

STATE COURTS WORKPLAN 2019

“State Courts: 2020 and Beyond”

8 March 2019

Keynote Address by the Honourable Justice See Kee Oon

Presiding Judge of the State Courts

The Honourable the Chief Justice, Judges of the Supreme Court,

Deputy Attorney-General,

Distinguished guests, fellow Judges, ladies and gentlemen

I. INTRODUCTION

1 Thank you for joining us this afternoon for the State Courts Workplan 2019.

2 This is the last Workplan we will hold in this building, affectionately known to many as the “Octagon”, where we have operated for the last 44 years. In January this year, we conducted the topping-out ceremony for the New State Courts Towers. At this milestone event, we marked the completion of the construction of the highest points of both towers. Later this year, we will transition towards operations at the New State Courts Towers, prior to their official launch slated for the first quarter of 2020. The impending relocation to the New State Courts Towers provides us with an opportunity and an impetus to review and transform existing processes to better meet the needs of court users of the future.

3 The Chief Justice has spoken on various occasions about the disruptive force of technological change that is affecting the legal industry, as well as how the judiciary will play an active role in driving that change.¹ In the Chief Justice’s address at this year’s Opening of the Legal Year, he outlined the future legal landscape as being reshaped by three significant forces: globalisation, technology, and the growing commercialisation of the law. The judiciary may experience these forces most keenly when it considers the future design of courts and dispute resolution mechanisms.²

4 The Chief Justice’s OLY address is a timely reminder that it is absolutely essential for the courts to be adaptive and responsive in the face of challenges. The State Courts are

responsible for handling well over 90% of our nation's judicial caseload. Our court users are increasingly diverse, sophisticated and technology-savvy. They are better-educated and will have much wider access to legal information through the Internet or other non-traditional sources of legal services. As the public gains greater awareness of the various avenues to seek recourse for wrongs and pursue their legal rights, they may also be more prepared to be self-represented in our courts. More court users are already interfacing directly with the justice system at tribunal proceedings, where legal representation is generally not allowed. There will also be greater scrutiny of the work of the courts, and additional pressure on court resources.

II. REFRESHING OUR STRATEGY MAP

5 With this changing landscape in mind, we will be refreshing our existing Strategy Map, to help us better chart our course for 2020 and beyond. The refreshed Strategy Map will comprise our Vision, Mission, Strategic Thrusts and Core Values, with such refinements and updates as are necessary, to maintain our position as a progressive, adaptive and forward-looking judiciary. This is important as organisational transformation or change is not undertaken for its own sake, and must be in line with the purpose of an organisation's existence.

6 We intend to revise the Strategy Map in consultation with our officers in the course of 2019, to strengthen our consensus on what we stand for, and to reinforce our core values. In doing so, we will draw upon insights from our recently-concluded State Courts Conversations (SC2020) and our self-assessment under the International Framework for Court Excellence. We will align the rollout of the Strategy Map with the move to the New State Courts Towers.

7 In the years ahead, the refreshed Strategy Map will guide us and help to ensure that we remain relevant and responsive. Two key enduring aspects of an effective and accessible justice system — namely, affordability and efficiency — will continue to be emphasised. We will remain committed to help to keep access to justice affordable. We will also remain mindful that justice needs to be dispensed efficiently. As efficiency is inextricably linked to the complexity of court processes, we will need to continuously simplify our procedures to ensure that they are more convenient and less time-consuming. In addition, we will step up efforts to collaborate actively with our community stakeholders to achieve a more integrated justice system and provide better holistic outcomes for our court users.

8 In our refreshed Strategy Map, technology will continue to be a pivotal driver and enabler for enhancing access to justice. In 2020 and beyond, we will collaborate closely with

the Judiciary-wide Office of Transformation and Innovation to explore more transformative efforts and harness technology judiciously.

9 In this connection, I echo the sentiments of Professors Benjamin Barton and Stephanos Bibas. Self-proclaimed “techno-optimists”, the Professors recognised in their 2017 book titled “*Rebooting Justice*”³, and I quote, “technology and new approaches to dispute resolution have led us to the threshold of a new golden age of access to justice”. We have thus far done well in terms of court digitisation and automation.⁴ But looking beyond these aspects, big data and machine learning can also transform how we handle dispute resolution. Technology, for one, facilitates the digitisation of data and integration of various data repositories, some physical and some digital, which in the aggregate may constitute a treasure trove of information. The key is in making sense of all that data and gleaning actionable insights, in a way which translates meaningfully into improved processes and better services for our court users.

