



# Mediate First Pledge and the Mediate First Pledge Star Logo Award Scheme



## Mediate First Pledge

In 2009, the Department of Justice (“DoJ”) launched a campaign called Mediate First Pledge to promote the use of mediation to resolve disputes in Hong Kong (“Campaign”). The purpose of the Campaign is to encourage companies and organizations to make a pledge, namely the Mediate First Pledge (the “Pledge”, copies of the Pledges are attached). The Pledge is a statement of commitment to use mediation which is a flexible and constructive approach in resolving disputes. It allows parties to a dispute, with the assistance of an impartial mediator, to resolve conflicts in amicable and constructive ways that produce mutually acceptable settlement while keeping the risks, costs and time in control.

By making the Pledge, the Pledgee acknowledges its readiness to explore the use of mediation as a means of dispute resolution before resorting to other dispute resolution processes including court litigation. It is a confirmation and manifestation by the Pledgees of their commitment to use mediation.

So far, more than 460 companies and organizations have made the Pledge.

## Mediate First Pledge Star Logo Award Scheme

On 13 June 2017, the DoJ formally launched the “Mediate First” Pledge Star Logo Award Scheme.

## MFP Logo

Under the Scheme, the DoJ will distribute to Pledgees a logo (“MFP Logo”) for display at their shops, outlets and/or workplace. A Pledgee may also adopt the MFP Logo (without any modifications) and display it on its letterhead and other publications. The MFP Logo serves to identify a Pledgee’s status as a subscriber to the Pledge. It also represents a commitment on the part of the Pledgee to prefer mediation to other means to resolve disputes and its recognition of the benefits of mediation in resolving disputes.



## Award of Star Logo

To encourage Pledgees to fulfil the Pledge and actively deploy mediation in resolving disputes, the DoJ will award the star logo (“Star Logo”) to Pledgees who can demonstrate that they have met one or more of the criteria listed below (“Award Criteria”). The award of the Star Logo is a recognition of a Pledgee’s achievements in promoting and adopting mediation in the Pledgee’s practice. Similar to the MFP Logo, Pledgees who are awarded the Star Logo are encouraged to display it at their shops, outlets and/or workplace. Pledgees may also adopt the Star Logo (without any modifications) for display on their letterhead and other publications.

It is intended that approximately six months before the next “Mediate First” Pledge event, the DoJ will invite all Pledgees to indicate whether they have met any of the Award Criteria and to provide information in support. Those Pledgees who have met the Award Criteria will be awarded the Star Logo at the next Mediate First Pledge event.

## Award Criteria



*Mediate First Star Logo*

The Award Criteria are:

- (a) a Pledgee has prepared and distributed promotional materials on mediation to its employees, subsidiaries, commercial partners, customers, etc.
- (b) a Pledgee has included a mediation clause in contracts made by the Pledgee.
- (c) a Pledgee has adopted guidelines for its staff to handle customer complaints/workplace conflict by using mediation skills.
- (d) a Pledgee has obtained satisfactory response from any customer or business counterpart on the Pledgee’s use of mediation in handling customer complaints or disputes as evidenced by survey or other written feedbacks from customers.
- (e) a Pledgee has organized training on mediation, e.g. seminar or workshop, for its staff or has nominated its staff to attend mediation-related training courses or seminars.
- (f) one or more employee(s) of a Pledgee have attended mediation training course (e.g. Stage 1 Training Course on Mediation).
- (g) one or more employee(s) of a Pledgee are accredited mediators.
- (h) a Pledgee has attempted to resolve dispute with any person through mediation and the number of such attempts are provided.
- (i) a Pledgee has otherwise taken steps to promote the use of mediation to settle disputes and is able to provide details of the steps so taken.