

Organised by



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香港和解中心
Hong Kong Mediation Centre



3rd Asian Mediation Association Conference

**"Mediation: New Era -
Legal Framework and Social Change"**

3-4 April 2014

Sheraton Hong Kong Hotel & Towers

Supported by



金融糾紛調解中心
FINANCIAL DISPUTE RESOLUTION CENTRE

GUANGDONG, HONG KONG & MACAO
MEDIATION ALLIANCE



香港調解會
The Hong Kong Mediation Council
(A Division of Hong Kong International Arbitration Centre)



仁大國際調解研究中心
THE INTERNATIONAL INSTITUTE FOR
CONFLICT ENGAGEMENT & RESOLUTION



华南國際經濟貿易仲裁委員會
SOUTH CHINA INTERNATIONAL ECONOMIC AND TRADE ARBITRATION COMMISSION
深圳國際仲裁院
SHENZHEN COURT OF INTERNATIONAL ARBITRATION

The 3rd Asian Mediation Association Conference
“Mediation: New Era - Legal Framework and Social Change”
3-4 April 2014, Hong Kong

About the Asian Mediation Association (AMA)

The AMA was founded on 17 August 2007 by five leading mediation centres in Asia, namely Hong Kong Mediation Centre, The Indonesian Mediation Center, Malaysian Mediation Centre, Philippine Mediation Center and Singapore Mediation Centre. The AMA members share the common aim of promoting and facilitating the use of mediation to amicably settle business and commercial disputes; as well as increasing awareness of mediation and other ADR methods, particularly awareness and promotion of “Asian” models and approaches to mediation.

The 3rd Asian Mediation Association Conference (AMA Conference)

The 3rd AMA Conference has adopted the theme “Mediation: New Era – Legal Framework and Social Change”. The event is set to attract over 400 mediators and professionals from across Asia, all of whom will work closely together to develop new ideas and foster collaboration, with the goal of spurring the development of mediation activities. Along with deepening understanding of mediation as a means of resolving disputes, the objective of the gathering will also be to cultivate ties among mediation and dispute resolution organisations in Hong Kong, Mainland China, Asia and other parts of the world.

Hong Kong Mediation Centre (HKMC)

The Conference will be hosted by the Hong Kong Mediation Centre (HKMC), which is a founding member of the Asian Mediation Association. The HKMC is the first non-profit corporate mediation institution with charitable status in Hong Kong. Though comprising professionals from various fields, they all share a common goal of promoting mediation to resolve disputes. Correspondingly, the HKMC’s mission is to promote, develop and institutionalise mediation as a way of life.

Conference Highlights

- Civil Justice Reforms and Mediation
- Mediation in Asia - Challenges and Opportunities
- Court Roles in Mediation
- Legal Perspectives of Mediation Standards and Practices
- Emerging Thoughts on Mediation Theories
- Cultural and Social Factors in Mediation Practice
- Cultural Factors in Family Mediation
- Best Practices / Case Sharing

