

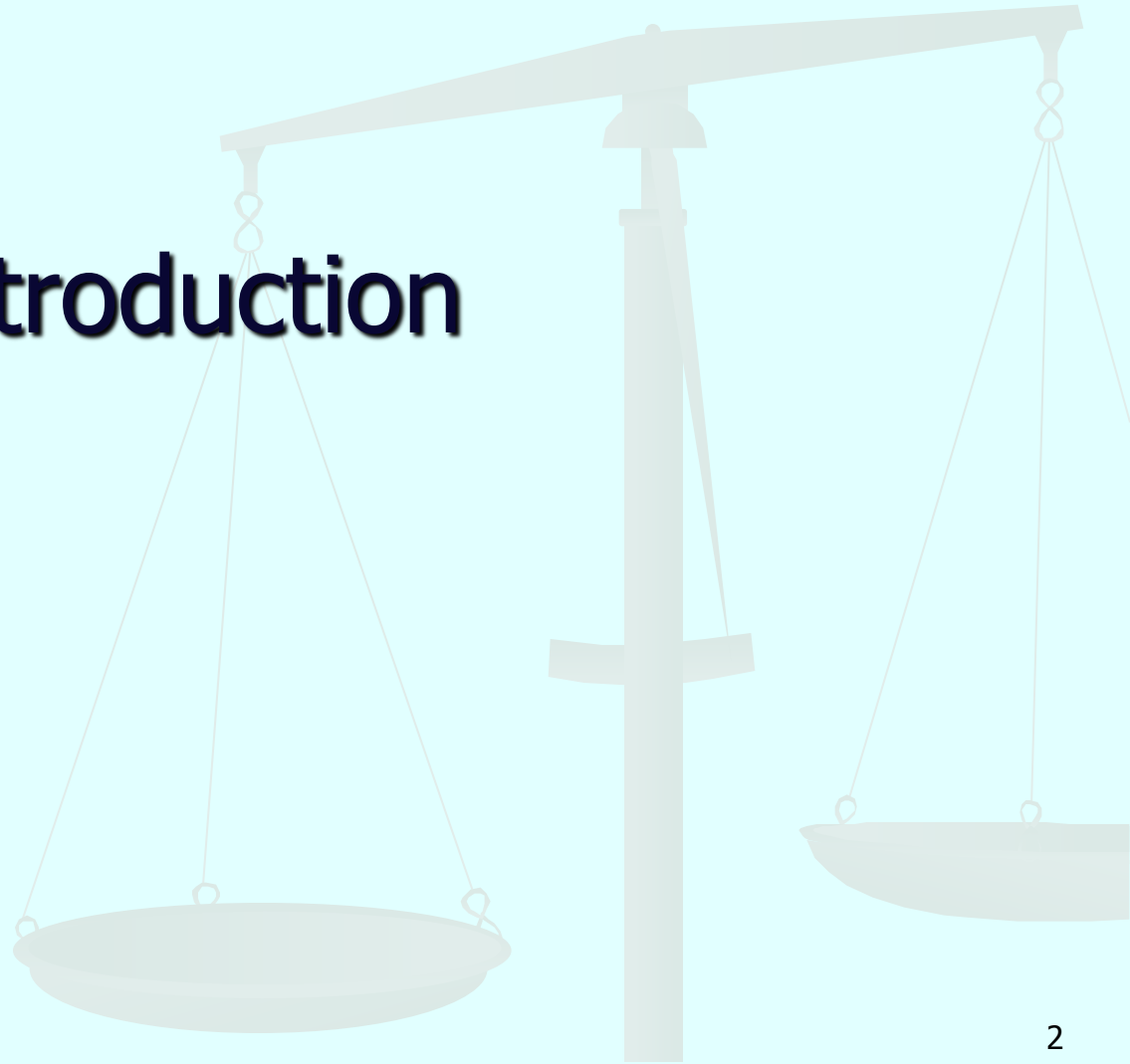
# **MEDIATION AND THE COURTS THE SINGAPORE EXPERIENCE**



