

## **Family Council**

### **Implementation Progress of the Maintenance Mediation Pilot Scheme**

#### **PURPOSE**

This paper briefs Members on the implementation progress of the Maintenance Mediation Pilot Scheme (the Pilot Scheme).

#### **BACKGROUND**

2. The Government is committed to improving the effectiveness of the system for collecting maintenance payments and enforcing maintenance orders. Over the years, the Government has implemented a series of improvement measures to facilitate divorcees recovering maintenance payments. Moreover, publicity and education programmes are conducted to enhance public understanding of the responsibilities of maintenance payers, the rights of maintenance payees and services available to payees when they fail to receive maintenance payments.

3. In response to the problem of maintenance arrears faced by maintenance payees, the Chief Executive has announced in the 2023 Policy Address that the Government will introduce the Pilot Scheme through the Community Care Fund. The Home and Youth Affairs Bureau (HYAB) launched the 3-year Pilot Scheme on 9 October 2024, subsidising the Hong Kong Family Welfare Society (HKFWS) in providing mediation services on maintenance for separating or divorcing persons, assisting the parties concerned to resolve disputes on the related matters through a more time-saving method.

#### **DETAILS OF THE PILOT SCHEME**

##### *The Beneficiaries*

4. The Pilot Scheme provides the parties concerned with mediation services on maintenance, serving as an alternative to legal proceedings. Parties

involved in maintenance payment disputes are eligible to apply for the Pilot Scheme free of charge provided that one of the parties (applicant) is a Hong Kong resident and meets the following criteria. This can encourage maintenance payers in default of payment to engage in mediation.

- (1) The applicant is a recipient of the Comprehensive Social Security Assistance Scheme; or
- (2) The applicant is a full-rate allowance recipient of the Working Family Allowance Scheme; or
- (3) The applicant is a full-level assistance recipient of student financial assistance schemes (including the School Textbook Assistance Scheme/the Student Travel Subsidy Scheme/the Subsidy Scheme for Internet Access Charges); or
- (4) The applicant not meeting criteria (1) to (3) above but belongs to a low-income family, that is, himself/herself and the household members residing with him/her earn a monthly household income of no more than the specified income limit applicable to the corresponding household size (the calculation for the defaulting maintenance paying party and the maintenance receiving party will be made as per their respective household size) (Please refer to the table below).

Monthly Household Income Limit<sup>1</sup>

<b>Household size</b>	<b>Monthly income limit (\$)</b>
1	15,800
2	22,500
3	26,500
4	34,100
5	43,600
6 or above	46,100

5. Considering that some people not meeting the above criteria may also have the need to apply for the Pilot Scheme, discretion is granted to the HKFWS to provide mediation service to the aforementioned people in need under reasonable circumstances, subject to the conditions that such cases comprise no more than 25% of the total number of cases.

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<sup>1</sup> The income limit by household size is set with reference to 75% of the 2022 Median Monthly Domestic Household Income of Economically Active Households as published by the Census and Statistics Department.

### Mediation Services

6. Participation in the Pilot Scheme is on a voluntary basis, under the conditions that both parties have agreed to the separation or divorce and that they attend the face-to-face mediation sessions together. Since mediation for maintenance disputes may involve various divorce-related aspects in the process (e.g. separation arrangements, custody, matrimonial home and arrangement for property distribution, etc.), mediators will assist in mediating other divorce-related issues in parallel to the maintenance mediation process to hopefully achieve the best mediation results for both parties.

7. Under the Pilot Scheme, HKFWS will handle inquiries/applications from interested parties and accept referred cases. In addition to self-applications, HKFWS primarily receives cases referred by the Integrated Mediation Office, lawyers, and social workers. Upon receiving applications or referred cases, HKFWS will first arrange a preliminary meeting with the persons in need to brief them on the mediation services and understand their needs, with a view to making an assessment on whether mediation is suitable for the case. If HKFWS considers mediation suitable, mediation service will be provided to the parties.

8. In the course of mediation, the mediator will assist parties concerned to communicate and negotiate the relevant issues in a confidential setting. This includes discussing and deciding the areas in dispute, exploring each party's needs and interests, expanding options and selecting the most suitable solution. The mediator will also draw up a detail written agreement, setting out how both parties have agreed to solve each problem. During the process, each party to the dispute has a chance to put his/her case and to hear what the other has to say.

9. The mediator's duty is not to make a decision for either party, but to assist the parties in exploring the strengths and weaknesses of their own cases and identifying possible solutions, which will facilitate them in reaching a settlement agreement. Where necessary, HKFWS may make a referral for or assist the parties concerned in seeking other relevant services, such as applying for other social services.

