

# SINGAPORE COURTS



20  
20  
ANNUAL  
REPORT

# CHIEF JUSTICE'S FOREWORD

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SINGAPORE



2020 has been a challenging and yet transformative year. The COVID-19 outbreak has radically changed the way we live, work and interact, and has left an indelible mark on almost every sector and sphere of human activity. Our Judiciary was no exception; the unprecedented challenges occasioned by the pandemic and the measures imposed to control its spread have forced us to re-examine the way we live and work, and to find new and better ways of doing things.

Technology proved an essential asset in enabling the continuation of court operations during the “circuit breaker” and the months that followed. As our Courts were forced to shut their doors to all but the most urgent and essential cases, we moved quickly to ensure that at least remote lines of access remained open. In 2020 alone, almost 2,600 hearings were conducted remotely from April to December at the Supreme Court. A host of other court services were also moved online, ranging from remote interpretation to the provision of remote assistive services to court users. Over at the State Courts, asynchronous processes for certain hearings were piloted – some even before the circuit breaker measures were imposed. Under these pilot programmes, orders, directions and submissions were issued and received asynchronously via email or eLitigation without requiring the attendance of counsel or the parties. In these ways, we ensured the continuity of court operations and timely dispensation of justice whilst keeping both our staff and court users safe by minimising the need for in-person contact.

Even as we rapidly integrated technology into our court processes, we stayed attuned to the needs of those who might not have the means or know-how to access online court services. The Family Justice Courts’ (FJC) various initiatives to assist court users with the use of Zoom provide an outstanding example of this; amongst other things, a Zoom technical guide was published, and ‘Zoom rooms’ were established to help litigants unable to set up a call on their own attend remote hearings.

2020 also witnessed a significant milestone in the history of our Judiciary as structural reforms to our appellate court system were introduced. The Appellate Division of the High Court will allow us to utilise our appellate judicial resources more optimally and thereby help us better manage our appellate caseload, which has been steadily increasing both in terms of volume and complexity.

These structural reforms were accompanied by improvements to our legal procedures and court services. In the field of family justice, we made significant strides towards rooting our legal processes in the model of therapeutic justice. In the past year, we established an Advisory and Research Council of internationally-renowned thought leaders to serve as a resource panel for our Courts, set up a Panel of Financial Experts in partnership with the Institute of Singapore Chartered Accountants to assist the Court and litigants with the valuation of assets, and embarked on the revision of our Family Justice Rules to further align it with the values of therapeutic justice. These initiatives will make family justice less acrimonious, more oriented towards constructive outcomes, and altogether simpler and more accessible to those who must resort to the Courts to resolve their family disputes.

We have also modernised and digitised many of our administrative processes, such as those for the filing of applications and documents. For example, the State Courts has replaced manual, over-the-counter filing of Magistrate’s Complaints with online filing. Complementing this initiative, work is underway on the development of a new e-service for simplified track divorce applications and a website which will serve as a one-stop online guide to the public for information relating to all our court processes.

On the international front, we have continued to engage actively with our counterparts overseas despite the disruptions caused by the pandemic. Over the course of the year, we participated

at various international fora, such as the Council of ASEAN Chief Justices and the Commonwealth Magistrates and Judges Association Chief Justices’ meeting. Keynote bilateral events with our judicial counterparts in South Korea and Indonesia were also held remotely amidst the pandemic, a sign of the continued strength and depth of our bilateral ties. We also co-hosted the fourth edition of the Singapore-China Legal and Judicial Roundtable with the Supreme People’s Court (SPC) of the People’s Republic of China, and jointly launched a compendium of international commercial cases curated for their relevance to the Belt and Road Initiative. Signalling the strength of our bilateral relations, Justice Steven Chong was appointed a member of the International Commercial Expert Committee of the SPC.

2020 was a year of unprecedented challenges; yet, it has also been a year of unprecedented innovation and transformation. The pandemic has re-cast attitudes towards the adoption of technology and its transformative potential, and has presented us with a unique opportunity to reconsider long held assumptions as to what justice requires and how technology might change the ways in which it is administered. We must continue to build on this momentum so that our Courts remain on the cutting edge of innovation and change.

A handwritten signature in black ink, appearing to read 'Sundaresh Menon'.

**Sundaresh Menon**  
Chief Justice  
Supreme Court of Singapore

SUPREMECOURT  
SINGAPORE

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SINGAPORE

# THE JUDICIARY OF SINGAPORE AT A GLANCE

The **Judiciary** is one of the three Organs of State, together with the **Executive** and the **Legislature**.



## JUDICIARY

interprets the law and independently administers justice.



## EXECUTIVE

includes the Elected President, the Cabinet and the Attorney-General, and exercises powers according to the law.



## LEGISLATURE

comprises the President and Parliament and is the legislative authority responsible for enacting legislation.

The Judiciary is made up of the Supreme Court, State Courts and the Family Justice Courts. The Honourable the Chief Justice is the head of the Judiciary, who also oversees the Supreme Court.

## CHIEF JUSTICE



The Supreme Court Bench consists of the Chief Justice, Justices of the Court of Appeal, Judges of the Appellate Division, Judges of the High Court, Senior Judges, International Judges and Judicial Commissioners. The Supreme Court Registry is headed by the Registrar who is assisted by the Deputy Registrar, Senior Assistant Registrars and Assistant Registrars.

## PRESIDING JUDGE



The State Courts are headed by the Presiding Judge of the State Courts, who is assisted by the Deputy Presiding Judge, Principal District Judges, Registrar, and senior court administrators. District Judges and Magistrates preside over the District Courts and Magistrates' Courts respectively, and may hold concurrent appointments as Deputy Registrars, Coroners, Tribunal Judges and Magistrates.

## PRESIDING JUDGE

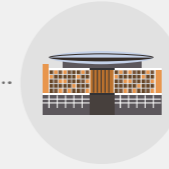


The Family Justice Courts are headed by the Presiding Judge of the Family Justice Courts, and consist of Judges of the High Court (Family Division), as well as Judicial Officers of the Family Courts and Youth Courts holding the appointment of District Judges and Magistrates, who may concurrently be appointed as Assistant Registrars, together with Court Family Specialist and Court Administrators.



## COURT OF APPEAL

The Court of Appeal hears all criminal appeals against decisions made by the General Division of the High Court ("General Division") in the exercise of its original criminal jurisdiction, prescribed categories of civil appeals against decisions made by the General Division and appeals that are to be made to the Court of Appeal under written law. The prescribed categories of civil appeals are set out in the Sixth Schedule to the Supreme Court of Judicature Act.



## HIGH COURT

The High Court comprises the General Division and the Appellate Division of the High Court ("Appellate Division").

## APPELLATE DIVISION

The Appellate Division hears all civil appeals against decisions made by the General Division that are not allocated to the Court of Appeal under the Sixth Schedule to the Supreme Court of Judicature Act. The Appellate Division also hears any civil appeal or other process that any written law provides is to lie to the Appellate Division. It has no criminal jurisdiction.

## GENERAL DIVISION

The General Division exercises original and appellate jurisdiction in civil and criminal cases. The General Division also exercises revisionary jurisdiction over the State Courts in criminal cases. It hears cases in the first instance as well as cases on appeal from the State Courts. The types of cases heard by the General Division include the following:

- Civil cases where the value of the claim exceeds \$250,000.
- Criminal cases where offences are punishable with death or imprisonment for a term which exceeds 10 years.
- Admiralty matters.
- Company winding-up and other insolvency-related proceedings.
- Bankruptcy proceedings.
- Applications for the admission of advocates and solicitors.

Appeals arising from a decision of the General Division in civil matters will be allocated between the Appellate Division and the Court of Appeal in accordance with the statutory framework set out in the Supreme Court of Judicature Act. In cases where leave is required to appeal against a decision of the General Division, the leave application will be heard by the relevant appellate court, whose decision on the application for leave to appeal will be final.

## Singapore International Commercial Court ("SICC")

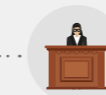
The SICC is a division of the General Division. The SICC has the jurisdiction to hear and try:

- Actions which are international and commercial in nature, in accordance with section 18D(1) of the Supreme Court of Judicature Act.
- Proceedings relating to international commercial arbitration, in accordance with section 18D(2) of the Supreme Court of Judicature Act.
- These include cases commenced in the SICC as well as cases transferred from the General Division to the SICC.



## DISTRICT COURTS

- Hear civil cases where the value of the claim is more than \$60,000 and up to \$250,000, or up to \$500,000 for road traffic accident claims or claims for personal injuries arising out of industrial accidents.
- Hear criminal cases where the maximum imprisonment term does not exceed 10 years or which are punishable with a fine only.



## MAGISTRATES' COURTS

- Hear civil cases involving claims not exceeding \$60,000.
- Hear criminal cases where the maximum imprisonment term does not exceed 5 years or which are punishable with a fine only.



## CORONERS' COURTS

- Conduct inquiries into sudden or unnatural deaths or where the cause of death is unknown.



## SMALL CLAIMS TRIBUNALS

- Hear claims not exceeding \$20,000, or \$30,000 if both parties consent in writing, for disputes arising from a contract for the sale of goods, provision of services, an unfair practice relating to a hire-purchase agreement, a tort in respect of damage caused to property, certain statutory claims, or a contract relating to a lease of residential premises not exceeding 2 years.



## COMMUNITY DISPUTES RESOLUTION TRIBUNALS

- Hear claims not exceeding \$20,000 for disputes between neighbours concerning the tort of interference with enjoyment or use of place of residence.



## EMPLOYMENT CLAIMS TRIBUNALS

- Hear salary-related claims and wrongful dismissal claims not exceeding \$20,000, or \$30,000 for tripartite-mediated disputes.



## HIGH COURT (FAMILY DIVISION)

- Exercises original jurisdiction and hears appeals against the decisions of the Family Courts and the Youth Courts in family proceedings.
- Hears ancillary matters in family proceedings involving assets of \$5 million or more.
- Hears probate matters where the value of the deceased's estate is more than \$5 million or if the case involves the resealing of a foreign grant.



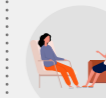
## YOUTH COURTS

Cases under the Children and Young Persons Act, i.e. Youth Arrest, Family Guidance and Care and Protection cases.



## FAMILY COURTS

- Divorce-related proceedings
- Guardianship proceedings
- Adoption proceedings
- Protection from family violence
- Provision of maintenance matters
- Mental capacity cases
- Probate cases
- Protection of vulnerable adults



## MEDIATION & COUNSELLING

All cases coming before the Courts will be managed proactively by judges from the start and where necessary, the Courts can direct that parties undergo counselling and mediation to try and reach amicable resolution of their disputes instead of proceeding with adjudication.

To navigate the Singapore Courts Annual Report, click the buttons below

### SUPREME COURT

ENHANCING THE ADMINISTRATION OF JUSTICE



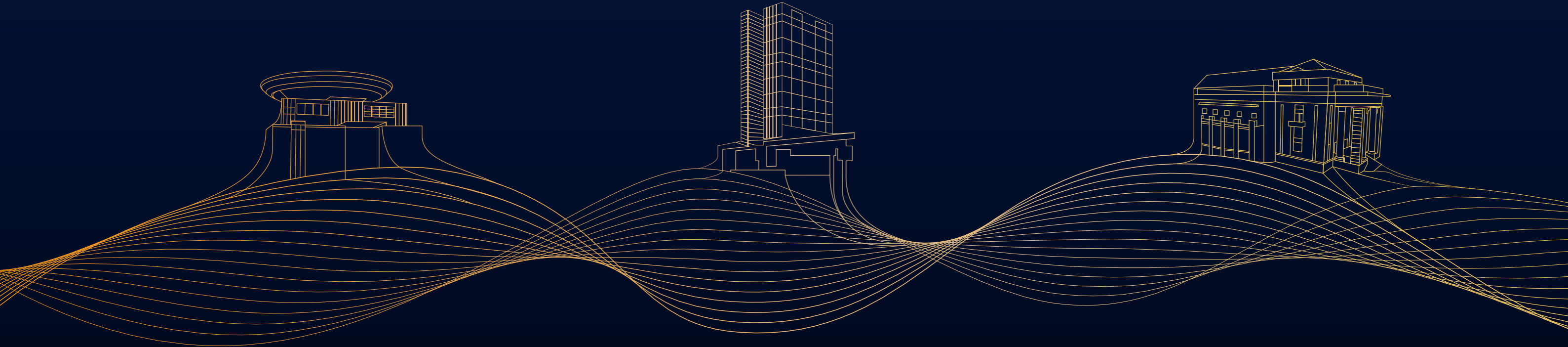
### STATE COURTS

FUTURE-READY



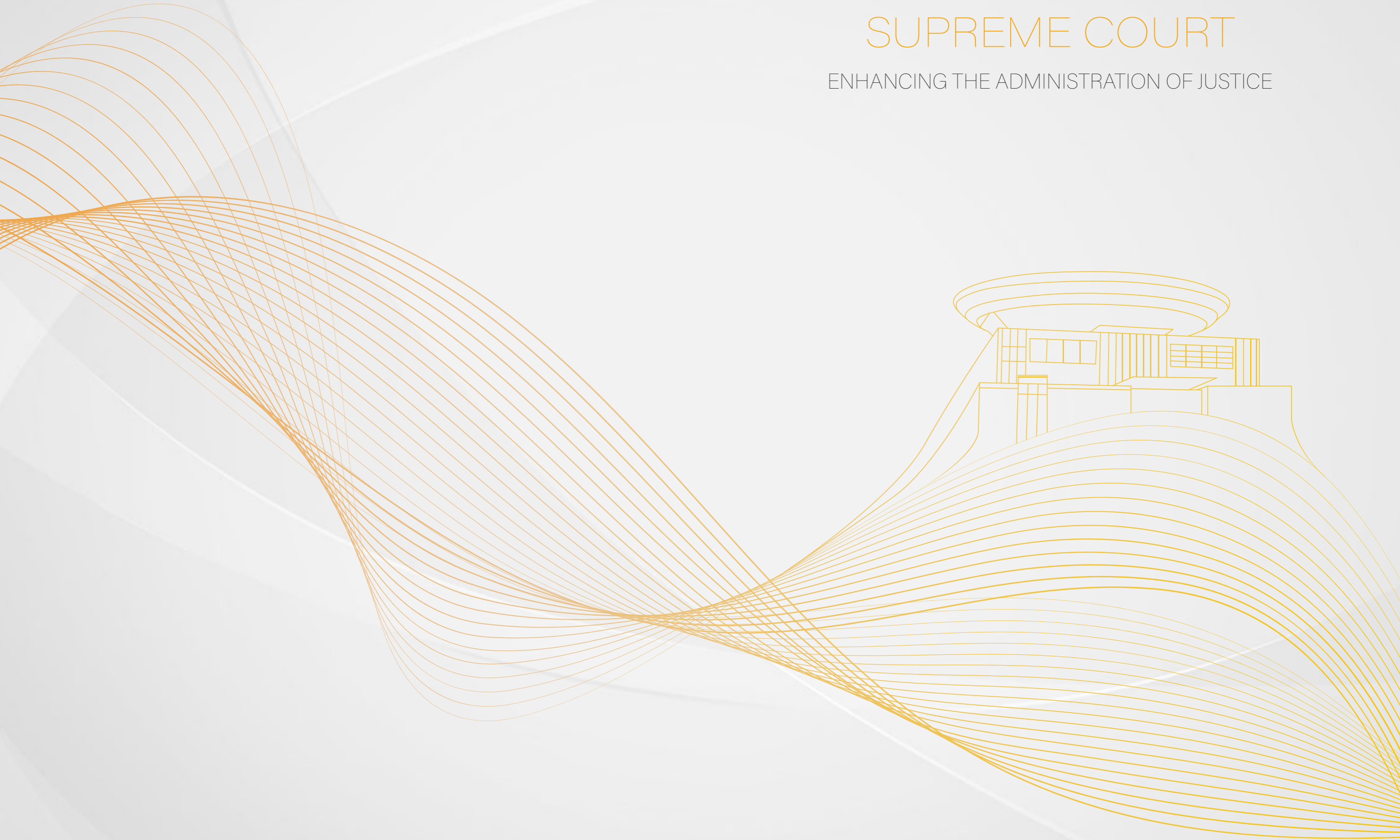
### FAMILY JUSTICE COURTS

TODAY IS A NEW DAY



# SUPREME COURT

ENHANCING THE ADMINISTRATION OF JUSTICE



# SUPREME COURT



## VISION

A leading, trusted Judiciary.  
Ready for tomorrow.

## MISSION

Accessible justice that commands  
trust, respect and confidence

## VALUES

Fairness • Accessibility •  
Independence, Integrity, Impartiality •  
Responsiveness

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# ENHANCING THE ADMINISTRATION OF JUSTICE

## TECHNOLOGY



Technology has been a pivotal driver in enabling access to justice and plays a central role in enhancing the delivery of justice. Amidst the COVID-19 pandemic, the Supreme Court was able to leverage technology to improve its operations and services to court users. We will continue to streamline processes and enhance access to justice through technological transformation.

## EMPOWERING COURT USERS



### USE OF REMOTE COMMUNICATION TECHNOLOGIES

During the "Circuit Breaker" period from 7 April to 1 June 2020, the Singapore Courts conducted hearings using video conferencing technology. On 23 April 2020, the Court of Appeal delivered its judgment remotely for the first time via Zoom.

Launched in 28 May 2019 for criminal pre-trial conferences and criminal case disclosure conferences, Remote Interpreting (RI) has been used in plead-guilty, appeal hearings involving inmates before the High Court and the Court of Appeal during and post "Circuit Breaker" period. Besides open court hearings, RI is also widely used in chambers hearings conducted virtually, such as bankruptcy hearings, where non-English speaking parties or litigants-in-person are involved. With RI, interpreters can now tap on video-conferencing technologies without the need to be physically present in court.



### ENHANCEMENTS TO LAWNET

Further enhancements to LawNet will be launched in 2021 to help law firms digitalise and increase their productivity. The next-generation LawNet will offer improved search algorithms and personalised features for better research productivity. It will, over the next five years or so, also progressively provide regional legal content to support the profession's regionalisation efforts.



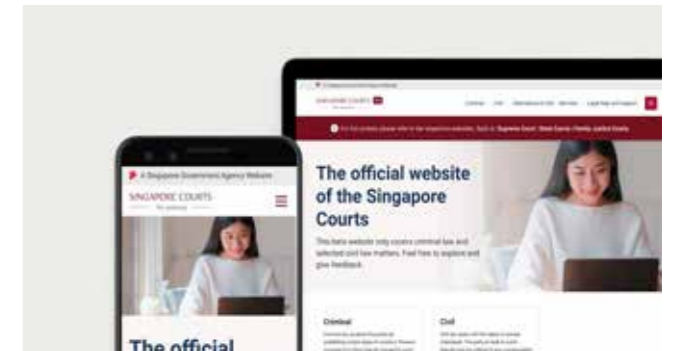
### SINGAPORE COURTS MOBILE APP

Launched on 15 December 2020, the Singapore Courts Mobile App will allow existing subscribers of E-Litigation to conveniently access their case files, court calendars, upcoming hearing lists and venue information while on the go. Currently in open beta, the App will be progressively enhanced to enable queue tickets to be issued for physical hearings and attendance at virtual hearings in-app. It is available for download via Google Play or Apple Store free of charge.



### JUDICIAL HERITAGE EXPLORER MOBILE APP

To enhance visitors' experience at the new Judicial Heritage Gallery, located at the Supreme Court building, an interactive mobile app will be launched to complement their visit to the Gallery. Through the eyes of "Emily", a child curious about the Singapore Judiciary, visitors can use the app to explore the Judiciary's time-honoured customs and gain unique insights into the artefacts and provide their vision for the Courtroom of the Future. Students can also use the app's educational and interactive activities as part of their schools' learning journey. The app can be downloaded via Google Play or the Apple Store.



