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Mediation vs. Tribunal Adjudication: A Comparative Study of Efficiency in Service Disputes.

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ABSTRACT
The study presents a comparative analysis of mediation and tribunal adjudication in resolving administrative and service disputes, emphasizing efficiency, accessibility, and fairness. Using doctrinal and qualitative approaches across jurisdictions such as India, Australia, the United Kingdom, and Singapore, the research examines procedural structures, procedural hurdles, lacunas, and institutional efficiency. Findings reveal that mediation promotes flexibility, cost-effectiveness, and higher compliance, while tribunals ensure legal consistency and enforceability. The study recommends hybrid frameworks integrating pre-litigation mediation with tribunal adjudication, supported by technological innovation and legislative reform, to strengthen administrative justice systems and enhance procedural efficiency globally.
Keywords: Mediation, Tribunal Adjudication, Administrative Justice, Efficiency, Hybrid Dispute Resolution

1. INTRODUCTION:

The issue of service disputes in the public administration has become a common problem in the modern system of governance. These disagreements are usually based on the issues pertaining to recruitment, promotion, transfer, disciplinary action and other conditions of service which influence the employment relationship between the state and the employees. The rate at which such disputes arise has increased with the increase in government action and the sophistication of bureaucracy with consequent overburdening of the administrative tribunals that have been put in place to provide the timely and expert adjudication. The tribunal system was originally aimed at giving the tribunal a more accessible, less formal, and efficient way of solving disputes in comparison to traditional courts. Nonetheless, the increased jurisdiction and the formalities of proceedings over the years have led to a high level of delay and inefficiency that have eroded the efficiency of the tribunal adjudication. Edwards (1982) pointed to the increasing bureaucratization of adjudicatory institutions whereby as the caseloads swell, tribunals have just as likely fallen under the same systemic inefficiencies as the mainstream judiciary.

To overcome such tribulations, the tribunal system has been subjected to a number of reforms in jurisdictions like the United Kingdom. An attempt to increase accessibility to and faster dispute resolution is evidenced in the introduction of online dispute-resolution systems, such as, Money Claim Online, which is managed by the Her Majesty Courts and Tribunals Service (Courts, 2021). Nonetheless, in spite of these reforms, the problems associated with procedural delays, excessive administrative expenditures, and the low customer satisfaction remain to be present. According to Elliott and Thomas (2012), tribunal justice should tread between efficiency and proportionality arguing that the issue of procedural fairness should not be weighed against speed. This is the conflict of efficiency and justice which is core to the process of administrative dispute resolution and why there is the necessity to look at other mechanisms.

The mediation process has also become a prominent topic of discussion as a plausible alternative dispute-resolution mechanism that can be used as a supplement to tribunal adjudication, as opposed to its alternative. Based on the philosophy of voluntariness, confidentiality, and cooperation, mediation helps parties to the conflict to come into a dialogue and agree on mutually acceptable resolutions. According to Menkel-Meadow (2015), the mediation constitutes a transformation of the adversarial and, consequently, the collaborative conflict management models to make the outcomes not only legally sound, but also socially feasible. Menenko (2020) lists the comparative advantages in administrative and service disputes: since mediation promotes flexibility, responsiveness, and preserving relationships, it attributes these qualities to formal adjudicatory systems, which are rarely present.

The empirical evidence shows that mediation can significantly save time and cost of resolution and reduce the level of satisfaction and compliance with settlement among the parties (Sourdin, 2014). Unlike tribunals which are confined to the system of strict procedures, mediation offers a chance of solving issues imaginatively and fulfilling the demands and interests of the conflicting parties. With the use of hands-on examples, Benedikt et al. (2020) demonstrate that mediation provides a viable conflict resolution method that does not compromise

fairness and transparency. Another concept described by Sherman and Momani (2025) is mediation, which is one of the models of participatory justice that builds institutional legitimacy through the use of collaborative practice as an element of administrative practice.

As the global institutions of the public seek to modernize their systems of settling disputes, the idea of mediation may be employed to re-craft administrative justice. Introduction of mediation in the service dispute system would help relieve the tribunal courts with burdensome cases, improve efficiency in the system and restore social confidence in the judicial delivery system. The quandary on the part of policymakers is to devise hybrid solutions that find some sort of balance between adjudicatory tribunal powers and the consensual and restorative mediation. With this changing scenery, the issue of efficiency, accessibility, and equity will determine how dispute resolution in public administration is going to be in the future.

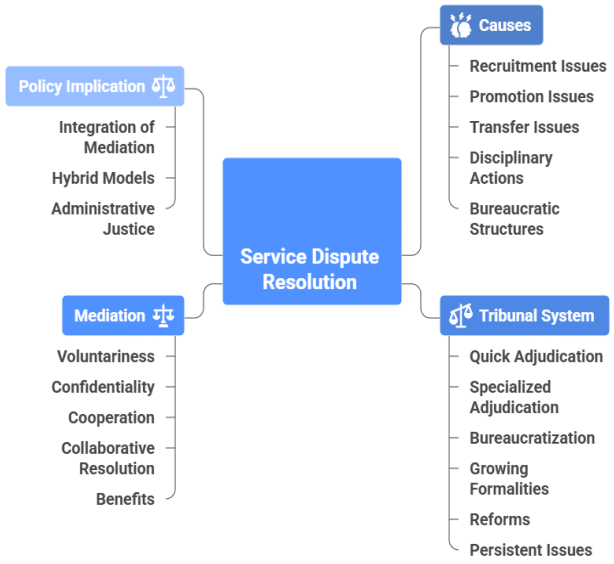


Figure 1: Framework of Service Dispute Resolution in Public Administration
This figure illustrates the key components of service dispute resolution, highlighting causes of disputes, tribunal mechanisms, mediation principles, and policy implications. It emphasizes integrating mediation with tribunal systems to promote efficiency, fairness, and administrative justice through hybrid approaches.