10 We will no doubt have to assess the benefits against the costs of exploring and exploiting new technologies, including artificial intelligence-based prediction systems or legal information retrieval systems,⁵ blockchain ledger technologies⁶ and other nascent technologies that may have applications to judicial work. Ultimately, our main focus must be on the court users’ needs and how technology can enhance their experience of the justice process.

11 Even as we recognise the tremendous potential of artificial intelligence or “AI”, we should ensure that “AI” applications which we implement are both “accessible” and “inclusive”. Less tech-savvy or tech-enabled court users in particular should continue to be assisted as they navigate the justice system. We remain cognisant of the fact that while technology can lead to greater efficiency and enhance the delivery of justice, the human touch remains essential. In the delivery of justice, human experience, empathy and common sense reasoning play a critical role. And even as technology is harnessed, our investment in developing human capabilities cannot be neglected. Our revised Strategy Map will therefore place emphasis on cultivating an adaptive and future-ready workforce to deliver excellent court services to our court users.

III. DEVELOPMENTS IN 2018

12 The Octagon’s past does not necessarily foreshadow our work in the New State Courts Towers. Plans for the future cannot simply be extrapolations from the work done in past years.

However, past work provides crucial building blocks for work yet to be undertaken. The continuous evaluation and improvement of existing practices and processes must be an essential undertaking as we maintain our pursuit of excellence. Hence, before I elaborate on this year's initiatives, I would like to highlight six of our key initiatives from the past year.

(a) Community Justice and Tribunals System

13 The Community Justice and Tribunals System ("CJTS") was first launched in July 2017 as an online case filing and management system for claims in the Small Claims Tribunals ("SCT"). The number of SCT claims filed online in the first 12 months after the CJTS was launched has exceeded the number of SCT claims filed in the 12 months prior to its launch. To date, there has been no perceptible reduction in the number of SCT claims filed. This strongly suggests that online filing is not a barrier to accessing the SCT, and for those who have needed assistance with filing, we have endeavoured to ensure that help is on hand where necessary.

14 In February last year, we implemented the second phase of the CJTS to facilitate the electronic filing of neighbour dispute claims before the Community Disputes Resolution Tribunals ("CDRT"). We have also incorporated a pre-filing assessment tool for neighbour dispute claims to allow litigants to find out if their claims fall within the CDRT's jurisdiction. In January 2019, we further rolled out the third phase of the CJTS to enable the online filing of claims before the Employment Claims Tribunals.

15 To facilitate the amicable resolution of disputes, parties may conduct online negotiations and mediation for claims filed in the CJTS at their convenience and in their own time. In this respect, the CJTS has been acknowledged to be a pioneering application of Online Dispute Resolution ("ODR") among courts worldwide⁷. These ODR capabilities have resulted in time and cost savings for both the courts and the parties. Since the launch of the CJTS for SCT claims on 10 July 2017 until the end of February 2019, 1725 small claims had undergone e-Negotiation, and 602, or about 35% of these cases, reached amicable settlement as a result of e-Negotiation.

(b) Pre-prosecution Protocols for Town Council Prosecutions

16 Secondly, in March 2018, we implemented two pre-prosecution protocols that prescribe the steps that must be undertaken by Town Councils prior to initiating criminal prosecution for certain offences under the Town Councils Act. These offences relate mainly to non-payment of service and conservancy charges and breaches of Town Council by-laws.

These protocols set out frameworks requiring Town Councils to first negotiate with and to engage potential defendants before initiating prosecution as a last resort. Mutually agreed solutions are encouraged under the protocols, including agreements with potential defendants for payment by instalments. Since the implementation of these protocols, we have seen a noticeable decline in the number of prosecutions commenced per month by Town Councils, by some 43% on average.⁸

(c) Friends Engaging and Supporting (“FRENS”) Scheme

17 The third is an initiative known as the FRIends ENgaging and Supporting (FRENS) scheme. FRENS is a dedicated befriender programme which was launched in March 2018 with a view to facilitating the reintegration of ex-offenders. FRENS is targeted at ex-offenders who have been sentenced to relatively short imprisonment terms, and who may lack access to existing in-care and after-care befriender schemes. Assigned bendifenders work with ex-offenders for up to one year after release from incarceration, providing encouragement and practical assistance to address underlying causes of offending, such as obtaining treatment for mental illness or making appointments for such treatment. Since FRENS was launched, 30 cases have been referred by the Criminal Justice Division to the programme.