### SINGAPORE COURTS WEBSITE

The Supreme Court, the Family Justice Courts and the State Courts are working on a single website to provide court users and members of the public an easy one-stop access to the various court processes. Presented in simple, layman language, the website is expected to be launched in Q3 2021.

# ENHANCING THE ADMINISTRATION OF JUSTICE

## JUSTICE REFORMS



### APPELLATE DIVISION OF THE HIGH COURT

Following the establishment of the Appellate Division of the High Court ("Appellate Division") on 2 January 2021, the Supreme Court continues to consist of the Court of Appeal, which remains the apex court, and the High Court. The High Court has been restructured into two divisions, namely, the General Division of the High Court ("General Division") and the Appellate Division.

Appeals arising from a decision of the General Division are allocated between the Appellate Division and the Court of Appeal. The Court of Appeal hears all criminal appeals from the General Division, prescribed categories of civil appeals, and appeals that are to be made to the Court of Appeal under written law. All other appeals from the General Division are heard by the Appellate Division. Certain decisions of the Appellate Division may be further appealed against only the leave of the Court of Appeal. The Court of Appeal has the power to transfer civil appeals between the two appellate courts.

Additional reforms were also introduced to enhance the efficiency and flexibility of court processes, with a view to facilitating the timely disposal of appeals and bringing the overall cost of litigation down. First, the Court of Appeal and the Appellate Division have powers to decide certain appeals without hearing oral arguments, with parties' consent. Second, in all cases where leave is required to appeal against a decision of the General Division, the leave application will now be heard in the first instance by the relevant appellate court, whose decision will be final.



### CIVIL JUSTICE REFORM

The upcoming implementation of the new Rules of Court in the later part of 2021 will further modernise our civil justice system. On 30 July 2020, the Insolvency, Restructuring and Dissolution Act 2018 was brought into force. The Act consolidated and updated Singapore's personal and corporate insolvency and restructuring law in accordance with international best practices. It has also introduced simplified debt restructuring and winding up regimes, which offer more affordable and efficient methods of restructuring and liquidation, and are especially important as the COVID-19 pandemic continues to impact trade and commerce.



### SINGAPORE INTERNATIONAL COMMERCIAL COURT ("SICC")

The SICC's new standard-setting body of procedural rules is in the final stages of development and will be implemented later in 2021.



### CROSS-COURT KNOWLEDGE MANAGEMENT OFFICE

To facilitate the sharing of knowledge and best practices across the entire Judiciary, a cross-court Knowledge Management Office has been established on 1 March 2021. The Office will take a longer-term view of the knowledge management needs of the Judiciary as a whole, focussing on knowledge management of judicial resources in the initial stage, before extending to the non-judicial areas subsequently.

## GREATER USE OF ALTERNATIVE DISPUTE RESOLUTION



In the light of the COVID-19 pandemic, businesses and individuals faced several economic and commercial challenges. To assist businesses and individuals in resolving their disputes amicably, the Supreme Court, in collaboration with the Singapore Mediation Centre ("SMC"), successfully launched the SGUnited Mediation Initiative in July 2020 where suitable cases in the Supreme Court were identified and referred to the SMC for mediation at no charge to parties. As at 31 December 2020, mediation was completed for 97 cases and of these, about 40% were successfully settled. This resulted in a saving of more than 252 trial days that would otherwise have been expended in the High Court.



# THE SUPREME COURT BENCH



## THE SUPREME COURT BENCH

### OUR JUDGES

AS OF 31 JANUARY 2021

**Participants (5)**

**CHIEF JUSTICE**

- CJ Chief Justice Sundaresh Menon

**JUSTICES OF THE COURT OF APPEAL**

- AP Justice Andrew Phang
- JP Justice Judith Prakash
- YK Justice Tay Yong Kwang
- SC Justice Steven Chong

Mute Stop Video Manage Participants <sup>5</sup>

# THE SUPREME COURT BENCH

## OUR JUDGES

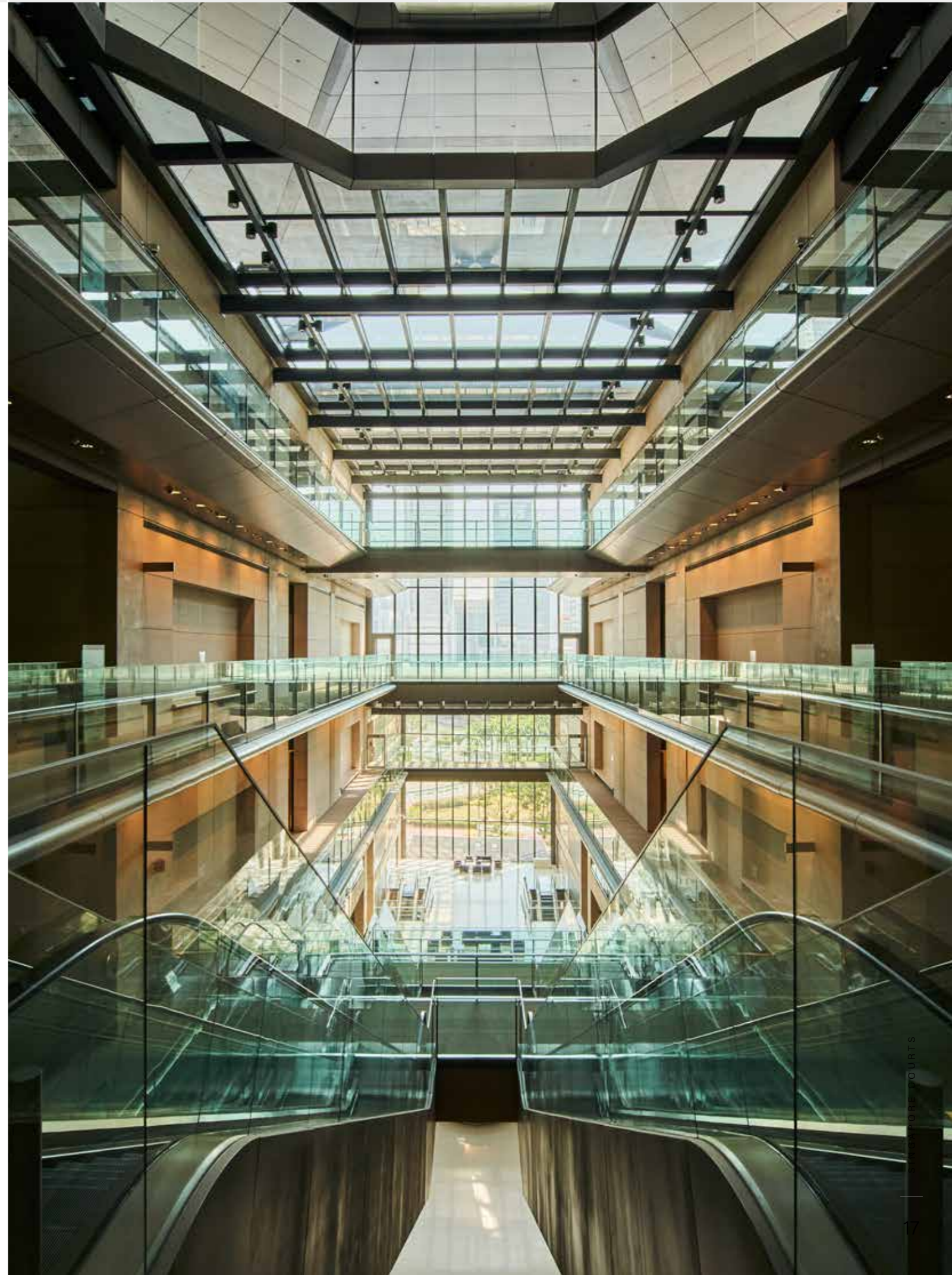
AS OF 31 JANUARY 2021

**Participants (3)**

**JUDGES OF THE APPELLATE DIVISION**

- BA** Justice Belinda Ang
- BL** Justice Woo Bih Li
- QL** Justice Quentin Loh

Mute Stop Video Manage Participants<sup>3</sup>



# THE SUPREME COURT BENCH

## OUR JUDGES

AS OF 31 JANUARY 2021

The screenshot displays a Zoom meeting interface with 17 participants. The main area shows a grid of 17 video thumbnails, each featuring a judge in a black robe against a red background with the 'SUPREME COURT' watermark. The judges are arranged in four rows: the first three rows have four thumbnails each, and the fourth row has five. Each thumbnail has a name label at the bottom. The sidebar on the right, titled 'Participants (17)', lists the judges with their initials in colored boxes and icons for audio and video. The meeting toolbar at the bottom includes icons for Mute, Stop Video, Invite, Manage Participants (17), Share Screen, Chat, Record, Breakout Rooms, Reactions, and an 'End meeting' button.

### Participants (17)

#### JUDGES OF THE HIGH COURT

- HT Justice Choo Han Teck
- SK Justice Lee Seiu Kin
- SO Justice Chan Seng Onn
- VC Justice Vinodh Coomaraswamy
- ST Justice Tan Siong Thye
- KO Justice See Kee Oon
- LM Justice Chua Lee Ming
- KR Justice Kannan Ramesh
- VT Justice Valerie Thean
- SP Justice Hoo Sheau Peng
- DO Justice Debbie Ong
- AA Justice Aedit Abdullah
- KC Justice Pang Khang Chau
- AL Justice Audrey Lim
- CH Justice Ang Cheng Hock
- VH Justice Vincent Hoong
- DG Justice Dedar Singh Gill

# THE SUPREME COURT BENCH

## OUR JUDGES

AS OF 31 JANUARY 2021

**Participants (6)**

**JUDICIAL COMMISSIONERS**

- PB** Judicial Commissioner Tan Puay Boon
- MC** Judicial Commissioner Mavis Chionh
- SM** Judicial Commissioner S. Mohan
- AM** Judicial Commissioner Andre Maniam
- PJ** Judicial Commissioner Philip Jeyaretnam
- ML** Judicial Commissioner Kwek Mean Luck

Mute Stop Video Manage Participants <sup>6</sup>

**Participants (3)**

**SENIOR JUDGES**

- HT** Justice Chao Hick Tin
- AA** Justice Andrew Ang
- SC** Justice Lai Siu Chiu

Mute Stop Video Manage Participants <sup>3</sup>

# THE SUPREME COURT BENCH

## INTERNATIONAL JUDGES

AS OF 31 JANUARY 2021

**Participants (16)**

**INTERNATIONAL JUDGES**

- CB** Justice Carolyn Berger
- PB** Justice Patricia Bergin
- JC** Justice Sir Jeremy Cooke
- BE** Justice Sir Henry Bernard Eder
- RF** Justice Robert French
- RG** Justice Roger Giles
- DH** Justice Dominique T. Hascher
- DJ** Justice Douglas Samuel Jones AO
- JM** Justice Lord Jonathan Hugh Mance
- BM** Justice Beverley McLachlin PC
- DN** Justice Lord Neuberger of Abbotsbury
- VR** Justice Sir Vivian Ramsey
- AR** Justice Anselmo Reyes
- BR** Justice Sir Bernard Rix
- AS** Justice Arjan Kumar Sikri
- ST** Justice Simon Thorley QC

Mute Stop Video Invite Manage Participants (16) Share Screen Chat Record Breakout Rooms Reactions End meeting



## THE SUPREME COURT BENCH

### APPOINTMENT/REAPPOINTMENT

2020 saw extensive local and international developments to the Supreme Court. The Bench, equipped with diverse judicial experience and expertise, is committed to fulfil our vision of a leading and trusted judiciary, ready for tomorrow. In recent years, the Supreme Court judges have been appointed as Judges or Judicial Commissioners of courts in other jurisdictions. This raises Singapore's international standing and reputation as a legal and judicial centre.

#### APPOINTMENT OF HIGH COURT JUDGES



**Justice Dedar Singh Gill** was elevated to a High Court Judge with effect from 1 August 2020. He was first appointed Judicial Commissioner of the Supreme Court in August 2018. Prior to his appointment, he was the Managing Director of the Intellectual Property Department at Messrs. Drew & Napier LLC. He was appointed by the Chief Justice to manage the Intellectual Property (IP) list of the High Court and during this period, he has worked on the implementation of the recommendations previously submitted by the IP Dispute Resolution Framework Review Committee to review the IP dispute resolution system in Singapore. In addition to hearing IP cases, he has also been exposed to cases pertaining to contract, tort and negligence.



**Justice Mavis Chionh** was elevated to a High Court Judge with effect from 12 March 2021. Since joining the Legal Service in 1991, she had accumulated considerable and varied legal experience in both criminal and civil matters during her postings to the Supreme Court, State Courts and Attorney-General's Chambers (AGC). Prior to her appointment as a Judicial Commissioner of the Supreme Court on 12 March 2018, she was the 2nd Solicitor-General in AGC and was appointed a Senior Counsel in 2015.

# THE SUPREME COURT BENCH

## APPOINTMENT/REAPPOINTMENT

### REAPPOINTMENT OF HIGH COURT JUDGES



**Justice Debbie Ong** was reappointed as the Presiding Judge of the Family Justice Courts (PJFC) for a further term of three years with effect from 1 October 2020. She was first appointed as PJFC on 1 October 2017 for a period of three years. The extension of her appointment will allow her to continue driving FJC's key initiatives and family law reforms that have been put in place during her current term, and to oversee their implementation over the next few years. In addition to her judicial duties, Justice Ong also serves on a number of committees including the International Advisory Board of the Child and Family Law Quarterly Journal (UK), the Family Justice Rules Working Party, the Family Law Reform Working Group, the Singapore Academy of Law's Publications Committee and the Legal Education Cluster Committee. She also co-chaired the inter-agency Committee to Review and Enhance Reforms in the Family Justice System.



**Justice Chan Seng Onn** was reappointed as a High Court Judge for a further term of one year with effect from 4 January 2021. He was appointed Judicial Commissioner of the Supreme Court on 15 October 1997. He left Supreme Court in June 2001 to assume the appointment of Solicitor-General before returning to the Bench as a High Court Judge on 2 July 2007. As Judge, his areas of focus are in building and construction, shipbuilding, complex and technical cases, intellectual property and criminal matters. Justice Chan has been the President of the Industrial Arbitration Court since 15 October 2007. He is also a member of the Sentencing Council, the Costs Panel and the Council of Law Reporting.

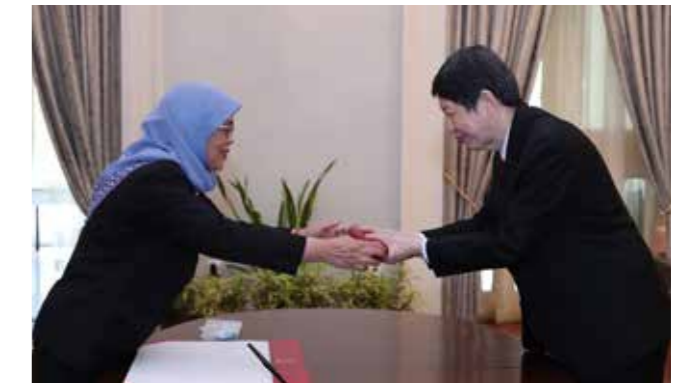


**Justice Choo Han Teck** was reappointed as a High Court Judge for a further term of one year with effect from 21 February 2021. He was appointed Judicial Commissioner of the Supreme Court on 1 April 1995 and was elevated to a High Court Judge on 2 January 2003. His areas of focus are in revenue law, employment issues, tort claims and criminal matters. He has been the President of the Military Court of Appeal since November 2004 and a member of the Singapore Academy of Law's (SAL's) Publication Committee since 2006.

### APPOINTMENT OF JUDGES OF THE APPELLATE DIVISION OF THE HIGH COURT



**Justice Belinda Ang** was appointed President of the Appellate Division as well as Judge of the Appellate Division with effect from 2 January 2021. Justice Ang was appointed Judicial Commissioner of the Supreme Court on 1 February 2002 and was elevated to a Judge of the High Court on 2 January 2003. Justice Ang's areas of focus are in shipping and arbitration matters, finance, securities, banking, and complex commercial cases. Justice Ang, who has been the Judge in charge of the High Court since November 2017, is also the chairperson and director of the Board of the Singapore Mediation Centre and co-chair of the Medical Litigation Review Committee. Justice Ang was re-appointed Judge of the High Court after her retirement in 2019. Since her reappointment in April 2019, Justice Ang has been sitting as an ad hoc member of the Court of Appeal.



**Justice Woo Bih Li** was appointed Judge of the Appellate Division with effect from 2 January 2021. Justice Woo was appointed Judicial Commissioner of the Supreme Court on 2 May 2000 and was elevated to a Judge of the High Court on 2 January 2003. In December 2019, Justice Woo was re-appointed High Court Judge after his retirement. As a Judge, Justice Woo specialised in finance, securities, banking, complex commercial cases, employment, tort claims, public law and judicial review, and criminal trials. Like Justice Ang, since his reappointment as Judge of the High Court, Justice Woo has been sitting as an ad hoc member of the Court of Appeal.



**Justice Lee Seiu Kin** was reappointed as a High Court Judge for a further term of one year with effect from 30 January 2021. He was appointed Judicial Commissioner of the Supreme Court on 15 October 1997. He left in October 2002 to assume the appointment of 2nd Solicitor-General before returning to the Bench as a High Court Judge on 11 April 2006. As Judge, his areas of focus include construction and shipbuilding, intellectual property, employment and criminal matters. Justice Lee also chairs the OneJudiciary Steering Committee which oversees and drives the implementation of the Courts of the Future IT Roadmap initiatives.

# THE SUPREME COURT BENCH

## APPOINTMENT/REAPPOINTMENT



**Justice Quentin Loh** was appointed Judge of the Appellate Division with effect from 2 January 2021. Justice Loh was first appointed to the Supreme Court as a Judicial Commissioner as a Judicial Commissioner on 1 September 2009 and was elevated to a High Court Judge on 1 June 2010. Since his retirement on 25 December 2015, he had been reappointed as High Court Judge twice. Justice Loh specialises in all aspects of construction, commercial litigation and arbitration (domestic and international). He also hears public law matters. In addition, Justice Loh is the Judge in charge of the Singapore International Commercial Court (SICC) and chairs the SICC Development Committee and the SICC Rules Committee. In August 2018, Justice Loh was appointed as Judge of the Supreme Court of Fiji on a part-time basis for three years to hear cases in an appellate capacity, excluding major criminal cases and cases involving constitutional issues.

The Honourable the Chief Justice Sundaresh Menon has also appointed Justice Loh as President of the SICC, alongside the two-year extension of his appointment as High Court Judge with effect from 25 December 2020.



**Judicial Commissioner Kwek Mean Luck** was appointed Judicial Commissioner (JC) of the Supreme Court for a period of 18 months with effect from 4 January 2021. He began his legal career in the Supreme Court in 1998, serving first as a Justices' Law Clerk in the Supreme Court, and subsequently as Assistant Registrar and Senior Assistant Registrar. He also held appointments in the Administrative Service, including as Deputy Secretary (Industry) in the Ministry of Trade and Industry, Deputy Secretary (Development) in the Public Service Division of the Prime Minister's Office and as Dean and Chief Executive Officer of the Civil Service College. In 2015, he was appointed Second Solicitor-General in the Attorney-General's Chambers (AGC) and has been the Solicitor-General in AGC since 2017. He was appointed a Senior Counsel in 2017. JC Kwek has also served on the boards of several government agencies such as Sentosa Development Corporation, Economic Development Board and Civil Service College.