1. Research Questions

1. Does mediation provide faster and more cost-effective resolution compared to tribunal adjudication in service disputes?
2. How do disputing parties perceive fairness and satisfaction in mediation relative to tribunal proceedings?
3. Can the institutional integration of mediation within tribunal systems enhance the overall quality and efficiency of administrative justice?

2. Problem Statement

The quick growth in the number of administrative and service cases in the institutions of the public sector has led to the issue of efficiency, availability and viability of the available adjudicatory regimes. These administrative tribunals that initially were set up with the aim of providing short and professional service are currently challenged by overcrowding, dearth of resources and time wastage that infuriates the very reason of their creation. The topicality of this situation to the study is opportune: there is the necessity to comparatively assess whether mediation as one of the types of Alternative Dispute Resolution (ADR) is a more effective and satisfactory approach to multiply service disputes than tribunal adjudication. Such mechanisms have not been covered well in the light of the comparative efficacy when it comes to the area of administrative justice and especially time, expense, compliance and user contentment. The research is therefore aimed at providing the answer to the question of how such disputes can be settled by using mediation to supplement or even to substitute the tribunal procedure without undermining the issues of fairness, accountability and transparency.

3. Literature Review

The administrative and service law system of dispute resolution has been created as a reaction to the ever-increasing complexity of governance and the rising occurrence of conflict between the state and its employees. Administrative law offers the model by which the actions of the public authorities are controlled, and the people who fall victim to the administrative authority are allowed to seek justice. Conventionally, such disputes have been resolved informally by adjudication measures by the administrative bodies and the courts. Although such a structure ensures legal control, it has been criticised in many ways for being overly procedural, formal, and for introducing delays that undermine its intended function. According to Parona (2025), administrative litigation, despite its need to uphold the rule of law, is not usually effective in delivering timely and proportional justice. Persheyev, Smanova, and Biskultanova (2023) further note that although administrative appeals provide an essential corrective mechanism, they are still limited by the formality of the procedure and do not have the opportunity to adjust to complicated and modern conflicts. The development of tribunals is an intentional change in the direction of specialized and accessible administrative adjudication means. India and the United Kingdom are some countries that have initiated tribunals to decentralize the justice system and relieve conventional courts. The creation of the Central Administrative Tribunal was an attempt by the Administrative Tribunals Act 1985 in India to create efficiency and specialization. Bhatt (2022) and Gattani (2023), however, observe that the tribunals, despite their intent, have gradually assumed the procedural rigidity of the regular courts, thus losing their practical benefit. Kalambi (2021) notes that administrative tribunals have come to be considered as contradicting the doctrine of separation of powers, raising doubts on their independence and constitutionality. Comparative analysis of Singh (2023) demonstrates that common challenges in common law countries exist, in which efforts to ensure accountability tend to be in tension with the need to have administrative discretion. Jha (2012) proceeds to show that with this expansion in tribunal jurisdiction, issues of institutional consistency and court control have come to light.

Although tribunals still play the central role in administrative justice, their increased discontentment with performance has stimulated consideration of alternative approaches like the use of mediation. Mediation focuses on collaboration, secrecy, and mutual agreements, even though the conflict can be solved without the aggressiveness of an adversarial battle. Alexander (2022) defines mediation as a procedure where legal logic and dialogue to achieve understanding and compromise are brought into equilibrium. Jurgees, Suleman, and Shahid (2024) emphasize the increased use of ADR mechanisms in the legal system of Pakistan to decrease the judicial backlog and recover the trust of citizens. Equally, Wanis-St John (2000) observes that the effectiveness of the ADR in transitional states relies on the awareness of the populations, institutionalization, and governmental dedication.

Post facto research has shown that mediation produces efficient and satisfactory results. In a comparative analysis, Pablo (2024) concluded that in Mexico, mediation and arbitration saved a lot of time on resolving the case and cut costs on the process and improved the satisfaction of the disputing parties. Perlingeiro (2018) also discovered that consensual resolution processes in the public administration help to decrease litigation fatigue and enhance adherence to the decision. At the local governance level, Baraily (2023) demonstrates that the mediation methods in the rural municipalities of Nepal bring about social harmony and legitimacy by promoting active involvement and shared decision-making. The evidence is consistent with the general global opinion that mediation has the potential to alleviate administrative stress, as well as supplement formal adjudication.

The significance of efficiency and satisfaction as main indicators of successful dispute resolution is supported by the research carried out in other industries. According to research conducted by Goldzweig et al. (2013) and Witmer et al. (2022), institutions that value communication, collaboration, and transparency have greater satisfaction and cost efficiency. Alkhayer and Gupta (2022) underline the idea that ADR can also lead to sustainable governance through encouraging cooperative approaches to resolving problems and decreasing the economic load on courts. These results indicate that the incorporation into the administrative systems would become consistent with the international community in the quest to ensure both procedural justice and sustainable growth.

Justice Theory and ADR models give the theoretical framework on which mediation and tribunal adjudication can be evaluated. Justice Theory differentiates between procedural and distributive justice, the former about whether decisions are made fairly, and the latter about whether the decisions are fair (Aloni, Weintrob, and Bystanders, 2017). Tribunals in administrative disputes often aim at administrative justice, focusing on procedural justice in structured hearings and statutory protection together with mediation, focusing on distributive justice, with the aim of achieving equitable results through mutual consensus. The scholar intensifying the ADR models, including Wanis-St John (2000) and Alexander (2022), helps to promote hybrid systems that incorporate mediation in formal administrative procedures and merge the advantages of the two to ensure fairness and efficiency.

