



**THE PRACTICALITY IN EXTENDING THE  
APPLICATION OF E-MEDIATION IN POST COVID-  
19 AT FAMILY SUPPORT DIVISION (BSK), SYARIAH  
COURT MALAYSIA**

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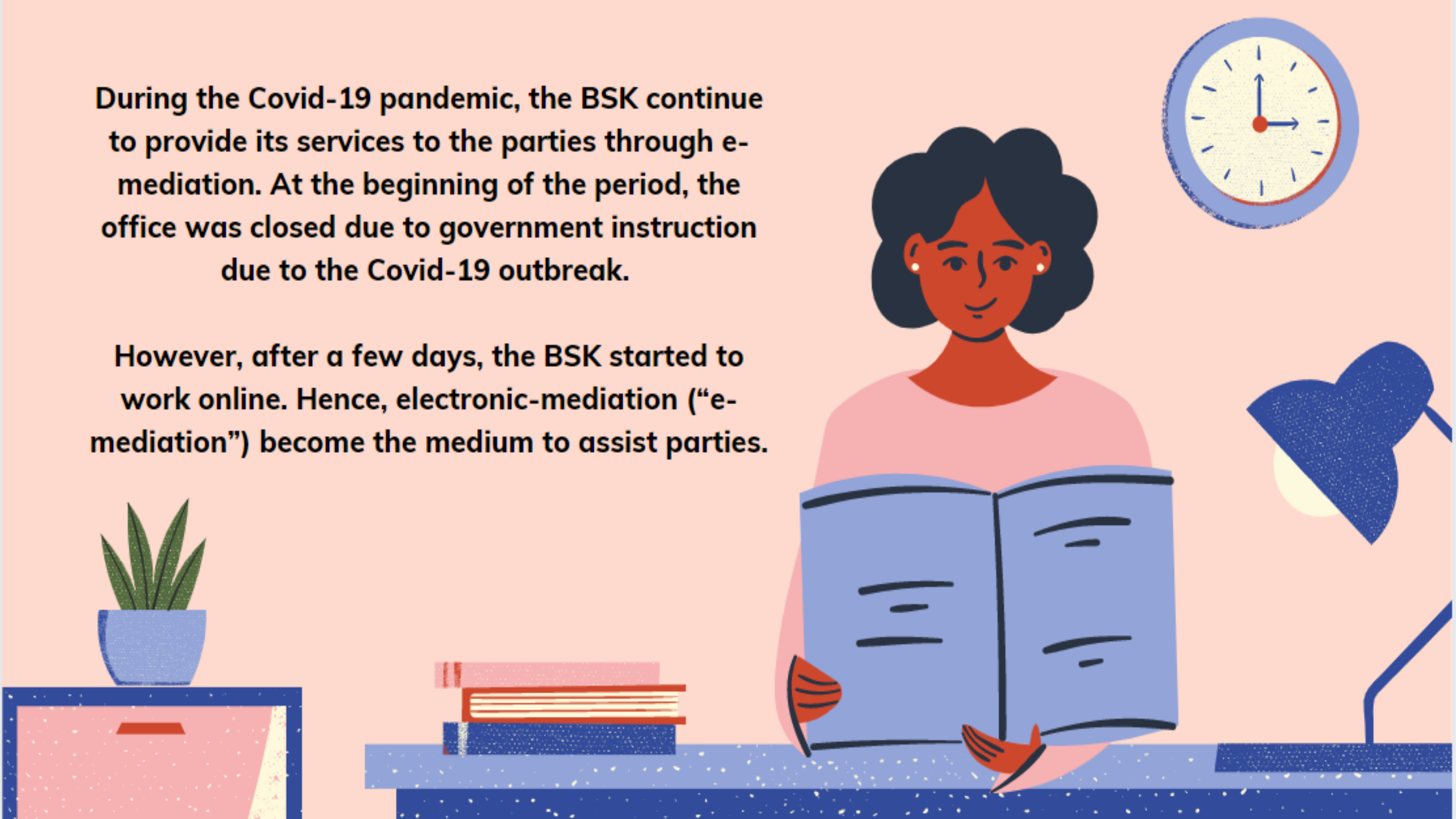
**The Badan Sokongan Keluarga (BSK) (Family Support Division) is established with the role of resolving conflict in getting alimony and maintenance of children by the single mother as per the court order upon divorce.**

