

Preface



The idea for this annotated bibliography came as a result of a Teaching Development Project funded by the Chinese University of Hong Kong. One of the aims of the project was to establish a collection of resources relating to mediation and alternative dispute resolution (ADR) at the Faculty of Law at the Chinese University of Hong Kong: the Mediation Institute Collection.

Recent reforms to Hong Kong's civil procedure rules included the coming into force of Practice Direction 31 on 1 January 2010. This Practice Direction emphasizes the importance of mediation under the new civil justice system. Under the new system parties are strongly encouraged to explore the possibility of mediation before looking to litigate. Furthermore, lawyers are directed to advise their clients on the significance of mediation as a means of dispute settlement. Although mediation is not mandatory under Practice Direction 31, an unreasonable refusal to participate in mediation could result in an adverse costs order being made against the unwilling party. The advent of Practice Direction 31 therefore will precipitate a considerable shift in the legal landscape of Hong Kong and it is, now more than ever, vital for both lawyers and the community to be aware of the meaning, process and techniques associated with mediation as a form of alternative dispute resolution.

Therefore one of the purposes of building the Mediation Institute Collection would be to make available to academics, students and legal professionals a broad range of materials relevant to this increasingly important field of study and practice in Hong Kong. Once we had begun to assemble the Collection, it became clear to us that a guide to materials pertaining to mediation and other forms of ADR would be a most useful reference tool and so we embarked upon the further task of putting this annotated bibliography together. We have tried to make the annotated bibliography as comprehensive as possible and so it includes materials held in the Mediation Institute Collection as well as a number of other publications and resources not currently available in the Collection.

Each resource included in this annotated bibliography has been listed with a full citation along with a brief description. To make this annotated bibliography as easy to use as possible, the materials referenced in the book have been arranged into different sections. Resources are categorized in the book by dispute resolution method, by relevant industry and by relevant country or jurisdiction. Where one resource falls within more than one such category, we have employed a numerical system of cross-referencing so that the reader is able to identify the variety of content, uses and applications of each resource across categories.

We are indebted to our student research assistants, Eugene Cheng Ho Kong, Bonnie Lo Hang Ming, Kitty Ng Yuen Chun and Joyce Wong Yan Pui for their diligent and thoughtful contributions to this project. We hope that the reader finds this annotated bibliography to be a helpful introduction to the materials that are currently available in this field and that it is an effective tool for efficient research.

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February 2011

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