(d) Capacity-building for Judicial Officers and Court Administrators

18 I now move on to speak about the fourth initiative implemented last year. To prepare our officers to adapt to the ever-increasing pace of change in our operating environment, we implemented capacity-building for judicial officers (JOs) and court administrators (CAs). The cross-divisional capacity-building framework for JOs is a structured scheme to enhance bench skills and develop judicial adaptability by providing JOs with consistent exposure to work in at least two divisions. So far, more than 30 JOs have performed cross-divisional work, and we expect the number to continue to grow. The cross-training of CAs for both registry and courtroom work processes was also conducted in the past year.

(e) “Documents-only” civil trials and assessments of damages

19 The fifth initiative, which was piloted in December 2017, was inspired by arbitration proceedings. With the parties’ consent, selected civil trials and assessment of damages hearings were conducted and determined solely on the basis of documentary evidence, affidavits of evidence-in-chief and submissions. Positive feedback was received over the course of the year-long pilot. We have therefore proceeded to provide in our Practice Directions for the “documents-only” civil trial or assessment of damages as options which may

be employed with the parties' consent. From our experience, proceedings can be resolved in a more expeditious and economical manner on a "documents-only" basis, particularly in cases that turn on points of law rather than fact.⁹

(f) Additional dispute resolution tool – Conciliation

20 Last but not least, we began using conciliation as a new court dispute resolution tool last year.¹⁰ Prior to October 2018, the State Courts Centre for Dispute Resolution employed two main dispute resolution techniques as part of its case management strategy, namely, mediation and neutral evaluation. The judge's role during conciliation is to direct the parties through the negotiation process, and to suggest optimal solutions for their consideration. The judge in conciliation plays a more active role than in mediation, where the mediator's role is primarily to assist the parties in identifying key interests and to guide them to formulate their own solutions.

IV. WORKPLAN 2019 INITIATIVES

21 With this quick recap of last year's key initiatives, I turn to this year's Workplan. The theme is "State Courts: 2020 and beyond", which emphasises the need, in planning for the upcoming year's work, to also take a longer term view. This requires us to think critically about new initiatives and determine if they will bring us closer to what the State Courts should stand for in the year 2020 and beyond.

22 Technology will continue to advance, as will the commercialisation of law, in ways which will affect the conduct of litigation and our court operations. We can expect the future profile of court users to change, and there may be more self-represented litigants who choose to navigate court processes on their own. With these long term trends in mind, this year's Workplan focuses especially on the need to transform our court processes, tapping upon accelerating developments in technology and cross-disciplinary expertise.

23 Three main themes run through the various initiatives planned for 2019. Undergirding each of the themes is the State Courts' commitment to continuously transform our capabilities, in line with our core purpose. The three themes are: (i) delivering excellent court services, (ii) enhancing court processes; and (iii) engaging stakeholders and sharing knowledge. I will also be highlighting specific initiatives which will be implemented under this overarching theme of transforming capabilities.

(a) Delivering Excellent Court Services

24 There is value in providing more holistic court services by tapping on specialist knowledge in other domains, such as social services and psychology. Technology has enabled the improvement of court services, increasing both the accessibility and responsiveness of the services we provide. Under the first theme of delivering excellent court services, I am happy to announce four initiatives.

(i) Centre for Specialist Services

25 The first initiative is the launch of the State Courts Centre for Specialist Services (“CSS”). The CSS was “soft-launched” in July 2018, and is the most significant transformation to existing processes made to optimise the provision of court services in a “high touch” manner. The CSS is a one-stop multi-disciplinary facility for the provision of counselling and psychological services to court users across all justice divisions. The management of the various programmes for providing specialist assistance and support to groups of court users have since been centralised under the CSS. This will streamline processes, optimise resource use, as well as provide court users with a single touch point from which such assistance or support may be sought.

26 The CSS houses what was previously known as the Community Court Secretariat, and provides a broad range of services including counselling, psychological and clinical services, case management and making referrals to community agencies. The CSS also administers a number of existing programmes, including Project Care for the Coroner’s Court, and assistance for vulnerable victims and witnesses testifying in court. The CSS will also be administering two new programmes in the coming year, namely the Early Engagement of Offenders Below 21 Years programme and Project Restore, which I will speak a bit more about later on.

27 In addition, the CSS will plan and conduct outreach to the community and undertake research on current programmes and trends in the relevant fields, with a view to developing new programmes. For example, the CSS will be conducting a recidivism study on offenders who have participated in the FRENS scheme which we launched in March 2018, to assist us in evaluating the success of the scheme. We expect to see the results of that study sometime in the year 2021.

28 Let me share with you two specific cases to illustrate the meaningful work undertaken by the CSS. The first concerns a family who had, through a tragic accident at home, lost their

teenage son. “Jane”,¹¹ the deceased’s mother, was in emotional distress when she attended the Coroner’s Inquiry. A Court Counsellor from the CSS provided her with the necessary psychosocial assistance during and after the conclusion of the inquiry. Jane, though initially hesitant, gave her consent to be referred to a social worker in a community organisation for continuing support. Jane could therefore continue receiving help in coping with her grief.

