

Mediation better option for settling disputes: CJ Chan

Chief Justice Chan says the culture of holistic resolution, as an alternative to courts, should be nurtured. -ST

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Dr Lim Lan Yuan, a Senior Master Mediator, (left) and Madam June Wong conducting a mock mediation session.

SINGAPORE - Resolving differences on your own is a better alternative to going to court.

This should be encouraged even as such solutions - achieved through mediation, for example - are gaining prominence in the court system, said Chief Justice Chan Sek Keong, referring to a set of legal processes known as alternative dispute resolution (ADR).

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"While ADR currently has a prominent role in the court system, it should not ultimately be court-centric," he said.

"A culture of holistic resolution of disputes has to be nurtured within the community and be incorporated into individual daily lives."

Chief Justice Chan was speaking at the first ADR conference in Singapore held at the Supreme Court auditorium yesterday.

The two-day meeting that began yesterday was attended by about 600 people, including members of the judiciary, lawyers, academics, and policymakers from 15 countries - among them, Australia, Brunei, Fiji, the Maldives, Pakistan, Uzbekistan and the United States.

While ADR has gained significant recognition since the 1990s, its use among local legal practitioners and the public has not been "phenomenal", said Chief District Judge Tan Siong Thye in his opening remarks yesterday. In this context, the ADR conference comes at an opportune time, he said.

"Through the forum, we hope to raise awareness of ADR among legal practitioners, the business community and the general public."

Mr Tan said that the legal community ought not to regard ADR as a threat, but possibly as another business opportunity for collaborative law - as it has been viewed in other countries, such as the US, Britain and Australia.

Mr Michael Leathes, the honorary chairman of the International Mediation Institute, spoke on the pros and cons of ADR, among other things, for about an hour.

A 30-minute panel discussion involving Mr Leathes, Justice Belinda Ang, Associate Professor Joel Lee from the law faculty of the National University of Singapore, and Mr Wong Meng Meng, president of the Law Society of Singapore, then followed.

Among other things, Justice Ang spoke on the different dispute resolution services that are available in Singapore - such as the Singapore Mediation Centre, which has more than 30 schemes to help settle conflict in a variety of contexts, ranging from matrimonial to geographical differences.

Prof Lee said more mediation work was needed in order to keep the discipline from becoming irrelevant.

Rounding up the panel discussion, Mr Wong said that mediation could be a "much better choice at the end of the day" than litigation, which he said could be "time consuming, wasteful, unpredictable, divisive, and sometimes certainly not appropriate for certain disputes".

He said lawyers here have to change their mindsets - "stop being gladiators" - and play a more conciliatory role, or risk being left behind.

"Lawyers have to realise that times have changed, and that if they don't change the style of

practice they will be left behind," said Mr Wong.

"They might as well learn a new way to practise law and to contribute to a new paradigm."

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