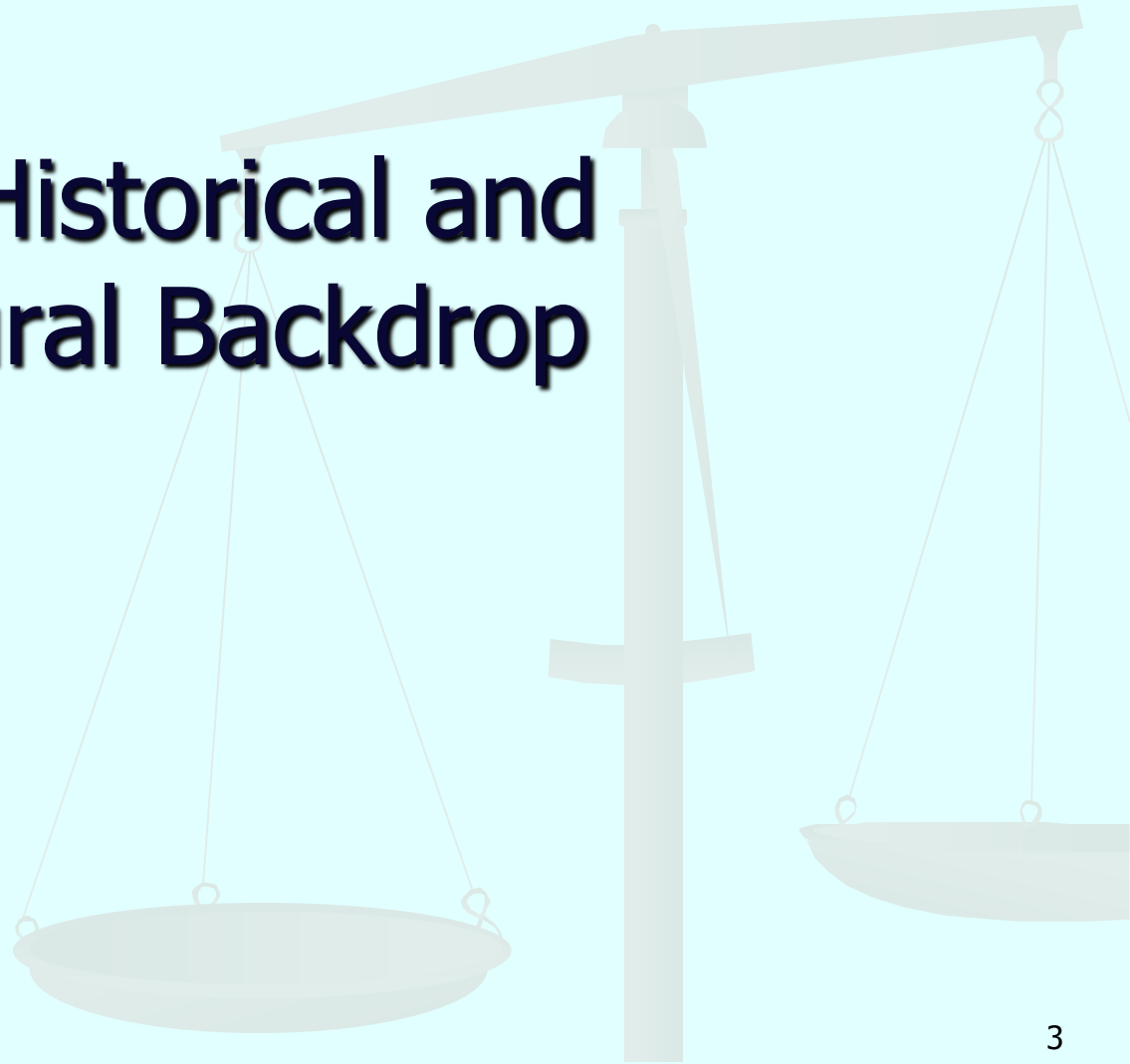
**The Honourable Justice Andrew Phang  
Judge of Appeal  
Supreme Court Singapore**

**4<sup>TH</sup> ASIAN MEDIATION ASSOCIATION CONFERENCE  
20 OCTOBER 2016**

# Introduction



# **The Historical and Cultural Backdrop**



# **An Asian Perspective on Mediation in Singapore**



# Specific Judicial Reform in Support of Mediation/ADR in Singapore

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## ■ ***Background***

- (1) State Courts (Magistrates' Courts and District Courts)/  
Family Justice Courts**
- (2) Supreme Court**
  - (A) High Court**
  - (B) Court of Appeal**



# Court Mediation at the State Courts and Family Justice Courts

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## **(A) The Use of Mediation in Different Types of Cases**

- (1) Divorce and Family Proceedings**
- (2) Magistrates' Complaints**
- (3) Motor Accident, Personal Injury and Medical Negligence Cases**
- (4) Community Justice Matters**

## **(B) Other Judicial Policies, Practices and Procedural Requirements to Support Mediation at the State Courts**

- (1) *Case Management***
- (2) *Expansion of the Pool of Mediators***
- (3) Introduction of *Costs Sanctions* Where Parties Unreasonably Refuse to Consider Mediation**
- (4) Introduction of the *Presumption of ADR* in 2012**