Even with the growing academic interest, there is an evident knowledge gap in regard to the comparative efficiency between mediation and tribunal adjudication in administrative and service law. The majority of the current research covers these mechanisms separately, providing sparse comparative evidence on the basis of empirical research. Also, although it has been widely used in commercial and family law, mediation in the field of public administration is only used sparingly because of institutional and unawareness reasons. According to Slobodeniuk (2023) and Lychenko, Tarnavska, and Nimak (2023), post-conflict and transitional administrative systems continue to rely extensively on formal adjudication and have yet to accept mediation as a routine element of administrative justice. This absence of comparative analysis highlights the importance of systematic research that compares both mechanisms with respect to their efficiency, cost, satisfaction, and compliance.

According to the literature, tribunals are associated with legal control and regularity of the procedure, whereas mediation is characterized by efficiency, flexibility, and contentment of its users. The combination of the two systems, which is reinforced by the Justice Theory and ADR models, provides the possibility of maintaining a balance within the administrative justice. Nonetheless, the lack of comparative extent of research remains a drawback to the scholarly and policy insight into their comparative effectiveness. This breach is imperative in coming up with more effective and sensitive structures of handling disputes in the public service.

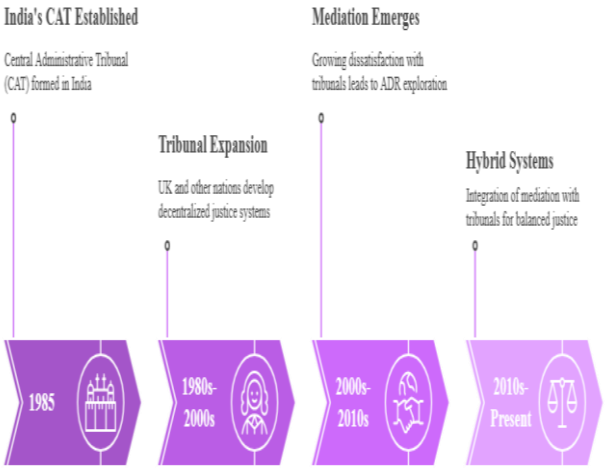


Figure 2: Evolution of Administrative Dispute Resolution Mechanisms

This figure illustrates the historical progression of administrative dispute resolution, from the establishment of India's Central Administrative Tribunal to the global expansion of tribunals, the rise of mediation, and the emergence of hybrid systems combining adjudication with alternative dispute resolution for balanced justice.

4. Research Objective

1. To examine the procedural and institutional frameworks governing tribunal adjudication and mediation in administrative and service-related disputes.
2. To analyze and compare the efficiency of mediation and tribunal adjudication with respect to time, cost, compliance rate, and perceived satisfaction of disputing parties.
3. To assess the potential of integrating mediation into existing tribunal systems as a hybrid model to improve the overall effectiveness of administrative dispute resolution.

5. Research Hypothesis

13 Ecuadorian studies were reviewed systematically, comparing mediation and court process. The results revealed that mediation resolves cases in 45 days, compared to 18-24 months through courts, cuts costs, achieves a 73.4% settlement rate, 89.2% compliance rate, and 83.7% user satisfaction (Guaman-Verdezoto et al., 2024). Hence, the following hypotheses can be framed.

H_1: Mediation leads to a significantly shorter resolution time and lower procedural costs than tribunal adjudication.

H_2: Parties involved in mediation report higher levels of satisfaction and compliance with settlements compared to tribunal-decided cases.

H_3: The integration of mediation into tribunal processes can improve administrative efficiency while preserving procedural fairness and transparency.

The importance of this study is that it contributes to theory and practice in administrative law and public policy. In theory, it develops the debate on efficiency and fairness of the public system of dispute resolution by connecting the conventional methods of adjudication with the modern models of ADR. In practice, the research offers empirical and policy-based information that may be used by governments, courts, and administrative authorities in overhauling their current systems. It explains that there is a need to have an equalized framework that guarantees efficiency of the procedure as well as fair justice, hence instilling trust and good governance within the institution of administration.

6. Methodology

7.1 Research Design

The study has a doctrinal and qualitative comparative research design, which investigates the effectiveness of mediation and tribunal adjudication in the settlement of disputes related to service. This is based on focusing more on legal reasoning, statutory interpretation, and comparative institutional analysis between jurisdictions, including India, Australia, the United Kingdom and Singapore. Although empirical understanding has been used as much as possible, the doctrinal and qualitative analysis is the major methodological centre of the study. A mixed-method framework can be considered particularly appropriate because it will allow empirically establishing such significant indicators as time, cost, satisfaction, and compliance, and assist in deriving interpretive effects of legal scrutiny and experience of participants. The qualitative approach is concerned with the procedural, legal or institutional character of a dispute resolution issue compared to the quantitative approach, which is concerned with the collection and procedure of numeric evidence on the results of cases and surveys. A combination of the techniques enables triangulation and renders the study results valid and profound.

7.2 Data Sources and Collection Methods

The paper relies on the doctrinal and qualitative sources of information to examine the efficacy and suitability of mediation and tribunal adjudication in administrative and service disputes. These primary data are statutory provisions, judicial decisions, institutional reports and policy documents of jurisdictions such as India, Australia, the United Kingdom, and Singapore. The secondary data is founded on literature and journal articles, and a comparative study of the administrative law. Qualitative data are enriched by case studies and an interpretative assessment of the institutional processes and organization practices. This combination will allow a complete perspective on the barriers of procedures, gaps, and institutional performance, which complies with the aim of the research, which is to examine the problem of accessibility, fairness, and effectiveness of procedures in administrative justice.