29 The second case concerns “John’s”¹² journey in fighting alcohol addiction. He was unemployed and estranged from his family. He went on to commit theft of alcohol, and was accordingly charged and convicted. John was required to receive treatment to address his alcohol abuse under the Court-directed Pre-sentencing Protocol Programme. Court Counsellors monitored his adherence to the treatment programme, and gave him the necessary support to adhere to the treatment programme. He also received individual counselling from the Singapore After-Care Association. After six months, John successfully stayed away from alcohol, began full-time employment, and improved his relationship with his family. He was eventually given a conditional discharge upon completing the programme successfully.

30 These two examples I have shared illustrate that the timely provision of specialist services and support can complement the adjudicatory work which we undertake at the State Courts. We can, through providing appropriate care and support by trained specialists, make the interaction with the justice process less daunting, and help steer individuals towards positive outcomes in life. With the benefit of more experience and evaluation, we will consider expanding the scope of work undertaken by the CSS in due course.

(ii) Intelligent Court Transcription System

31 The second initiative is a project undertaken in collaboration with A*STAR’s Institute for Infocomm Research, which we have titled the Intelligent Court Transcription System (“iCTS”). Work on a Proof-of-Concept for iCTS began in November 2017 to instantly transcribe oral evidence in court proceedings involving multiple parties. iCTS utilises deep neural networks, language modelling and natural language processing. iCTS is trained in court-specific vocabulary as well as domain-specific terms, such as medical terms for coroner’s cases and engineering terms for industrial accident cases. Without using court reporters or transcribers, iCTS provides real-time transcription.

32 There are many potential benefits of real-time transcription. Currently, transcripts of our court proceedings are typically provided within 7 days of the hearing, or alternatively within 3 days in cases where there is an urgent request. We envisage that iCTS will enable us to

provide court transcripts to parties more expeditiously, and also reduce the cost involved in producing these transcripts. iCTS transcripts will also be searchable during proceedings, which would allow the Judge and parties to review the oral testimonies and evidence presented in Court immediately.

33 In February 2019, we successfully concluded the Proof-of-Concept for iCTS, and we will soon pilot its use in two courtrooms, Courts 10 and 11. Thereafter, we will work towards deploying iCTS for hearings in the New State Courts Towers and exploring other possible applications.

(iii) Civil Online Toolkit

34 The third initiative involves developing a Civil Online Toolkit, an online resource which will provide information on civil court processes and procedures which are currently contained in disparate resources. These resources include brochures, the State Courts website, the Justice@State Courts mobile application, and the Community Justice Centre website. Leveraging technology, the Civil Online Toolkit is envisioned as a means of providing a convenient, one-stop access to all the information which may be relevant to litigants who might not have the benefit of legal representation. The information will be presented in plain English, with information on what to expect at each stage of civil proceedings, and extracts from the Rules of Court and the applicable forms that are applicable at the relevant stage of proceedings.

35 After the roll-out of the Civil Online Toolkit, we will progressively work on other toolkits for persons navigating the processes of the Criminal Justice Division and the Community Justice and Tribunals Divisions. We will also explore the feasibility of incorporating platforms for accessing key functions of various case management systems utilised at the State Courts into the various Toolkits.

(iv) Enhancing Inmates' Access to Justice: Access to court documents and legal advice

36 The focus of the fourth initiative is the timely provision of information and court documents to prison inmates to enhance their access to justice. At present, all accused persons can access their court documents via log in by SingPass in the Integrated Criminal Case Filing and Management System, known to many of you as ICMS. However, inmates may not be able to clear the prerequisite two-factor authentication (2FA) as they are not in possession of their SingPass tokens or mobile phones. Inmates may thus sometimes face difficulty in retrieving case documents expeditiously in order to decide whether to appeal within the 14-day statutory time frame.¹³

37 A review of processes is being undertaken to find alternative ways of granting inmates more prompt access to case information, while at the same time meeting security needs. The State Courts have engaged the key stakeholders, including the Singapore Prisons Service (“SPS”) and the Community Justice Centre (“CJC”), who support this initiative.

38 Further, the SPS and CJC are collaborating with us to enable inmates who are unrepresented to gain access to timely legal advice. Through video link, a volunteer lawyer with the CJC may provide advice on whether an inmate has reasonable grounds for appeal. A 6-month pilot for this project was initiated on 1 February 2019, for inmates who are serving imprisonment terms for drug-related offences, as sentencing tariffs for such offences tend to be well-established and these offences tend not to involve complex factual matrices. After this pilot, the scheme may be extended to inmates who are serving imprisonment terms for other types of offences.

