

By EMAIL

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18th April 2013

Dr the Hon Pricilla LEUNG Mei-fun
Chairperson of the Panel
Panel on Administration of Justice and Legal Services
Legislative Council

Dear Dr the Hon LEUNG

Re: Panel Meeting on 23 April 2013
“Provision of mediation services in Hong Kong”

Hong Kong Society of Accredited Mediators (HKSAM), founded in 2009, is a non-profile making professional organisation which setup by accredited mediators from different accreditation bodies in Hong Kong to encourage accredited mediators to participate in social services and to enhance the code of professional conducts and ethics in mediation industry.

Thank you for inviting the Society of Accredited Mediators to give our views on the agenda of “Provision of mediation services in Hong Kong”. We would make the following submissions for the panel.

As a society for promotion of mediation services in Hong Kong, HKSAM are glad to note that recently a single accreditation body --- the Hong Kong Mediation Accreditation Assessment Ltd (HKMAAL) has been formed. We understand that the HKMAAL is formed by four founding members. While it is too early to judge if the body is running well, we do hope that the body can absorb the all good elements of the members and maintain a fair and professional standard of accreditation.

After the implementation of Practice Direction 31, we are glad to note that the mediation has been more widely accepted in civil litigation cases. However, we do also wish that mediation as a means settling disputes can develop beyond the legal area. While we note that the government has recently put a lot of resources in promoting mediation as a means of resolving financial disputes, we do not see any

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reason why the government cannot put more resources in other areas such as building, education, neighborhood or employment conflicts.

Existing mediators or accredited mediators can from different bodies, each adopting its own training standard, accreditation criteria and Code of Practices. We understand that the industry-led accreditation body, HKMAAL, will set unified standard standards for training and accreditation, as well as discharging disciplinary functions. To promote public awareness of the newly established single accreditation body, we do hope that the administration and the judiciary could provide formal recognition to mediators approved by the single accreditation body.

The communication or the exchanges amongst different accreditation bodies are relatively loose. HKSAM do hope that with the formation of HKMAAL, such a problem can gradually fade. However, we do see that the existing condition can easily continue without the extra effort and resources put on this aspect, such as fostering more professional exchanges and sharing, development of common continuing development standards amongst the mediators.

We do hope that join together to promote mediation and a more harmonious society with less grievances and more happiness.

Yours truly

For and on behalf of
Hong Kong Society of Accredited Mediators

Leo YAU Lut-pong

Spokesman of HKSAM