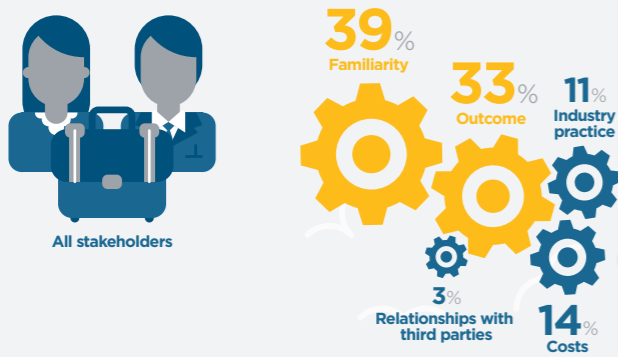


## WHAT DO USERS WANT, NEED & EXPECT?

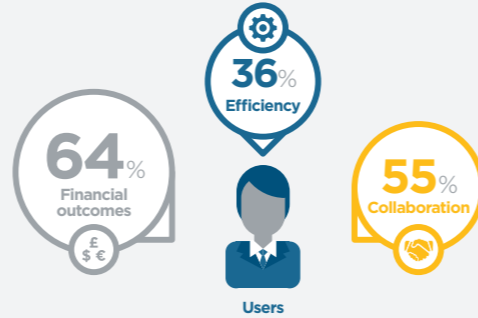
All stakeholders agree that financial outcomes (damages, compensation) are most important in Hong Kong. Maintaining relationships is relatively unimportant.



When lawyers are advising their clients, advisors and users agree that the choice of process is primarily driven by familiarity with the process or outcome desired; costs are relatively unimportant. Industry practice and relationships are insignificant.

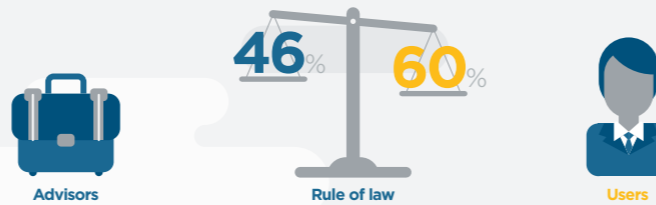


Efficient processes, driven by lawyer-client collaboration and resulting in payments are key for users



## HOW IS THE MARKET CURRENTLY ADDRESSING PARTIES' WANTS, NEEDS AND EXPECTATIONS?

Advisors and users agree that the outcome of a commercial dispute is determined by the rule of law. Consensus is the 2<sup>nd</sup> most important driver of outcomes



The majority of stakeholders in Hong Kong believe combining processes provides the best solution to resolving commercial disputes



Users believe deploying pre-dispute or escalation clauses in contracts is the second most important factor, as opposed to reverting to litigation or arbitration. Advisors disagree



In commercial disputes, users think that the greatest benefit of undertaking mediation is acquiring more knowledge about the strengths/weaknesses of the case and likelihood of settlement, not reduced cost and expense



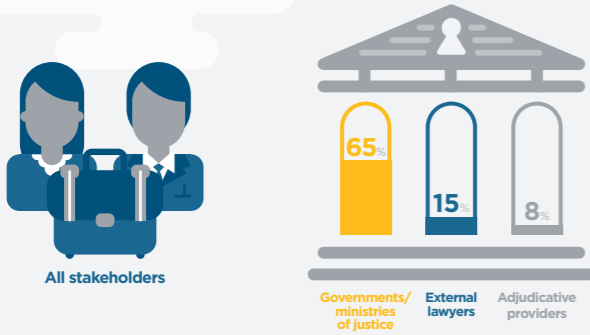
## HOW CAN DISPUTE RESOLUTION BE IMPROVED?

Combining processes and laws to aid enforcement are the most important tools in improving commercial dispute resolution.

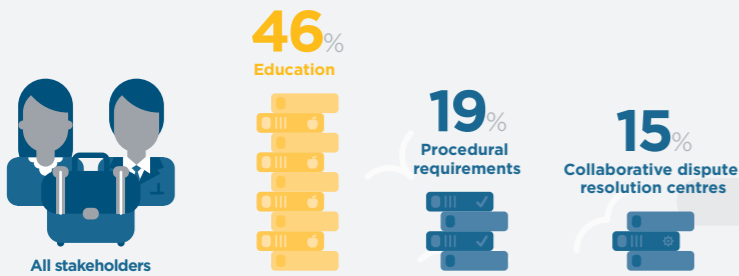


## WHAT ACTION ITEMS SHOULD BE CONSIDERED AND BY WHOM?

In keeping with other GPC events, **government** has the **greatest responsibility to promote better access to justice** in commercial dispute resolution, followed by **external lawyers and adjudicative providers**. This responsibility does not sit with in-house lawyers, end users or mediators



All agree that to improve users' understanding of their options, **greater education is required** at the grass roots level (law/business schools), as well as across the business community, about the **availability of non-adjudicative process options**



To improve access to justice, **users, advisors and influencers** think **government** should enact **legislation promoting the recognition and enforcement of settlements**. **Adjudicators** think that **making non-adjudicative processes compulsory or "opt-out"** before progressing to adjudicative processes is a **more pressing priority**



All agree that a **greater emphasis on collaborative over adversarial processes**, and changing corporate attitudes to conflict, **will have the greatest actual impact** on the future of commercial dispute resolution



Agreement that the demand for **greater efficiency**, specifically through **technology**, will have the **greatest impact** on commercial dispute resolution **policy-making**