(b) Enhancing Court Processes

39 I have mentioned that two key enduring aspects of an effective and accessible justice system are affordability and efficiency. In this regard, we are strongly encouraged by the results of our Court Users Survey 2018, which indicate that 99% of respondents were satisfied with the services provided by the State Courts. 96% of respondents were further of the view that cases at the State Courts are disposed of in a timely and efficient manner. We will strive to sustain or even exceed these excellent results. It is imperative that justice is dispensed without disproportionate costs to court users, and that our processes are as efficient as they can be.

40 That said, we are also conscious that efficiency and affordability are not sufficient indicators of the effectiveness of our justice system. Investment in upstream court processes is just as important and complementary to our work at the State Courts. Channelling resources to address underlying causes of criminal behaviour as early as possible, or to contain and avoid disputes within the community, with the cooperation and assistance of stakeholders, goes a long way in ensuring that court resources are optimised and directed towards cases that most require adjudication.

(i) Early Engagement of Offenders Below 21 years

41 The first initiative under the theme of enhancing court processes is the Early Engagement of Offenders below 21 years.

42 Youth offending can often be prevented by upstream efforts to address particular socio-environmental factors that may motivate them to break away from the vicious circle of criminal behaviour.¹⁴ While current rehabilitative programmes for youthful offenders generally begin only after they have been sentenced, it would be optimal to work towards earlier rehabilitation of these offenders in appropriate cases.

43 The Centre for Specialist Services (“CSS”) will administer a new scheme, targeting the rehabilitation of youthful offenders at an early stage in the proceedings. The CSS will work with eligible youthful offenders 4 weeks after the first mention to conceptualise an engagement plan and thereafter monitor progress and provide support. We aim to work with our partners to assist these offenders with formal education, vocational training, financial assistance and deal with underlying family or social issues, as appropriate.

44 As the causes of offending by persons under the age of 21 can be complex, it is essential that multi-agency involvement is engaged at an early stage. We are encouraged that the Attorney-General’s Chambers, Ministry of Social and Family Development, Ministry of Education, Sports Singapore, the Community Justice Centre and non-profit organisations such as Hope House and GEM New Start Centre have expressed their support for this initiative.

(ii) Project Restore: Court-Initiated Use of Restorative Practices for Dispute Resolution

45 The second initiative for enhancing court processes highlights the point that the State Courts should not be thought of merely as a place at which dispute resolution is conducted. Our core purpose to deliver quality justice need not necessarily be fulfilled by conducting work solely on our premises. With Project Restore, we will bring alternative dispute resolution services out of court, to parties, where appropriate. Very often, disputes result from deteriorating or broken relationships which are capable of restoration. Restoring the underlying relationship at an early stage contains a dispute and prevents conflict escalation, which is akin to putting a fence at the top of a cliff rather than an ambulance at the bottom of the valley.

46 With parties’ consent, the CSS will refer appropriate cases to community partners who are trained to employ restorative practices to restore and heal relationships. Sessions can be conducted to enable parties to understand that harm has been caused, to validate the emotions of affected parties, and to allow parties to agree on the reparation required. At the initial stage, Project Restore will apply to neighbour disputes and selected criminal offences with a relational element.

(iii) *Pre-Action Protocol for Business-to-Business Debt Recovery Claims*

47 The third initiative to enhance court processes seeks to resolve a particular category of civil claims in a more efficient and economical manner. A considerable number of civil claims filed in recent years at the State Courts by businesses against other businesses are essentially debt recovery claims. I use the term “businesses” broadly in this context to refer to sole proprietorships, partnerships and other corporate entities. Disputes in these cases typically relate less to liability than to the state of the pleadings and documentation, the manner by which the outstanding sums or interest were computed, or what might constitute an appropriate repayment plan. Very often, the costs incurred for the proceedings can be disproportionate to the claimed sums stated in the pleadings.

48 To streamline issues and facilitate negotiations with a view to early amicable resolution of such disputes, we will be implementing a pre-action protocol. The protocol will require claims to be filed using standard forms, early exchange of documents and information, and consideration by parties of offers to settle or instalment payment plans. The pre-action protocol will clarify pleadings and facilitate early disclosure of documents, even where it does not result in an out-of-court settlement of the claim.