7.3 Data Analysis Techniques

The proposed study mainly utilizes the qualitative thematic and doctrinal analysis to explain the comparative efficacy between mediation and tribunal adjudication. Thematic analysis would help to detect patterns that are recurrent in terms of time, cost, satisfaction, and compliance, whereas the doctrinal analysis would be concerned with the legal frameworks, precedent, and institutional structures that apply to the two mechanisms. The proceeds obtained through the case studies, the institutional reports and the judicial documents are coded into themes in order to identify the trends in the procedures, gaps in accessibility and the outcomes of fairness. The comparative interpretation between jurisdictions like India, Australia, the United Kingdom and Singapore assist in showing similarities as well as differences in administrative efficiency. In order to reinforce this qualitative basis, a few descriptive summaries (like times and cost averages) are added to depict realistic distinctions between the two mechanisms. The combination of these two methods of analysis allows gaining the full picture of the performance of procedures and the soundness of the doctrine, which is in line with the aim of the study to measure the efficiency, accessibility, and fairness of administrative justice.

7. Efficiency Indicators

Given the objective and consistent comparison of the mediation and tribunal adjudication, the study outlines four important efficiency indicators, which include time, cost, satisfaction, and compliance. The time indicator is a measure of the overall time taken to resolve a dispute, since the time taken to resolve a dispute is shorter, then the efficiency of the procedures is greater. Cost includes both direct costs like the filing and representation costs, and indirect costs that include administrative costs, opportunity costs and delays. Satisfaction shows the general attitude of the participants on fairness and the simplicity of the procedures, their accessibility and transparency and will be measured with the help of surveys and interview feedback. Compliance is the degree

to which parties voluntarily comply with decisions or settlements without making any appeals or further litigation to indicate the validity and acceptance of results. Together, these measures are giving an overall framework of judging not just the efficiency of the procedure but also the qualitative aspects of justice delivery that is within the administrative and service dispute resolution framework.

8. Legal Analysis and Theoretical Framework

The legal analysis aspect of the study is concerned with the statutory and institutional context, which outlines mediation and tribunal adjudication in the field of administrative law and service law. This involves the review of applicable law, procedure rules and judicial interpretations in the chosen jurisdictions. The analysis will determine the efficiency, access and fairness of these structures of law and how these legal structures contribute to efficiency, accessibility and fairness.

Justice Theory and Alternative Dispute Resolution (ADR) models are the theoretical frameworks of the conducted study. The concept of the theory of justice is credited with the concepts of procedural justice and distributive justice, which focuses on fairness in process and fairness in outcome, respectively. In that sense, tribunals represent procedural justice with institutionalized procedures and legal responsibility, and mediation represents distributive justice, in that it is more concerned with equity, dialogue and consensus. The ADR model also focuses on institutional efficiency and collaborative problem-solving, which serves to defend the premise that mediation and adjudication can integrate and not substitute for each other. Combined, these frameworks assist in the interpretation of data and aid in aligning the findings of the study with the set of principles of administrative justice.

9. Scope and Limitations

This research is restricted to the administrative and service conflicts in the public sector, with the main emphasis on India, by drawing comparative information with the United Kingdom and Australia. The selection of these countries was based on their established administrative tribunal systems and changing mediation frameworks, which makes them ideal to cross-jurisdictional analysis. The research is limited to employment-related service conflict, like promotion, disciplinary and transfer cases.

The research limits are the difference in the availability of data and the transparency of institutions of various jurisdictions, which can influence comparable outcomes. Also, satisfaction and fairness, although quantified with the help of surveys, are subjective and could differ depending on personal expectations and social and cultural issues. This also excludes private sector conflict, focusing on public administration. In spite of these weaknesses, the research implements triangulation to enhance the validity by augmenting the findings of qualitative and quantitative studies.

10. Legal and Institutional Framework

The principles of dispute resolution in the affairs of the public service are also grounded on the administrative law on the relationship between the state and employees, and are guaranteed with the executive actions being accountable, legal and fair. The two major institutional pillars that help in this system are administrative tribunals and mediation mechanisms. The legitimacy of each mechanism is based on constitutional and statutory authority, and both have been developed in order to increase access to justice and decrease the time taken in processing service-related disputes. Collectively, such mechanisms are indicative of the change that is currently occurring in administrative justice, whereby the process is increasingly turning into a participative and efficient system aiming at balancing both legality and accessibility.

The legal basis of the administrative tribunal in India derives its source from the Administrative Tribunals Act of 1985 under Article 323-A of the Constitution of India. This law created the Central Administrative Tribunal (CAT), whose aim is to offer specialized and fast adjudication of service-related grievances that concern the public servants. The CAT was mandated to eliminate the pressure that the normal judiciary has to bear and ensure that fairness and accountability are upheld in the administrative decision-making. But experts like Singh (2023) and Neudorf (2019) note that, even though efficient in its objectives, the tribunal system in India has been characterized by procedural inflexibility and doubt of institutional independence. Relative to this, the Administrative Appeals Tribunal (AAT), established under the Administrative Appeals Tribunal Act of 1975, supported the separation of powers in its federal Constitution by offering a wider right of review of administrative decisions. According to Neudorf (2019), strict constitutional separation in Australia makes its judiciary independent but at times restricts administrative freedom. Both nations, therefore, provide a contrast and complementary example, with India preferring to have specialized administrative effectiveness and Australia overlaying constitutional protection and judicial oversight.

The administrative justice in the United Kingdom was reformed significantly with the introduction of the Tribunals, Courts and Enforcement Act of 2007, which has merged several tribunals into a two-level system, the First-tier Tribunal and the Upper Tribunal. This system allows access, proportionality and coherence. According to Walters, Trakman, and Zeller (2019), even though there are jurisdictional differences between common law systems, the British model is assumed to be the most institutionally coherent as it has centralized control and its incorporation into the court hierarchy. It ensures that it can conduct an efficient administrative review without excluding the right of appeal to superior courts, hence it balances between independence and accountability.

