

**INAUGURAL TRIBUNALS CONFERENCE:
ADVANCING ACCESS TO JUSTICE THROUGH
A QUALITY TRIBUNALS SYSTEM
ON 26 AND 27 APRIL 2022**

The Honourable The Chief Justice

Distinguished speakers

Fellow colleagues

Ladies and gentlemen

1. A very good morning. It is my pleasure to welcome you to the Inaugural Tribunals Conference (“**Conference**”) jointly organised by the State Courts of Singapore and the Singapore Academy of Law. This is a significant occasion as it is the first conference in Singapore dedicated to serving the needs of the growing tribunals community, with the aim of raising the standards and quality of tribunal practice.
2. This Conference was conceived in 2019 and originally slated to be held in October 2020. It was postponed due to the COVID-19 pandemic. We are pleased that the Conference will finally come to fruition today. Whether you are joining us from overseas or locally, I thank you for your participation.
3. Over these next two days, the Conference will cover a number of important topics, such as:
 - (i) the leveraging of technology to bring the administration of tribunal justice to the people;

- (ii) the expansion of the role of tribunals to achieve effective and proportionate outcomes;
 - (iii) the best practices, ideals and challenges of tribunal hearings;
 - (iv) the conduct of fair and effective tribunal hearings; and
 - (v) last but not least, envisioning a quality tribunals system.
4. The former Lord Chief Justice of England and Wales, the late Lord Bingham, once wrote that, and I quote, “[a]n unenforceable right or claim is a thing of little value to anyone”.¹ Justice, as he rightly noted, must be accessible to *all* who need it, not just those who happen to have more resources. This is foundational, in his view, to the Rule of Law. One of his eight principles of the Rule of Law is that – I quote here: “*Means must be provided for resolving, without prohibitive cost or inordinate delay, bona fide civil disputes which parties themselves are unable to resolve.*”²
5. This principle is the underlying reason for the establishment and work of tribunals – to adjudicate specific disputes, without prohibitive cost or inordinate delay. Tribunals thus serve an indispensable function in society’s legal ecosystem, in upholding the Rule of Law by enhancing access to justice.
6. In the State Courts, we are fully committed to increasing access to justice through the tribunals within our purview – namely,
- (i) the Small Claims Tribunals,
 - (ii) the Employment Claims Tribunals, and

¹ Tom Bingham, *The Rule of Law* (Penguin Books, 2011) at p 85

² Tom Bingham, *The Rule of Law* (Penguin Books, 2011) at p 85

(iii) the Community Disputes Resolution Tribunals.

The rules of procedure and tribunal processes are constantly being reviewed and finetuned, to ensure that our tribunals remain accessible to those who need them.

7. In the remaining time I have, I would like to share, with examples, **three strategies we have relied on**, to ensure our tribunals remain accessible and continue to deliver fair and effective justice to our people.

8. They are:

(i) First, the expeditious adjudication of lower-value disputes;

(ii) Second, the use of mandatory mediation; and

(iii) Third, the leveraging of technology for the convenience of users.

I shall now touch on the first strategy – ensuring the expeditious adjudication of lower value disputes.

9. The expeditious adjudication of lower value disputes is central to the work of my colleagues in the Small Claims Tribunals (or “**SCT**” for short).

10. The SCT was established in 1985 as “a speedy and inexpensive machinery to handle ... disputes between consumers and suppliers”.³

³ Singapore Parliamentary Debates, Official Report (24 August 1984), vol 44 at col(s) 1999 (Professor S Jayakumar, Second Minister for Law and Home Affairs)

11. Ensuring that the adjudication of disputes in the SCT is done expeditiously and satisfactorily is a fundamental imperative; in fact – the very reason for its existence.
12. This is notwithstanding the increase in caseload the SCT has to cope with over the years – from about 4000 cases in 1985⁴ to over 9000 cases in 2021.
13. This increase in caseload is partially due to the increase in the monetary jurisdiction of the SCT, from merely \$2,000 in 1985, to \$20,000 presently.⁵ The SCT's subject matter jurisdiction has also grown. The SCT now deals with disputes relating to contracts for the sale of goods or provision of services,⁶ or to disputes concerning leases of residential premises and damage to property.⁷
14. Despite these challenges, the SCT takes pride in ensuring that almost all cases are adjudicated and dealt with within 4 months from the date of the filing of the claim.
15. This disposition rate is of course not an end in itself. It is but a key indicator we rely on to ensure that the amount of time parties spend on lower value claims is ultimately proportionate; and the entire process for them is not unnecessarily protracted.

