便。

其次，是制度優勢。香港實施一國兩制，國家允許九七回歸後，香港繼續沿用普通法，並以成文法作補充。完善的法律制度和司法獨立，加上法官的獨立公正，使香港法院得到國際社會廣泛認可。而終審法院非常任海外法官的獨特安排，亦增加了香港法院的國際認受性。要成為一個公認的調解基地，各方的信賴是至關重要的，而擁有一個堅實司法系統做後盾，更是不可或缺。因此，制度的優勢讓香港成為出色的調解基地。

當然，另一個更重要的制度優勢是來自於國家的支持。國家支持香港成為調解中心，香港便能成為調解基地。例如在香港進行的調解仲裁結果可以在內地獲得認可和執行，或「一帶一路」項目的跨境貿易投資等爭議可安排在香港進行調解。早在2017年，特區政府和國家商務部簽定的《內地與香港關於建立更緊密經貿關係的安排》(CEPA)，便已鼓勵內地投資者使用香港的調解服務解決爭議。由此可見，國家對香港調解

仲裁的支持是有目共睹的。

最後，香港法治傳統和人才優勢，亦為香港成為地區調解基地創造了良好條件。以法律和平解決問題是香港的傳統。以和睦方式排解爭端的《道歉法例》早於2017年生效，它使香港成為亞洲首個擁有道歉法的司法管轄區。香港現有三間大學提供法律有關課程，每年亦培育了大量法律人才，當中不少也成為了調解員生力軍。此外，香港兩文三語的語言環境和中外薈萃文化，亦是調解中西商務爭議的橋樑。

當然，除了上述優勢，香港擁有高效、值得信賴和具成本效益的調解平台的這個事實，亦需要更多開拓和宣傳，使「讓香港調解」成為香港的另一個金漆招牌。當越來越多的人和企業使用香港的調解服務，調解基地在香港也就水到渠成了。

**優異獎 Merits Award****Lun Ho Hin  
Grade 12 G.T. (Ellen Yeung) College****A Reflection on Mediation—a Celebration of Differences**

Would the world be a better place if everyone could just stop arguing with each other? This is a question that I have always been wondering about ever since I was a little kid. Friends fighting relentlessly over something as trivial as lunch options; couples breaking up simply because they fail to listen to each other's needs; families torn apart by the generation gap between parents and their children— interpersonal conflicts arise so often that we almost cannot survive a day without any new disagreements with one another.

You might wonder that everyone should stop voicing their own opinion when it is different from the others. In fact, I believe that disagreements are completely natural, for it is in human nature to have individual, unique minds co-existing in a community. Exchanging different ideas and combining intellects to achieve collective goals as well as personal development is exactly what sets us apart from other species. Hence, disagreements are supposed to be worth celebrating.

However, disagreements escalate easily if not handled correctly. When we disagree with others, we easily think that we are right and that the other parties are in the wrong. This righteousness often hinders our ability to see the matter of discussion from various perspectives. When all sides remain persistent with their own argument and refuse to take a step back and take their knives off the others' throats, arguments intensify and form cracks in the relationship that are near impossible to fix. Friends, couples, families, and even societies are prone to falling apart precisely because everyone only cares about "winning" on their own side as if their argument is a competition. Nevertheless, preventing things from progressing to this point is entirely possible; as mediation is the key to handling disagreements fairly and peacefully.

I did not know what mediation is until I took an MBTI personality test with the result that I am a Mediator. Of course, being a Mediator, as in a personality type, means that one has an intense dislike for conflict. On the other hand, a mediator is an advisor or a middleman who talks to the people or groups involved in a disagreement in order to help them find a solution. This has reminded me that I have done something similar before.

In my school, we have a game booth day every year where the campus is open to primary school students. Each class organizes a game to be played in their thoroughly decorated classroom. In the 9th grade, however, my class had an intense argument with our neighbor as there was an empty classroom between our own ones, and to make matters worse, we had both already planned to use that space for each of our games.