2 April 2014

18:00 – 19:30 Pre-Conference Drink Sheraton Hong Kong Hotel & Towers

3 April 2014 (Thursday) – Day 1

Time	Activity & Session	Speakers/Topics
8:15 - 9:00	Registration	
9:00 - 9:10	Welcome Address	Mr. LAW Wai Hung, Francis <i>Chairman of the Organising Committee of the 3rd AMA Conference</i> <i>President of Hong Kong Mediation Centre</i>
9:10 - 9:30	Keynote Address	Mr. RIMSKY YUEN Kwok-keung, SC, JP <i>Secretary for Justice of Hong Kong</i>
9:30 - 10:50	Topic 1: Civil Justice Reforms and Mediation	<ul style="list-style-type: none"> • Professor Nadja ALEXANDER <i>Director, International Institute for Conflict Engagement and Resolution (IICER), Hong Kong Shue Yan University</i> The Emerging Law of International Mediation: Opportunities and Risks • Dean Eduardo DE LOS ANGELES <i>Senior Partner, Romulo Mabanta Buenaventura Sayoc and de los Angeles</i> Mediation as a Pre-need Condition to Filing Court Cases Under the Proposed Code of Civil Procedure • Justice Madan B. LOKUR <i>Judge, Supreme Court of India</i> Managing Mediation in India - Lessons Learnt and Prospects • Judge Christine GRICE <i>Judge of the Cook Islands and Court of Appeal</i> <i>Executive Director of the New Zealand Law Society (NZLS)</i> <i>Mediator</i> Family Dispute Resolution - developments in the New Zealand family justice system: a new era in dispute resolution for the Family Court
10:50 - 11:05	Coffee Break	
11:05 - 12:30	Topic 2: Mediation in Asia - Challenges and Opportunities	<ul style="list-style-type: none"> • Mr. Geoff SHARP <i>Commercial Mediator; Barrister</i> The Impediments to Increasing Cross-Border Mediation in Asia • Mr. Robert S. PÉ <i>Partner, Orrick, Herrington & Sutcliffe</i> Bridging the competence gaps and legal landscape differences for cross-border mediations • Mr. WANG Chengjie <i>Deputy Director General, CCPIT Legal Affairs Department</i> <i>Secretary General, CCPIT/CCOIC Mediation Center</i> Enlightenment on Chinese Commercial Mediation Practice - Opportunities and Challenges Faced by International Mediation Development • Dr. Raymond LEUNG <i>Chairman and CEO of C&L Holdings Ltd.</i> <i>Independent Mediator and Arbitrator</i> <i>Founding President of Hong Kong Mediation Centre</i> Challenges and opportunities for mediation in Asia

12:30 - 13:45 Lunch

13:45 - 14:05 Keynote

Justice FUNG Wah, Barnabas
Judge, Court of First Instance of the High Court of Hong Kong

14:05 - 15:15 Topic 3:
Court Roles in Mediation

- Dr. Sarah E. HILMER
Lawyer of the Supreme Court of New South Wales, Australia
Legal Framework: Court-annexed mediation in PRC: a comparison
- Professor Bryan CLARK
Head of the Law School, University of Strathclyde in Glasgow, Scotland
Does court help enhance the use of mediation?
- Judge Prachya YUPRASERT
Chief Judge of the Office of the President of the Supreme Court of Thailand
Court Annex Mediation in Thailand
- Judge JIANG Heping, Michael
Presiding Judge and Director of Mediation Centre of the Second People's Court of Dongguan City, China
Reform on Court Mediation System in China: On the Basis of Court Mediation Model in Dongguan Court

15:15 - 15:35 Coffee Break

15:35 - 16:45 Topic 4:
Legal Perspectives of
Mediation Standards and
Practices

- Mr. David NEWTON
Managing Director, the Accord Group (Sydney, Australia)
Adequate Participation in Mediation
- Mr. Anil XAVIER
*President, Indian Institute of Arbitration and Mediation
Vice-President, India International ADR Association*
The Risk faced by a Mediator in not following the Mediation Procedure & Ethical Norms
- Judge Joyce LOW
District Judge, Republic of Singapore
The neutral mediator: a myth or a reality? The role of values in mediation
- Ms. Serene ONG Si Oui
*Advocate & Solicitor
Mediator
Mediation Trainer, Coach & Assessor
Deputy Chairman, Malaysian Bar Council Family Law Committee*
Mediation in Malaysia: An Uphill Battle

16:45 - 17:00 Recap and End of Day 1

18:30

Gala Dinner

Sheraton Hong Kong Hotel & Towers

(The programme is subject to change without prior notice)