### APPOINTMENT OF JUDICIAL COMMISSIONER



**Judicial Commissioner Andre Francis Maniam** was appointed Judicial Commissioner of the Supreme Court for a period of two years with effect from 4 May 2020. He has about 30 years' experience as a lawyer, with the last 10 years as a Senior Counsel in various modes of dispute resolution including litigation, arbitration, and mediation. His practice covers a wide range of subject areas including administrative and constitutional law, arbitration, bankruptcy and insolvency, building and construction, commercial and corporate disputes, cross-border trade, as well as regulatory and financial crime matters. He is on the panels of various arbitral institutes like the Singapore International Arbitration Centre, Asian International Arbitration Centre, and Russian Arbitration Centre at the Russian Institute of Modern Arbitration. He is also on the Singapore International Mediation Centre's panel of specialist mediators.



**Judicial Commissioner Philip Jeyaretnam** was appointed Judicial Commissioner (JC) of the Supreme Court for a period of one year with effect from 4 January 2021. He was conferred the title of Senior Counsel in 2003 at the age of 38, one of the youngest lawyers to be appointed senior counsel. He entered private practice in 1988 as an associate in Robert Wang & Woo, before moving on to Chor Pee and Partners. In 1992, he joined Helen Yeo & Partners and was a Partner there till 2002, when the firm merged with Rodyk & Davidson. In 2010, he was elected Managing Partner of Rodyk & Davidson LLP taking office at the start of 2011, and in 2016, he led the firm's combination with Dentons, forming Dentons Rodyk & Davidson LLP. Concurrently with his active practice in arbitration and litigation, he has been part of Dentons global management since then, holding the position of ASEAN CEO and Global Vice Chair of Dentons. JC Jeyaretnam's practice in arbitration and litigation has focused on commercial law and construction law. He is widely recognised as a leading expert in arbitration, construction law and litigation in all major legal publications. He was also President of the Law Society during the years 2004 to 2007.

### REAPPOINTMENT OF SENIOR JUDGES



**Justice Chao Hick Tin** was reappointed as a Senior Judge of the Supreme Court for a further term of two years with effect from 5 January 2021. He began his career in the Public Service as a State Counsel in the Attorney-General's Chambers in 1967 and rose to the position of Senior State Counsel in 1979. Justice Chao was appointed Judicial Commissioner in 1987 and elevated to a High Court Judge in 1990. He subsequently became a Judge of Appeal in 1999. He was appointed Attorney-General in 2006 and returned to the Supreme Court as a Judge of Appeal and Vice-President of the Court of Appeal in 2008. Justice Chao retired as a Judge of Appeal on 28 September 2017 after more than 50 years of public service and was appointed a Senior Judge on 5 January 2018.



**Justice Andrew Ang** was reappointed as a Senior Judge of the Supreme Court for a further term of one year with effect from 5 January 2021. Justice Andrew Ang started his legal career as a lecturer at the National University of Singapore's Law Faculty in 1972. He joined Lee & Lee two years later in 1974 and became a Partner in 1975. In May 2004, he was appointed to the Supreme Court Bench as a Judicial Commissioner and was later elevated as a High Court Judge in May 2005. Justice Ang retired in February 2014 and returned to the Supreme Court as a Senior Judge in 2015.



# THE SUPREME COURT BENCH

## APPOINTMENT/REAPPOINTMENT



**Justice Lai Siu Chiu** was reappointed as a Senior Judge of the Supreme Court for a further term of one year with effect from 5 January 2021. She was appointed Judicial Commissioner of the Supreme Court in 1991, the first female to be so appointed. She subsequently became the first female Judge of the Supreme Court in 1994. Justice Lai was in private practice prior to joining the Supreme Court. She retired from the Bench in October 2013 and was appointed as a Senior Judge in 2015.



### REAPPOINTMENT OF INTERNATIONAL JUDGES



**Justice Carolyn Berger** was reappointed for a third term, until the conclusion of the case - SIC/S 3/2018, with effect from 5 January 2021. She was a Justice on the Delaware Supreme Court, the highest Court in the State of Delaware from 1994 to 2014. Before that, she served for 10 years on the Delaware Court of Chancery, the business trial court in Delaware that specialises in corporate and commercial disputes. Before serving on the Delaware Courts, Justice Berger was a Deputy Attorney General in the Delaware Attorney General's office and a corporate litigator in the firm Skadden, Arps, Slate, Meagher and Flom. Born in New York, she received a Juris Doctor degree from Boston University School of Law in 1976 and an honorary Doctor of Laws from Widener University School of Law in 1996.

**Justice Patricia Bergin** was reappointed for a third term, for a period of three years, with effect from 5 January 2021. She retired from the Supreme Court of New South Wales on 29 January 2017, having been appointed in March 1999. Between 2003 and March 2009, she served as Commercial List Judge administering the work of the busiest Commercial Court in Australia. Justice Bergin was appointed Chief Judge in Equity in March 2009 and served in that role until her retirement.

**Justice Jeremy Cooke** was reappointed for a second term, for a period of three years, with effect 5 January 2021. He was appointed Queen's Counsel in 1990 and subsequently High Court Judge, Queen's Bench, Commercial Court in 2001, before retiring in 2016 after 15 years on the Bench. He served as the Judge in charge of the Commercial Court for a time and is highly respected for his expertise in commercial law. He is also known for his expertise in energy, insurance and reinsurance, professional negligence, shipping and maritime law, international trade, banking and derivatives. Justice Cooke is currently an International Judge with the Dubai International Financial Centre.

**Justice Henry Bernard Eder** was reappointed for a third term, for a period of three years, with effect 5 January 2021. He was formerly a Judge of the High Court of England and Wales and was assigned to the Queen's Bench Division and the Commercial Court from 2011 to 2015. Prior to the appointment, he was a Barrister in Essex Court Chambers of London from 1975 to 2010 and was appointed Queen's Counsel in 1990. He is widely recognised as an expert in the areas of commercial disputes, civil claims and international arbitration involving all aspects of commercial law including banking, shipping, sale of goods, commodities, oil/gas and insurance. He has rejoined Essex Court Chambers as an arbitrator/mediator.



**Justice Robert French** was reappointed for a second term, for a period of three years, with effect 5 January 2021. He was a Judge of the Federal Court of Australia for about 22 years before being appointed the Chief Justice of Australia in 2008. After his retirement as Chief Justice in January 2017, he accepted the appointment of non-permanent Judge in the Hong Kong Court of Final Appeal. Justice French has a special interest in intellectual property, competition, commercial and public law.

**Justice Roger Giles** was reappointed for a third term, for a period of three years, with effect 5 January 2021. He was admitted Queen's Counsel in 1983 prior to his appointment to the Supreme Court of New South Wales in 1988. He became Chief Judge of the Commercial Division in 1994 and a Judge of the Court of Appeal in 1998. He retired from that Court in December 2011. Justice Giles principally practiced in equity and commercial law, but the Court of Appeal took him into most areas of civil and criminal law. He was also a Judge of the Dubai International Financial Centre Courts.

# THE SUPREME COURT BENCH

## APPOINTMENT/REAPPOINTMENT



**Justice Dominique T Hascher** was reappointed for a third term, for a period of three years, with effect from 5 January 2021. He was appointed to the Supreme Judicial Court in France as Judge in 2012. He joined the French Judiciary in 1982 as trial court judge before working for the Ministry of Justice in 1986. From 1990 to 1998, he served as the General Counsel and Deputy Secretary General of the ICC International Court of Arbitration. In 1998, he was appointed as Court of Appeal Judge before being promoted to Presiding Judge in 2008. He is President of the French Society of Comparative Law (2016), Honorary Bencher of Gray's Inn (2005) and a member of the American Law Institute (2007). Justice Hascher was also President of the Franco-British Lawyers Society from 2005 to 2008.



**Justice Douglas Samuel Jones** was reappointed for a second term, for a period of three years, with effect from 5 January 2021. He became a full time independent International Arbitrator after his retirement from Clayton Utz in 2014. Justice Jones joined Clayton Utz as a Partner and Head of the firm's Construction group in 1993. He headed their International Arbitration and Private International Law group in 1995 and in 2000 was heading Clayton Utz's National Major Projects Group. Justice Jones' appointments in a number of professional bodies include - President of the International Academy of Construction Lawyers; Past President, Chartered Arbitrator, and one of four Companions, of the Chartered Institute of Arbitrators; and Fellow of Resolution Australia, and of the Arbitrators & Mediators Institute of New Zealand.



**Justice Beverley McLachlin, PC** was reappointed for a second term, for a period of three years, with effect from 5 January 2021. She is the longest serving Chief Justice of Canada before retiring in December 2017 after 28 years at the Supreme Court of Canada. Justice McLachlin was appointed to the Bench of the Supreme Court of British Columbia in 1981, the Court of Appeal in 1985 and then as Chief Justice of the Supreme Court of British Columbia in 1988. In 1989, she was appointed Puisne Justice of the Supreme Court of Canada and then Chief Justice of the Supreme Court of Canada in 2000. She is currently a member of the Queen's Privy Council for Canada. Justice McLachlin has dealt with administrative law, family law, commercial and business law, press rights and intellectual property.



**Justice David Neuberger of Abbotsbury** was reappointed for a second term, for a period of three years, with effect from 5 January 2021. He was appointed Queen's Counsel in 1987. In 1996, he was appointed to the Bench and became a Judge of the Court of Appeal in 2004. Justice Neuberger was President of the UK Supreme Court from 2012 to 2017 and has extensive experience in most areas of law including commercial law.



**Justice Jonathan Hugh Mance** was reappointed for a second term, for a period of three years, with effect 5 January 2021. He was appointed Queen's Counsel in 1982 and a Bencher in 1989. Justice Mance was a commercial lawyer, whose practice developed a substantial international element, including considerable periods in Hong Kong and The Bahamas. He was appointed a High Court Judge in 1993 and served on the British Bench for 25 years. In Oct 2009, Justice Mance became a Justice of the Supreme Court of the United Kingdom (when it was created) and he was appointed its Deputy President in 2017. He retired from the UK Supreme Court and successor to the House of Lords in June 2018. Justice Mance has written many judgments on international, commercial and European law at both the first instance and appellate levels. His specialisation in commercial law includes insurance and reinsurance, professional negligence, banking and international trade.



**Justice Vivian Ramsey** was reappointed for a third term, for a period of three years, with effect from 5 January 2021. He served for nine years on the Bench as a Judge of the High Court (Queen's Bench Division) of England and Wales, including a three-year period as Judge in charge of the Technology and Construction Court, until 2014. He was also Judge in charge of the implementation of the Jackson Reforms in the courts in England and Wales from 2012 to 2014. He was appointed a Queen's Counsel in 1992 and a Bencher of Middle Temple in 2002. Before his appointment to the Bench, he specialised internationally in the area of construction, engineering and technology disputes both in international arbitration and in courts outside the UK.



**Justice Anselmo Reyes** was reappointed for a third term, for a period of three years, with effect from 5 January 2021. He was appointed as a Judge of the Court of First Instance in Hong Kong and served in that capacity from 2003 to 2012. As a Judge, his specialisation was in construction, arbitration, commercial and admiralty matters. He was appointed Senior Counsel in Hong Kong in 2001. He was appointed Senior Counsel in Hong Kong in 2001 and is an active practitioner in commercial arbitration. Justice Reyes was Representative of the Hague Conference on Private International Law Asia Pacific Regional Office in Hong Kong from 2013 to 2017. He is also an Overseas Bencher of the Inner Temple.

# THE SUPREME COURT BENCH

## APPOINTMENT/REAPPOINTMENT



**Justice Sir Bernard Rix** was reappointed for a third term, for a period of three years, with effect from 5 January 2021. He has extensive judicial experience at both first instance and appellate levels of court, as a Lord Justice of Appeal in the Court of Appeal of England and Wales from 2000 to 2013; as the Judge in charge of the Commercial Court of London from 1998 to 1999; and a Judge of High Court of Justice from 1993 to 2000. He is recognised for implementing the Woolf Reforms to civil procedure in the London Commercial Court, and for re-drafting the Guide and Practice Directions of that court. Before his appointment to the Bench, he specialised in international commercial law and was appointed Queen's Counsel in 1981. He is currently a Justice of the Court of Appeal of the Cayman Islands and an arbitrator.



**Justice Arjan Kumar Sikri** was reappointed for a second term, for a period of three years, with effect from 5 January 2021. He was a former Judge of the Supreme Court of India from April 2013 to March 2019. He was appointed Judge of the High Court of Delhi in July 1999 and served as the Acting Chief Justice of Delhi High Court from October 2011 before being elevated to the Chief Justice of Punjab and Haryana High Court in September 2012. He was subsequently appointed a Judge at the Supreme Court of India in April 2013. As a Judge, Justice Sikri issued a number of landmark judgments, particularly in the field of commercial and arbitration laws, tax laws, intellectual property matters and economic laws. He retired as the second most senior Judge of the Supreme Court of India in March 2019. In 2007, Managing Intellectual Property Association selected him as one of the 50 most influential persons in Intellectual Property in the world.



**Justice Simon Thorley QC** was reappointed for a third term, for a period of three years, with effect from 5 January 2021. He was appointed Queen's Counsel in 1989 and has more than 40 years of experience in Intellectual Property and related law. Justice Thorley was a leading practitioner in that field until he ceased practice in 2014. He was a Deputy High Court Judge in England and Wales and was also the Deputy Chairman of the Copyright Tribunal in the United Kingdom for eight years. Justice Thorley served as Treasurer of the Inner Temple in 2013.

### APPOINTMENT OF HIGH COURT JUDGE TO OTHER JUDICIARY



**Justice Steven Chong** was appointed as an expert member of the International Commercial Expert Committee (ICEC) of the Supreme People's Court (SPC) of the People's Republic of China (PRC) on 8 December 2020. The ICEC was established by the SPC in 2018 to enhance international exchange and cooperation, particularly in relation to the resolution of international commercial disputes. Providing a vital international dimension to the expertise and resources available to the China International Commercial Court (CICC), the ICEC has a broad representation of eminent jurists from all around the world. Besides experts from within the PRC, ICEC members also include international experts who are accomplished jurists and possess extensive experience in international arbitration, mediation and commercial law. ICEC members may mediate cases entrusted by the CICC to resolve international commercial disputes, provide advisory opinion on specific legal issues in international commercial dispute cases, and advise on relevant judicial interpretations and judicial policies formulated by the SPC.

The appointment is yet another significant milestone in the deepening bilateral relations and cooperation between the Supreme Court of Singapore and the SPC.

# ORGANISATIONAL STRUCTURE



## ORGANISATIONAL STRUCTURE

AS OF 31 JANUARY 2021

**Participants (7)**

**SUPREME COURT REGISTRY**

**HH REGISTRAR**  
Ms Teh Hwee Hwee

The Supreme Court Registry is headed by the Registrar of the Supreme Court. The Registrar oversees the Registry's judicial functions in the Supreme Court, and ensures the timely and efficient disposal of cases.

**HC DEPUTY REGISTRAR**  
Mr Phang Hsiao Chung  
*Divisional Registrar (Singapore International Commercial Court)*

The Registrar is assisted by the Deputy Registrar, Senior Assistant Registrars and Assistant Registrars, who perform judicial functions in the Supreme Court.

**SENIOR ASSISTANT REGISTRARS**

**CN** Ms Cornie Ng Teng Teng  
*Divisional Registrar (General Division of the High Court)*

**ES** Mr Edwin San Ong Kyar

**CC** Ms Chong Chin Chin  
*Divisional Registrar (Court of Appeal and Appellate Division of the High Court)*

**PF** Ms Cheng Pei Feng

**DL** Mr David Lee Yeow Wee

Mute Stop Video Manage Participants

# ORGANISATIONAL STRUCTURE

AS OF 31 JANUARY 2021

## Participants (34)

### ASSISTANT REGISTRARS

- JL** Mr James Elisha Lee Han Leong
- JW** Ms Janice Wong Shi Hui - Deputy Divisional Registrar (Court of Appeal and Appellate Division of the High Court)
- PC** Mr Paul Chan Wei Sern - Deputy Divisional Registrar (Court of Appeal and Appellate Division of the High Court)
- UK** Ms Una Khng - Deputy Divisional Registrar (Singapore International Commercial Court)
- JY** Mr Justin Yeo Rong Wei - Deputy Divisional Registrar (Court of Appeal and Appellate Division of the High Court)
- KY** Ms Gan Kam Yui
- KT** Ms Karen Tan Teck Ping
- KC** Mr Kenneth Choo Wing Kong
- CT** Ms Crystal Tan Hui Ling - Deputy Divisional Registrar (Singapore International Commercial Court)
- CS** Mr Colin Seow Fu Hong - Deputy Divisional Registrar (Court of Appeal and Appellate Division of the High Court)
- CL** Ms Carol Liew Lin Lin - Deputy Divisional Registrar (Singapore International Commercial Court)
- RM** Mr Ramu Miyapan
- JL** Mr Jay Lee Yuxian
- SN** Ms Lim Sai Nei
- VR** Mr Rajaram Vikram Raja
- EL** Ms Elaine Liew Ling Wei
- JC** Ms Jean Chan Lay Koon
- YT** Ms Li Yuen Ting
- JL** Ms Jacqueline Lee Siew Hui
- BC** Ms Wong Baochen
- RK** Mr Randeep Singh Koonar
- PT** Mr Paul Tan Wei Chean
- JN** Mr Jonathan Ng Pang Ern
- JL** Mr James Low Yunhui
- NA** Mr Navin Anand
- KW** Mr Kenneth Wang Ye
- EC** Ms Eunice Chan Swee En
- RO** Mr Reuben Ong Zhihao
- JH** Mr Huang Jiahui
- JH** Mr Sim Junhui
- AS** Ms Alison See Ying Xiu
- BC** Mr Bryan Ching Yu Jin
- BL** Ms Beverly Lim Kai Li
- DT** Ms Deborah Tang Pei Le

# ORGANISATIONAL STRUCTURE

AS OF 31 JANUARY 2021

## Participants (13)

### JUDICIARY ADMINISTRATION AND OPERATIONS

#### CHIEF EXECUTIVE OFFICE OF THE CHIEF JUSTICE

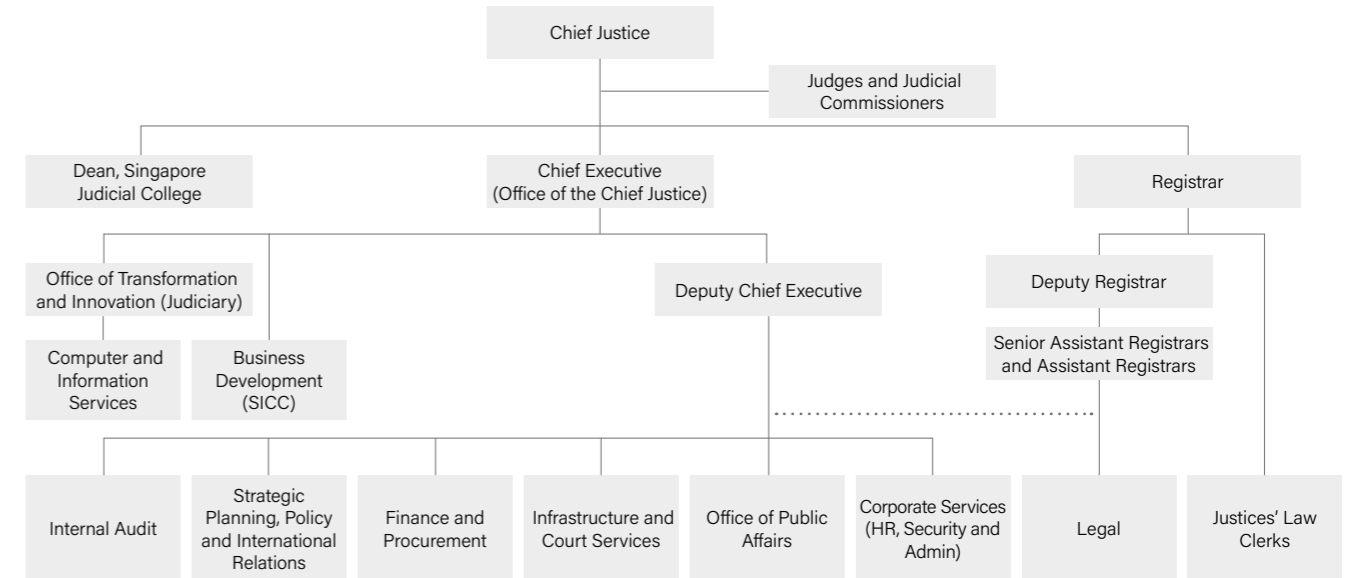
The Chief Executive oversees the administration and operations of the Supreme Court, ensuring the efficient running of the court and provision of effective services to court users.