Our classes were not aware that we were both using the same classroom for our game designs until one afternoon where we were both staying after school to prepare necessary materials for decorations. A few of my classmates witnessed the other class walking into the empty classroom, and instead of calmly asking them what was going on, my classmates called them out on plotting to take over something that was rightfully ours; and instead of explaining themselves politely, the other class fought back with insulting words. Ferocious yells came from both sides and everyone involved seemed to have forgotten why they were even arguing.

Eventually the shouting dissipated. I knew that arguing simply would not help solve the problem, so I began to think about what I could do. I gathered my partners in the game-organization team and reached out to the team of our neighboring class. We sat down with them and I asked why they thought the classroom was theirs to use. This was the moment when the mood changed, and there started a peaceful and constructive conversation in which we learnt that it was the teachers who unknowingly told both our classes that we could use that classroom.

We explained our game plans to each other and found out that there was a similar idea that we both had, which was to provide an area for prize-giving and a resting area for our classmates. We proposed co-using the empty

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classroom, with the prize-giving corners of both our classes being combined in a single area, and the rest of the area are for everyone from both classes to rest in after serving guests. This turned out to be a fantastic suggestion as both of our classes got to keep our original plans and we did not even require a teacher to settle our differences.

In the end, the other class took our suggestion and the game booth day was a great success for both classes as everything ran smoothly, and we even helped each other with the prize-giving part occasionally. The more important thing is that through this act of mediation, we ensured that we would not jeopardize our long-time relationship, as we learned to acknowledge that we both only wanted to perfect our game booths so that the primary school students can have the most fun.

Looking back, I realized how powerful mediation can be in mitigating arguments. I believe that it is even more effective and meaningful in the larger context of our society. For example, divorce disputes, inheritance allocation, and even arguments involving political parties when deciding certain government policies—mediation can help minimize the harm to all parties involved and can often lead to a mutual-win. According to the Department of Justice, the Apology Ordinance has been enacted since 2017, which aims to encourage making a formal apology to prevent escalation of differences into disputes and facilitating amicable settlement. Therefore, if everyone can try to mediate before sticking too hard to their own side, the benefits and impacts could be tremendous.

Not only Mediation is the most efficient way to tackle arguments with the highest success rate in ensuring the best outcome for all parties, but it is also the best way to maintain, or even to strengthen their relationship with one another. For example, if family members know how to communicate with one another respectfully and reasonably, no obstacles in their relationship can put them against each other, and they will be closer to each other because they know by experience that they can count on each other. After all, mediation is a representation of human nature which we value each other's opinions and gain from exchanging ideas from multiple angles.

The best quality of humanity is our ability to step into the shoes of one another and be empathetic, while holding onto our own values and moral compass. Even if we cannot always completely settle our differences, it is still crucial for us to always respect such differences and try to cater to all sides' opinions before making decisions that could affect everyone in the community. I sincerely hope that everyone can at least try to meditate before jumping to impulsive actions in an argument. Let's make the world a better place for everyone.



**優異獎 Merits Award****Pak Hoi Man Chloe  
Form 4 Diocesan Girls' School****Why Mediation Is Good to Resolve Conflicts**

Discrimination, misaligned values, neighborhood quarrels and conflicts intrude our daily lives, engendering hostility among people. In a world ridden by social divisions, constructive dispute resolution methods are more important than ever. When conflicts intensify to become fierce adversaries that seem intractable, is there a way to eliminate differences between people and rebuild harmony in society? The answer is yes — through mediation.

Mediation is an alternative way to resolve disputes out of court. It is a voluntary process involving a neutral mediator to help the parties in dispute. Different from a judge who wields the decision-making power in litigation, the mediator serves as a facilitator to provide options to meet the interests of the parties. Mediation is suitable for a wide range of disputes, such as family and commercial disputes. The popularity of mediation is rising due to its consensual nature that generates win-win outcomes, cost and time effectiveness, psychological benefits and ability to rebuild trust in damaged relationships.

To begin with, mediation is an interest-based approach where the mediator will focus on the parties' needs and facilitate them in reaching an agreement, resolving disputes harmoniously. Being an informal process, mediation allows a higher level of procedural flexibility. It provides the parties a greater extent of control over the process and outcome. Each party is an active participant who is given the opportunity to articulate opinions and desires. With the guidance of the impartial mediator as a path finder, the parties can navigate through the complexities of the dispute together and craft a solution which is more flexible, practical and unique. Mediation contributes to the creation of win-win outcomes which should be readily accepted by the parties.