## **(C) *Response* Towards Mediation at the State Courts**

# Mediation of Cases from the Supreme Court



# **Institutional Mediation Infrastructure Supported by the Courts**

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**The Singapore Mediation Centre (“SMC”)**

**The Singapore International Mediation Centre (“SIMC”)**

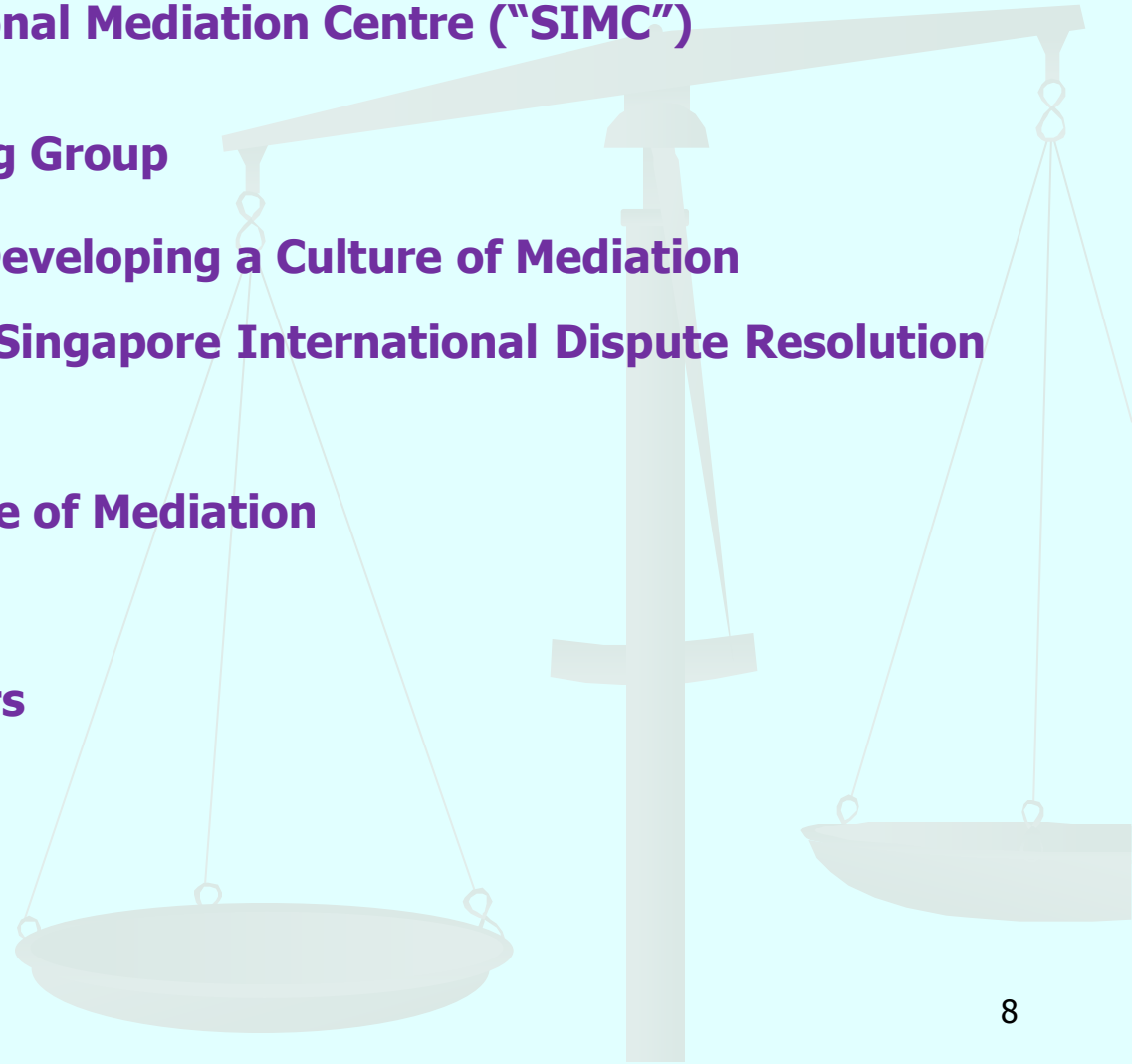
**Establishment of Working Group**

**Mediation Training and Developing a Culture of Mediation**

- **Establishment of the Singapore International Dispute Resolution Academy (“SIDRA”)**

**Regulation of the Practice of Mediation**

- **Mediation Bill**
- **Immunity of Mediators**





# **The Future Practice of Mediation - The Use of Technology in Mediation**





**Conclusion**