The Chief Executive is supported by the Deputy Chief Executive, the Chief Transformation and Innovation Officer and a team of Directors with specialised functions and roles.

- JR** Ms Juthika Ramanathan  
*Chief Executive*
- CG** Ms Clara Goh  
*Deputy Chief Executive*
- KH** Mr Tan Ken Hwee  
*Chief Transformation and Innovation Officer (Judiciary)*
- JL** Mr Jack Lim  
*Director (Infrastructure and Court Services)*
- LM** Ms Teo Li Min  
*Director (Legal)*
- DT** Mr Dexter Tan  
*Director (Finance)*
- SL** Ms Shirlynn Loo  
*Director (Strategic Planning, Policy and International Relations)*
- LW** Mr Laurence Wong  
*Senior Director (Business Development), Singapore International Commercial Court*
- TY** Ms Theresa Yeo  
*Director (Corporate Services)*
- SY** Mr Ho Shee Yan  
*Chief Internal Auditor*
- BL** Mr Brian Lai  
*Chief Technology Officer*
- JS** Ms Julie Sim  
*Director (Office of Public Affairs)*
- SS** Mr Santhanam Srinivasan  
*Chief Information Officer*

## ORGANISATIONAL STRUCTURE

as of 31 January 2021



#### INFRASTRUCTURE AND COURT SERVICES

Strategises the use of resources and services that best support the hearing process, and includes the Infrastructure Section, Court Reporting Services Section and Interpreters Section.

#### FINANCE AND PROCUREMENT DIRECTORATE

Promotes proper stewardship of the Supreme Court's financial resources, through the implementation of frameworks that promote financial prudence, value-for-money practices and financial accountability.

#### INTERNAL AUDIT

Promotes governance and enables a disciplined approach to evaluating the adequacy of controls, so as to bring about improved internal processes, compliance with government operating procedures and effective risk management practices.

#### OFFICE OF TRANSFORMATION AND INNOVATION

Coordinates and drives transformative change throughout the entire Judiciary, including centralising initiatives within the Judiciary to achieve consistency and enable scaling, and devising new and innovative approaches to the Judiciary's work. Oversees the Computer and Information Services Directorate.

#### COMPUTER AND INFORMATION SERVICES DIRECTORATE

Ensures the Supreme Court is at the forefront of new IT trends and developments; anticipates and implements IT solutions for the organisation while safeguarding the Supreme Court's IT assets from cyber-security threats.

#### STRATEGIC PLANNING, POLICY & INTERNATIONAL RELATIONS DIRECTORATE

Advances the Supreme Court's position as a thought leader in court excellence through policy formulation, strategic planning, international engagement, organisational development and performance management.

#### OFFICE OF PUBLIC AFFAIRS

Oversees the planning and execution of public engagement and communication efforts to position the Supreme Court as a forward-thinking and outward-looking organisation with effective public service delivery.

#### CORPORATE SERVICES

Oversees the Supreme Court's and Family Justice Courts' Human Resources, Security, Record Management and Admin functions as well as the Library.

#### BUSINESS DEVELOPMENT (SICC)

Promotes awareness and usage of the Singapore International Commercial Court (SICC) among legal and business professionals both regionally and internationally, through various communication platforms and initiatives.

#### LEGAL DIRECTORATE

Responsible for inter alia the management and efficient disposal of all civil and criminal cases filed in the General Division of the High Court, including the SICC, the Appellate Division of the High Court and the Court of Appeal in accordance with the applicable legislation, rules and practice directions. Also oversees the inspection and supply of court records and documents, enforcement actions, caseload and judicial statistics and other hearing support and resource management matters relating to court hearings.

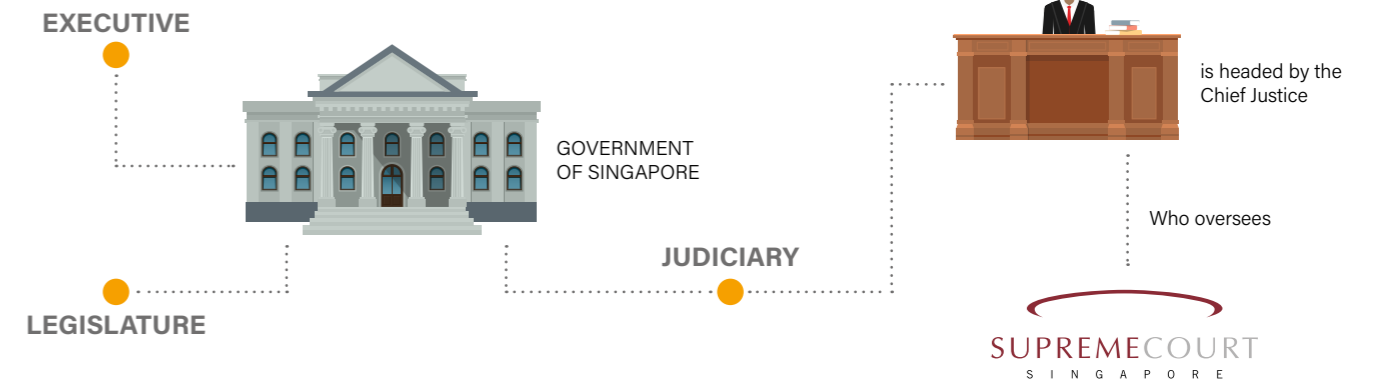
# CONSTITUTION AND JURISDICTION

## CONSTITUTION AND JURISDICTION

### OUR ROLE

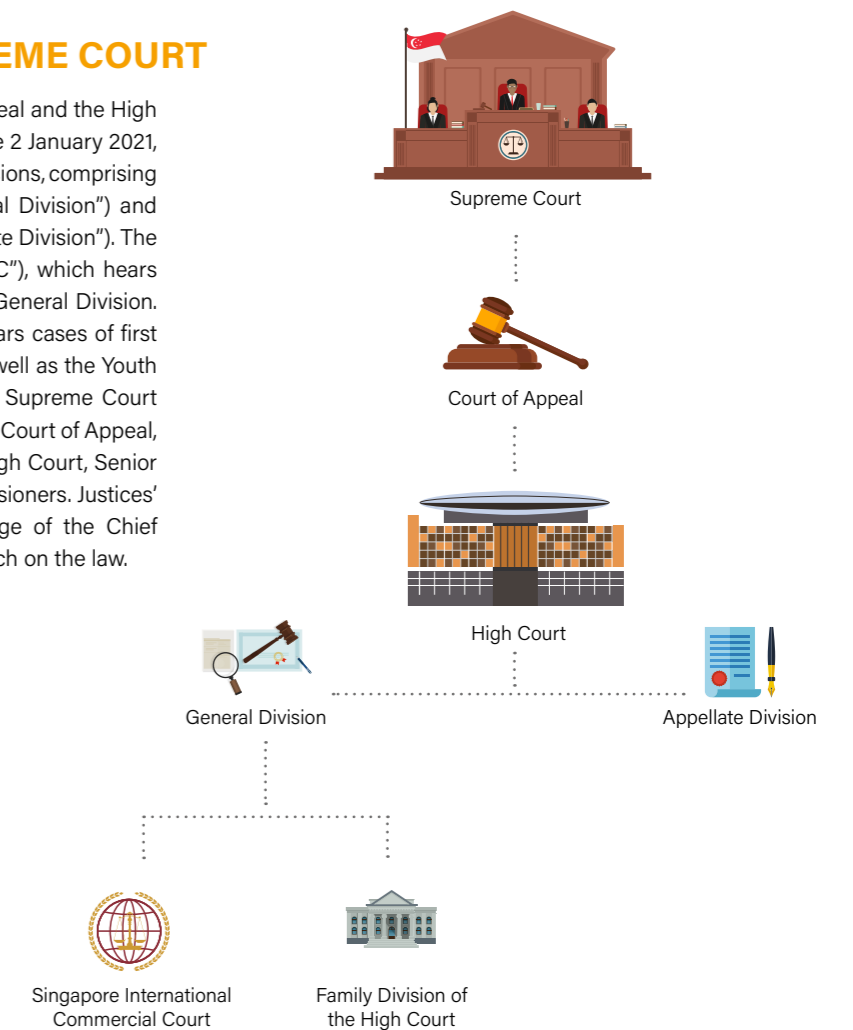
The Judiciary is one of the three branches of government, alongside the Executive and the Legislature. Under Article 93 of the Constitution of the Republic of Singapore, the judicial power of Singapore is vested in the Supreme Court and in such subordinate courts as may be provided by any written law for the time being in force.

Headed by the Chief Justice, the Judiciary is a system of courts that upholds the law and administers justice. The Chief Justice is appointed by the President on the advice of the Prime Minister.



### STRUCTURE OF THE SUPREME COURT

The Supreme Court, comprising the Court of Appeal and the High Court, hears both civil and criminal matters. Since 2 January 2021, the High Court has been restructured into two Divisions, comprising the General Division of the High Court ("General Division") and the Appellate Division of the High Court ("Appellate Division"). The Singapore International Commercial Court ("SICC"), which hears international commercial disputes, is part of the General Division. The Family Division of the High Court, which hears cases of first instance and appeals from the Family Courts as well as the Youth Courts, is also part of the General Division. The Supreme Court Bench consists of the Chief Justice, Justices of the Court of Appeal, Judges of the Appellate Division, Judges of the High Court, Senior Judges, International Judges and Judicial Commissioners. Justices' Law Clerks, who work directly under the charge of the Chief Justice, assist the Judiciary by carrying out research on the law.

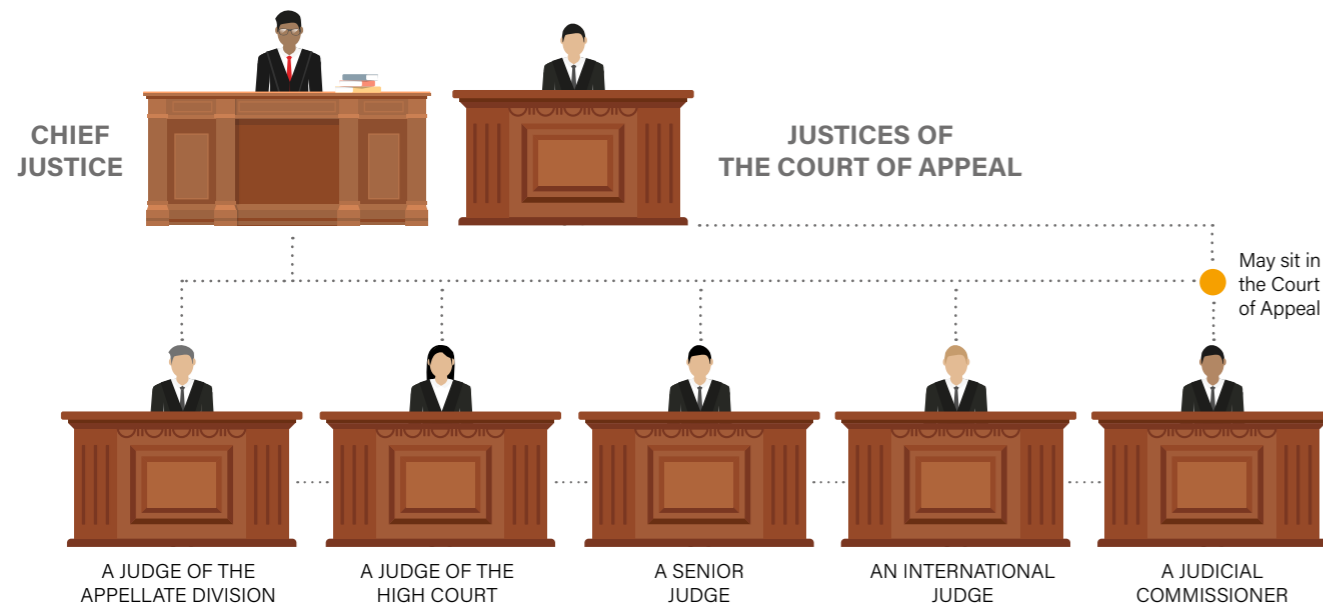


# CONSTITUTION AND JURISDICTION

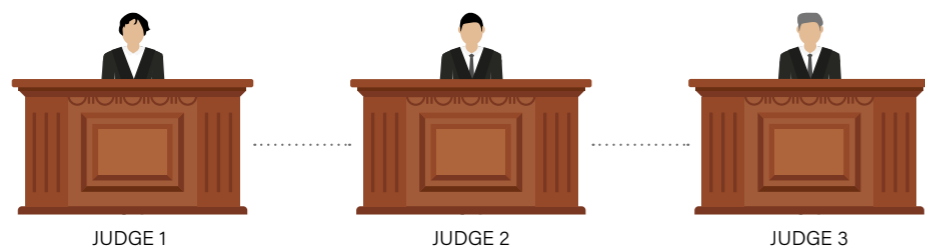
## COURT OF APPEAL

The Court of Appeal hears all criminal appeals against decisions made by the General Division in the exercise of its original criminal jurisdiction and prescribed categories of civil appeals against decisions made by the General Division that are set out in the Sixth Schedule to the Supreme Court of Judicature Act. The Court of Appeal also hears appeals that are to be made to it under written law. Since 8 April 1994, when the system of appeals to the Judicial Committee of the Privy Council was abolished, it became Singapore's final court of appeal.

The Chief Justice sits in the Court of Appeal together with the Justices of the Court of Appeal. A Judge of the Appellate Division, Judge of the High Court, Senior Judge, International Judge and Judicial Commissioner may sit in the Court of Appeal on such occasion as the Chief Justice requires. An International Judge may sit in the Court of Appeal for an appeal against a judgment or order of the SICC on such occasion as the Chief Justice requires. The Court of Appeal is presided over by the Chief Justice and, in his absence, a Supreme Court Judge or a person appointed by the Chief Justice to preside where the Court of Appeal does not include any Supreme Court Judge.



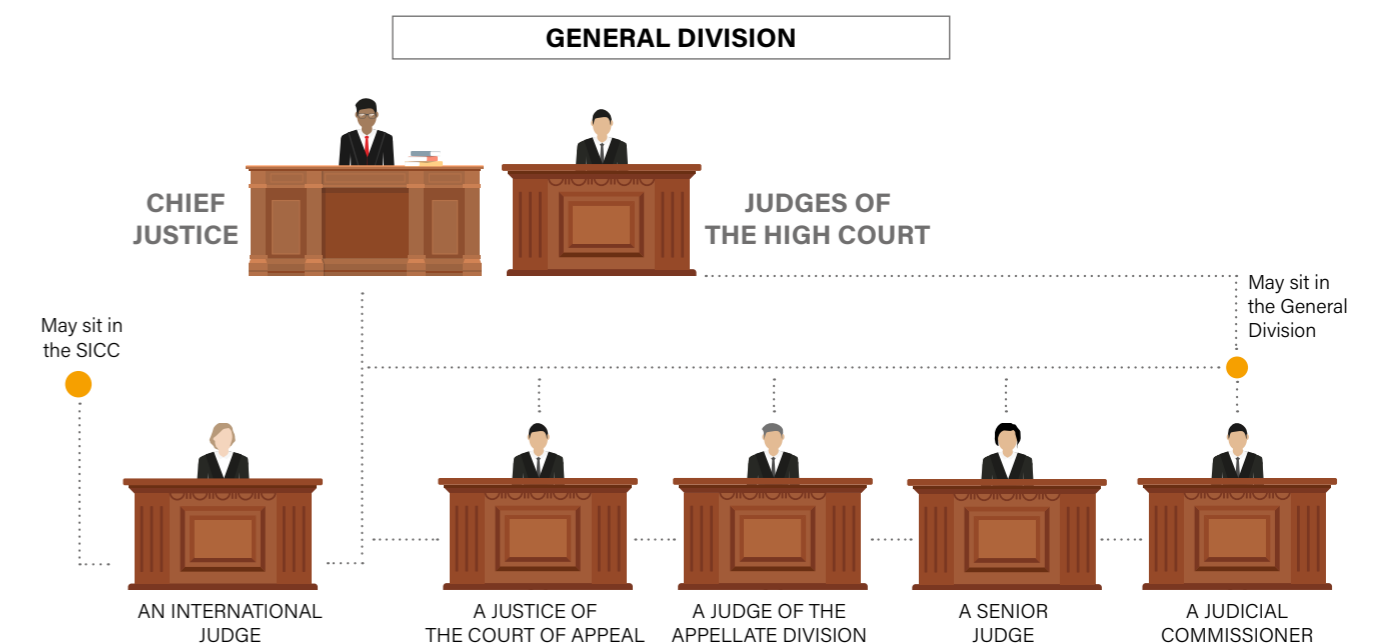
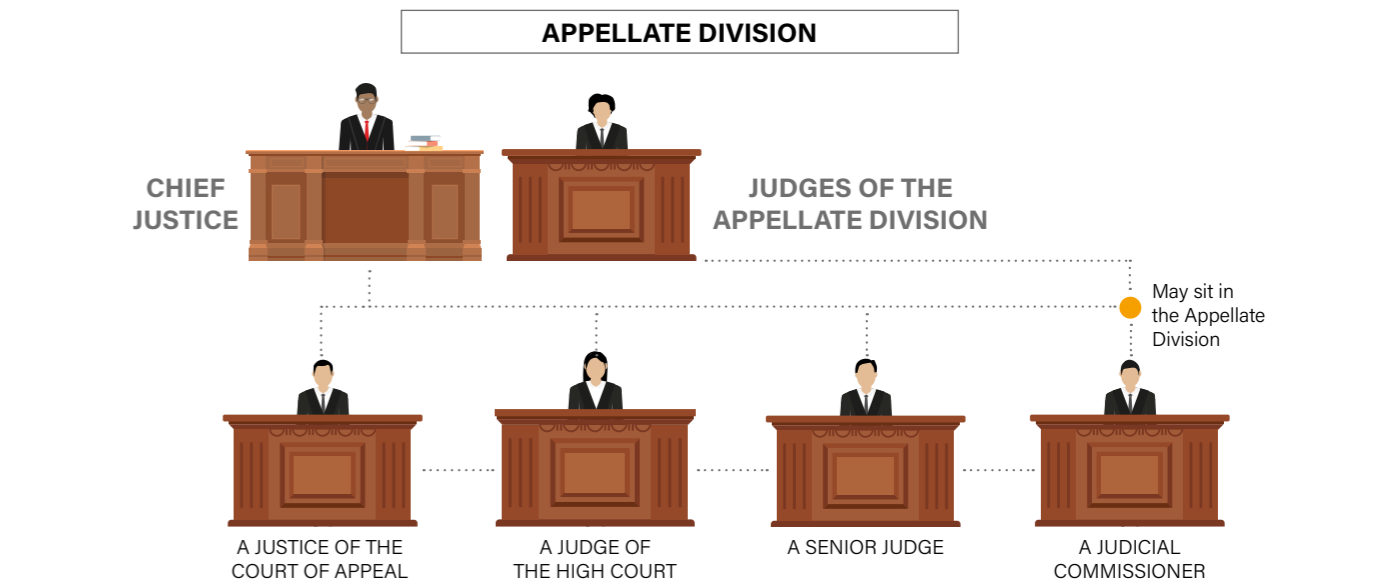
The Court of Appeal is usually made up of three judges. However, certain appeals may be heard by two, five or any greater uneven number of judges. Certain appeals may also be decided without hearing oral arguments if parties consent.