(c) Engaging Stakeholders and Sharing Knowledge

49 I turn now to the third theme of this year’s Workplan, which is engaging stakeholders and sharing knowledge. Effective administration and delivery of justice can often only be achieved through the collective efforts of all the stakeholders in the justice ecosystem. A collaborative and synergistic relationship amongst all the parties is thus vitally important when implementing transformative initiatives and programmes to improve the administration of justice.

(i) *CLICKS: Co-Working Space at the New State Courts Towers in collaboration with the Singapore Academy of Law (SAL)*

50 The first initiative under this theme is a collaboration with the SAL to set up a co-working space within the New State Courts Towers to connect pro-bono minded legal practitioners, technologists and start-ups. Law Society’s Pro Bono Office, the Criminal Legal Aid Scheme and the Community Justice Centre will also be involved in this project. The core objectives of the initiative, to be named “CLICKS @ State Courts” — where “CLICKS” stands for “Collaborative Law, Innovative Co-creation and Knowledge-Sharing” — are to promote pro bono work, drive legal innovation and entrepreneurship, and to prepare the legal community to be future-ready.

51 Active support of the CLICKS programme by the State Courts furthers our longstanding commitment to promoting access to justice, through innovative services and efficiencies enabled by technology as well as proximity to practitioners who actively undertake pro bono work. By situating their legal practice within the CLICKS co-working space, practitioners can gain access to technological capabilities, law-firm centric support services and shared services (such as billing and administrative functions). The target group of legal practitioners would be smaller legal practices, especially those specialising in criminal law, family law and community or relational disputes. A benefit of locating their practice within the New State Courts Towers is increased convenience for practitioners undertaking pro bono work. This will hopefully translate into enhanced access to justice for litigants who would thereby have greater and more convenient access to pro bono services and general legal advice and information.

52 CLICKS will also welcome technology start-ups, which will benefit from first-hand information on practitioners' needs, easier access to potential investors and potentially lower operating costs due to the shared facilities. The combined ecosystem will be conducive for legal professionals and technology start-ups to work together, where they may redesign processes, share information on court user needs and co-create practical tech-enabled solutions.

53 Given the overarching aim of encouraging technology adoption, innovation, and entrepreneurship in legal practice, CLICKS will host SAL's flagship Future Law Innovation Programme (FLIP) and the Legal Industry Framework for Training and Education (LIFTED). Law practitioners in this space will be guided in the transformation of their legal practice. Cumulatively, the programme aims to drive mindset changes among legal practitioners, and incubate new models for legal service delivery in the future economy.

(ii) Publications

54 Secondly, under the theme of engaging stakeholders and sharing knowledge, the publication of practitioners' texts on various topics relevant to the work of the State Courts has been planned. The first is the "Guide to Judge-led Dispute Resolution: Principles and Practice of Non-Adversarial Justice", a book which details the robust, judge-driven case management strategy of the State Courts Centre for Dispute Resolution ("SCCDR") to achieve early, cost-effective and amicable case resolution without the need for trial. In this regard, it sets out the guiding principles and dispute resolution tools employed across the wide variety of cases managed by the SCCDR to secure optimal outcomes for parties. The second publication planned is a text titled "The Law and Practice of Tribunals", which will fill the present void in

local publications by presenting a quick and comprehensive reference for the principles, procedure and practices concerning the conduct of tribunal hearings.

55 These texts will be valuable references for judicial officers, and also serve as useful resources for legal professionals, whose advice may be sought on these areas of legal practice. These publications may also, from the perspective of lay persons, help to demystify the law and processes of the Community Justice and Tribunals Division and the SCCDR.

(iii) The Future of Managing Personal Injury Claims

56 Thirdly, we are exploring a collaboration with the SAL to conduct a conference focussing particularly on how technology impacts the future management and determination of personal injury claims, possibly in the second half of 2020. Personal injury claims have for some time formed a substantial proportion of the State Courts' civil claims caseload. Technology has proven to have a remarkable ability to permeate all aspects of our daily lives, and this includes affecting the ways in which injury claims arise and the manner in which damages can be computed.

57 Novel issues will arise in the near future, which practitioners and the courts alike will have to grapple with. For example, there are potential issues of liability consequent upon the use of driverless cars. If a person has been injured by a driverless car, who bears responsibility? How will advances in medical science affect the assessment of injuries and the damages awarded, including pain and suffering or loss of earning capacity? It may also be timely to consider how evaluation of liability and monetary damages can be made simpler and more consistent by leveraging data and artificial intelligence. The conference can also showcase the ODR platform for motor accident claims, comprising an outcome predictor or simulator, a negotiating platform for settlement, and just as importantly, for pre-trial case management conferences, or CDR sessions as they are commonly known, to be conducted by judges online without the need for counsel and the parties to attend personally in court.