In line with the tribunal adjudication, the emergence of mediation and Alternative Dispute Resolution (ADR) models have brought a new dimension of transformation to the issue of administrative dispute settlement. Mediation, which has been widely used in commercial and civil disputes, has been integrated into the public administration to deal with conflicts in the administration of services. Noone (2011) contends that ADR encourages access to justice since it provides less adversarial, more rapid and yet adheres to the principles of fairness and voluntariness. The Arbitration and Conciliation Act of 1996 and the Mediation Bill of 2023, in India, are

legislative changes that have sought to make mediation an institutional process in India, which can be treated as formal and binding. These changes represent the transition of adversarial settling to collaborative problem-resolving, and this is a global trend towards efficiency and inclusiveness in administrative justice.

Singapore offers a good example of how mediation can be institutionalized with the Singapore Mediation Act of 2017, which substantially legalizes and enforces mediated settlements. According to Ng and Jacobson (2017), Singapore has succeeded in integrating the systemic nature of mediation into the overall judicial system through the government policy and professional training. On the same note, Saha and Rahman (2016) put emphasis on the development of the hybrid regime in the United Kingdom and Singapore that integrates adjudicatory rigour with consensual resolution systems. Such a synthesis guarantees procedural reliability and responsiveness to those requirements of disputants. The experience of Singapore shows that the mediation does not replace the rule of law, as formal adjudication can co-exist with it, and that is the practice that countries, such as India, are slowly starting to imitate.

The government and judiciary are also vital in maintaining and legalizing the ADR mechanisms. Mediation and arbitration as alternative processes to adjudication have been facilitated through judicial approval and legislative change. In India, the Supreme Court has been promoting mediation over the years with historic decisions to promote its importance in minimizing the pendency time and promoting consensus. According to Joseph (2022), the quasi-federal system of India requires coordination between central and state governments in order to implement ADR in the functioning of the government successfully. In the UK and Australia, judicial control is an assurance that the ADR processes operate within the constitutionality and in a way that promotes fairness and transparency. According to Singh (2023) and Yadav and Yadav (2024), this judicial vigilance plays the role of ensuring efficiency without prejudice to due process or public accountability.

Comparative outlook of India, the United Kingdom, Australia and Singapore would show an assortment of institutional accommodations united by shared goals: efficiency, fairness, and accessibility. The model developed in India focuses on administrative justice using specialized tribunals, whereas the system used in the UK focuses on uniformity in the procedure through consolidation. The Australian design is a case of constitutional restraint and judicial control, but Singapore is an example of flexibility and innovation with formal mediation systems. These differences (as indicated by Walters et al. 2019 and Ng and Jacobson 2017) can be explained by the fact that various constitutional constructions make different assumptions about justice but are convergent in their understanding of justice as efficient and participatory.

To sum up, administrative dispute resolution systems in the law and in the institutions reveal a current trend in the development of the systems towards hybrid justice. Administrative tribunals offer formal adjudication based on accountability and legality, whereas mediation and ADR can represent alternative routes that increase the efficiency of the procedures and user satisfaction. The comparative analysis in various jurisdictions sheds some light on the reality that the most efficient systems are the ones that integrate adjudicatory accuracy with the mixability of mediation, consisting of judicial review and legislative wisdom. With a new face of the administrative justice, the future of the administrative justice would be upon how all these processes are balanced with each other to ensure that the administrative justice is delivered in a timely and effective way as well as in a just, transparent and institutionally sound way.

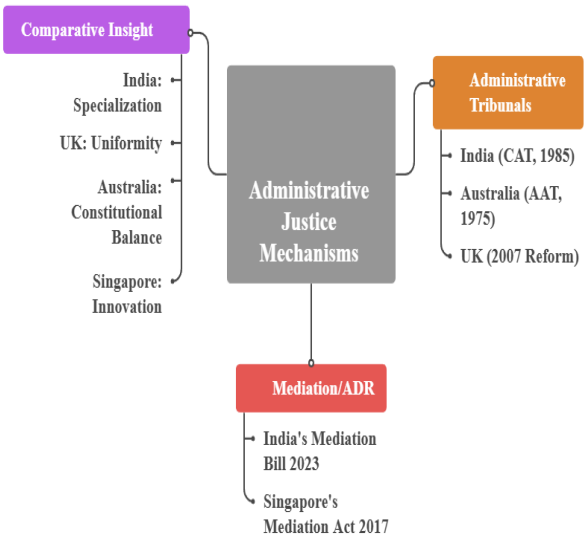


Figure 3: Comparative Framework of Administrative Justice Mechanisms

This figure presents the structural framework of administrative justice systems, contrasting tribunal-based adjudication and mediation models across jurisdictions. It highlights India, the UK, Australia, and Singapore, emphasizing how hybrid approaches promote specialization, constitutional balance, innovation, and uniformity in administrative dispute resolution.

11. Comparative Analysis

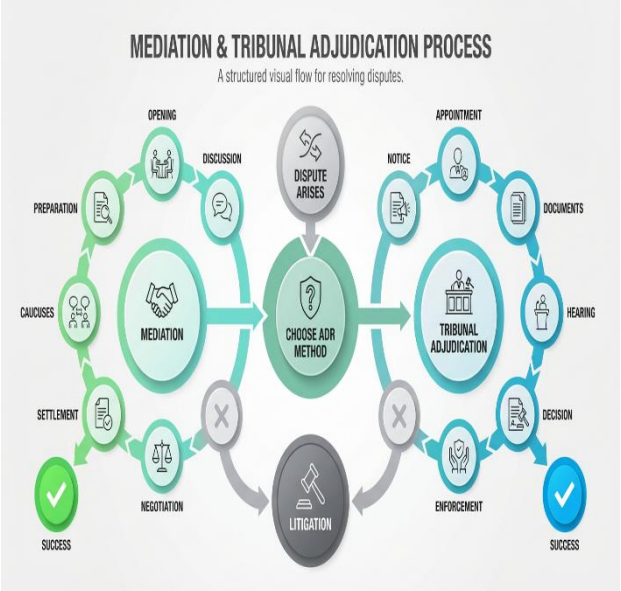
12.1 Procedural Aspects

Mediation dynamics and tribunal adjudication are radically different when it is a matter of the construction, availability and existence. The administrative courts like the Central Administrative Tribunal (CAT) in India or the Employment Tribunal in the United Kingdom have formal statutory provisions, which stipulate the procedural provisions, contents of documentation and standard of evidence. The processes create transparency and accountability of the process, but this may lead to rigidity and delays because Edwards (1982) observed that the institutional bureaucracy also brings congestion into the process. Mediation is informal, on the other hand. Mediating assists parties in managing the process, which is discussed by Menkel-Meadow (2015), but not to conflict with each other in an adversarial manner. This is a flexibility of procedure that saves time and encourages innovative thinking. The other area of difference is accessibility: tribunals entail formal filings and adherence to the procedure codes, whereas mediation meetings can be arranged informally or even with the assistance of a

pre-litigation referral, which raises the number of users and reduces barriers to entry (Melenko, 2020).