## HIGH COURT: GENERAL DIVISION AND APPELLATE DIVISION

The High Court comprises the General Division and Appellate Division. The General Division consists of the Chief Justice and the Judges of the High Court. The Appellate Division consists of the Chief Justice and the Judges of the Appellate Division. A Justice of the Court of Appeal may sit in the High Court on such occasion as the Chief Justice requires. A Judge of the Appellate Division or a Judge of the High Court may, if required by the Chief Justice, sit in the Appellate Division or the General Division even if they are not a member of the Appellate Division or the General Division, as the case may be. A Senior Judge or Judicial Commissioner may sit in the General Division and, on such occasion as the Chief Justice requires, may also sit in the Appellate Division. An International Judge may sit in the SICC.

Proceedings in the General Division are heard before a single judge, unless otherwise provided by any written law. The Court may also appoint one or more persons with expertise in the subject matter of the proceedings to assist the court. SICC proceedings may be heard by either one or three judges. Appeals before the Appellate Division will usually be heard by three Judges. However, certain appeals may be heard by two Judges. Parties may also consent to an appeal being decided by a 2-Judge coram of the Appellate Division, instead of a 3-Judge coram. The final composition of the coram will be determined by the Appellate Division. Further, certain appeals may be decided without hearing oral arguments if parties consent.



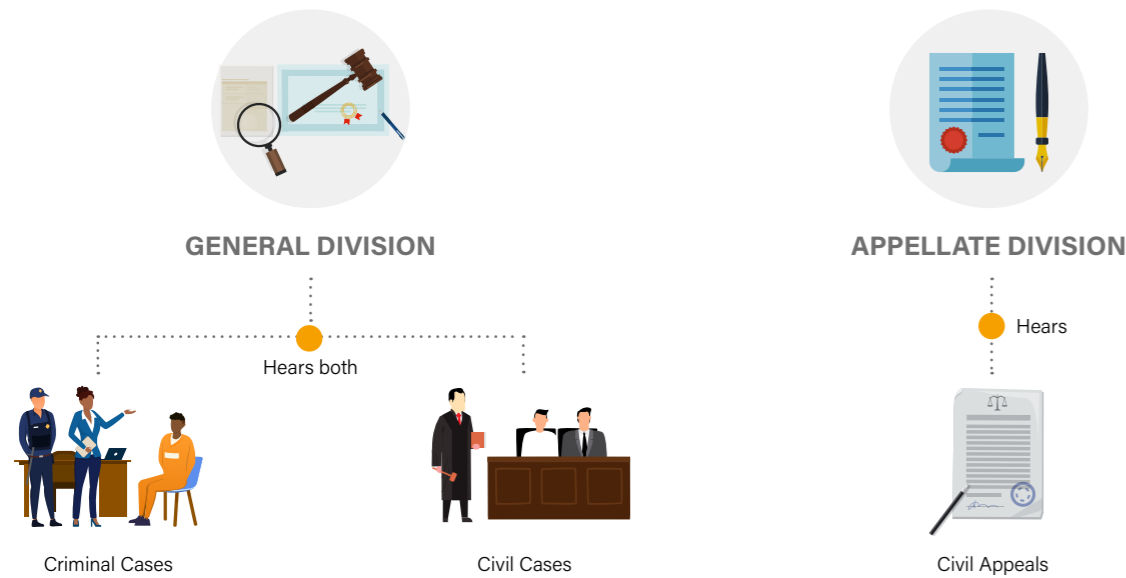


# CONSTITUTION AND JURISDICTION

## GENERAL DIVISION AND APPELLATE DIVISION

The General Division hears both criminal and civil cases as a court of first instance. It also hears appeals from the decisions of District Courts and Magistrates' Courts in civil and criminal cases, and decides points of law reserved in special cases submitted by a District Court or a Magistrate's Court. In addition, the General Division has general supervisory and revisionary jurisdiction over all state courts in any civil or criminal matter.

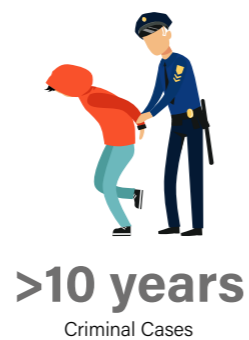
The Appellate Division hears all civil appeals against decisions made by the General Division that are not allocated to the Court of Appeal under the Sixth Schedule to the Supreme Court of Judicature Act. The Appellate Division also hears any civil appeal or other process that any written law provides is to lie to the Appellate Division. It has no criminal jurisdiction.



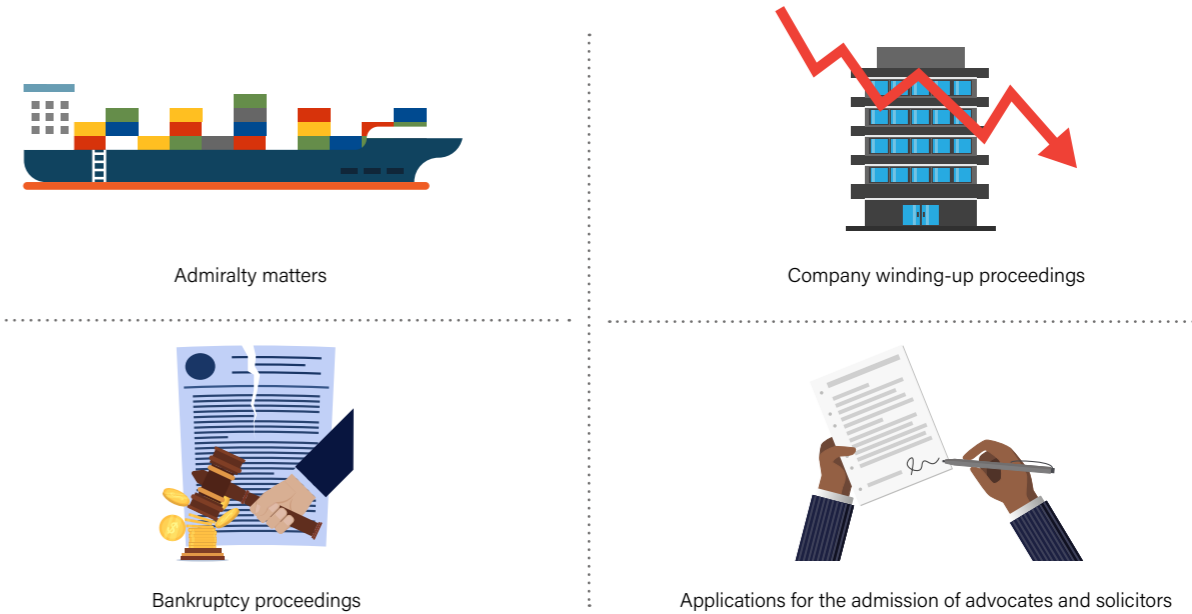
With a few limited exceptions, the General Division has the jurisdiction to hear and try any action where the defendant is served with a writ or other originating process in Singapore, or outside Singapore in the circumstances authorised by Rules of Court; or where the defendant submits to the jurisdiction of the General Division. Generally, except in probate matters, a civil case must be commenced in the General Division if the value of the claim exceeds \$250,000.

The General Division has jurisdiction to try all offences committed in Singapore and may also try offences committed outside Singapore in certain circumstances. In criminal cases, the General Division generally tries cases where the offences are punishable with death or imprisonment for a term which exceeds 10 years.

### CASES COMMENCED IN THE GENERAL DIVISION



## THE FOLLOWING MATTERS ARE ALSO EXCLUSIVELY HEARD BY THE GENERAL DIVISION



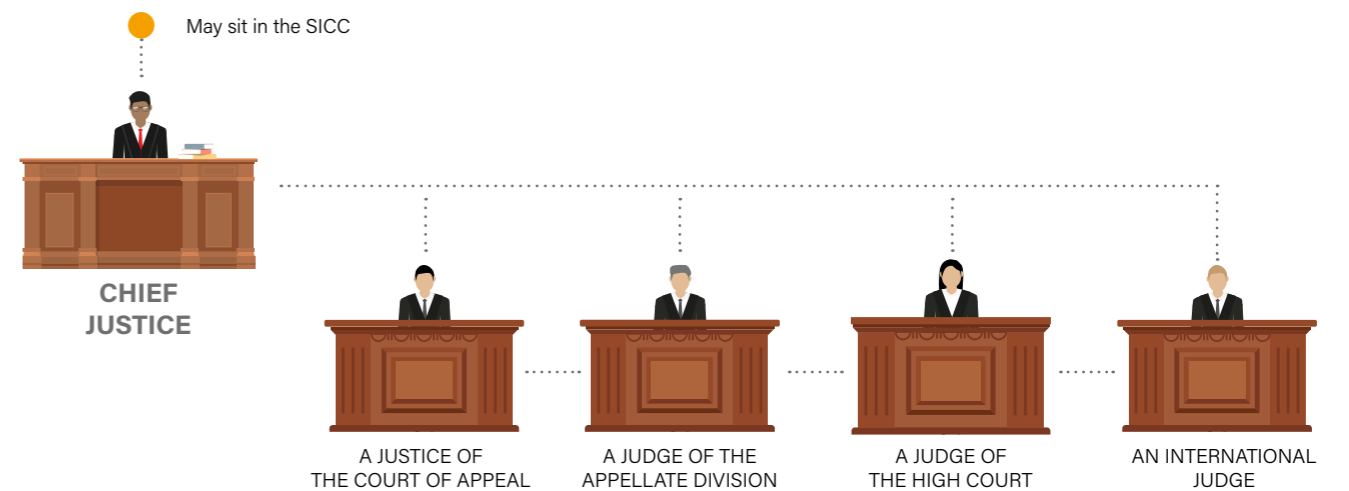
## SINGAPORE INTERNATIONAL COMMERCIAL COURT (SICC)

The SICC is a division of the General Division and part of the Supreme Court of Singapore designed to deal with transnational commercial disputes. Generally, the SICC has the jurisdiction to hear and try an action if:

c. the parties to the action do not seek any relief in the form of, or connected with, a prerogative order (including a mandatory order, a prohibiting order, a quashing order or an order for review of detention).

- a. the claim in the action is of an international and commercial nature;
- b. the parties to the action have submitted to the SICC's jurisdiction under a written jurisdiction agreement; and

The SICC may also hear proceedings relating to international commercial arbitration that the General Division may hear under the International Arbitration Act, and cases which are transferred from the General Division. SICC proceedings may be heard by either one or three judges. Appeals from the SICC will be heard by the Court of Appeal which will consist of either three or five judges.



# EVENT HIGHLIGHTS



## EVENT HIGHLIGHTS

### ANNUAL JUDICIARY EVENTS

6 January 2020  
Supreme Court of Singapore



#### OPENING OF THE LEGAL YEAR CEREMONY

An annual signature event in the judicial calendar, The Honourable the Chief Justice Sundaresh Menon opened the Legal Year 2020 at the Supreme Court auditorium. Chief Justice highlighted the progress and noteworthy developments of the Courts, as well as outlined the upcoming projects for the Judiciary. Four key themes also emerged from a series of conversations with various sectors of the professional community in 2019, including the continuous development and training of future lawyers, and the building of law firms of the future to enhance the state of technology adoption. The third major theme concerned the future of the justice system which the Chief Justice said needed to be guided by the principles of accessibility, proportionality and peacebuilding. The fourth and final theme was related to the regulation of legal services of the future. Chief Justice also urged the legal community to take heed of the challenges ahead and expressed his confidence that with the collective ability of the fraternity, everyone can progress towards a brighter future.



# EVENT HIGHLIGHTS

## ANNUAL JUDICIARY EVENTS

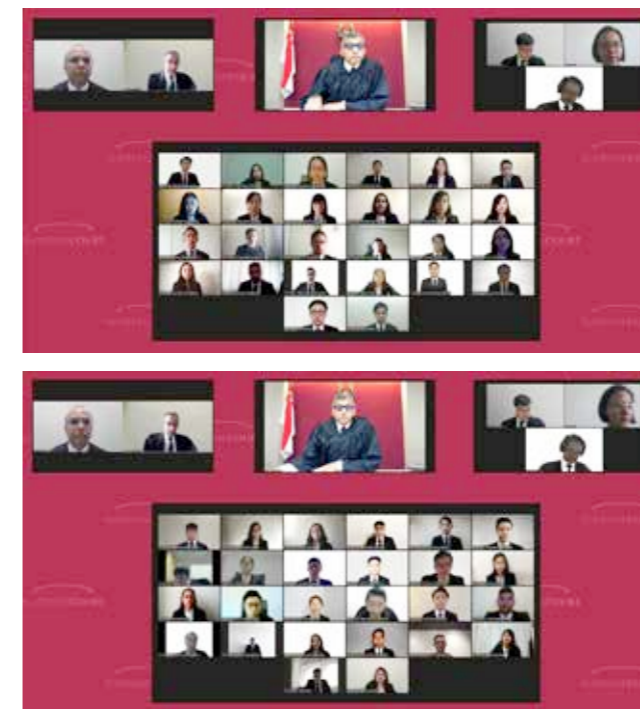
**6 January 2020**  
The Istana, Singapore



### OPENING OF THE LEGAL YEAR JUDICIARY DINNER

A Judiciary Dinner, hosted by The Honourable the Chief Justice Sundaresh Menon and Mrs Menon at the Istana following the ceremonial Opening of the Legal Year proceedings. The dinner was graced by Her Excellency President Halimah Yacob and Mr Mohamed Abdullah Alhabshee as well as distinguished local and overseas guests from the Judiciary and legal community.

**25 to 26 August 2020**  
Supreme Court of Singapore



### ADMISSION OF ADVOCATES AND SOLICITORS

The Admission of Advocates and Solicitors was the first Mass Call in Singapore to be conducted using remote communication technology. Held over four sessions spanning two days, the event saw 528 newly appointed advocates and solicitors admitted to the Singapore Bar. The Honourable the Chief Justice Sundaresh Menon delivered a speech titled "Living Up to the Call in a Time of Pandemic", where he encouraged new lawyers to "actively consider how technology can improve efficiency in the delivery of legal services". The Chief Justice also mentioned that the pandemic would likely have unequal effects on Singapore's society and that new lawyers are encouraged to commit to pro bono legal work as it is now more critical than ever.

# EVENT HIGHLIGHTS

## STRENGTHENING REGIONAL AND INTERNATIONAL PARTNERSHIPS

**7 to 8 January 2020**  
Supreme Court of Singapore



### SINGAPORE INTERNATIONAL COMMERCIAL COURT CONFERENCE

The annual Singapore International Commercial Court (SICC) Conference saw the coming together of the Supreme Court Bench and the SICC International Judges to deliberate on matters of importance to the SICC as well as its plans for the future. The participants discussed issues that ranged from how the SICC could leverage on changes to Singapore's enforcement regime to cross-border insolvency developments and the future of the SICC, as well as the competitive advantages which the SICC could offer over arbitration in the area of infrastructure and construction.

**10 to 11 February 2020**  
Supreme Court of the Union of Myanmar



### SUPREME COURT OF SINGAPORE AND SUPREME COURT OF THE UNION OF MYANMAR SIGN MEMORANDUM OF GUIDANCE ON ENFORCEMENT OF MONEY JUDGMENTS

The Supreme Court of Singapore and the Supreme Court of the Union of Myanmar signed a Memorandum of Guidance (MoG) as to Enforcement of Money Judgments in Nay Pyi Taw, Myanmar. This was also the first such MoG established between the Courts of two ASEAN member states. The MoG sought to enhance clarity and promote mutual understanding of the laws and judicial processes concerning the enforcement of money judgments between the two Courts. The Honourable the Chief Justice Sundaresh Menon paid a courtesy call on His Excellency Chief Justice U Htun Htun Oo at the Supreme Court of the Union of Myanmar. At the meeting, the two Chief Justices held substantive and wide-ranging discussions on bilateral, regional and international issues of mutual interest. They also reaffirmed the warm and long-standing relations between the two judiciaries and welcomed the steady progress in judicial cooperation and exchanges in recent years.

**24 June 2020**  
Supreme Court of Singapore and Supreme People's Court of Vietnam



### VIRTUAL MEETING BETWEEN THE CHIEF JUSTICES OF VIETNAM AND SINGAPORE

The Chief Justices of the Supreme Court of Singapore and the Supreme People's Court (SPC) of Vietnam held a virtual meeting to discuss the judicial developments in ASEAN. At the meeting, The Honourable the Chief Justice Sundaresh Menon and Chief Justice Nguyen Hoa Binh reaffirmed the strong bilateral relationship between Singapore and Vietnam, and commended the positive efforts undertaken by the two judiciaries in handling the COVID-19 pandemic's impact on court operations. The Supreme Court of Singapore, supporting as the Secretariat for the Council of ASEAN Chief Justices (CACJ), continued to assist SPC Vietnam in the organisation and planning of the 8<sup>th</sup> CACJ Meeting to be hosted by Vietnam in November 2020.

# EVENT HIGHLIGHTS

## STRENGTHENING REGIONAL AND INTERNATIONAL PARTNERSHIPS

19 October 2020

Supreme Court of Singapore and Supreme Court of Korea

### SUPREME COURT OF SINGAPORE SIGNS MEMORANDUM OF UNDERSTANDING WITH SUPREME COURT OF KOREA

The Honourable the Chief Justice Sundaresh Menon and Chief Justice of the Republic of Korea, His Excellency Kim Myeongsu, signed a Memorandum of Understanding (MoU) for Judicial Cooperation at the first Singapore-South Korea Virtual Bilateral Meeting. Reaffirming the strong bilateral relationship between the two judiciaries, the two Chief Justices had an insightful exchange on the respective Judiciary's commitment towards maintaining access to justice during the COVID-19 pandemic, as well as new areas of cooperation towards court excellence in the administration of justice. The bilateral meeting ended on a positive note with both Chief Justices pledging their commitments to deepen judicial cooperation.



Chief Justice of Singapore Sundaresh Menon



Chief Justice of the Republic of Korea Kim Myeong-Su

4 November 2020

Supreme Court of Singapore and Supreme People's Court of China



### SECOND MEETING OF THE SUPREME COURT OF SINGAPORE-SUPREME PEOPLE'S COURT OF CHINA WORKING GROUP

Following the successful inaugural meeting of the Supreme Court of Singapore (SupCt)-Supreme People's Court of China (SPC) Working Group in 2019, a second meeting was convened over videoconference. Justice Steven Chong, Justice of the Court of Appeal at SupCt and Justice Yang Wanming, Vice President of SPC, co-chaired the Working Group meeting, and had a fruitful discussion on exploring new areas of cooperation and preparing for the Singapore-China Legal and Judicial Roundtable (the Roundtable) that was to be held in end-November. Established in 2018 and set up under the auspices of the Roundtable, the SupCt-SPC Working Group identifies areas of cooperation between the two Courts towards the development of legal infrastructure in support of the Belt and Road Initiative.

30 November 2020

Supreme Court of Singapore and Supreme People's Court of China



### THE FOURTH SINGAPORE-CHINA LEGAL AND JUDICIAL ROUNDTABLE

For the first time since the inaugural Singapore-China Legal and Judicial Roundtable (the Roundtable) in 2017, the Roundtable was conducted entirely in a virtual format. Co-chaired by The Honourable the Chief Justice Sundaresh Menon and the Chief Justice of the Supreme People's Court (SPC) of the People's Republic of China (PRC), His Excellency Zhou Qiang, the Roundtable discussion had anchored on four key topics, namely: (i) The Courts' Best Practices in Dealing with COVID-19 / Challenges COVID-19 Posed to the Courts and the Profession; (ii) How to Unify the Legal Application Standards Through Similar Cases and Precedents; (iii) The Application and Limitation of General Legal Principles in International Commercial Disputes; and (iv) Court

Procedural Rules – Features Relevant to the Belt and Road Initiative (BRI). The two Chief Justices also launched "A Compendium of Singapore-China International Commercial Cases Curated for their Relevance to the Belt and Road Initiative". The Compendium, jointly published by the two Courts, was the culmination of a dedicated team effort by a stellar panel of editors as well as expert commentators from Singapore and the PRC. Coordinated by the Singapore Judicial College and the China National Judges College, the Compendium comprises selected international commercial cases from both Singapore and the PRC Courts that are useful for readers who are keen to find out more about cases relevant to the BRI.