58 We hope to bring together at the conference key players and stakeholders, including legal and medical professionals, insurers, technologists, non-governmental organisations, and relevant ministries to consider how technological advancement can give rise to unique issues and at the same time help facilitate quicker, more certain and improved outcomes for parties in respect of personal injuries claims.

(d) Transforming Capabilities

59 Transformation of capabilities is a common theme undergirding the three themes which I have spoken about earlier. The digital revolution is here to stay. It is therefore imperative that our officers are attuned to the technology-driven environment in which we operate. We have formulated three strategies to enable the State Courts to harness technology and transform our processes in tandem with the evolving digital environment.

(i) Data Science Strategy

60 With the explosion of data being generated and collected, we have ramped up the data analytics capabilities of our Data Analytics and Research Department (DARD). Previously known as the Statistics and Analysis Section (SAS), what is now known as DARD will place increased emphasis on data analytics and harness data to enable the State Courts to gain relevant and actionable insights to transform the courts' processes and service delivery.

61 We have begun to employ more sophisticated data analytics techniques to better forecast caseloads to enable early resource planning for effective case management. We will continue training talent who can assist in deriving meaning from the large amounts of data collected by the State Courts as part of our data science strategy. This year, we will focus efforts on developing a data literate workforce, which is in line with the Digital Government Blueprint in support of the Smart Nation initiative,¹⁵ announcing the increased training of the public sector in data science to accelerate transformation efforts. We will also incorporate a Data Science Training Framework within the State Courts Master Learning Plan.

(ii) Developing a Digital Workforce

62 Given the changes to the operating environment, many, if not all members of the State Courts workforce would need to become increasingly technologically aware. The digital skills of the State Courts' workforce must be elevated to the requisite levels to avoid risks of redundancies in this digital age.

63 Hence, we have conceived of a two-pronged strategy to firstly, equip the State Courts' workforce with digital skills and enhance knowledge of digital technology, and secondly, to provide resources to apply the skills learnt. For a start, a Data Literacy and Digital Literacy Survey has been conducted to assess the level of knowledge amongst our staff. We are also exploring ways to expose officers to nascent technologies and their applications to enhance our work and processes in a creative and engaging way, such as through gamification platforms or other complementary IT applications.

(iii) *Transformation @ State Courts*

64 Finally, I turn to the last initiative that signifies our long-term commitment to the promotion and support of transformative ideas and projects. In my Workplan address last year, I announced the formation of a Process Transformation Committee to review and transform existing court processes in preparation for our move to the New State Courts Towers.

65 In the coming year, we will be rolling out the “Transformation @ SC” initiative to further enhance and entrench transformational mindsets and capabilities within the State Courts. “Transformation @ SC” will seek to create the impetus for achieving meaningful transformational changes in our organisation. Efforts would be undertaken to promote and reward transformation projects, and to make organisational excellence resources and tools more widely accessible. In the New State Courts Towers, space will also be allocated for the State Courts Lab, a purpose-built environment where officers can brainstorm and incubate ideas.

V. CONCLUSION

66 While the move to the New State Courts Towers marks a momentous new chapter in our history, we cannot simply leave behind and forget the rich experience which we have gained over the years. In the fourth quarter of 2019, we will be launching the State Courts Heritage Gallery, in conjunction with the Singapore Bicentennial celebrations. The Gallery, situated at the New State Courts Towers, will showcase the transformation journey of the State Courts and our contributions towards developing jurisprudence and upholding the rule of law in Singapore. There will be a mock-up of a courtroom in the Octagon, and exhibits showcasing significant cases previously tried in these courts. Visitors can look forward to an interactive and informative experience, as the majority of the exhibits at the Gallery will be tech-enabled.

67 Before I conclude, I would like to express my sincere gratitude to The Honourable the Chief Justice for joining us today as our Guest of Honour, and for his invaluable leadership and guidance over the years. I also express my thanks to all our distinguished guests for taking the time to be present with us today.

68 The work which we have undertaken in the past year, and the Workplan for 2019 would not have been possible without a competent, experienced and reliable senior leadership team. I have indeed been fortunate and am deeply grateful to have been ably assisted and supported by Dy PJSC Jennifer Marie, as well as the various heads of Divisions, who have served with dedication and excellence. I would also like to express my appreciation to the team led by DJ

Carrie Chan and Mr Andre Tan for their meticulous efforts in planning, organising and running this year's Workplan.

69 Finally, I would also like to extend my warm congratulations to PDJ Siva Shanmugam and PDJ Victor Yeo, on their respective appointments in the second half of 2018 at the helm of the Community Justice and Tribunals Division and the Criminal Justice Division. These appointments will no doubt go a long way towards steering the continued development and sustained growth of the State Courts.