4 April 2014 (Friday) – Day 2

Time	Activity & Session	Speakers/Topics
8:15 - 9:00	Registration	
9:00 - 9:35	Keynote	<p>Professor Laurence BOULLE <i>Chair of the Mediator Standards Board in Australia</i> Searching for the Science: Towards an Empirico-Cogni-Neuro 1, p1s. tə.mə'luɒdʒ,ɪ (Epistemology) of Mediation</p>
9:35 - 10:55	Topic 1: Emerging Thoughts on Mediation Theories	<ul style="list-style-type: none"> Ms. Irena VANENKOVA <i>Executive Director, International Mediation Institute</i> Mediation's Elusive Goal: Achieving Exponential International Growth. What factors restrain rapid growth? Why are they still there? How can they be overcome? Mr. Trip BARTHEL <i>Founder and Executive Director (1999-2009) of the Neighborhood Mediation Center in Reno, Nevada (USA)</i> Transforming Conflict into Consensus: 9 Keys to Synergy Mr. Campbell BRIDGE <i>Senior Counsel; Independent Arbitrator and Mediator</i> Mining Disputes: Why Resolution by Mediation is the Best Way Professor Christopher TO <i>Executive Director of the Construction Industry Council</i> Has mediation reached a crossroads where by it is merging with other forms of ADR processes or has it transformed to cater to the changing environment?
10:55 - 11:10	Coffee Break	
11:10 - 12:30	Topic 2: Cultural and Social Factors in Mediation Practice	<ul style="list-style-type: none"> Professor Joel LEE <i>Associate Professor, Faculty of Law, the National University of Singapore</i> Hierarchy, Collectivism, Communication and Face Ms. Virginia GOLDBLATT <i>Director of University Mediation Service, Massey University</i> Clash of Cultures: legal versus social approaches to conflict and the role of mediation in education disputes in New Zealand. Mr. Raymond LEE <i>Senior Advisor, Indonesian Mediation Center (PMN); Independent Mediator for the East Asia Pacific region, World Bank Group</i> The Importance of Being Enak : Adapting the Facilitative Model to Accommodate Indonesian Cultural Dynamics Ms. Nachammai d/o KMS. KUMARAPPAN CHETTIAR <i>Advocate & Solicitor, Partner Meg Nacha Zahir & Co.</i> Mediation: Has it become a household name?

12:30 - 13:50 Lunch

13:50 - 14:55 Topic 3:
Cultural Factors in Family
Mediation

- Mr. Danny MCFADDEN
CEDR Director and Managing Director CEDR Asia Pacific Hong Kong
The Impact of Culture on disputes between Asian family members over estates, trusts, and businesses
- Professor Donald C. PETERS
Emeritus Professor of Law, Trustee Research Fellow, and Director of the Institute for Dispute Resolution at the University of Florida's Levin College of Law. A Florida Supreme Court certified family, county, and circuit court mediator
Neuroscience Justifications for Collaborative Mediation Advocacy
- Ms. Amarantha YIP Yun-wan
Head of Service, Hong Kong Family Welfare Society
Cultural and Social Change in Hong Kong - Challenges to the Practice of Family Mediation

14:55 - 15:10 Coffee Break

15:10 - 16:30 Topic 4:
Best Practices / Case
Sharing

- Mr. LOONG Seng Onn
Executive Director, Singapore Mediation Centre
Making Mediation Meaningful: Matching Mediators
- Ms. Michele S. RILEY
Independent Mediator and Arbitrator
Coaching in Caucus: Expanding the Role of the Mediator
- Justice Adolfo S. AZCUNA
Supreme Court of the Philippines, Chancellor, Philippine Judicial Academy (PHILJA)
Mobile Court-Annexed Mediation in the Philippines
- Dr. LIU Xiaochun
President of Shenzhen Court of International Arbitration
The New Development of Mediation in China - From the Perspective of SCIA's innovation

16:30 - 16:45 Closing Address

Ms. Sylvia SIU, JP
*Founder of Hong Kong Mediation Centre
President of Hong Kong Institute of Arbitrators
Solicitor admitted Hong Kong, UK, Singapore and Australia
J.P. B.S.C., M.B.A., FCIAb, FHKIArb, LL.M*

16:45 - 17:00 Recap and End of Day 2

(The programme is subject to change without prior notice)

***10 CPD points and 5 CPD points will be awarded to members of Hong Kong Mediation Centre for 2 day pass and 1 day pass respectively.

***12.5 CPD points and 6 CPD points will be awarded to members of Hong Kong Mediation Accreditation Association Limited (HKMAAL) for 2 day pass and 1 day pass respectively.

***6 CPD points and 5.5 CPD points will be awarded to members of the Law Society of Hong Kong on 3 & 4 April 2014 respectively.