# EVENT HIGHLIGHTS

## STRENGTHENING REGIONAL AND INTERNATIONAL PARTNERSHIPS

**5 November 2020**  
Supreme People's Court of Vietnam



### EIGHTH COUNCIL OF ASEAN CHIEF JUSTICES MEETING

The Supreme People's Court of Vietnam hosted the annual meeting of the Council of ASEAN Chief Justices (CACJ), with all ten ASEAN Judiciaries participating in the virtual meeting and reaffirming their commitment to strengthen regional judicial cooperation even in times of regional and global challenges. Originally scheduled to meet in Hanoi in September, the CACJ was rescheduled and adapted as a result of the COVID-19 pandemic.

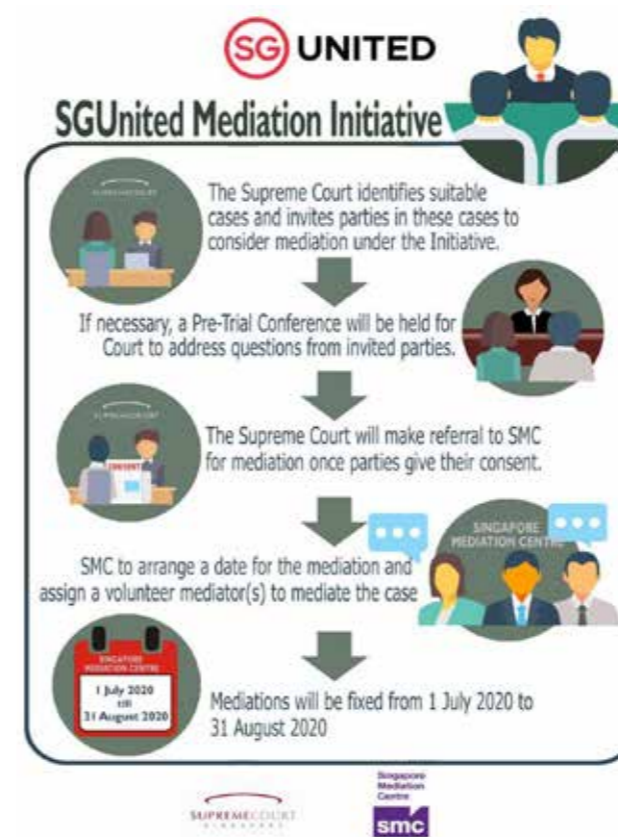
At the meeting, the Honourable Nguyen Hoa Binh, President of the Supreme People's Court of Vietnam, was elected as the Chair of the CACJ. The CACJ discussed at length the challenges posed by the COVID-19 pandemic on the ASEAN Judiciaries and identified possible solutions to cope with the effects of the pandemic while ensuring the continued administration of justice. The CACJ agreed to strengthen regional judicial cooperation by sharing and

showcasing in the ASEAN Judiciaries Portal (AJP) the responses of the ASEAN Judiciaries to the COVID-19 pandemic. Amongst others, it also discussed the reports and updates from the six Working Groups of the CACJ. Singapore, in particular, updated on the successful completion of all system enhancements on the AJP and the colloquium on the latest edition of the International Framework for Court Excellence that was conducted earlier in the year.

The CACJ deliberated and agreed on the work agenda and events for the coming year as encapsulated in the Hanoi Declaration signed by all attending Chief Justices and Heads of Delegations at the close of the meeting. These included judicial training, court excellence, development of regional legal frameworks, and strengthening engagements with regional partners.

## STAKEHOLDER COLLABORATION

**July 2020**  
Supreme Court of Singapore and Singapore Mediation Centre



### SGUNITED MEDIATION INITIATIVE

In collaboration with the Singapore Mediation Centre (SMC), the Supreme Court launched the SGUnited Mediation Initiative (SGUMI) in July to help litigants move on quickly from the disruption and uncertain economic outlook brought about by the COVID-19 pandemic. Through this initiative, suitable cases in the Supreme Court were referred for mediation at SMC at no charge to parties. Parties were also given the additional avenue to resolve their disputes quickly and could also avoid protracted litigation, thereby allowing them to save legal costs and minimise the emotional toll that often accompany litigation, when they reached an amicable settlement through mediation.

# EVENT HIGHLIGHTS

## VISITS BY FOREIGN DIGNITARIES TO THE SUPREME COURT



**HER EXCELLENCY KARA OWEN**  
British High Commissioner to Singapore  
17 January 2020



**JUSTICE MIYAZAKI YUKO**  
Justice of the Supreme Court of Japan  
6 February 2020



**THE HONOURABLE JUSTICE WALTER SOFRONOFF**  
President of the Queensland Court of Appeal  
24 January 2020



**COMMISSION CHAIRMAN PHAN DINH TRAC**  
Chairman of the Communist Party of Vietnam's Commission for Internal Affairs  
18 February 2020



**HIS EXCELLENCY SANTIAGO MIRALLES HUETE**  
Ambassador of the Kingdom of Spain to Singapore  
3 February 2020



**HIS EXCELLENCY JUN YAMAZAKI**  
Ambassador of Japan to Singapore  
6 March 2020

# PERFORMANCE AND STATISTICS



## PERFORMANCE AND STATISTICS

### WAITING PERIODS

The Supreme Court sets targets for waiting periods in various court processes as part of its commitment to provide quality public service and we endeavour to achieve at least 90% compliance with all targets set. In 2020, after adjusting for the COVID-19 Circuit Breaker Period from 7 April 2020 to 1 June 2020 (both dates inclusive), all the set targets were achieved<sup>1</sup>.



#### ORIGINAL CIVIL JURISDICTION



##### TRIALS IN SUITS

**8 weeks**

from the date of setting down

##### ORIGINATING SUMMONS (OS)

(i)

Inter partes  
**6 weeks**

from the date of filing of the OS

(ii)

Ex parte  
**3 weeks**

from the date of filing of the OS

##### BANKRUPTCY OS

**6 weeks**

from the date of filing of the OS

##### COMPANY WINDING-UP OS

**4 weeks**

from the date of filing of the OS

##### SUMMONS (SUM)

(i)

Applications for summary judgment pursuant to Order 14 of the Rules of Court  
**5 weeks**

from the date of filing of the SUM (statutory minimum period)

(ii)

All other summons  
**3 weeks**

from the date of filing of the SUM

##### BANKRUPTCY SUM

(Applications for discharge)

**4 weeks**

from the date of filing of the SUM



#### ORIGINAL CRIMINAL JURISDICTION



##### TRIALS OF CRIMINAL CASES

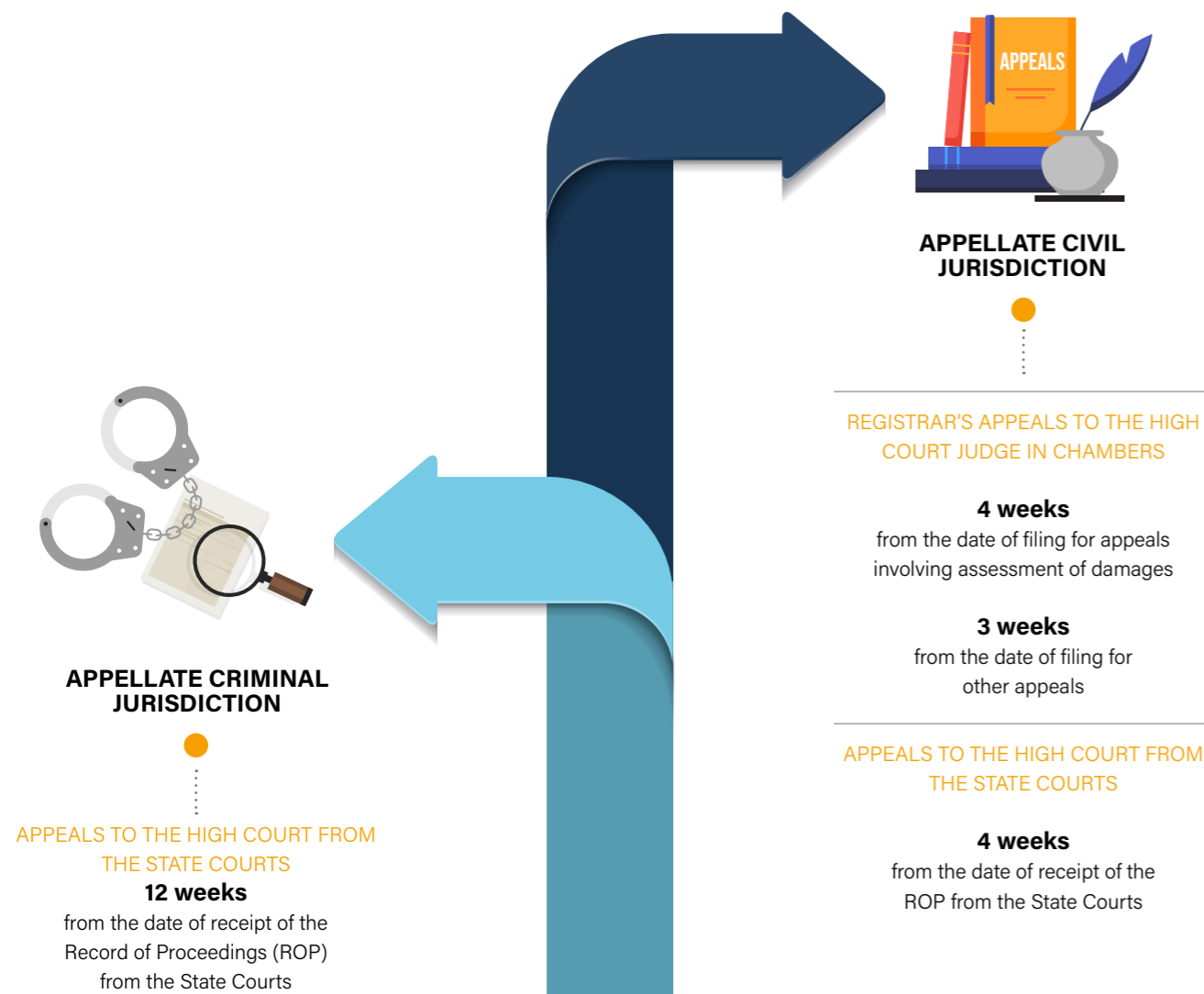
**6 weeks**

from the date of the final Criminal Case Disclosure Conference or Pre-trial Conference before trial (whichever is later)

<sup>1</sup> Only essential and urgent matters were heard during the COVID-19 Circuit Breaker Period (CBP). Fixings that were affected by the CBP, including matters that had to be re-fixed for any reason related to the CBP, are excluded when assessing whether the targets were achieved.



# PERFORMANCE AND STATISTICS

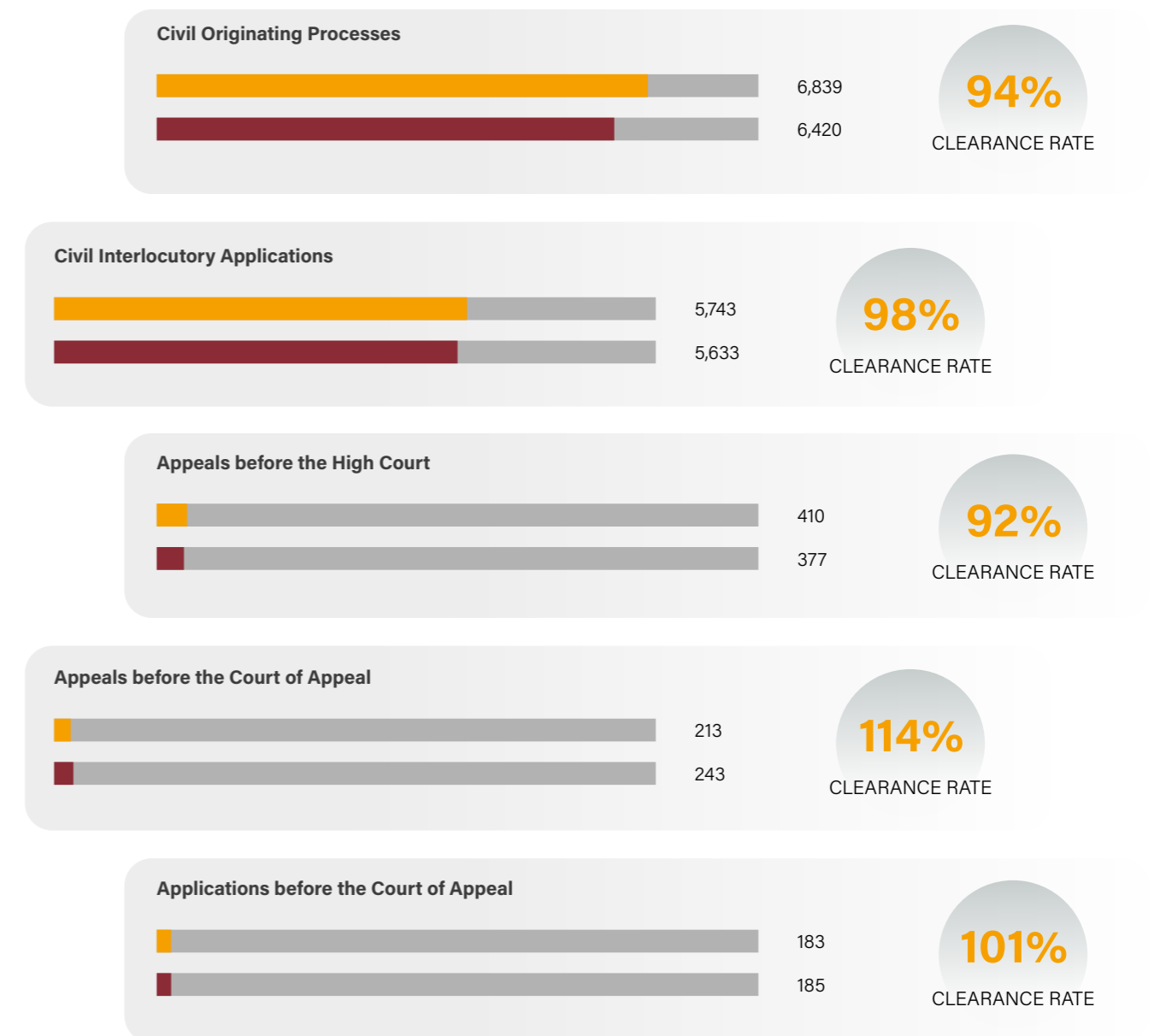


## WORKLOAD STATISTICS

The Supreme Court received 13,839 new civil and criminal matters in 2020. 13,317 matters were disposed of in the same corresponding period. The clearance rate for all civil and criminal matters for 2020 was 96%.

The breakdown of the filing and disposal numbers and clearance rates of the civil and criminal proceedings for 2020 are shown below.

### CIVIL JURISDICTION



■ No. of cases filed ■ No. of cases disposed of

\* Based on the information compiled as at 18 January 2021.

# PERFORMANCE AND STATISTICS

## CRIMINAL JURISDICTION

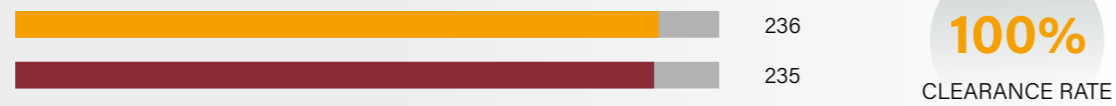
### Criminal Cases



### Criminal Motions before the High Court



### Magistrate's Appeals



### Criminal Revisions



### Criminal Appeals



### Criminal Motions before the Court of Appeal



### GRAND TOTAL



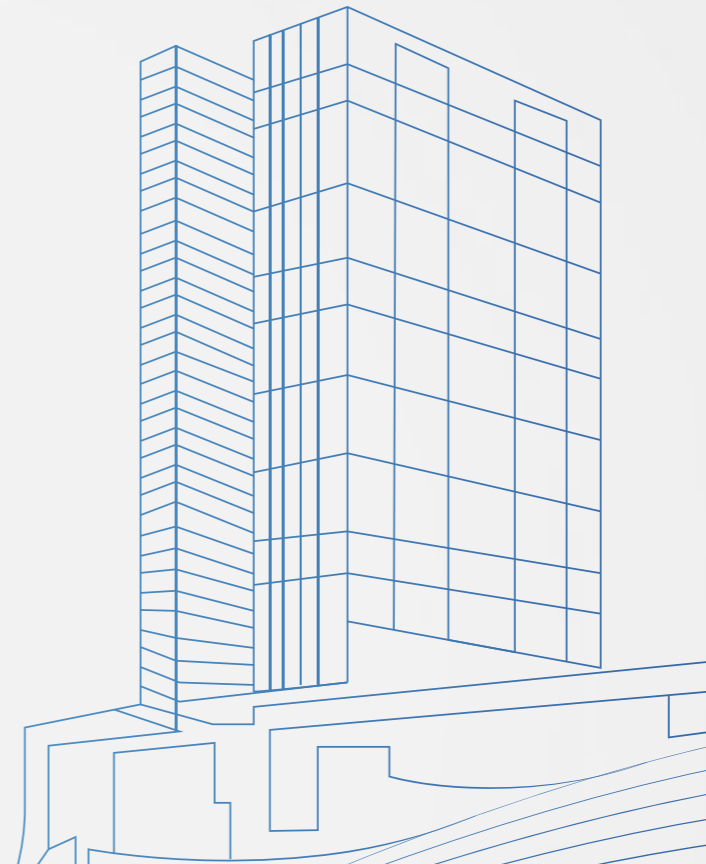
■ No. of cases filed
 ■ No. of cases disposed of

\* Based on the information compiled as at 18 January 2021.



# STATE COURTS

FUTURE-READY



# STATE COURTS



## VISION

A trusted and forward-looking  
Judiciary that delivers justice

## MISSION

To administer justice with quality  
judgments, timely and effective  
dispute resolution, and excellent  
court services

## VALUES

Fairness • Accessibility •  
Independence, Integrity, Impartiality •  
Responsiveness

## QUALITIES OF A TRUSTED AND FORWARD-LOOKING JUDICIARY



Optimal outcomes  
Fair process  
Timely decisions  
Innovative  
Transparent

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# MESSAGE FROM THE PRESIDING JUDGE OF THE STATE COURTS

2020 was a challenging year, as the world grappled with a pandemic never seen before. To address the risk of transmission of COVID-19, we had to fundamentally redesign the way in which the State Courts did business. We transformed our processes, while dramatically re-thinking our traditional court models and moved towards remote delivery of court services.

## MAINTAINING THE SAFETY OF COURT USERS AND STAFF

One of our foremost priorities in 2020 was ensuring that court users and staff remained safe, even as we continued to serve the public amidst the pandemic. In February 2020, we introduced temperature screening and visitor registration at the entrance of our building. We also divided our workforce into two teams, with each floor, courtroom, hearing chamber and lift lobby designated for only one team. To minimise contact between individuals, we staggered hearing slots and working hours, and arranged for our staff to telecommute.

