The way forward with community tribunals

BY TAN NGOH TIONG

P

ARLIAMENTARIANS ha

have recently voiced con

cerns over "head-

locked" community disputes in which one par

ty refuses to mediate a settle-

ment. While there have not been any recent neighbourhood disputes that have gone to court, some 70,000 complaints from neighbours, largely over noise problems, are received by public agencies each year.

The proposed Community Dis-

pute Tribunal (CDT) seeks to have every chance to help settle difficult cases. The new tribunal is de-

signed to address this problem.

Mediation is a voluntary forum where a neutral third party facil-

itates dispute settlement by get-

ting the parties to work out mutu-

ally acceptable solutions and come up with an agreement. The pro-

posed Community Disputes Tri-

bunal will have stronger powers to com-

pel parties to attend mediation ses-

sions and even arbitrate.

Orders made by the proposed CDT will be deemed to be equiva-

lent to that made by a district court, and will be enforceable as such.

The CDT follows the establish-

ment of the Community Medi-

ation Centre (CMC) in October

1991 to mediate community dis-

putes in some 2,700 cases. Despite the large number of re-

ported disputes annually, how-

ever, less than 1 per cent turned up for CMC mediation. Of the 1,500 applications for dispute resolution registered by the CMC, at least one of the parties concerned failed to show up in 60 per cent of cases. The new tribunal is de-

signed to address this problem.

Threaded within the proposed CDT will be a range of established options that culturally suit us. A good example is the on-

est established here already – the Tribunal for the Main-

tenance of Parents (TMP).

In Singapore, the Maintenance of Parents Act, originally enacted in 1995, makes provision for the maintenance of parents by their children. The law established that a person "above 60 years of age and who is unable to maintain himself adequately... may apply to the tribunal for an order... (for) his children (to) pay... for his maintenance."

The Commissioner for Mainte-

nance of Parents aims to help in such cases. The law also provides for "becoming more like the insti-

tutions that they were supposed to resemble", the main im-

pediment being the presence of blood ties – the main impedi-

ment to resolving such cases is the re-

fusal of one or both parties to even openly discuss their grievances.

The proposed tribunal, much like the TMP, will provide these es-

sential channels to bring disputes to some resolution and will be a part of life. In resolving conflicts, the silver lining is the possibility of stronger relations.

It is our responsibility to our-

selves and to one another to make our neighbourhood, as well as our country, a better place for all.
The way forward with community tribunals

BY TAN NGOH TIONG

Parliamentarians have recently voiced concerns over “head-locked” community disputes in which one party refuses to mediate a settlement. While there have not been any recent neighbourhood disputes of such magnitude, there is a trend – as seen in 2003, which ultimately ended up in the Subordinate Courts, some 70,000 complaints from neighbours, largely over noise problems, are received by public agencies each year. The proposed Community Dispute Tribunal (CDT) seeks to provide a viable channel for settling difficult cases and present a viable framework for the management of community disputes and even arbitrate. Orders made by the proposed CDT will be deemed to be equivalent to that made by a district court, and will be enforceable as such. Orders made by the proposed CDT will be deemed to be equivalent to that made by a district court, and will be enforceable as such. The Community Dispute Tribunal for all workers, including the Small Claims Employment Tribunal, with strong enforcement powers, will have every chance to help settle tough, nagging problems between neighbours and help them move on in life.

Restorative conflict resolution, whether community, victim-offender or family, should be the goal of a just and gracious society. Conflict is and always will be a part of life. In resolving conflicts, the silver lining is the possibility of stronger relationships. It is our responsibility to ourselves and to one another to make our community a better place, a better country, a better place for all.

The writer is dean of the School of Human Development and Social Services at SIM University.