### Mediators Participating in the Pilot Scheme

10. All mediators providing services under the Pilot Scheme must be family mediators recognised by the Hong Kong Mediation Accreditation Association and have at least two years of mediation experience. Currently, HKFWS has 24 directly employed accredited family mediation supervisors or family mediators providing mediation services for participants under the Pilot Scheme.

11. To enable more qualified mediators to participate in the Pilot Scheme, thereby extending its reach to a wider range of people in need, HKFWS would also refer some cases to HKFWS's accredited mediators. In light of this, since February 2025, HKFWS has also conducted open recruitment to enrol family mediators for the Pilot Scheme. Selection process has been conducted to ensure participating mediators fully understand the details of the scheme and adhere to relevant guidelines to guarantee the quality of mediation services provided under the Pilot Scheme. In addition to the directly employed accredited family mediation supervisors or family mediators mentioned above, as of today, a total of 27 HKFWS's accredited qualified family mediators have participated in the Pilot Scheme.

### **Implementation Progress**

12. As of 31 March 2026, HKFWS has handled a total of 298 cases under the Pilot Scheme, benefiting 596 individuals. HKFWS has also received over 1 670 inquiries regarding the Pilot Scheme.

13. Currently, over 258 cases under the Pilot Scheme have been completed, with around 60% of cases reaching full or partial agreements between the parties concerned. The main reasons for failing to reach an agreement are that the cases are invalid<sup>2</sup> or the mediator, after meeting with both parties, considers the case unsuitable for resolution through mediation, such as due to emotional instability of one party.

14. In terms of case processing timeliness, based on the statistics of the closed cases under the Pilot Scheme, it takes an average of around two months from case filing to closure. This shows that resolving disputes through mediation is much more time-efficient than resolving disputes through legal proceedings.

15. According to feedback collected by HKFWS from service users of the Pilot Scheme, over 80% of service users indicated that mediation services effectively resolve maintenance and other related issues, and around 75% of service users stated that the Pilot Scheme effectively helps to ease family tensions. Also, service users generally consider that mediation services can reduce litigation costs. This demonstrates that the Pilot Scheme effectively provides an alternative to legal proceedings for individuals in need to resolve

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<sup>2</sup> Invalid cases refer to those where both parties participate in joint meetings for less than two hours. HKFWS indicates that participants of some cases showed no intention to reach an agreement when receiving mediation services, such as refusing to disclose personal assets or remaining silent, leading mediators to decide to terminate the case. The mediation sector generally considers a minimum of two hours of joint meeting time are necessary to qualify the case as a valid case.

maintenance disputes, narrow differences between the parties concerned, and reduce family disputes.

16. Some service users stated that the Pilot Scheme provides an opportunity for both parties to listen to each other's demands, jointly solve problems, and reach agreements. Furthermore, some service users consider that the Pilot Scheme helps them handle emotional or financial issues related to divorce and will highly recommend the Pilot Scheme to persons in need.

## **Publicity**

17. We have already set-up a dedicated webpage for the Pilot Scheme on HKFWS's website, providing detailed information about the scheme. HYAB and HKFWS are promoting the Pilot Scheme through various channels, including distributing promotional leaflets at HKFWS's mediation centers, Integrated Family Service Centres, Home Affairs Enquiry Centres, Integrated Mediation Offices, and Legal Aid Department office, as well as uploading article and promotional video related to the scheme onto the one-stop family and women's information portal etc., with a view to enabling the general public to learn about the details of the Pilot Scheme through different channels.

18. In addition, HKFWS has promoted the Pilot Scheme via email to over 10,000 relevant stakeholders and organisations, including lawyers, mediators, non-governmental organisations and schools, encouraging them to refer cases to HKFWS. To reach different groups in need in the community, HKFWS has so far conducted 40 service briefings on the Pilot Scheme/seminars, introducing mediation services to divorced or separated couples, social workers, and related stakeholders, including three seminars specifically tailored for ethnic minority families. More service briefings or seminars will be arranged progressively. To enhance public awareness of the Pilot Scheme, HKFWS has also partnered with Radio Television Hong Kong to promote the Scheme. These include broadcasting promotional radio clips and sharing in radio interview programmes.

## **ADVICE SOUGHT**

19. Members are invited to note and comment on the implementation progress of the Pilot Scheme set out above.

**Home and Youth Affairs Bureau**  
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