On the contrary, litigation is formal with strict rules and procedures to follow. Confrontation in litigation is unavoidable as parties relentlessly attack each other in order to be the winner. No wonder Lord Justice Brooke has described in *Dunnett v Railtrack* [2002] 2All ER 850, “*skilled mediators are now able to achieve results satisfactory to both parties in many cases which are quite beyond the powers of lawyers and courts to achieve, by which the parties shake hands at the end and feel that they have gone away having settled the dispute on terms with which they are happy to live.*” By facilitating collaborative and integrative problem solving rather than adversarial and distributive bargaining, mediation yields far more satisfactory results which could benefit all.

Secondly, mediation saves time and money compared to the lengthy and expensive litigation process in court. Without the need to follow strict court procedures, the parties can arrange meetings with the mediator more freely. Mediation not only enhances efficiency in dispute resolution, but also substantially reduces the costs which can be used more meaningfully elsewhere. For example, litigation costs incurred in a divorce lawsuit could be better used for ancillary relief and child support. Besides, by opting for mediation to settle trivial matters, the limited court quotas can be freed up for cases that cannot be resolved without the court. The allocation of public resources will be more efficient.

Thirdly, turning to psychological benefits, disputes can be settled swiftly through mediation, thus spare the incalculable amount of time, aggravation and worry brought to the disputants throughout the litigation process. This helps to avoid the occurrence of the “litigation-response syndrome”<sup>1</sup>, i.e. anxiety, stress, and depression, which is common among those exposed to the pressures of litigation.

<sup>1</sup> Less-Haley, P. R. (1989). Litigation Response Syndrome: How Stress Confuses the Issues, [heinonline.org/HOL/LandingPage?handle=hein.journals/defcon56&div=20&id=&pag](http://heinonline.org/HOL/LandingPage?handle=hein.journals/defcon56&div=20&id=&pag)

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Furthermore, mediation restores trust in damaged relationships. It creates a safe environment for honest communication between the parties. On this basis, the full dimensions of an issue can be opened, facilitating the reaching of amicable solutions. Mediation is especially suitable in handling intimate conflicts, such as separating couples. With the assistance of a mediator to reframe the central issue, the parties can reveal their candid insights in a confidential and pressure-free setting. Through active listening and frank discussion, conflicting parties can be more understanding of each other and trust can be rebuilt.

Mediation has become increasingly popular. Taking Hong Kong as an example, the Government has been advocating multiple mediation initiatives. To name a few: the development of an online dispute resolution platform, the launch of the “Mediate First” Pledge Campaign, the establishment of the West Kowloon Mediation Centre, etc. Numerous private and non-governmental organizations are also providing mediation services in different areas. With the support from the Government and the society, the use of mediation before litigation will definitely be a trend in the future to achieve harmony in the community.

To conclude, mediation aptly transforms conflict from a negative and destructive force to a positive and constructive one, turning the underlying threats of conflicts into capacity for building stronger relationships. Even though conflicts are inevitable in human interaction, mediation helps to strengthen bonds and mutual understanding between people, such that conflicts can be prevented from exacerbating, and relationships can be restored. The construction of a harmonious community relies on the concerted efforts of us, as citizens, to embrace the use of mediation to resolve conflicts, establish rapport and let peace proliferate!

**優異獎 Merits Award**

**Chan Tsz Yu  
Grade 10 G.T. (Ellen Yeung) College**

**Harmony Begins with Mediation**

Conflicts are inevitable in our daily life. Our school life is no exception. Take the following scene as an example:

“John, this is my poster, does it look good?” asked Tom.

“Hold on, our designs are the same! Did you copy my ideas?” asked John.

“You can't be serious! I spent a night on this poster design competition and all of the hard work is done by myself!”

“You have plagiarized my idea that we discussed last week in the library!”

“That's not your idea. I came up with this idea in the first place!”

“I have nothing to say to you at all! Hey Chris, do you think Tom copied my ideas or I his?”

I stood straight between John and Tom, smiling awkwardly and racking my brain to try to figure out a solution.