**Other roles of the division are; to execute the court order especially in nafkah (alimony) and remuneration; to give legal advice to the public; to assist the family who is in need and facing issue in getting alimony by giving a short-term living cost; and to correct the misunderstanding of delay involving the execution of the order especially on alimony and children custody cases**



**During the Covid-19 pandemic, the BSK continue to provide its services to the parties through e-mediation. At the beginning of the period, the office was closed due to government instruction due to the Covid-19 outbreak.**

**However, after a few days, the BSK started to work online. Hence, electronic-mediation (“e-mediation”) become the medium to assist parties.**



# Objective

To look at the response of BSK's officer whether it is practical to extend the application of e-mediation in future or post-Covid 19 pandemics.

# Research Method

Questionnaire : to obtain the exact number of respondent who understands the actual meaning and the process of mediation and e-mediation.

Short interview: to obtain opinion on the possibility to continue e-mediation application in future.

# Respondent

There are 28 respondents approached from the whole Malaysia, however, only 24 respondents responded. The respondents are from 10 States and 2 Federal Territory. It is worth to share that there are not many BSK officer in Malaysia. Hence, 24 respondents are good numbers to represent the BSK's officer population in conducting this research.



# QUESTIONNAIRE



Figure 1: Meaning of E-Mediation

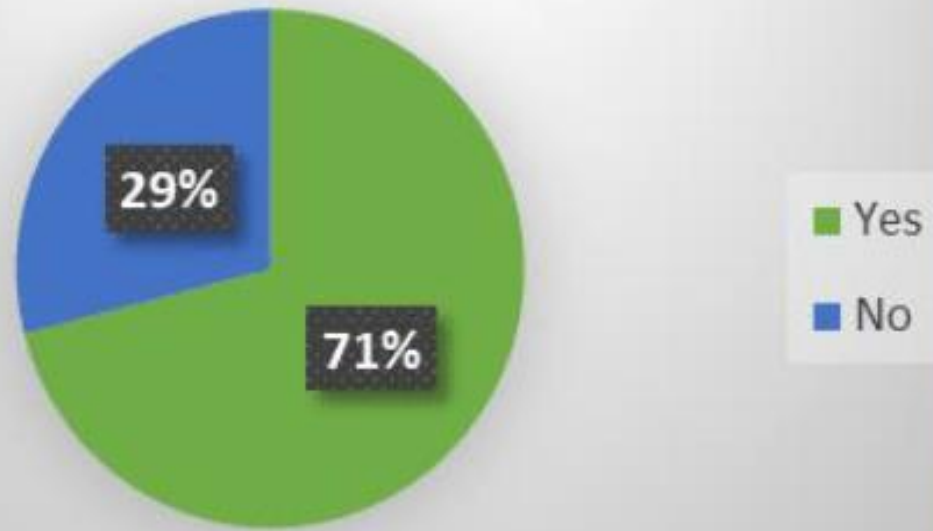


Figure 2: Practicality of E-mediation

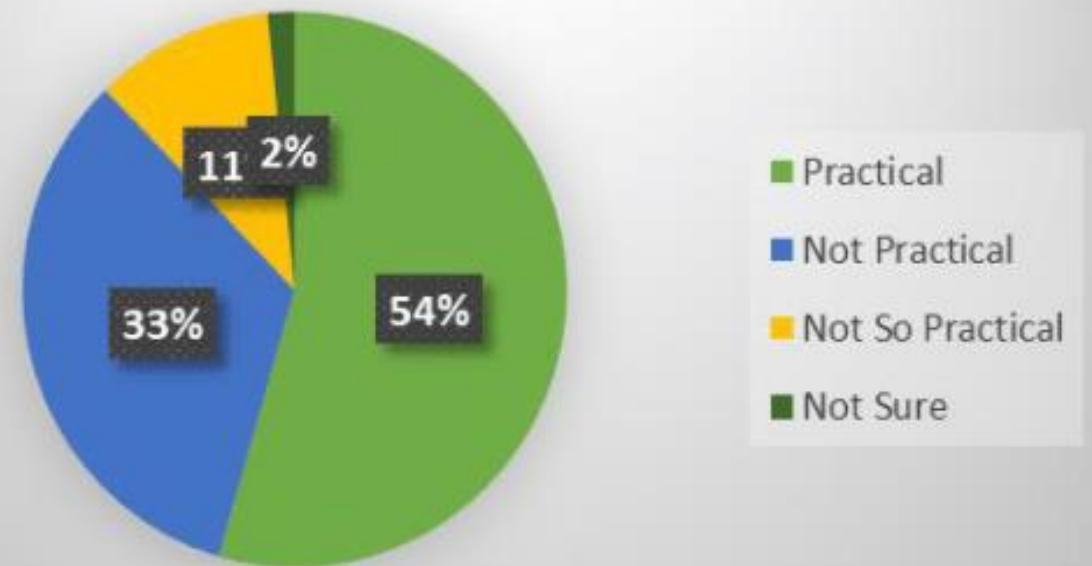


Figure 3: Impact of Covid-19

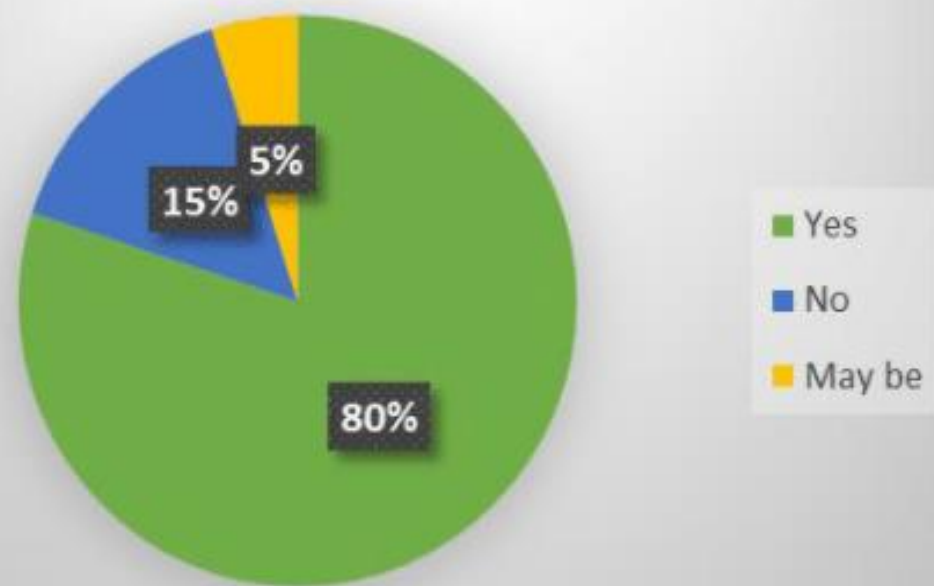
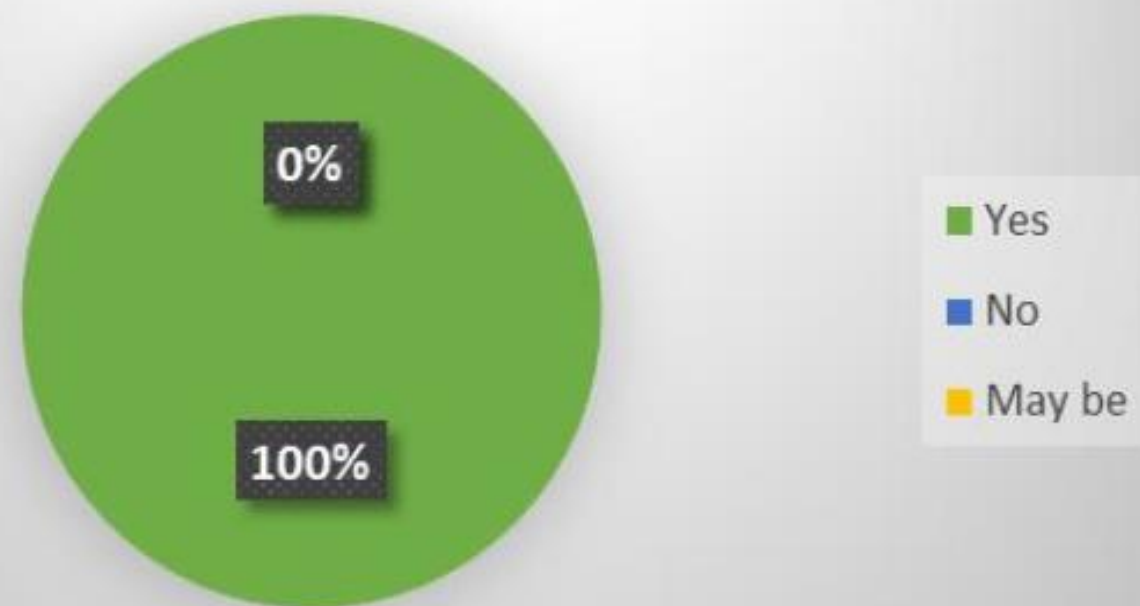