## HOW TECHNOLOGY BECAME A CENTRAL PLANK FOR CONTINUED ACCESS TO JUSTICE DURING THE PANDEMIC

As early as March 2020, the State Courts had begun to ramp up our efforts to harness technology to deliver court services remotely. Our initiatives included asynchronous court dispute resolution hearings by email, asynchronous pre-trial conferences for our Specially Managed Civil List of cases, as well as completely virtual criminal Pre-Trial Conferences. As the impending pandemic loomed, we stepped up on remote hearings, directing that video conferencing be the default mode of hearing for a wide array of criminal, civil, community justice and mediation matters.

When the Circuit Breaker intervened, many of our cases were put on hold. Manual filing and informational processes were quickly overhauled and moved online. Only urgent and essential hearings were allowed to proceed – one of these was the very first fully remote criminal trial conducted in the State Courts.

Even after the Circuit Breaker was lifted, we pressed ahead in our endeavours to boost the use of remote hearings. We leveraged web-based video conferencing platforms. We developed operational procedures to facilitate and ensure the safe and smooth running of remote hearings, including security measures to prevent “Zoom bombing” and user-friendly conventions to fix remote hearings. We also developed detailed protocols to be adopted by our judicial officers during remote hearings to ensure the orderly conduct of proceedings. In addition, we boosted the remote interpretation capabilities of our court interpreters. In November 2020, the first civil trial was conducted entirely over video conference.

Apart from video conferencing, we implemented asynchronous hearings for a wide range of civil and community justice matters, including duty registrar matters, ex parte summonses, summonses for directions, pre-assessment of damages hearings, court dispute resolution conferences and case directions in tribunal hearings. We also dispensed with the attendance of parties for a variety of matters, including criminal mentions, the withdrawal of summonses or Registrar’s Appeals, discharge of garnishee orders, recording of settlement terms and certain contested interlocutory applications. In addition, we implemented a series of changes to move most of our Magistrate’s Complaint processes online.

To reduce physical contact, we set up mobile tablets at our information counters so that court users could receive assistance from our front-line service officers remotely. Above that, court users were referred to our online resources.

Today, remote and asynchronous court hearings have become a ubiquitous component of the suite of services we deliver daily. They have helped to ensure continuity in our operations despite safe distancing measures. We anticipate that such remote delivery of court services will become increasingly important, not only to meet the immediate COVID-related health concerns but to cater to a world where the paradigm has undergone a shift that is as fundamental as it is irreversible. The public has now come to accept, and indeed expect, that technology will play a far more dominant role in the dispensation of justice. The State Courts stand ready to deliver.

## CLEARING OF BACKLOG

As a result of the Circuit Breaker, we had to vacate many of our hearings. The State Courts lost a total of 2,033 hearing days. Once hearings resumed, our immediate priority was to ensure that affected cases were promptly re-fixed in as timely a fashion as possible, while ensuring that disposal rates for new and ongoing cases stayed afloat.

We achieved this through measures such as re-deploying our judicial officers to increase hearing slots, increasing the quota of cases for each hearing slot, rigorous management of cases, engaging with our key stakeholders to facilitate better case management and postponing non-essential initiatives. By the end of 2020, all but a very small handful of the affected cases had been re-fixed for hearing, while a large proportion was substantively disposed of.

## EVENTS AND CEREMONIES HELD VIRTUALLY

In 2020, safe distancing measures prevented us from physically holding many events and ceremonies. Yet, we continued to host many of these events online, to ensure that we stayed in touch as an organisation. On 23 October 2020, we conducted the State Courts Public Service Week Observance Ceremony virtually, during which we paid tribute to colleagues working on the front line during the Circuit Breaker and to those serving as Safe Distancing Ambassadors and Election Officials.

## MAINTAINING OUR INTERNATIONAL PRESENCE IN THE PURSUIT OF COURT EXCELLENCE

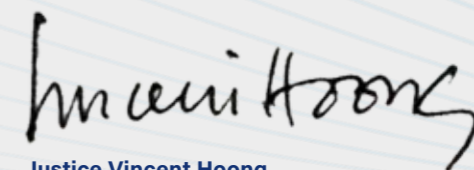
On 23 September 2020, the International Consortium for Court Excellence, of which the State Courts are a founding member, organised a webinar to launch the newly completed third edition of the International Framework for Court Excellence (IFCE). On 28 October 2020, the State Courts organised a colloquium, in conjunction with the 8th Meeting of the Council of ASEAN Chief Justices. The participants of the colloquium were introduced to the IFCE and they were brought through the new edition’s richer content and increased user-friendliness.

In conducting both events virtually, the State Courts demonstrated our commitment in the pursuit of court excellence, even in the face of unprecedented challenges.

## CONCLUSION

2020 marked a significant shift in how we lived and worked. It was unprecedented, both in terms of the challenges which arose and the opportunities which presented themselves. Staff of the State Courts rose to the occasion by demonstrating flexibility in adapting our processes, while rooted by an unbending commitment to the overarching goal of providing continued access to justice, even during the most trying of times. By abandoning old assumptions and pursuing the vision of an enhanced digital justice landscape, we stayed relevant and emerged better placed to face the challenges in a landscape that can only grow more volatile and complex.

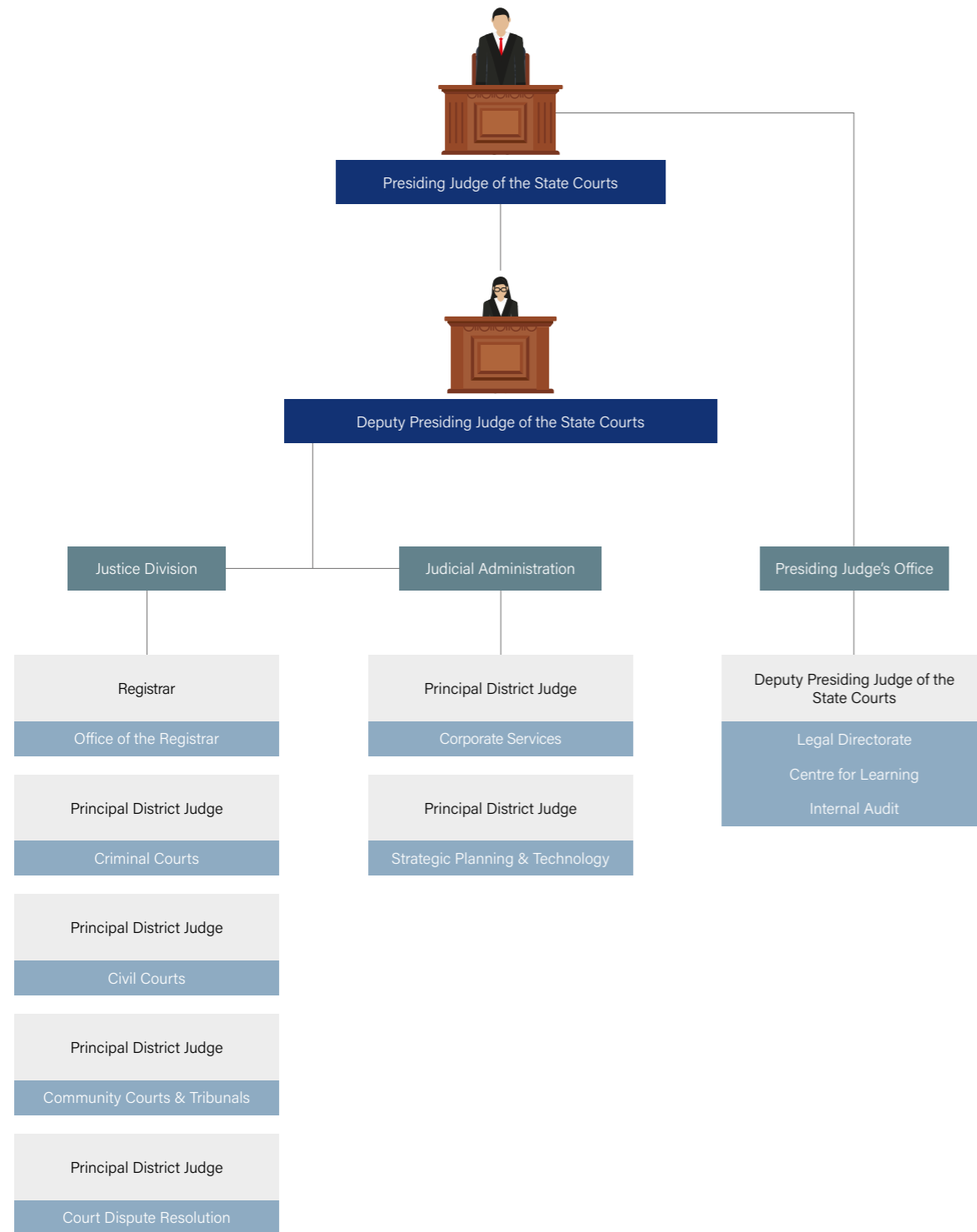
We also express our gratitude to The Honourable the Chief Justice for his unstinting support and encouragement, especially in the past year. The State Courts will strive towards new heights, in our quest for court excellence and access to justice for all. We remain committed to our vision as a trusted and forward-looking judiciary and look forward to better years ahead.



**Justice Vincent Hoong**  
Presiding Judge  
State Courts, Singapore

# ORGANISATIONAL CHART

1 MARCH 2021



# STATE COURTS: FUTURE-READY

## STATE COURTS STRATEGY MAP 2020 - 2025

As they stood on the cusp of a new decade, the State Courts responded to the COVID-19 crisis by transforming court processes and embarking on the remote delivery of court services. The pandemic posed a major strategic challenge, as the State Courts were no longer able to hear cases and deliver court services in the traditional way. In line with the strategic thrusts and action plans in the Strategy Map 2020-2025, the State Courts harnessed technology to develop innovative and sustainable solutions (e.g. remote and asynchronous hearings) and streamlined proceedings to reduce the need for litigants and lawyers to attend Court in person.



## VIDEO CONFERENCING IN THE COURTROOM



In the first quarter of 2020, COVID-19 was declared a pandemic by the World Health Organisation.

The Singapore Judiciary swiftly implemented a series of measures to minimise the disruption of operations and to prevent and reduce the transmission of COVID-19. Of immediate priority was the need to minimise physical court attendances. As early as mid-March 2020, the State Courts implemented remote hearing measures and moved towards determining a large proportion of court matters asynchronously.

The State Courts leveraged web-based video-conferencing platforms for continuity of operations. Operational and security procedures were developed and applied to all video-conference hearings to ensure the smooth running of hearings in accordance with the written law, which included section 28 of the COVID-19 (Temporary) Measures Act. Video conferencing was used in proceedings when doing so would serve the interests of justice, and where sufficient technical and administrative arrangements had been made at the place where an accused or witness would be giving evidence or appearing in Court.

The timely planning enabled the State Courts to continue operations during the Circuit Breaker period from 7 April to 1 June 2020, when only urgent and essential matters were conducted. Such matters included criminal mentions, pre-trial conferences and plead guilty mentions.

As the COVID-19 situation in Singapore improved, video conferencing remained a valuable tool for conducting hearings with safe management measures. Physical attendances continued to be reduced where possible. For example, defence counsel and prosecutors continued to attend criminal hearings such as pre-trial conferences and plead guilty mentions through video conferencing. Unrepresented litigants and accused persons could also attend selected proceedings such as criminal pre-trial conferences from a different room using video-conferencing facilities.

Video conferencing also enabled evidence taking from both local and overseas witnesses who were unable to attend Court physically for reasons such as being subject to Stay-Home Notices, quarantine measures or travel restrictions. Since its implementation in criminal trials, evidence from witnesses in no less than 12 cases have been recorded remotely. Without such technology, the disposal of these trials would otherwise have been affected or delayed. Where the witnesses were located abroad, directions were given by the Court ahead of time for the parties to obtain the approval of the relevant state, where applicable.

The State Courts will continue to leverage video-conferencing technology and build on their experience to continuously improve the administration of justice, as the environment that they operate in evolves.

# STATE COURTS: FUTURE-READY

## NEW PROCESSES FOR CIVIL HEARINGS IN RESPONSE TO COVID-19

To ensure the safety and well-being of court users during the COVID-19 pandemic, the State Courts piloted several new schemes and procedures to ensure that court services and processes remained available and uninterrupted as far as possible, while reducing the level of person-to-person contact.

These included ways to streamline the management of different types of cases, such as asynchronous processes and hearings where parties participate in the proceedings from different locations and at different times.

### ■ REMOTE HEARINGS OF DUTY REGISTRAR MATTERS

Remote and asynchronous hearings became the default mode to process requests to attend before the Duty Registrar. Parties no longer had to be physically present before the Duty Registrar to obtain directions and/or orders from the Court.

The new protocol allows the applicant to file a letter stating the directions and/or orders to be sought for via eLitigation. The request will be processed asynchronously, where possible, with the Duty Registrar issuing directions and/or orders via the same platform.

Parties remain at liberty to request a hearing – physical or virtual – before the Duty Registrar, and similarly, the Duty Registrar retains the discretion to call for a hearing if it is deemed necessary. This can also be conducted via video conferencing or telephone conferencing if the Duty Registrar deems it appropriate to receive oral submissions.

### ■ ASYNCHRONOUS HEARINGS UNDER THE SPECIALLY MANAGED CIVIL LIST (SMCL)

The Asynchronous SMCL Pre-Trial Conferences initiative was launched as part of the State Courts' commitment to better utilise court resources and save time for counsel attending SMCL Pre-Trial Conferences. It allows updates and requests for directions by parties, and all court directions, including the timelines for discovery, affidavits of evidence-in-chief, and setting down an action for trial, to be given by correspondence via eLitigation.

The initiative was one of the first measures implemented by the State Courts to reduce physical hearings in the light of the COVID-19 pandemic.

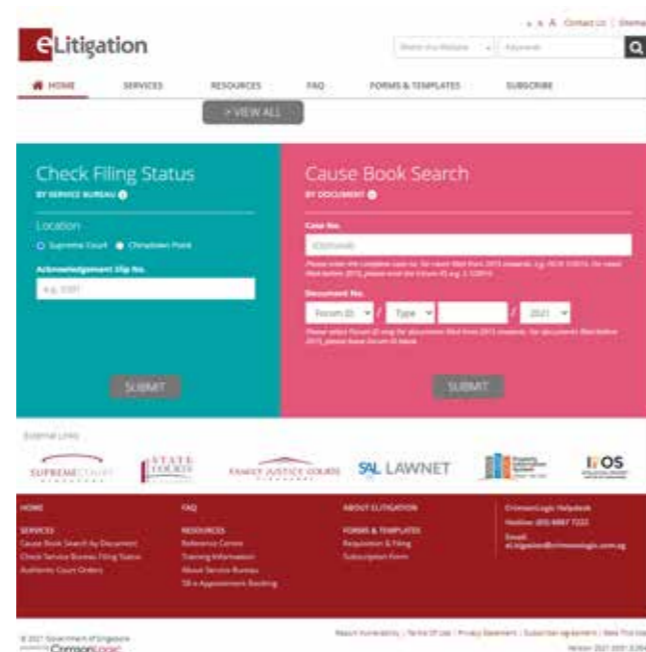
### ■ ASYNCHRONOUS/PAPER HEARINGS OF SPECIFIED CATEGORIES OF CIVIL HEARINGS

Introduced in a bid to conduct hearings in a manner that would reduce the incidence of in-person contact, the selected hearings for the initiative included that of ex parte summonses, summons for directions (SFDs), pre-assessment of damages alternative dispute resolution conferences, and other selected matters where parties consent to a dispensation of court attendance.

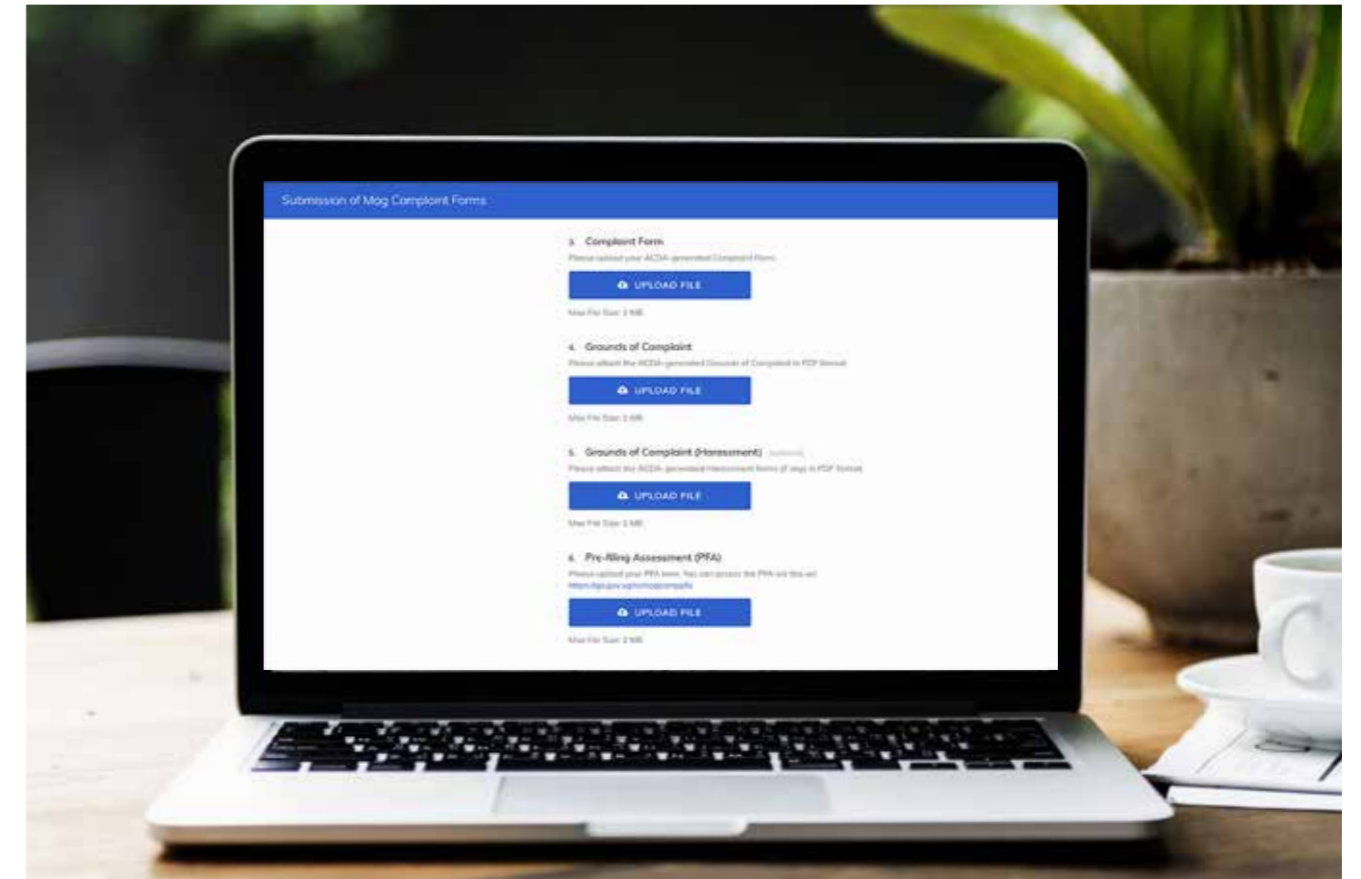
The asynchronous process entails parties filing the relevant papers on eLitigation within a stipulated period before the assigned "paper" hearing date. At the "paper" hearing, the Court will consider the papers filed by the parties and issue orders and/or directions via eLitigation.

To facilitate the transition to the asynchronous process, new protocols such as the use of standard forms for SFDs were introduced. The protocol not only streamlines and simplifies the process but also makes it a requirement for parties to consult each other on their proposed timelines and directions before filing the application, thereby encouraging peacebuilding. Where an agreement is forthcoming, parties can file a consent summons for the Court's consideration.

"Paper" hearings have enabled the Court to dispose of matters without specifically allocating time to conduct an actual hearing, saving court resources.