Does the foregoing scenario sound familiar to you? What if John and Tom resorted to the judgment of a friend like me or our teachers? Even after a judgment is delivered, I don't think their conflict can be satisfactorily resolved and their friendship will not be the same. I doubt whether a judgment or “the truth” can help. As a friend to both of them, I only want their friendship to remain intact. Mediation may be a good way out.

When there is a dispute, parties are often aggrieved and unable to have the peace of mind to listen to each other and have proper communication. Active listening is needed but this is exactly where the challenge lies as the emotions of the parties are intense during a dispute. Some may even shout at

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each other. Facilitating the parties to listen to the other side's viewpoints, a mediator can help them to engage in a constructive dialogue. A mediator has no value judgement towards the parties, which makes them to feel safer and provides them with an impartial platform for them to tell their side of the story. Parties can have the chance to know more about the views of the other party as sometimes they may ignore the points raised by the other side due to pent-up emotions. Take the above poster incident as an example, a lack of proper communication between Tom and John will just worsen the situation. Yelling at each other will hurt their friendship and their relationship may finally break down. What if mediation is attempted? If a mediator is there to help them communicate more calmly without hurting each other's feelings, this will certainly promote their mutual understanding on the matter. Conflicts are sometimes unavoidable in our daily interaction with friends, family members or even business partners. It can be a crisis but if well-handled, it presents a chance of growth. With the help of a mediator, the parties can clear up miscommunication, address an argument or even set boundaries for future interactions. The parties may end up understanding themselves and the other party more than ever!

Finding a solution which can satisfy both of the parties is not easy at all, but mediation makes it possible. Through the mediation process, both of the parties can look for an amicable resolution. A win-win situation can be attained as the resolution is worked out by both parties. Having more autonomy in the final decision of the dispute gives the parties more satisfaction and they will be more willing to comply. On the contrary, if parties choose to litigate, no matter who finally wins the case, it will be a win-lose or even a lose-lose situation. Only one party can have the final judgment ruled in favour of him. Even for the winning party, he may still "lose" in the sense that he has invested ample time and costs in the litigation process. Some may even have a judgment sum of a lesser amount than the costs they spent. The relationship with the losing party is likely to be wrecked forever. Overall, it looks like nobody "wins" in a litigation. Why don't parties try a cheaper and faster way of resolving conflicts by mediation?

Mediation is also a good alternative by which parties can avoid adversarial confrontations with other party during court processes. Parties may need to endure the tense atmosphere, suffering and anxiety in front of authorities. Mediation is definitely a less stressful process where the parties are encouraged to explain their case, voice their grievances and concern in front of the neutral mediator so that they can reach an agreement freely and voluntarily. Let's go back to my story--what if John or Tom seeks teachers' help in the incident? Both of them may need to face the discipline master and argue their case thoroughly in front of the teacher. If mediation works out between them, they can avoid the inevitable stress and tension of the fight. Through a less adversarial process of mediation, perhaps their relationship will not be tarnished.

I plucked up my courage and offered to be the mediator of Tom and John. By separating them and talking to them privately, I gathered their points of view towards the incident and assisted them to get back and talk together again. At last, I found out that both Tom and John used the same idea that they had brainstormed together, and neither of them were expecting the other to use the idea they came up in a casual talk. What was most surprising was that when I asked them separately as to what would be a fair solution to this conflict, they both indicated that they would not object to the other party using the idea in his work so long as their individual contribution is acknowledged in the work! By merely writing "idea by John and Tom" at the bottom of their respective posters, the incident was solved perfectly, and they became really good friends again!

Mediation can bring positive effects not only in our everyday school life but also to society as a whole as people can resolve their conflicts in a more amicable way. Instead of spending millions of dollars and years of litigation in court, sometimes what people are after can be very simple. Take Tom and John as an example, a mere acknowledgement of the other party's contribution in their respective works suffices!



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Once we understand each other's standpoints through mediation and try to put ourselves in the other person's shoes, we will be able to bridge the gap between the parties and work out a resolution that are satisfying to both in a peaceful way. We can't avoid disputes in school, in work or even in our family, but we can certainly resolve them in a more cost-effective and peaceful way.

