



Analysis of GPC Singapore 2016 Delegate Discussion Questions

Session 1: Q1.6 The ways in which parties' wants, needs and expectations change as they become more familiar with commercial dispute resolution processes.

The GPC Series Core Questions comprise of 24 questions over four sessions. Each session comprises of five multiple choice questions (MCQs) and one open text question (OTQ). Respondents to these questions belonged to one of four stakeholder groups: parties, advisors, providers and influencers.

The following Blog includes some of the findings from Singapore GPC 2016: Session 1 Q1.6

1.6 The ways in which parties' wants, needs and expectations change as they become more familiar with commercial dispute resolution processes.

1. Describe what **inexperienced** parties typically want or expect from commercial dispute resolution.
2. Describe what parties typically want or expect when they become **more experienced** with commercial dispute resolution.
3. Describe what **highly experienced/sophisticated** parties typically want or expect from commercial dispute resolution.

Word Cloud: What words would you use to describe a sophisticated commercial party?

OTQ.

METHODOLOGY BEHIND ANALYSIS OPEN TEXT RESPONSES

Delegates in Singapore sat in approximately one hundred groups of two to four stakeholders to discuss the above question Q1.6. Each group was then asked to submit their responses using the GPC App.

These responses were then coded by analysts who identified patterns of responses about the wants or expectations from parties who are operating at different levels of experience in commercial dispute resolution.

ANALYSIS OF OPEN TEXT RESPONSES

The hierarchy below is a synthesis of the open text responses from Open Text Question (OTQ) 1.6 at GPC Singapore. The hierarchy is a measure that describes the behaviours of

Conference Organiser:

Kenes Group
Rue François-Versonnex 7
1207 Geneva, Switzerland
Tel: +41 22 908 0488
Email: info@GlobalPoundConference.org



parties/users at different levels of experience or sophistication in commercial dispute resolution.

When considering the OTQs and the development of the hierarchies, it is important to note that the data collection did not allow for the isolation of Local responses. However, as identified in the analysis of the Multiple Choice Questions (MCQs) from the Singapore GPC, the patterns of response across the All and Local Respondent groups were highly consistent. As such, it seems likely that little, if any, significant variation would have emerged from the OTQs had it been possible to isolate the Local responses.

Table 1: GPC Singapore - Session 1 Hierarchy

HIERARCHY OF NEEDS, WANTS AND EXPECTATIONS OF PARTIES INVOLVED IN COMMERCIAL DISPUTE RESOLUTION PROCESSES

Wants, needs and expectations of inexperienced users

At this level parties rely heavily on their lawyers to advise them of their options and drive the process. They expect the dispute resolution provider to make decisions about the outcome. They often seek retribution, compensation or vindication for a perceived injustice. Their thinking is often fixed and they seek to allocate blame and fault where possible. To this extent they see dispute resolution through the framework of 'winners and losers'. They are concerned with minimising costs and may expect to be financially reimbursed for costs incurred in pursuing the dispute. They may not appreciate that it is likely that they will end up with out of pocket costs irrespective of the outcome. To this extent their wants, needs and expectations may be unrealistic.

Wants, needs and expectations as parties become more experienced

At this level parties understand that resolving a dispute may involve some give and take. They are becoming more involved in choosing the process that may best suit their situation and see that they may have a role in deciding the outcome. Their perspective on negotiating a resolution is more likely to be tactical and is focused on making bargains that maximise their advantage over the other party. To this extent they are more willing to compromise than their less experienced peers but still may have unrealistic expectations about their prospects of 'winning'.

Wants, needs and expectations of highly experienced/sophisticated parties

At this level parties take a pragmatic approach to dispute resolution. They seek win-win outcomes where possible, are able to see the dispute from different perspectives and focus on the 'big picture'. They look for bespoke solutions which draw on a range of dispute resolution processes. They strive to maximise satisfaction of the needs, wants and expectations of parties involved in the dispute. In particular they seek outcomes that maintain their business relationships, are cost effective, timely and enforceable. They are less reliant on lawyers to drive the process and may seek to limit the legal advisors' role to legal implications of a given option or pathway to resolution.

Conference Organiser:

Kenes Group
Rue François-Versonnex 7
1207 Geneva, Switzerland
Tel: +41 22 908 0488
Email: info@GlobalPoundConference.org



GLOBAL POUND CONFERENCE SERIES 2016-17

Founder Diamond sponsors:



HERBERT
SMITH
FREEHILLS



SINGAPORE
INTERNATIONAL
DISPUTE
RESOLUTION
ACADEMY

POSSIBLE APPLICATIONS OF THE SESSION 1 HIERARCHY

The above measure can be used by different stakeholders for a variety of purposes including, but not limited to, the following:

1. Parties/Users may use the hierarchy to:

- a. Articulate or evaluate their own needs, wants or expectations from their advisors and/or providers.
- b. Inform their understanding of the range of possibilities within commercial dispute resolution, e.g. scope for autonomy.

2. Advisors may use the hierarchy to:

- a. Evaluate the types of clients with whom they are typically engaging.
- b. Develop their understanding of what clients may want at different stages of their experience with commercial dispute resolution.
- c. Anticipate and/or manage client expectations.

3. Adjudicative Providers/Non-adjudicative Providers may use the hierarchy to:

- a. Develop educational materials to support their clients at different levels of sophistication or experience in commercial dispute resolution.
- b. Evaluate service/practices to see if they meet the needs, wants and expectations at different levels of experience or sophistication.

4. Influencers may use the hierarchy to:

- a. Collect information about the types of parties/users accessing services.
- b. Inform the development of training programs for those likely to become users of commercial dispute resolution.
- c. Measure the impact of education programs in terms of user/party sophistication.

Implications: Findings from Session 1 suggest the need to take into account the level of sophistication at which the parties operate when conducting further research into parties' needs, wants and expectations of commercial dispute resolution. Further, some advisors and providers may need to review their understanding of the distinct needs, wants and expectations of parties at different levels of sophistication.

Conference Organiser:

Kenes Group
Rue François-Versonnex 7
1207 Geneva, Switzerland
Tel: +41 22 908 0488
Email: info@GlobalPoundConference.org



**GLOBAL POUND
CONFERENCE SERIES**
2016-17

Founder Diamond sponsors:



HERBERT
SMITH
FREEHILLS



SINGAPORE
INTERNATIONAL
DISPUTE
RESOLUTION
ACADEMY

To access the voting results from the
GPC Series Singapore 2016, please [click here](#)

Analysis produced by



RESOLUTION RESOURCES

ADVISORS | PRACTITIONERS | EDUCATORS

Conference Organiser:

Kenes Group
Rue François-Versonnex 7
1207 Geneva, Switzerland
Tel: +41 22 908 0488
Email: info@GlobalPoundConference.org

GlobalPoundConference.org