Keynote Speakers (By Alphabetical Order of Surname)



Mr. Rimsky YUEN Kwok-keung, SC, JP

Secretary for Justice of Hong Kong



Justice Barnabas FUNG Wah

*Judge, Court of First Instance of the High Court of Hong Kong
Chairman, Electoral Affairs Commission of Hong Kong*



Professor Laurence BOULLE

Chair of the Mediator Standards Board in Australia

Speakers (By Alphabetical Order of Surname)



Professor Nadja ALEXANDER

Director, International Institute for Conflict Engagement and Resolution (IICER), Hong Kong Shue Yan University



Mr. Trip BARTHEL

Founder and Executive Director (1999-2009) of the Neighborhood Mediation Center in Reno, Nevada (USA)



Mr. Campbell BRIDGE

*Senior Counsel; Independent Arbitrator and Mediator
FCIArb; Fellow ACICA*



Professor Bryan CLARK

*Head of the Law School, University of Strathclyde in Glasgow, Scotland
BA, LL.M, PhD*



Dean Eduardo DE LOS ANGELES

Senior Partner, Romulo Mabanta Buenaventura Sayoc and de los Angeles



Ms. Virginia GOLDBLATT

Director of University Mediation Service, Massey University; MA (Hons), DipBusStuds (Dispute Resolution), FAMINZ, MInstDNZ



Judge Christine GRICE

Judge of the Cook Islands High Court; Executive Director of the New Zealand Law Society (NZLS); Mediator



Judge JIANG Heping

Presiding Judge and Director of Mediation Centre of the Second People's Court of Dongguan City, China



Dr. Sarah E. HILMER

*Lawyer of the Supreme Court of New South Wales, Australia
Ph.D.; LL.M; MLLP*



Ms. Nachammai d/o KMS. KUMARAPPAN CHETTIAR

Advocate & Solicitor, Partner Meg Nacha Zahir & Co. B.sc (Hons) (Madras), LLB (Hons) (London), LL.M (University of Malaya)



Mr. Francis LAW Wai Hung

*President, Hong Kong Mediation Centre
Director, Hong Kong Mediation Accreditation Association Limited
Vice President, Guangdong, Hong Kong and Macau Commercial Mediation Alliance*



Mr. Raymond LEE

Senior Advisor, Indonesian Mediation Center (PMN); Independent Mediator for the East Asia Pacific region, World Bank Group

Speakers



Professor Joel LEE

Associate Professor,
Faculty of Law, the
National University of
Singapore



Dr. Raymond LEUNG

Chairman and CEO of
C&L Holdings Ltd.
Independent Mediator
and Arbitrator



Dr. Xiaochun LIU

Vice Chairman and
Secretary-General
of South China
International Economic
and Trade Arbitration
Commission



Justice Madan B. LOKUR

Judge, Supreme Court
of India
B.A. (Hist. Hons); LLB



Mr. Seng Onn LOONG

Executive Director,
Singapore Mediation
Centre



Judge Joyce LOW

District Judge, Republic
of Singapore



Mr. Danny MCFADDEN

Managing Director
CEDR Asia Pacific, LLM,
FCIArb.



Mr. David NEWTON

Managing Director, the
Accord Group (Sydney,
Australia)



Ms. Serene ONG Si Oui

Advocate & Solicitor
Mediator
Mediation Trainer,
Coach & Assessor
Deputy Chairman,
Malaysian Bar Council
Family Law Committee



Mr. Robert S. PÉ

Partner, Orrick,
Herrington & Sutcliffe



Professor Donald C. PETERS

Emeritus Professor of Law;
Trustee Research Fellow;
and Director of the Institute
for Dispute Resolution at the
University of Florida's Levin
College of Law;
A Florida Supreme Court
certified family, county, and
circuit court mediator



Ms. Michele S. RILEY

Independent Mediator
and Arbitrator



Justice Adolfo S. AZCUNA

Supreme Court of the
Philippines
Chancellor, Philippine
Judicial Academy
(PHILJA)