優異獎 Merits Award

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調解，解難，難題刃迎縷解

馬致遠在《陳搏高臥·第一折》載：「每縱酒路見不平，拔刀相助。」世界上能為別人分憂解難的都不是庸庸碌碌之徒，身為社會的一份子，我等理應充當調解員，為受困的同胞們調解紛紛不一的局面，攜手創造出一個美好社會。

調解者存在的必要非同兒戲，說是大本大宗也不為過。「爭執」是一個黏人的稚童，即使抬頭不見其影，低頭也終將與其對上目光，一旦鬥嘴的端倪被揭開，將如同雪山頂滾落的小石子般，聚沙成塔、積少成多，轉瞬即逝便醞釀出「大雪怪」，此時早已為時已晚，在被風捲殘雲後方才追悔莫及。「當局者迷，旁觀者清。」當我們以旁觀者的視角看待問題，就會發現一個分寸之末的「自變量」就能創造奇蹟——和平大使，他們通過「調解」這個「拔刀」的動作，除了能緩解社會的爭執，更能激發更多「和平使者」湧現而出，最終世外桃源自然悄然而至。同理，沒有和平守護者的社會，終會淪落到凌亂不堪、失望透頂的地步，將人壓得透不過氣來。

試幻想，在一個沒有調解者的社會中，大家你一句我一句，吵得你死我活，彷彿生怕對方佔據上風。當大家被憤怒衝昏了頭腦，喪失了理智，互相大展拳腳、揮拳相向最後搏鬥得傷痕累累，兩敗俱傷，為何？因為失去了調解者後，同胞們難以意識到：「爭執是可以被解決的」、「大家是可以雙贏的」一個矛盾相向的社會是少頭缺尾的，是殘缺不全的，是七顛八倒的，一點點爭執便足以「大殺四方」，這個社會該多麼的粥粥無能，不堪一擊。



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反之當你我吵得不可開交，被「黏人精」纏得走火入魔，眼看將要被雪怪連骨吞噬之際，有一個「和平天使」從天而降，透過「施法」令雙方冷靜下來，關注爭執的關鍵而非情緒的釋放，從而斷絕矛盾爆發的可能性。這位「天使」就是我們的調解者，當社會有諸多調解者後就不難發現爭執早已刀過竹解了。只有社會和平，百姓才能安居樂業，只有爭執得以冰消氣化，社會才能繁榮昌盛，開出茂盛的花朵。

一比之下，調解者的重要性已經不言而喻了吧？要想解決單個難題，一位調解者便足矣。但要想打破重重困境，一位調解者就略顯單薄了。一根竹竿容易彎，三根麻繩難扯斷；一根鐵絲容易折，十根筷子拗不彎；一花獨放不是春，百花齊放春滿園。一位和平大使難以一手遮天，成群結隊的調解者就能輕易匯聚成一股氣勢磅礴的力量，這股力量才是打磨出一座絢爛的烏托邦的堅實基礎。

勿因善小而不為。一個舉手之勞的調解就能抹去兩個人的眉頭不展。「而投之木桃，報之瓊瑤。」兩位受益人感恩在心，傳承善行，再次向困擾之人伸出援手，薪盡火傳，這束暖意爆棚的火苗才能越燒越旺，這份渾金璞玉的調解精神將越傳越廣，最終善意一傳十，十傳百，花不了太長時間名叫爭吵的「塵埃」便會被淨化，和諧便會滋潤每一寸土地，空氣中便會充斥着滿溢的融洽。到時，一個沒有爭執的世外桃源自然會漸漸浮現在大家眼前。這一切美好歸功於最大的功臣，名為「互相調解」。

優異獎 Merits Award

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中五 樂善堂楊葛小琳中學  
如何解決朋輩糾紛

朋友是我們生活中不可缺少的人物，在如今瞬息萬變的現實社會中，有一二位知心好友是多麼令人寬慰。有了一二好友，意味着無需在這孤獨的霓虹都市裡踽踽獨行；有了一二好友，意味着在不眠的深夜有溫暖的靈魂互相慰藉；有了一二好友，也意味着為那一幅名為「人生」的畫卷增添上更多色彩。

