

Kluwer Mediation Blog

What Happens in Singapore, Does Not Stay in Singapore

Deborah Masucci (International Mediation Institute) · Thursday, March 24th, 2016

The first Global Pound Conference event was held in Singapore on March 17-18. Over 400 people participated in the event. Attendees came from all over the world including the U.S., Australia, New Zealand, Japan, China, Pakistan, Great Britain, Fiji, and more.

Chief Justice Sundaresh Menon used his Opening Address^[1] to outline changes in the economic landscape that will lead to an increase in cross border disputes and the recognition that access to justice needs to remain a priority. He outlines how Singapore is responding to better shape the future of dispute resolution and improve access to justice.

First he emphasized “appropriate” dispute resolution rather than “alternative” dispute resolution. This shift recognizes the broader tools available to disputants that may be invoked even before a legal action. The key is customization of the dispute management and resolution process to meet the parties’ needs. The Chief Justice emphasized that this shift will not diminish the role of the courts, instead, the courts will hold a special place as “guardians of the rule of law and ultimate resolver of disputes”.

Second there is greater collaboration and sharing of information among the courts and governments around the world creates frameworks and international best practices that lead to processes to meet the needs of users in both civil and common law countries. The exchange of information occurs through Conferences, memorandum of understanding and guidance adopted in multiple jurisdictions to address questions of law, and Conventions on enforcement of court judgments to name a few. These efforts improve consistency of outcomes across jurisdictions and will reduce incentives for parties to “forum shop”.

Third, there is recognition and embracing of the internationalism of delivery of legal services. Singapore already recognized the increase in foreign lawyers practicing in the country and instead of restricting access, established a common disciplinary and regulatory framework to manage and strengthen the global talent pool thereby strengthening Singapore’s position as a legal hub in Asia.

The Chief Justice proudly reviewed the many institutions established in Singapore to promote effective dispute resolution. The institutions include the Singapore International Arbitration Centre, the Singapore Mediation Institute and the Singapore International Mediation Centre. These institutions are now joined by the launch of the Singapore International Dispute Resolution Academy, dedicated to training and educational excellence in dispute resolution.

The Chief Justice’s remarks kicked off two days of vigorous discussion that was “no holds barred”.

The information collection at this event is the beginning of the road to understand and transform the dispute management and resolution landscape. Go to http://www.globalpoundconference.org/conference-series/attend-a-gpc-series-event#.VvP_mMfDNSU to find an event near you.

For me, three themes were apparent. First, the courts will continue to play an important role in the development and evolution of dispute management and resolution. Second, law schools and continuing education programs will support and enhance knowledge of effective dispute process and sharing of best practices. Third, technology will play an important role in the future delivery of dispute management process. These are my reflections but there may be other areas seen by different stakeholders that may or may not form a thread with future events. You can access pictures, videos and other information collected in Singapore by going to the Facebook, Twitter and Linked-in links on the Singapore website at <http://singapore2016.globalpoundconference.org/Pages/default.aspx#.VvCsMsfDNSV>

[1] A full copy of Chief Justice Menon's speech can be found at <http://www.supremecourt.gov.sg/news/speeches/chief-justice-sundaresh-menon-global-pound-conference-series-2016—singapore-shaping-the-future-of-dispute-resolution-and-improving-access-to-justice>

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