

ASIA CALLS FOR MORE REGULATION AND GREATER CERTAINTY IN LEGAL DISPUTES, SAYS GLOBAL SURVEY

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Firm news

An ambitious survey on the changes needed to improve dispute resolution has identified differing priorities in Asia compared to other regions.

The Global Pound Conference surveyed 4,000 people at 28 conferences in 24 countries across the globe last year, with hundreds more contributing views online.

Compared to other regions, Asian users called for *more* regulation and legislation. They also valued certainty and enforceability of outcomes above greater efficiency.

The results appear in a survey report published [this week](#) by Herbert Smith Freehills, PwC and the International Mediation Institute (IMI).

"The results reflect the diverse and complex region in which we work and know so well," said **Justin D'Agostino, Herbert Smith Freehills'** Asia managing partner and global head of dispute resolution.

"Many of those surveyed in Asia manage businesses and disputes across many borders, where legal regimes can vary from stable, tested and familiar to those that are only a decade old."

"This call for regulation and certainty is even more critical as the pace of Asian development intensifies through new trade treaties and investment, and massive initiatives such as the Belt and Road."

Commenting on the results, **Sundaresh Menon CJ, SC, Chief Justice of Singapore**, said: “There is much of value that has been generated by the Global Pound Conference series and it is hoped that the findings that have been reported here will inform the choices and decisions of stakeholders who are in a position to shape the dispute resolution landscape.”

The survey also identified four global themes among users:

- **Efficiency:** identified as the key priority (65%) for clients choosing a dispute resolution process.
- **Collaboration:** 61% of clients want to see more collaboration from their advisors during a dispute.
- **Mediation:** near universal recognition that parties should consider processes like mediation before turning to the courts or arbitration.
- **Barriers:** 70% of global delegates identified private practice lawyers as the primary obstacles to change.

The report can be viewed in full [here](#).

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