Mr. Geoff SHARP

Commercial Mediator;
Barrister



Ms. Sylvia SIU, JP

Founder of Hong Kong
Mediation Centre
President of Hong Kong
Institute of Arbitrators
Solicitor admitted Hong
Kong, UK, Singapore
and Australia
J.P. B.S.C., M.B.A.,
FCIArb, FHKIArb, LL.M

Speakers



Professor Christopher TO
Executive Director of the Construction Industry Council;
BEng (Hons); LLB (Hons) in Law; LLM (Commercial Law); MA (Arbitration and Alternative Dispute Resolution); PCLL



Ms. Irena VANENKOVA
Executive Director, International Mediation Institute



Mr. Chengjie WANG
Deputy Director General, CCPIT Legal Affairs Department
Secretary General, CCPIT/CCOIC Mediation Center



Mr. Anil XAVIER
President, Indian Institute of Arbitration and Mediation
Vice-President, India International ADR Association



Ms. Amarantha YIP Yun-wan
Head of Service, Hong Kong Family Welfare Society



Judge Prachya YUPRASERT
Chief Judge of the Office of the President of the Supreme Court

Supporting Organisations (By Alphabetical Order of Organisation Name)



**GUANGDONG, HONG KONG & MACAO
MEDIATION ALLIANCE**



3rd AMA CONFERENCE REGISTRATION FORM

Please fill in the form using capital letters. (Fields marked with * are compulsory)

PARTICIPANT PARTICULARS

(Mr./Mrs./Ms./Dr./Prof.)

*Title (Please circle the appropriate one) *First Name:

*Surname:

*HKID Card No./ Passport No.:

Profession / Occupation:

Job Title / Position:

Name of Organisation / Company:

*Correspondence Address:

Postcode:

City:

Country:

*Contact No.:

Fax No.:

*Email:

*Member of AMA Member Organisation / Supporting Organisation

☐ YES (please indicate name of organisation & Membership No. below) ☐ NO

Name of Organisation: _____ Membership No: _____

(Remark: member rates can only be offered to those who fill out the above details)

*REGISTRATION FEES (Please tick where applicable)

Fee (HKD)	AMA Member (HKMC)/ Member of supporting Org.	Early Bird	Normal Price
2 Day Pass (3-4 April 2014) [Lunches included]	<input type="checkbox"/> HK\$3,200	<input type="checkbox"/> HK\$3,500	<input type="checkbox"/> HK\$4,000
1 Day Pass (3 April 2014) [Lunches included]	<input type="checkbox"/> HK\$2,000	<input type="checkbox"/> HK\$2,200	<input type="checkbox"/> HK\$2,500
1 Day Pass (4 April 2014) [Lunches included]	<input type="checkbox"/> HK\$2,000	<input type="checkbox"/> HK\$2,200	<input type="checkbox"/> HK\$2,500
2 Day Pass (Student only) [Lunches not included]		<input type="checkbox"/> HK\$1,600	
Gala Dinner	<input type="checkbox"/> HK\$800		

(Remarks: Early Bird rates can only be applied to those who make registration on or before **21 February 2014**)

Lunch(es) are included for both 2 Day and 1 Day pass.

If you have any special dietary requirements for the Gala Dinner, please specify at the below.

*PAYMENT METHOD (Please tick where applicable) Payment must be made in Hong Kong Dollar

☐ Bank Transfer

Bank: The Hong Kong and Shanghai Banking Corporation Limited

Bank Address: No. 1, Queen's Road Central, Hong Kong

Account Name: Hong Kong Mediation Centre Limited

Account No.: 004-162-242226-001

Swift code: HSBCHKHCHKH

Please indicate your full name, registered date(s) and "3rd AMA Conference Registration" on the reference session of the bank transfer documentation along with the completed registration form and send to us by post /hand to Hong Kong Mediation Centre, 21/F, Success Commercial Building, 245-251 Hennessy Road, Wan Chai, Hong Kong / email it to ama@mediationcentre.org.hk / Fax to (852)2866 1299

☐ Cheque (For Local Participants Only)

*Please make your crossed cheque payable to: "Hong Kong Mediation Centre Limited" with completed Registration Form by post/hand to Hong Kong Mediation Centre, 21/F, Success Commercial Building, 245-251 Hennessy Road, Wan Chai, Hong Kong. Please indicate your full name, registered date(s) and "3rd AMA Conference Registration" at the back of cheque. Cheque which is from overseas bank or it is not drawn on a Hong Kong Bank will not be accepted.