70 I encourage each and every one of us at the State Courts to come together and contribute in every way that we can to the ongoing work of transforming the State Courts and realising our vision for 2020 and beyond. In times of relentless change, let us continue to be steadfast and resolute in our aim to inspire trust and confidence through an effective and accessible justice system. Thank you very much.

¹See the James P White Lecture address delivered by The Honourable the Chief Justice Sundaresh Menon, "Law Schools: A Time of New Burdens and New Beginnings" (30 October 2018) accessible at <https://www.supremecourt.gov.sg/news/speeches/chief-justice-sundaresh-menon--speech-delivered-at-the-james-p-white-lecture> and the Chief Justice's Singapore Academy of Law Annual Lecture 2018 (11 October 2018) accessible at www.supremecourt.gov.sg/news/speeches/chief-justice/sundaresh-menon---speech-at-the-singapore-academy-of-law-annual-lecture-2018.

² Opening of Legal Year address delivered by the Chief Justice (7 January 2019) accessible at <https://www.supremecourt.gov.sg/news/speeches/chief-justice-sundaresh-menon-address-at-the-opening-of-the-legal-year-year-2019-1>.

³ *Rebooting Justice: More Technology, Fewer Lawyers and the Future of Law* (Encounter Books, 2017) at p195.

⁴ World Bank Group Ranking on Ease of Doing Business 2019 – Singapore is ranked second in terms of having a business-friendly environment. Court automation is one of the indicators of ease of conducting business, and Singapore has scored well in this regard.

⁵ See for example the US experience in using AI for bail and sentencing (as discussed in Cathy O'Neil, *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy* (Crown Publishing) and "With AI and Criminal Justice, The Devil is in the Data", accessible at www.aclu.org/issues/privacy-technology/surveillance-technologies/ai-and-criminal-justice-devil-data). See Kevin Ashley, *Artificial Intelligence and Legal Analytics: New Tools for Law Practice in the Digital Age* (Cambridge University Press, 2017), where it is argued that there is scope for development of AI based systems which can be used as legal tools providing legal information to users; models of legal reasoning and argumentation can be built into these systems, by including pre-existing commercial and institutional approaches to full text legal information retrieval and e-discovery.

⁶ See discussion by Primavera De Filippi and Aaron Wright, *Blockchain and the Law: The Rule of Code* (Harvard University Press, 2018) – blockchain technologies may be used to store vast amounts of data in a decentralised manner without compromising data integrity. Access to such data can be granted by way of smart contracts, without the need for manual processing or checks. This Forbes article states the same point more succinctly: "How Blockchain Will Transform Business and the Law", accessible at www.forbes.com/sites/ianaltman/2018/06/29/blockchain-changes-business-law/#286b1b35cb9f.

⁷ UK Law Gazette Dec 2018, accessible at <https://www.lawgazette.co.uk/practice/a-smartphone-court-why-not-asks-the-lord-chief-justice/5068541.article>.

⁸ In 2016, 5,135 such charges were brought by Town Councils. In 2017, the number increased to 6,839. In 2018, 4,312 such charges were brought. Additionally, the average number of charges per month in the period of Jan to March 2018 (pre-protocol) was 546 whereas the average number of such charges per month from April 2018 to February 2019 (post-protocol) dropped to 312, which is a 42.9% decline in numbers.

⁹ Part IIIA: "Documents-Only" Proceedings, of the State Courts Practice Directions, effective 12 December 2018, accessible at <https://www.statecourts.gov.sg/Resources/Documents/Master%20PDs%20effective%20PD%204%20of%202018.pdf>.

¹⁰ Practice Direction 41A, above.

¹¹ Details of persons involved have been anonymised.

¹² Details of persons involved have been anonymised.

¹³ Section 377(2) of the Criminal Procedure Code (Cap 68, 2012 Rev Ed).

¹⁴ See the Chief Justice's Keynote Address at the Sentencing Conference 2017 (26 October 2017) accessible at [https://www.supremecourt.gov.sg/Data/Editor/Documents/SA:%20Conference%202017%20-%20Keynote%20Address%20\(Checked%20against%20delivery%20-%20261017\).pdf](https://www.supremecourt.gov.sg/Data/Editor/Documents/SA:%20Conference%202017%20-%20Keynote%20Address%20(Checked%20against%20delivery%20-%20261017).pdf).

¹⁵ The Digital Government Blueprint can be accessed at <https://www.tech.gov.sg/digital-government-blueprint/>