⁴ The SCT commenced operations in February 1985.

⁵ Small Claims Tribunals Act 1984 (2020 Rev Ed), section 5(3)(a) read together with section 2(1)

⁶ Small Claims Tribunals Act 1984 (2020 Rev Ed), section 5(1)(a) read together with paragraph 1(a) of the Schedule

⁷ Small Claims Tribunals Act 1984 (2020 Rev Ed), section 5(1)(a) read together with paragraph 1(b) and 1(c) of the Schedule

16. The second strategy is the use of mandatory mediation.
17. For this, I would like to highlight the dispute resolution regime for employment claims relating to, for example, salary disputes and wrongful dismissal.
18. Before any such claim may be filed in the Employment Claims Tribunals, parties are required to undergo mandatory mediation with the Tripartite Alliance for Dispute Management (or “**TADM**” or short).⁸ If a settlement is reached, the settlement agreement may be registered with the District Court by either party.⁹ If there is a breach of the settlement agreement, the innocent party may then enforce the settlement agreement as a judgment of the District Court¹⁰ without having to expend further time and resources to pursue a civil claim.
19. If parties are unable to reach a settlement during the mediation before the TADM, they may proceed to have their dispute determined by the ECT.
20. The use of mandatory mediation for such disputes accomplishes two goals – both of which are key to promoting access to quality justice.
21. First, it helps to keep costs low – especially if parties are able to settle during the mandatory mediation session. Second, it provides an opportunity to preserve

⁸ Employment Claims Act 2016 (2020 Rev Ed), section 3(1)

⁹ Employment Claims Act 2016 (2020 Rev Ed), section 7(2)

¹⁰ Employment Claims Act 2016 (2020 Rev Ed), section 7(3)

any ongoing relationship between parties, which is so often critical in employment salary disputes. In these situations, the cause of justice is best served not when one side wins at the other's expense; but when both parties are in fact reconciled, having had their disputes resolved fairly and harmoniously.

22. I come now to the third strategy – of how the State Courts have leveraged on technology to improve access to justice, by increasing convenience to all users involved in tribunal matters.
23. A clear illustration of this is the Community Justice and Tribunals Systems (or “**CJTS**” for short). This is an e-filing and case management platform which allows case management and document filing for tribunal matters to be done wholly online.
24. The CJTS was launched in the State Courts in 2017, years before the COVID-19 pandemic struck, where the benefits of digital, remote access to court systems and processes then became indisputably clear.
25. The CJTS was specially designed for ease of use by our court users. Its simple interface and intuitive functions ensure that most users are able to navigate the system themselves without having to engage a lawyer or other forms of professional assistance.
26. Using the CJTS, litigants-in-person are able to make applications and file documents at their convenience, for their tribunal matters, on a personal

computer or mobile device. They can also access the case documents, keep track of the progress of matters, and pay filing fees online.

27. Another notable feature of the CJTS, is the e-Negotiation function, which allows parties in proceedings before a tribunal to negotiate online. If a settlement is reached, either party may then make an online application for an Order of Tribunal to record their settlement, all of which can be done in the comfort of one's home or office.
28. In recognition of the CJTS' innovative and excellent use of information technology, the State Courts received a National Association for Court Management and Court Information Technology Officers Consortium Award at the National Association for Court Management Annual Conference in 2019.
29. In conclusion, I have shared very briefly three strategies which the tribunals in the State Courts have relied on to ensure the needs of our court users are adequately met.
30. There are many other strategies and examples worth discussing and reflecting on – which I am sure will take place in the course of this Conference.
31. What unites all of what we will be listening to and sharing, is ultimately a recognition of the critical role tribunals play in upholding the Rule of Law by making justice truly accessible – not just in theory, but in practice – for all who come to our courts to seek redress.

32. Given the importance of the role of tribunals in the administration of justice, it is necessary to maintain a high level of public confidence, in the quality and effectiveness of tribunals in the delivery of justice. I am confident that through the sharing of different experiences and learning points over the next two days, this Conference will go a long way in promoting the standards and best practices for a good tribunal system; one which is anchored on the Rule of Law and due process.
33. With that, I wish you a fruitful Conference ahead. Thank you very much.