For Credit Card payment, please complete it by online registration on www.amaconference2014.org.hk

REMARKS:

- All discounts can only be applied at the time of registration and discounts cannot be combined.
- 3rd AMA Conference venue and official hotel is Sheraton Hong Kong Hotel & Towers, special discount applies to the accommodation at the official hotel. For details, please visit 3rd AMA Conference Website at <http://www.amaconference2014.org.hk/en/registration/accommodation/index.html>
- The hotel accommodation and any special discount rate by the hotel (if applicable) are subject to availability by the hotel itself. For the latest updates on the conference, accommodation rates and travel arrangement, please visit: www.amaconference2014.org.hk

TERMS & CONDITIONS*Registration and Payment*

The registration fee is based on the date of the receipt of the registration form, offline payment is required to settle within 7 calendar days. The registration will only be confirmed upon receipt of payment in full. PLEASE NOTE: 3rd AMA Organising Committee (3rd AMA OC) reserves the right to refuse admission if payment is not received on time.

Participants will receive a confirmation letter upon completed payment. If you do not receive anything, please send an email to ama@mediationcentre.org.hk to notify the AMA Secretariat.

Places at the conference are limited and subject to availability. Organiser and Host reserve the right to accept/reject the registration. The 3rd AMA OC reserves the right to make changes to the venue or any of the details published.

Cancellation Policy

Refund / Cancellation cannot be accepted once payment is made.

Substitutions may be made for registered participants if written notification is provided to the AMA Secretariat before the Conference by email to ama@mediationcentre.org.hk. Please also provide the full name, contact number and email address of the substitution before the Conference.

Indemnity/Liability

Should for any reason, there are changes in the date, venue, speakers or other changes, or the Conference be cancelled due to strikes, terrorism acts, extreme weather conditions or any other force beyond its control, the 3rd AMA Organiser and Host shall not be liable for failure to perform its obligations under the agreement. 3rd AMA OC shall endeavor to reschedule but the participants hereby hold the 3rd AMA Organiser and Host harmless from and against any and all costs, damages and expenses, including attorneys fees, which are incurred by the participants.

Severability Clause

If any provision of these Terms and Conditions is found to be invalid, the invalidity of that provision will not affect the validity of the remaining provisions of these Terms and Conditions, which shall remain in full force and effect.

Governing Law

The terms and conditions of this Registration are governed by and construed according to the laws of Hong Kong Special Administrative Region.

Personal Information Collection Statement

Hong Kong Mediation Centre (HKMC) respects personal data privacy and is committed to fully implementing and complying with the data protection principles and all relevant provisions under the Personal Data (Privacy) Ordinance of Hong Kong.

The Personal data collected from you will be used for the purposes of processing registration and organising the event in which you have enrolled. The data will be used by the 3rd AMA OC and its agencies. The data will not be disclosed by us to any other party without your prior consent.

The Personal data marked with (*) on the registration form are regarded as compulsory for registration purposes. Failure to provide these data may influence the processing and outcome of your registration.

It is our policy to dispose personal data as soon as possible and the maximum retention period will not exceed 90 days after the date of the event.

Under the Personal Data (Privacy) Ordinance, you have a right to request access to, and to request correction of, your personal data in relation to your application. If you wish to exercise these rights, please feel free to contact AMA Secretariat at (852) 2866 1800 or ama@mediationcentre.org.hk

For further enquiries relating to the Conference, please contact:

AMA Secretariat – Hong Kong Mediation Centre

Tel: (852) 2866 1800

Fax: (852) 2866 1299

Email: ama@mediationcentre.org.hk

Address: 21/F, Success Commercial Building, 245-251 Hennessy Road, Wan Chai, Hong Kong

Hosted by



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