朋友對於我們的意義重大，但在浮躁懵懂的青春期，朋友之間不免會上演背叛，爭吵，冷戰的戲碼，想一想，當初最好的朋友如今是否已經形同陌路呢？明朝的馮夢龍在《醒世恆言》中說道：「冤家宜解不宜結。」當一段友誼出現裂痕時，若沒有坐下來好好交談，瞭解爭端的原因，再大事化小，小事化無，所招致的結果也只能是大路朝天各自走，更有甚者冤冤相報，永無了事。由此可見，如何解決朋友之間的糾紛是大有學問的。在與朋友的相處過程中，我總結出來了一套處理朋輩糾紛的方法，相信對於身處困境的一段友誼是有正面作用的。

當糾紛發生時，我們要做的第一件事是讓自己冷靜下來。但爭端發生時，我們的大腦無可避免地會被憤怒和不解吞沒，此時最忌諱的便是讓憤怒控制你的大腦。若不能掌控憤怒的情緒，憤怒就會猶如洪水猛獸一般蒙蔽我們清明的雙眼，使我們在情緒失控下做出一系列錯誤的判斷，沖毀朋友之間信賴的堤壩。古希臘的哲學家畢達哥拉斯說過：「憤怒以愚蠢開始，以後悔告終。」當被情緒勒索時，我們很難能夠做出客觀的判斷和思考，反而做出過激的行為，成為了壓倒這一段友誼的最後一根稻草。因此在和朋友發生衝突時，控制情緒尤為重要，控制好自己情緒，是避免衝突升級的鎮定劑。

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當控制好自己的情緒後，下一步要做的便是投入對方的角色，思考導致衝突爆發的原因。身邊的大多數朋友與朋友爭執後與我訴苦，所說的第一句話便是：「我不明白他為什麼不理解我？」每每聽到這種說話，我便會表示不奈之何。在衝突爆發後，所思所想的不是對方的想法，而是主觀的感受，這是一種自大的表現。雖說人性本就以自己的感受為先，但要想維繫一段友誼，就要做出犧牲，雙方承認自己的錯處，再投入對方的角色，思考對方的看法，明白雙方價值觀的分歧，找出衝突爆發的原因，才是處理爭執的正確方法。

最後，便是好好坐下來進行真誠的溝通。《韓詩外傳》說：「見其誠心金石為之開。」在衝突發生後，若能坐下來推心置腹，對於長久的友誼有更正面的影響。當面對價值觀不同的朋友時，在溝通時切記要從對方的角度出發理解其看法，真誠地表達自己的看法並提出質疑的部分，再心平氣和地提出自己的駁論，再曉之以理。切忌不分青紅皂白地直斥其看法。溝通的過程應是心平氣和地平等交流，以此才能起到求同存異，修補裂縫的作用。

友誼是為兩顆心的真誠相待，而非一顆心對另一顆心的敲打，若能真誠以待，朋友之間的爭端也會化為一笑了之的釋然吧。

優異獎 Merits Award

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雙贏局面

「物競天擇，適者生存」、「優勝劣汰，擇優選擇」，相信你一定會對這兩句話耳熟能詳。是的，其實這便是大自然給予我們一條最簡單明了且真實的忠告。同時，這也是達爾文進化論中心核心論點。大自然像是一位深不可測的老者，用最簡短的話語向我們闡述深遠又具有深意的道理。他彷彿是這樣說的：「在漫長的生命發展進程裏，只有能跟隨環境的變化，而主動選擇適應環境，改變自身的物種，才能夠生存下來，相對應的，不能夠適應環境的物種就將被淘汰……」當然，這亦可以用一名詞來代替這個過程，那便是「競爭」。

