

Mediation Information related to Civil Claims arising from the Wang Fuk Court Fire

What is Mediation

- A voluntary and structured process;
- A neutral and impartial third party, i.e. the mediator, assists disputing parties in reaching a mutually acceptable resolution;
- In a confidential setting.

Process of Mediation

1. Pre-mediation interview

   Mediator may arrange individual interviews with each party involved to ascertain the case background of the parties before the actual mediation taking place.

Process of Mediation

2. Interview with both parties together

- At the outset, mediator will explain the mediation process and ground rules;
- Parties will be invited to make opening statements in turn to share their views so that the scope of disputes can be defined;

Process of Mediation

2. Interview with both parties together (cont'd)

- During the process, the mediator will:
  - help parties evaluate the case;
  - identify the parties' fundamental interests;
  - explore and consider possible consequences with the parties if the dispute is not settled;
  - assist parties to formulate alternatives and proposals that would help move the process towards a mediated settlement agreement.

Process of Mediation

3. Preparing mediated settlement agreement

- If the parties reach a resolution, the mediator will assist to draft the terms of mediated settlement agreement;
- the mediated settlement agreement must be signed by the parties;
- the mediated settlement agreement is enforceable as a legally binding contract.

Advantages of Mediation

1. Cost-effective

   - Mediation is generally less expensive than litigation;
   - In general, mediator's fee may range from a few hundred dollars an hour to a few thousand dollars an hour;

Advantages of Mediation

1. Cost-effective (cont'd)

- In 2025, the average mediation costs for cases in the Court of First Instance ("CFI") of the High Court and cases in the District Court ("DC") with full agreement reached were $20,000 and $18,200 respectively;
- It is usual for the parties to reach an agreement on how to share the mediation fees before mediation.

Advantages of Mediation

2. Time-saving

- It can resolve disputes more quickly than court proceedings;
- In 2025, the average mediation time to reach full agreement was 5 hours for both CFI cases and DC cases.

Advantages of Mediation

3. Confidentiality

   The private and confidential process can protect parties from public exposure of their personal circumstances, financial positions, or the details of their grievances.

Advantages of Mediation

4. Party Autonomy

- The parties are given the opportunity to voice their concerns directly, to be heard, and to shape the terms of any settlement;
- The parties can actively participate in formulating unique solutions according to their circumstances, resulting in more flexible and practical settlement terms that go beyond the legal remedies that the court is empowered to grant.

Advantages of Mediation

5. Reduction of Emotional Burden

   Mediation provides a more supportive and less intimidating environment in which parties can express their concerns and work towards resolution in a measured and respectful manner.

Advantages of Mediation

6. High Compliance Rate

   Since the mediated settlement agreements are mutually reached, parties are more likely to adhere to the terms of the agreements.

Mediation services in the community

1. eBRAM International Online Dispute Resolution Centre ("eBRAM")

   - Tai Po Fire Pro-Bono Dispute Resolution Scheme

     The scheme provides **free** online mediation services to affected residents and stakeholders through eBRAM's Online Dispute Resolution platform.

   - Website: https://www.ebram.org/Tai_Po_Fire_Pro_Bono/?language=en
   - Enquiry hotline: 3792 0567

Mediation services in the community

2. Joint Mediation Helpline Office

- A non-profit organisation jointly established by seven mediation organisations;
- Free of charge enquiry service;
- Fees (administrative fee, mediator fee and other expenses such as venue fees) will be applicable upon referral of a case to mediator
- Website: https://www.jointmediationhelpline.org.hk/index.html
- Enquiry hotline: 2901 1224/ 3893 9069

Integrated Mediation Offices of the Judiciary

1. Integrated Mediation Office

- Provide mediation information and referral service for civil cases, including cases of the Court of First Instance of the High Court and District Court.
- Address: Room 113, 1/F,

  Wanchai Tower, 12 Harbour Road,

  Wan Chai, Hong Kong



- Website: https://mediation.judiciary.hk/en/imo.html
- Telephone: 2180 8066

Integrated Mediation Offices of the Judiciary

2. Integrated Mediation Office (West Kowloon)

- Provide mediation information and referral service for civil cases, especially for those of the Small Claims Tribunal.
- Address: 2 Ying Wa Street,

  Sham Shui Po, Kowloon
- Website: https://mediation.judiciary.hk/en/imo_wk.html
- Telephone: 2388 3070



Thank You