Figure 4: Working Online during Covid-19



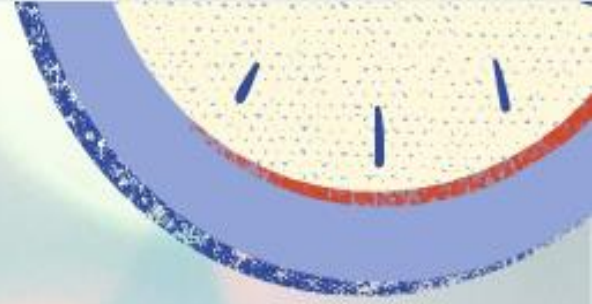
# conclude

From the data collected, it is found that the majority of the respondents understand the meaning and process of e-mediation. More than 50% of the respondents think that e-mediation is practical.

It is further found that 80% of the respondents agreed Covid-19 pandemic brought impact to the way or method of working. 100% of the respondents agreed that they had to work online during Covid-19 pandemic.

The findings showed that the respondents had experience working online and adopted a different way of working during Covid-19 pandemic.

Even though the majority of the respondents understand mediation, but, only 50% of the respondents think that e-mediation is practical.





# SHORT INTERVIEW



Question 1  
“What are the challenges were you facing in conducting mediation online during Covid-19 pandemic?”

The parties have no smartphones.

The internet connection usually an issue to the parties.

The changing of norm from face-to-face to the online medium is a challenge.

The parties have no knowledge about online activities

It is difficult to get cooperation from the parties to do e-mediation.

## Question 2

“Do you think e-mediation is suitable and practical to be applied in BSK?”

14 informants think that it is suitable and practical.