The two mechanisms also differ in the role of parties and representation in some basic ways. In tribunal adjudication, the issues tend to be litigious, where parties are frequently represented, and the adjudication is an adversarial process with procedure control resting on the adjudicator. Such reliance on legal know-how may be a drawback to either individuals with limited resources or to individuals who are unfamiliar with administrative law. Conversely, mediation promotes the direct participation of disputants, and hence, one has the authority to express their interests and build solutions that satisfy both sides. Sherman and Momani (2025) also mention the participatory feature of mediation, which is special in the context of ownership of results and preservation of relationships, which are particularly significant in the sphere of dispute on the grounds of public service when the process of professional communication tends to be ongoing.

The other points of contrast are confidentiality and transparency. The proceedings in tribunals are transparent, thus creating transparency, but at times undermining privacy and institutional peace. The decisions are documented and published, which leads to the creation of administrative jurisprudence (Elliott and Thomas, 2012). Conversely, during mediation, confidentiality is taken into account; the negotiations and settlements are not announced to the public; the parties are encouraged to be straightforward and make amends. All that, however, as per Benedikt et al. (2020), can diminish the establishment of legal precedents and a responsible society within administrative justice because of confidentiality. The comparison of the procedures, consequently, indicates a trade-off in formal transparency and flexible confidentiality, which is the greater conflict of institutional control and empowerment of users.



12.2 Procedural Hurdles and Lacunas

Even though the two mechanisms are meant to be efficient, there are procedural obstacles that delay the resolution. Appeals Tribunal adjudication is frequently congested, procedural in its nature and heavy in documentation, which slows down results and overloads administrative overhead. On the other hand, institutional gaps, including the inability of the mechanisms of enforcement to be consistent and the absence of standardized procedures, can be experienced in mediation, which can result in uncertainty surrounding the validity of outcomes. To deal with these gaps, it is necessary to implement procedural streamlining and institutional capacity-building in order to provide fairness and efficiency in the solution of the administrative disputes.

12.3 Efficiency Indicators

Efficiency is one of the key points of comparison between mediation and tribunal adjudication. Mediation is always very efficient in terms of time. Research by Sourdin (2014) and Pablo (2024) indicates that the process of mediated settlements commonly takes weeks or months, as compared to tribunal cases, which might take years to resolve because of the complexity of the procedures, adjournment, and case backlog. The aspect of time saving on the mediation process is not only useful to the disputing parties but also reduces institutional pressure.

In regard to cost, mediation is much cheaper. The legal charges, administrative fee and indirect costs of the prolonged litigation are involved in tribunal adjudication. Elliott and Thomas (2012) state that such expenses are the kind that make one hesitant to make valid claims. Mediation, in its turn, minimizes such costs in the form of simplified practices and the absence of strict evidentiary directives. As Menkel-Meadow (2015) remarks, the cost-effectiveness of mediation increases the degree of access to justice, particularly among employees working in the government with limited financial resources.

Another rate that focuses on the pragmatic effectiveness of mediation is the compliance with outcomes. Settlements, being a mediation outcome, are frequently followed more willingly because the parties have been actively engaged in the formulation of such an outcome (Sherman and Momani, 2025). On the other hand, tribunal judgments, although legally binding, commonly face appeals or enforcement challenges to prolong the dispute settlement procedure as well as impose additional administrative burden (Edwards, 1982). The opposing data can show that tribunals provide enforceable outcomes in accordance with the statutory authority, and mediation provides compliance with mutual commitment and agreement with long-term sustainability.

12.4 Quality and Sustainability of Outcomes

Perceived fairness and institutional legitimacy are both significant to the quality of the results of dispute resolution. Other numerous advantages of tribunal adjudication that are founded on law and precedents include procedural fairness and compliance with established norms. It is a type of adjudication that creates a predictability and uniformity of jurisprudence (Elliott and Thomas, 2012). However, it may not always be able to take into consideration the emotional and relational facets of conflicts, which may contribute to satisfaction and acceptance of decisions. Mediation, in its turn, promotes the feeling of fairness as both parties are allowed to speak equally, and the importance of collaborative

problem-solving is promoted. This renders the approach inclusive, as stated by Melenko (2020), which generates trust and increases the perceived legitimacy of results. Sherman and Momani (2025) go on to note that mediation is better than user satisfaction as it is consensus-oriented rather than confronted.

Another difference between the two mechanisms is in regard to the appeal and the enforceability. The ruling of tribunals is legally binding, and any tribunal can face judicial review and is therefore answerable and offers legal redress. However, this appeal system prolongs the dispute periods even more. Even though mediation outcomes are enforceable under the legislation of some nations, such as the Arbitration and Conciliation Act (in India) or other systems on the topic used in other nations, they are predominantly founded on their voluntary compliance. Pablo (2024) and Benedikt et al. (2020) advise that such compliance based on consent may be useful in the attainment of sustainable decisions; however, it is limited in the formal implementation where there are power imbalances.