我們好像一直徘徊在競爭與被競爭的關係中。當我們從進入學校的第一天開始，似乎就開始了我們的競爭生涯。我們被教導要奪得優異的成績，才可以從激烈的競爭中大放異彩，脫穎而出；我們被教導要全面發展，才可以從殘酷的競爭中奪得優勢，進入到下一階段的競爭路程。當完成了中學生涯的競爭，還要經歷一場巨大的考試，從千軍萬馬中「殺」出一條路，才能夠被選擇進入更好的大學。周而復始，開啟一輪新的競爭路程。在完成全部的學習生涯後，就結束競爭了嗎？答案是否定的。我們仍會進入到工作崗位，開啟新一輪的競爭試煉，以為我們的前途及未來生活而拼搏。我們會搶發展，搶賺錢的機會，去實現自身的理想。整個社會就好像一輛被狂踩油門的汽車，不斷加速，轟鳴前進，生怕不能衝過前面秒閃的綠燈，而落後於人。這一現象也引起了很多學者的研究，最終，他們得出結論，認為競爭是人的天性，每個人都希望自己強過他人。因此，當人們在面臨殘酷的現實時總會選擇透過競爭的方式來完成擇優選擇的天然法則，就算是頭破血流也在所不怕。即使有

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時雙方發現一種「雙贏」的平衡模式，亦都會因為種種原因而放棄協商。但若我們一直推崇物競天擇的自然規律，那麼我們就可以「大吃小」、「殺人不犯法」、「搶劫」等一系列行為都合理化了，這既違背了我們的本心，也不符合邏輯，也不是一個良好的循環。那麼我們該如何在競爭中找到平衡，讓雙方都不再有衝突呢？我想，那便是「雙贏」。

現在，隨着科技的發展和時代的進步，人們往往更喜歡用和諧的方式解決問題。中國有句話常說：「送人玫瑰，手有餘香。」這又何嘗不是一種大徹大悟的雙贏呢？將玫瑰送給了他人，給他人送去了美好；而自己呢，手上不僅留有玫瑰的香氣，自己還會因給他人帶去一份美好而暗自快樂，獲得共贏的局面才是如今的相處之道啊！我認為雙贏還可以這麼理解：倘若世上真要分出個輸贏，那麼「雙贏」便是將贏者不在贏，輸者不在輸。就好比盲人點燈的故事，故事是說古時某天雨夜裏，有一個人走在路上，忽然地他發現他前面那個人一只手拿着盲杖，而另一之手卻提着一盞燈在摸索着前進。路人在旁邊觀察了很久，終究還是忍不住想去問提燈的人是否為真是一個盲人，那個盲人回答說：「是啊，我是真的盲人。」而那個路人又問：「那你怎麼還點着一盞燈？你不是看不到嗎？」盲人答：「我只是聽說今夜天色特別黑，伸手不見五指，所以我點了盞燈提出來，一是可以照亮他人的路，讓他人看得更清這條路，以免受傷；二是這盞燈可以讓別人發現我這個盲人，令其他人會避着我，不會將我撞到而造成不必要的麻煩和誤會。」那路人聽完，連稱「妙哉！」然後便扶着盲人將他安全送回到家，因為盲人既看不見路，也看不見手裏的燈，他的燈也算是「浪費」了，但正因為這盞燈，才會令盲人減少了受傷的機會，路人雖看得見，也可借燈先看清路況，但他為了借燈看清路況，亦要送盲人回家。可見，這不就是「人家不全贏，輸家不全輸」嗎？

那麼，話說回來，我們究竟要如何才能達至「共贏」的局面呢？我認為其中最重要的還要屬「合作」。就好比一個團隊，為了達致共同的目標，也需要領導人員對團隊內的每一個成員的長短進行分析，透過不同的組合爭取每一個成員能夠發揮其最大的用處，而更好地達成目標。這樣既挖掘了團隊的潛力，提升了自我價值，也使得成員本身對團隊更有歸屬感，這又何樂而不為呢？不但是人類界才有的雙贏畫面，相同地，動物界同樣有共贏畫面。有一種小鳥，叫牙籤鳥。牠們常生活在鱷魚群的左右，鱷魚在吃食之後，常常會有食物殘渣遺留在牙齒縫隙中，久而久之，令鱷魚十分難受。但這種牙籤鳥會在鱷魚吃完食物後，等鱷魚大張著嘴等牙籤鳥為牠清理。這時，這群大膽的小鳥便會爭先恐後地跑進鱷魚的嘴裏吃剩下來的肉渣。這樣一來，小鳥不但填飽了肚子，還為鱷魚清理了牙齒，這豈不兩全美？這又是一個和諧的共贏畫面呢。可見，共贏不僅出現在人類之中，還出現在動物之中。