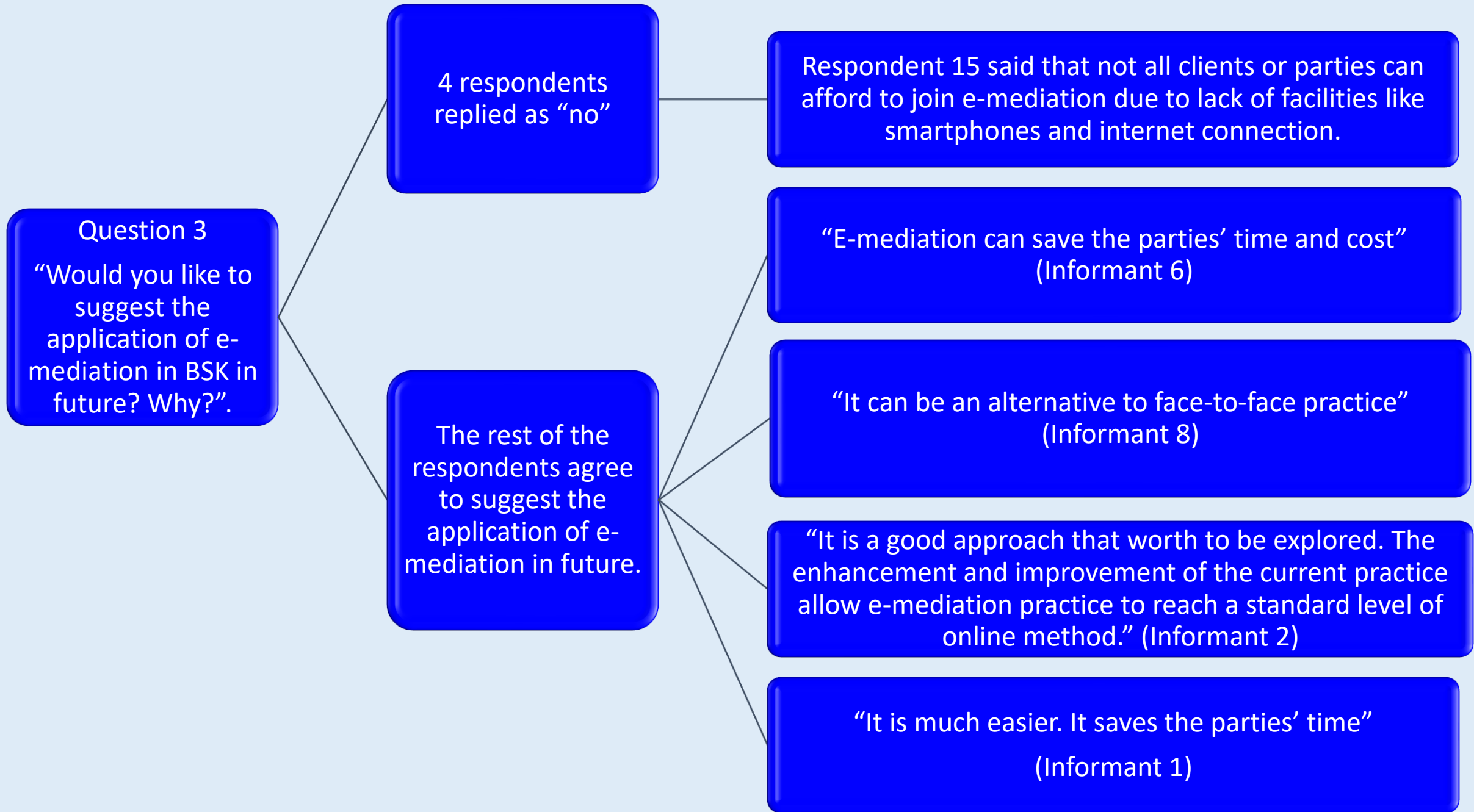
- “There are some clients who feel comfortable with e-mediation because it is flexible and there is no need of a face-to-face meeting”. (Informant 2)
- “It is suitable and practical especially in the current situation (Covid-19 pandemic) and in future as well. This method helps the unit to attend the cases regardless of the situation and avoid delay in dealing with the cases”. (Informant 3)

4 informants do not think it is practical and suitable

- “It is easier for the officer (mediator) to play his roles in a face-to-face session rather than e-mediation”. (Informant 3)
- “E-mediation should be avoided unless it is necessary. Face-to-face method is the best way to conduct mediation rather than online”. (Informant 11)
- “No, it is not because it involves the calculation of payment (it is better to do the session face-to-face)”. (Informant 23)

6 informants who are not sure

- It is depending on the situation of each case. Some of them think that it is better to have a good facility and internet connection in the country before BSK proceed with e-mediation.