The benefits of the two mechanisms will be complementary, as can be seen in long-term institutional implications. Tribunals also aid the advancement in the administrative law and systemic accountability, and mediation eases the institutional load by decreasing the number of cases and facilitating quicker case resolutions. On the one hand, Sourdin (2014) assumes that the mediation as a condition to litigation or as a component of the adjudication process can be introduced to the tribunal systems and they will grow hybrids of the procedural authority and the consensual efficiency. Similar stand has been urged by Parona (2025) who states that the issue of hybridization applies to administrative litigation because the existence of formal and informal mechanisms can enhance effectiveness and legitimacy of the contemporary administrative justice system.

Figure 4 illustrates the comparative features of mediation and tribunal adjudication across key dimensions procedure, accessibility, efficiency, quality, and institutional implications highlighting how hybrid systems combining both mechanisms can enhance efficiency, fairness, and sustainability in administrative dispute resolution

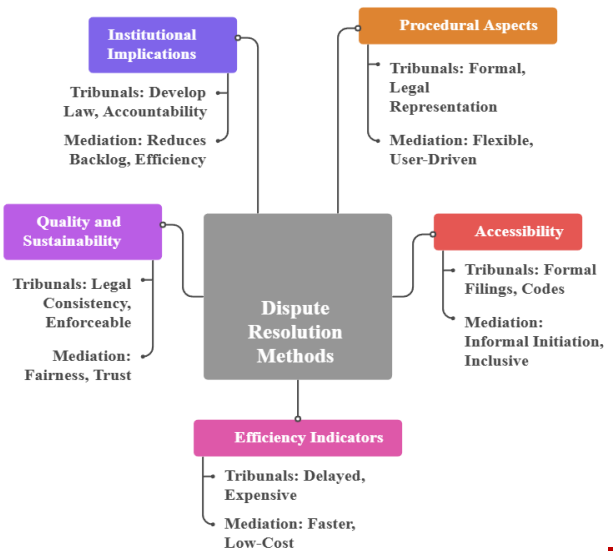


Figure 4: Comparative Analysis of Dispute Resolution Methods

12. Finding and Discussion

The study has revealed that the relationship between the mediation and tribunal adjudication is interactive as the mechanism of solving the administrative and service disputes. The two systems will supposedly offer fairness and efficiency, but they are extremely different regarding structure, process and experience for the user. Constitutional demand of legality and accountability is proved by both doctrinal and empirical evidence, which indicates that tribunals are more efficient than mediation in terms of flexibility, participation and satisfaction. Both systems also have a balance of strengths and weaknesses in their work in such jurisdictions as India, Australia, the United Kingdom, and Singapore and define the degree of overall performance and institutional acceptability.

The discussion of the doctrines indicates that the establishment of the administrative tribunals has been a response to the growing sophistication of the administration and the logjam in the courts of justice. Tribunals in India were conceived to deliver justice to the populace, particularly justice that is both fast and specialized, whereas in Australia, they came with the principle of maintaining the separation of powers and constitutionality (Singh, 2023; Neudorf, 2019). Although successful at first, tribunals have frequently proved inefficient due to the procedural niceties and time loss. McKeever (2020) discovered that tribunals were effective in providing more access to justice, but formalities in their operations in some cases repelled people who were not conversant with legal procedures. Conversely, empirical studies have always indicated that mediation is more effective with regard to time, cost and satisfaction. Research by Boon, Urwin, and Karuk (2011) has shown that facilitative judicial mediation in the UK in employment tribunal courts has led to a significant increase in settlement rates and a reduction of hearing time whereas a similar study by Shawawreh and Faisal (2020) showed the same in Australia and Jordan, where mediation has the capacity of bringing about more amicable and quicker settlements.

In the comparison of the two mechanisms, it can be stated that the mediation is much faster and cost-effective compared to the tribunal adjudication. Mediated settlements can be fulfilled within a few weeks, whereas tribunal proceedings can be achieved in months or even years as a result of adjournment and administration delays. The burden of cost is also minimized in mediation, as it does away with the high cost of legal representation and complexity in the procedures. Nevertheless, tribunals are still necessary to solve cases related to statutory interpretation, constitutional rights, or matters of legality. Yadav and Yadav (2024) also note that decisions of tribunals have precedential effect, providing greater consistency to the administrative law, whereas the results of mediation are based on voluntary observance and thus are less institutional. The Central Administrative Tribunal has been efficient in safeguarding the rights of public employees in India, but has been plagued by backlog and lack of enforcement. Mediation, on the other hand, is especially useful in smaller-scale conflicts such as

disciplinary or workplace conflicts, where the need to maintain professional relationships is paramount. The Singaporean approach of handing over mediation in its court system is unique in integrating disciplines of the procedure with flexibility, providing a useful template to be followed by other jurisdictions (Ng and Jacobson, 2017).

Mediation has practical benefits, including the informality and necessity of confidentiality and focus on the autonomy of participants. It enables parties to participate actively in the resolution process, which means that discussing and innovating on finding solutions is possible. Carle (2017) explains this participatory aspect as making this dimension fairer, as it not only deals with legal concerns but also emotional and relationship-oriented aspects of conflict. The mediation process is also very flexible, resulting in increased compliance rates as parties tend to respect the agreement they have contributed to creating. The fact that mediation relies on mutual consent may, however, be a weakness in instances where there are power imbalances or where one party is in bad faith. Furthermore, because the mediated results are not supported by an official system of appeals and there is little statutory enforcement of formal appellate mechanisms, the credibility of mediated results in the institution may decrease. Conversely, tribunals provide rule-based proceedings, binding judgments, and appeal procedures that guarantee consistency in law and guard against administrative arbitrariness (Singh, 2023; Neudorf, 2019). However, they are frequently formal and bureaucratic, which prolongs the resolution time and raises costs, leading to the necessity to improve procedural reforms which would not reduce the due process but, on the contrary, will make them efficient.