反觀社會，我們對競爭的概念大多為「你死」或「我活」，勝利的含義彷彿就是阻止別人成功，可見這成功是多麼虛無縹緲和脆弱。但合作卻是一把「好劍」而不是一把「雙刃劍」，只要我們拋開成見，打破自身的局限，透過合作來提升自身的競爭力，以達至更好的自己。當然，競爭也是必不可少的，但它不應是一味的言論攻擊，兩敗俱傷，而是應該化敵為友，共同進步，我相信，一加一是會大於二的，正所謂不爭，乃大爭。

在競爭中互相幫助，在互相幫助中產生雙贏。「以合作求雙贏」，更應該是新時代的口號，這不僅僅是大自然諄諄教誨後的延伸，更應是時代發展的主題。就對比「一枝獨秀不是春，百花齊放春滿園」一樣，取長補短，在競爭中，在合作中齊看雙贏局面，共同開闢燦爛的未來！

## 優異獎 Merits Award

葉汶翰  
中四 金文泰中學今天，我調解了朋友之間的爭執後，  
對待人接物另有一番體會

一片雪花飄落於山峰之上，世人皆想置之不理，任其散落，反正日久便會化作一攤水，或蒸發於天地間，到了最後還不是消散一空，無影無蹤？

可是現實當真如此？

我和他們是朋友，猶記孩童之時便已在這條青石板路上奔跑，陪伴我們的是微風，是河道，是一棵河邊的老柳樹。直到日前，他們爭吵了，但我只當散了幾片柳葉，折了幾條柳枝，難成氣候，無傷大雅。

卻沒想到，這次如雪花般的爭吵沒有消散，反而深埋在心田，最終引發那鋪天蓋地的雪崩，而在這滿是瑰麗卻暗藏殺機的白霧之中，又有哪一片雪花敢自稱無辜？

那雪崩之時，就在今日。

獨自一人走在這條青石板路之上，陽光和煦，微風輕拂，順着河道望去，柳樹蔭之下隱約看見兩道人影，他們定是早就在那等着我了，想到這，我嘴角上揚，隨即加快步伐走上去……

映入眼簾的非我所想，不是嬉戲，不是打鬧，而是爭執，我步伐放緩，來到他們身旁，看着他們水火不相容，聳立其中的老柳樹像是在勸說，望其能平息怒火，又像是在承受，承受他們互相施於彼此的氣焰。我心中不禁酸楚，卻不知為何。我問他們箇中由來，可換來的只有潭水般死寂。

明明之前我們的友情是如此的要好，可如今……

來不及感嘆世事無常，因為我知道要是我再調解，這棵柳樹遲早會被他們之間的氣焰燒的一乾二淨。

我將其中一人拉走，他終於吐露真言。他說，我聽，說了良久，他的雙眼早已通紅，我看向天邊，眸裏滿是無奈——原來只是雞毛蒜皮的小事。早知如此，又何必當初？

回到那棵老柳樹下，人影尚在，我卻不知從何開口……既要顧及雙方情緒，又要調解他們的爭執，這談何容易？我自問不擅於人際關係，又怎能緩解二人的衝突？於是我只好和他們訴說當年，彼此陪伴數載，因此等小事而決裂，豈不可惜？許是我的話語起了作用，他們的怒氣漸漸消散，氣氛緩和了。我讓他們互相道歉，他們握手言和。

這件事應該就此過去了吧？我心想。難道待人接物之道就如此簡單？或許吧。但這件事成不在我，在他們，我只是推波助瀾，可下次呢？若我不在？

他們重新踏在青石板路之上，邀我同行，我沒有理會，而是伸手撫摸那粗糙的樹幹，看那傴僂的柳枝，它又經歷過多少滄桑？我不禁黯然。看着他們的身影，在光暈的照射下，依稀間，我彷彿看見了三個稚童在青石板路上打鬧，心中隨之釋然了。

這場雪算是掃清了，朋友相處，貴於真誠，遇上矛盾，當要馬上梳理。如此這般，任日後雪飄千萬，也不足為懼。



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