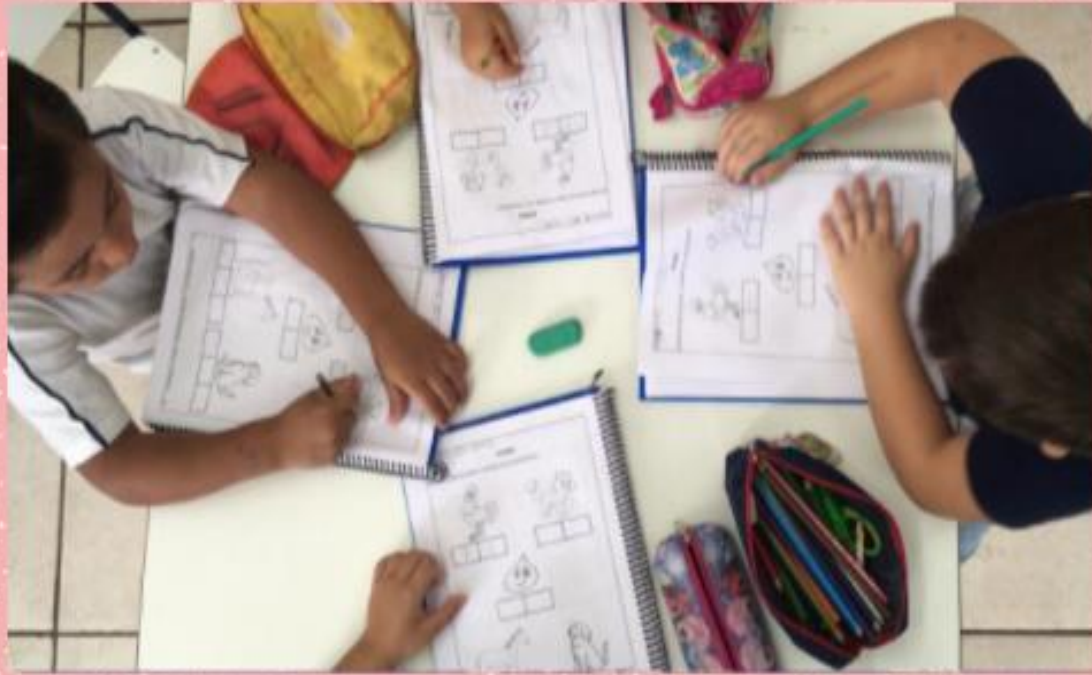
# CONCLUDE

From the data collected, it is found that the respondents admitted that there are challenges in conducting e-mediation during Covid-19 pandemic from both sides. Some of the officers feel that to use the online medium itself is a challenge.

As for the client or parties, the internet connection, ability to use acquire and use smartphones and lack of knowledge in using the online application are the challenges.

These challenges become obstacles to the e-mediation process and hinder the officer from performing mediation successfully.





## CONCLUDE

majority of the respondents think e-mediation is suitable and practical to be applied in BSK. E-mediation helps to ensure the case is on-going despite the parties are unable to attend the session at the BSK office due to the distance.



# CONCLUSION

**There are challenges in applying e-mediation at BSK during Covid-19 pandemic.**

**The possibility to overcome the challenges are very high.**

**The majority of the respondents and informants agree that it is practical to extend the usage of e-mediation in future. It is suggested that the BSK to conduct mediation in both ways post Covid-19; e-mediation and face-to-face mediation.**

**The BSK managed to provide the facilities during the restraint movement order and is able to continue to provide the service in future.**

**However, there are certain places and areas in Malaysia still having an issue with the internet connection and in certain cases, the parties are not well-off to purchase a smartphone.**

**Hence, in this situation, the BSK may offer mediation in the traditional way. It is good to have further research on e-mediation application at BSK, Syariah Court Malaysia.**



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The image features a solid blue background. In the top-left and bottom-right corners, there are stylized floral illustrations. Each illustration consists of a pink flower with five petals, a purple stem, and purple leaves. The center of each flower contains several yellow stamens. The text 'THANK YOU' is centered in the middle of the image in a white, bold, sans-serif font.

**THANK YOU**