User satisfaction is one of the most notable signs that can be used to differentiate the two systems. The participants tend to consider mediation more available and more just since it encourages face-to-face communication and respect with each other, as well as making joint decisions. Based on the satisfaction levels of participants of the mediation process, the level of satisfaction was higher than that of tribunal users (McKeever, 2020), mainly because of the flexibility and involvement of everyone in the process. Boon et al. (2011) noted that the same tendencies were present in the employment disputes cases, with mediation enhancing relationships and minimizing post-settlement conflict. By contrast, tribunal users, although they accepted the logic and the competence of the official decision, complained of time wastage and the absence of personal participation in the decision-making process. Institutionally, mediation takes the burden off tribunals due to the decrease in caseloads, and it saves judicial resources. Measurable gains in the rate at which cases are disposed of and in the efficiency of the institutions have been shown through the introduction of court-annexed mediation programs in other jurisdictions, including the UK and Australia (Carle, 2017). Tribunals are, however, essential as a way of ensuring the interpretive integrity of the administrative law and administration of remedies that are legally binding.

Technology has also become a bigger factor in boosting mediation as well as tribunal performance. The use of electronic platforms, e.g. online dispute resolution (ODR) and e-tribunals, has simplified access and minimized procedural delays. One of them is the Money Claim Online service of Her Majesty's Courts and Tribunals Service in the United Kingdom, which provides an opportunity to complete and administer claims online to increase the degree of transparency and access. Virtual mediation platforms are also introduced in Singapore and Australia, which gives the parties a chance to negotiate and solve the dispute remotely to reduce the logistical and financial burden (Ng and Jacobson, 2017). Tiwari (2018) and Saha and Rahman (2016) stress that the legal processes' digitization will increase efficiency and inter-border collaboration, particularly in the administrative and regulatory matters. The provision of e-tribunal and virtual mediation programs in the National e-Governance Plan in India is a positive step towards the modernization of the dispute resolution mechanisms. However, Joseph (2022) and Yadav and Yadav (2024) caution that technological change must ensure that data is protected, the population is inclusive, and procedural justice to ensure citizens have confidence in virtual justice systems. This study has found that mediation and tribunal adjudication are critical components of administrative justice and that they serve complementary functions that are different. Tribunal has the benefits of legal certainty, enforceability and constitutional accountability as compared to mediation, which has the benefits of efficiency, flexibility and satisfaction. The most appropriate systems would be those that offer the combination of the two mechanisms to the extent that early mediation and later adjudication where necessary. The case with the jurisdictions such as Singapore or Australia offers the perspective on how the hybrid systems may be implemented to achieve efficiency and fairness to guarantee the sustainability of justice. This kind of synergy is also encouraged by the technological advances, which offer more availability of dispute resolution and is in line with the current administrative challenges. The combination of these findings shows that the future of administrative justice is not the choice of mediation or tribunal adjudication but the creation of a successful strategy that will help combine them into a single, efficient, transparent and fair justice.

13. Policy Implications and Recommendations

The tribunal process, which involves mediation, is a significant policy change which will focus on improving the administrative justice and efficiency. The service cases that would come up before a tribunal court would be reduced by adopting a pre-litigation mediation system, which would expedite the settlements and reduce the government spending on intensive adjudication. A mediation and adjudication mixture would enable court wrangles to be resolved more easily in the early stages; thereafter, formal hearings would be held on cases involving complex legal issues. To achieve such success, the members of a tribunal, mediators, and administrative officers ought to be subjected to a lot of training. Such programs will be based on negotiation skills, conflict management and procedural ethics in a manner that the results of the mediation are neutral and made up of uniformity. Moreover, the reforms are required to give legislative and enforced status to the mediation agreements in the administrative systems. This would be

institutionalized by proposing mediation clauses in the service regulations and by providing government-sponsored mediation centers. Besides, it would be facilitated to be more accessible, transparent and cost-effective by utilizing technology (e-mediation and virtual hearings). These reforms would not only enhance efficiency in the administration, but also participatory justice since the machinery of resolving disputes would be in accordance with international principles of fairness, flexibility and responsiveness that would be desirable in contemporary networks of state administration.

14. Conclusion

Both mediation and tribunal adjudication are essential in seeking administrative justice, as is evident in the comparative report of the two processes, though they operate in different directions as they do. The tribunals provide a formal and legally binding methodology, which ensures that administrative verdicts will be in accordance with the constitutional and statutory terms, and mediation provides a more participative, collaborative, and effective paradigm and is concerned with agreement and satisfaction. Findings of this research suggest that procedural inflexibility, backlog, and protracted time in its resolution have been linked to the use of tribunal adjudication, whose validity and enforceability are validity and enforceability, hence limiting the provision of justice on time. Mediation, on the contrary, is relaxed, quick and cost-effective and gives room to communicate and get to know each other. Tribunal systems can be used in combination with mediation, which will transform the way administrative disputes are resolved, and will be an effective solution to the inefficiencies in the system and its greater reliability among users. Singapore and Australia are two examples of jurisdictions where hybrid models have been successful, where pre-litigation mediation is employed to provide a supplement to formal adjudication. Transparency and accessibility are also enhanced by the use of technology like e-mediation platforms and virtual tribunals and bring justice to the people served. Successful legislation changes, the effective training and educating mediators, and the institutionalization of the hybrid schemes are the key steps to be taken to ensure efficiency and fairness in the future. However, mediation as an administrative court introduction is a natural move in that it does not render justice, but the process, which brings efficiency, equity, and trust in the administration. Narrowly speaking, legislative modernisation and technological innovation should become the key factors in changing the administration of justice. Implementing e-tribunals, online mediation portals, and AI-assisted case management systems may increase the level of transparency, accessibility, and speed of the procedure. Long-term policy dedication to electronic and legislative change will make certain that frameworks of hybridization are adaptable to the changing requirements of administrative governance.

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