## REMOTE PROCESSES FOR MAGISTRATE'S COMPLAINTS



The State Courts implemented a series of changes to the Magistrate's Complaints filing processes. Online filing replaced the manual over-the-counter filing, and affirmation hearings and further inquiries are now conducted remotely. Provisions were also made for unrepresented litigants who are unable to file their complaint online to do so at the State Courts Business Centre. They can also seek assistance by phone.

### ONLINE FILING AS THE DEFAULT

Court users can go to the State Courts website to obtain information on the remote filing process, take the online pre-filing assessment, prepare the online complaint forms and submit their Magistrate's Complaint online.

### HEARINGS CONDUCTED OVER VIDEO CONFERENCING

During the Circuit Breaker, affirmations and examinations were conducted through video conferencing on an appointment-only

basis when a fresh filing was deemed sufficiently urgent. Post-Circuit Breaker, parties who file fresh complaints online are to physically attend at the State Courts to regularise their filing by signing on the complaint form, and to attend the affirmation and examination of their complaint before the Duty Magistrate, who would conduct the hearing through video conferencing.

### CONDUCTING FURTHER INQUIRIES (FIs) ASYNCHRONOUSLY

After the Circuit Breaker, almost all FIs were conducted asynchronously through emails or letters through the issuance of asynchronous directions (aDirections). The process resulted in an increase in productivity as more cases can be managed by freeing up hearing slots, which were previously used to hear FIs for affirmation hearings. The Duty Magistrates can now process the aDirections at their own time and only convene a hearing for more complex FIs.



# INSPIRING PUBLIC TRUST AND CONFIDENCE

## INSPIRING PUBLIC TRUST AND CONFIDENCE

### CASELOAD PROFILE

	2019	2020
<b>CRIMINAL CASES</b>	<b>196,647</b>	<b>143,728</b>
<b>Criminal and Departmental/Statutory Board</b>		
Criminal Charge <sup>1</sup>	48,448	38,324
Departmental/Statutory Board Charge and Summons	85,035	53,188
Traffic Charge and Summons	58,973	47,982
<b>Other</b>		
Coroner's Court Case	4,125	4,219
Magistrate's Complaint <sup>2</sup>	66	15

	2019	2020
<b>CIVIL CASES</b>	<b>39,047</b>	<b>31,189</b>
<b>Originating Process</b>		
Writ of Summons	24,028	18,282
Originating Summons	633	549
<b>Interlocutory Application</b>		
Summons <sup>3</sup>	8,459	7,028
Summons for Directions (Order 25/37)	4,163	3,552
Summary Judgment (Order 14)	174	140
<b>Other</b>		
Taxation	95	102
Assessment of Damages	1,495	1,536

#### Notes

- Includes District Arrest Charges, Magistrates' Arrest Charges and other types of charges.
- Non-relational Magistrate's Complaints are counted as criminal cases. Relational Magistrate's Complaints are counted under Community Justice and Tribunals cases.
- Excludes Summons for Directions (Order 25/37).

## INSPIRING PUBLIC TRUST AND CONFIDENCE

## CASELOAD PROFILE

	2019	2020
<b>COMMUNITY JUSTICE AND TRIBUNALS CASES</b>	<b>14,260</b>	<b>12,099</b>
<b>Community Disputes Resolution Tribunals (CDRT)</b>		
CDRT Claim	108	211
<b>Employment Claims Tribunals (ECT)</b>		
ECT Claim <sup>4</sup>	1,301	1,453
<b>Magistrate's Complaint<sup>2</sup></b>	<b>1,753</b>	<b>1,380</b>
<b>Protection from Harassment Act</b>		
Originating Summons - Application for Protection Order/ Non-Publication Order/False Statement Order <sup>5</sup>	171	153
<b>Small Claims Tribunals (SCT)</b>		
SCT Claim	10,927	8,902
<b>Total</b>	<b>249,954</b>	<b>187,016</b>

## Notes

4. Wrongful Dismissal Claims commenced filing at ECT on 1 April 2019.  
5. Non-Publication Order was repealed on 1 April 2020. With effect from 1 April 2020, a class of orders involving falsehood, collectively known as False Statement Order, was introduced under the amendments to the Protection from Harassment Act.

## CASELOAD PROFILE

	2019	2020
<b>COURT DISPUTE RESOLUTION<sup>1</sup></b>	<b>7,068</b>	<b>5,434</b>
<b>Civil Cases</b>		
Writ of Summons, Originating Summons	6,814	5,085
<b>Community Cases</b>		
Originating Summons - Application for Protection Order/ Non-Publication Order/False Statement Order, CDRT Claim, Magistrate's Complaint	254	349

## Notes

1. Refers to fresh cases handled by the Court Dispute Resolution cluster in the respective years.

CLEARANCE RATE<sup>1</sup>

## Notes

1. Clearance rate is the number of cases disposed expressed as a percentage of the number of cases filed in the same year. The clearance rate can exceed 100% as those disposed of are not necessarily a subset of the filings in that year.

# INSPIRING PUBLIC TRUST AND CONFIDENCE

## SIGNIFICANT CRIMINAL CASES

### FINANCING TERRORISM ACT

#### PP v Imran Kassim

Imran Kassim was charged under s 4(b) of the Terrorism (Suppression of Financing) Act for providing a sum of S\$450 through Western Union Global Network Pte Ltd to an individual in Turkey for the latter's publication of Islamic State in Iraq and Syria (ISIS) propaganda. This was the first case in which an accused claimed trial to a charge under the Terrorism (Suppression of Financing) Act.

During the trial, Imran admitted that he remitted the sum of money to raise awareness for ISIS. Based on these admissions, his statements to the police, as well as the remittance advice and receipt, the Court found that Imran provided the sum of money with the knowledge that it would wholly benefit the terrorist entity, ISIS. The Court rejected both strands of his defence. With respect to the first strand that he was subject to Syariah law and not Singapore law, Imran did not cite any authority. The Court reasoned that this was without basis in the context of a criminal charge. The second strand of his defence was that he provided financial support to raise awareness for ISIS as he considered that there were inconsistencies and gross exaggerations in the way ISIS had been portrayed. In this regard, the Court reasoned that this did not give rise to a known defence in criminal law. The Court convicted him of the charge.

In sentencing Imran, the Court stated that general deterrence was the dominant sentencing consideration. The Court considered various aggravating factors, including his lack of remorse and the fact that he took active steps to evade detection by deleting Facebook messages with the individual and deleting the Surespot application that he had downloaded to obtain the transfer details from the individual. Imran was sentenced to 33 months' imprisonment.

### SEXUAL ASSAULT ON PROSPECTIVE CLIENT

#### PP v Tan Wai Luen

Tan Wai Luen claimed trial to one charge under s 376(2) (a) punishable under s 376(3) of the Penal Code for sexually penetrating a victim's vagina with his finger without her consent. The victim was a prospective client who attended a Muay Thai trial session that Tan conducted at Encore Muay Thai. After the class ended, the victim accepted Tan's offer of a complimentary Thai massage.

At trial, the key issue was whether Tan inserted his finger into the victim's vagina in the course of the massage. The victim testified that she indicated her discomfort when he first massaged her inner thigh area near her vagina. However, Tan soon resumed massaging the inner thigh and quickly inserted his finger under

her panties. The victim immediately turned around and shouted at Tan but he did not respond. She stated that she carried on with the massage because she was naked and concerned about what might happen if she had resisted. The Court found that her evidence was unusually convincing and that her conduct during and after the incident was within the realm of human response to be expected of a victim. Conversely, Tan's testimony lacked credibility. In particular, when he was first confronted with the victim's allegations, he consistently denied giving her a massage. His explanations for lying were contradictory and unconvincing. He was convicted of the charge.

In sentencing Tan, the Court noted that there was a limited degree of abuse of trust (given that the parties did not have a relationship prior to the incident) and a relatively short period of offending. The Court considered that a sentence of seven years and four months' imprisonment and four strokes of the cane was proportionate to his culpability and sufficient for the purpose of deterrence. Tan was sentenced accordingly.

### BREACH OF STAY-HOME NOTICE

#### PP v Tham Xiang Sheng, Alan

This was the first prosecution of an accused person for a breach of a Stay-Home Notice (SHN). Tham Xiang Sheng, Alan pleaded guilty to one charge under s 21A(1) of the Infectious Diseases Act for exposing other persons to the risk of infection of COVID-19 by his presence in a public place while aware that he was subject to an SHN.

On 23 March 2020, Tham returned to Singapore from Myanmar. He was served with an SHN shortly after clearing custom checks in Singapore. The SHN required him to remain at his place of residence at all times from 23 March to 6 April 2020. However, he visited several public places during the SHN period.

The Court assessed the risk of transmission by Tham to be low, as he did not exhibit any symptom and there was no evidence to suggest that he was a known case or carrier of COVID-19. Nonetheless, the Court considered Tham's conduct in disregarding the requirements of the SHN to be socially reprehensible. Tham had spent more than four hours out in public without taking any measures to reduce his exposure to members of the public. He further caused alarm to others by posting on social media photographs of his meal at a public place.

The Court sentenced Tham to six weeks' imprisonment and held that this was warranted to send a clear and unequivocal message to him and all like-minded persons to strictly adhere to the requirements of an SHN, so as not to expose the public to the danger of contracting COVID-19.

## SIGNIFICANT CORONER'S CASES

### CORONER'S INQUIRY INTO THE DEMISE OF SHAUN TUNG MUN HON

Shaun Tung Mun Hon was a part-time security officer at 1-Altitude Rooftop Gallery & Bar (1-Altitude) in One Raffles Place. On 9 June 2019, he was pronounced dead after suffering a fall into an uncovered 3.96m deep gondola pit on the second level of his workplace. His medical cause of death was determined to be head injury consistent with the fall.

At the Coroner's Inquiry, the Court heard that Tung reported for work at 6pm on 8 June 2019. A senior security officer gave him a site orientation and highlighted safety issues, including the uncovered gondola pit. Tung was also told to ensure that no patrons entered the restricted areas on the second level. At about 1.30am, two patrons pushed aside some of the barricades at the bottom of the staircase and entered the restricted area. Tung fell into the gondola pit while running towards them.

Following investigations into the incident, the Ministry of Manpower produced a report. It noted that facade cleaning of One Raffles Place had halted on 29 May 2019. During this time, the gondola was kept in the gondola pit. While removable floor slabs covered the surface of the gondola pit running along the perimeter of the rooftop, the floor opening around the gondola switch remained uncovered because the workers found it troublesome to remove and reinstate those floor slabs every day. The report further noted that the barricades were ineffective and that the furniture with attached lights in the area near the gondola pit had been cleared to facilitate the facade cleaning.

After the incident, the Workplace Safety and Health Council sent out an accident advisory which included recommendations such as securely covering all floor openings and illuminating warning signs.

The Coroner found that there was no basis to suspect foul play and that Tung's demise was an unfortunate workplace accident.

### CORONER'S INQUIRY INTO THE DEMISE OF HO CHEE MENG, ANDREW (HE ZHIMING, ANDREW)

On 1 November 2019, Ho Chee Meng, Andrew ("Ho") was chased by various members of the public after being observed to have seemingly used his mobile phone to take upskirt photographs. He was restrained by three men in a prone position before two other men joined the group. During this time, Ho's back was pinned down and his arms were restrained. Ho struggled and started to vomit.

The police were alerted to the incident and arrived shortly thereafter. A police officer called for an ambulance after he discovered that Ho was unresponsive and that his pulse could not be detected. The police officers then performed cardiopulmonary resuscitation (CPR) and chest compressions on Ho. An automated external defibrillator was also used to blow air into Ho's mouth. When the paramedics arrived, they took over the CPR efforts but Ho was eventually pronounced dead at the scene.

An autopsy was performed on Ho and the Forensic Pathologist certified the cause of death to be hypothyroid cardiomyopathy, a natural disease process. The Forensic Pathologist noted that Ho had a medical history of being severely hypothyroid with cardiac disturbances, and opined that it was likely that the stress of the chase and/or the subsequent restraint had contributed to his death.

The Coroner found that, on the evidence, there was no basis to suspect foul play and Ho's death was the consequence of a natural disease process. However, the Coroner cautioned that members of the public, unlike police officers, were not trained on how to restrain suspects. While public participation in crime prevention efforts was necessary and ought to be encouraged, it might be prudent to promote reporting to the police or seeking police assistance as the preferred and safer option.

### CORONER'S INQUIRY INTO THE DEMISE OF PERIYAKARUPPAN ALAGU

On 23 April 2020 at about 7.00am, Periyakaruppan Alagu was discovered to have fallen from height onto the staircase landing on the third floor of Khoo Teck Puat Hospital (KTPH). Alagu did not respond to resuscitation efforts and was pronounced dead at 7.15am.

At that time, Alagu was a hospital patient and had been admitted to KTPH on 19 April 2020 after being tested positive for COVID-19. An autopsy was performed on Alagu and the Forensic Pathologist certified that his cause of death was due to multiple injuries sustained in the fall.

The location where Alagu was found was directly in line with the window on the sixth level, next to his bed. Police investigations determined that Alagu had likely removed the window pane next to his bed. This created an opening, which the Forensic Pathologist opined was sufficient for someone of Alagu's stature to fall through. A search of Alagu's mobile phone also uncovered two short videos recorded by him at 5.24am and 5.26am on the day of the incident. In the videos, Alagu expressed his wish to end his life as he had been informed that he was infected with COVID-19.

The Coroner found that, on the evidence, there was no basis to suspect foul play and Alagu's death was a deliberate act of suicide. At the Coroner's Inquiry, the Court heard that the committee convened by KTPH to review this incident found no lapses in the hospital's clinical care. KTPH had provided the necessary care to Alagu throughout his admission and he had not exhibited any behaviour of suicidal risk. Subsequent to Alagu's death, KTPH formed a workgroup to provide additional resources and help to migrant worker patients who had contracted COVID-19.

# INSPIRING PUBLIC TRUST AND CONFIDENCE

## SIGNIFICANT CIVIL CASES

### MINOR (GIRL) ASSAULTED BY MALE CLASSMATE GCP (a minor) (suing by her father and litigation representative, GCQ) and others v GCS

The parents of a minor sued the defendant, an international school, for negligence after their daughter was allegedly assaulted in the groin area by a male classmate. The school applied to have the case file sealed, for the proceedings to be held in camera, and for a gag order on the names of the children and its name. Although the boy was not a party to the proceedings, the school argued that it was obliged to apply for these restrictions on publication because of its responsibility for his welfare.

The parents had described the assault as a “sexual assault” to some of the other parents they met and claimed that the school had failed to provide the girl with a safe environment. The parents also alleged that the school had recommended that both children continue to be in the same class for another three months until the end of the school year. This, the parents said, would force the girl to see her alleged attacker every day, and perhaps even interact with him, which would continue to traumatise her.

The Court held that there was a strong public interest in protecting the identities of the two children, particularly given the serious allegations against the boy. The gag order on the names of the two children and all identifiers were thus granted, including the name of the school, in the terms of the Children and Young Persons Act. The Court declined to seal the case file or to hold the proceedings in camera, explaining that the gag order would adequately protect the children. The Court emphasised that “any fetter on the publication of information relating to court proceedings intrudes into the public interest of open justice. That public interest, as far as is practicable to do so, should be upheld”.

### DEFAMATION CLAIM OF FOOD AND BEVERAGE COMPANY Hunger Busters Pte Ltd v Jonathan Cheok Wei Zheng

The plaintiff filed a defamation claim against the defendant in respect of publications made on his Facebook and Instagram accounts.

The plaintiff is a food and beverage company, which operated as a franchisee of the “Original Orchard Emerald Beef Noodles” (OOEBN), a family business selling Hainanese-style beef noodles. Due to business woes, the plaintiff terminated the franchise agreement after some time and started a restaurant called “The Beef Station” at the same location, after making some changes to the facade of its premises and removing the OOEBN name and logo. Its menu offerings included various beef items as well as Hainanese-style beef noodles.

The defendant’s father who had developed the OOEBN recipe posted messages on his Facebook page, identifying the plaintiff as OOEBN’s former franchisee, and informing his customers that the beef noodles being sold at the plaintiff’s premises were not the authentic OOEBN beef noodles. About two weeks later, the defendant posted inflammatory messages on his Facebook page against which the plaintiff sued for defamation.

The Court found that the words used, namely “fake, pretentious, ... imitations and copies”, “unscrupulously”, “destroy” and “stolen”, were defamatory. While the defendant’s posts did not mention the plaintiff by its corporate or trading name, it was reasonably clear that the imputation of wrongdoing was against the former franchisee of OOEBN. Considering the post on the defendant’s personal Facebook page had garnered 52 likes and was shared by seven users, its eventual removal about two weeks later, and the fact that the trading name “The Beef Station” had been in operation for less than a month at the commission of the tort, amongst others, the Court awarded to the plaintiff \$10,000 in damages.

### COMMON LAW PRINCIPLE OF NECESSITOUS INTERVENTION

#### National University Health Services Group Pte Ltd trading as Alexandra Hospital v Janaed and Newtec Engineering Pte Ltd

This case raised an interesting issue regarding the common law principle of necessitous intervention. It is a rather obscure principle of law with no local authorities directly on point.

The first defendant was employed by the second defendant. Badly injured at a work incident, the first defendant was sent to National University Hospital for treatment. The plaintiff commenced action against the defendants to recover the costs of the medical treatment. The plaintiff’s claims were based on the common law principle that in an emergency, provided the plaintiff has acted reasonably and *bona fide* in the interests of the defendant, in order to protect the defendant’s property, health or other important interests, the plaintiff may recover the expenses he had incurred and reasonable remuneration for his services. It is a condition for recovery that it was impracticable to obtain the defendant’s instructions or authority. This is generally known as the common law principle of necessitous intervention.

The Court held that the principle is recognised in English law in respect of medical treatment. The Court also held that recognising the principle in Singapore is consistent with public policy considerations. On the pleaded facts, the Court found that the plaintiff had a valid cause of action against the first defendant and that the first defendant did not have a reasonable cause of defence. As such, the Court upheld a striking out order made in respect of the first defendant’s defence.

## SIGNIFICANT COMMUNITY JUSTICE AND TRIBUNALS CASES

### TERMINATION ON GROUNDS OF INCOMPETENCE Farhana Shaheed v EST Engineering Ship Technology Pte Ltd

The key issue was whether the employer or employee bears the burden of proof when incompetence is cited as the ground for dismissal.

The claimant, who was a human resources officer, was terminated on the ground of incompetence and she sued the respondent for wrongful dismissal. The respondent’s case was that reports prepared by the claimant were erroneous and she failed to complete a recruitment project assigned to her.

The Employment Claims Tribunals (ECT) held that incompetence, like misconduct or poor performance under s 27(2)(b) of the Employment Claims Act 2016, was a matter especially within the respondent’s knowledge. This was in line with the principle in s 108 of the Evidence Act, which requires a person to prove a fact especially within his knowledge. The ECT also found that an employer who cites a reason for dismissal that conveys a sufficiently negative impression should justify that reason. This was also consistent with the implied term of trust and confidence in the employment agreement.

In allowing the claim for wrongful dismissal, the ECT found that the respondent had failed to discharge its burden of proof in respect of the claimant’s purported incompetence. It had failed to prove, for instance, that the claimant’s failure to complete the recruitment project was due to factors within her control, and that her purported incompetence extended to all the job functions which she was hired to undertake. As the claimant had already been paid salary in lieu of notice, the ECT awarded her only compensation for harm done. The base amount was pegged fairly low, at 0.3 months’ salary, then reduced by a further 20 per cent. These were on the account of the claimant’s relatively poor performance, short stint with the respondent, and contribution to her own predicament by insisting on a reason for her dismissal.

### PROTECTION ORDERS UNDER POHA Lai Kwok Kin v Teo Zien Jackson

The applicant was the managing director of a company which formerly employed the respondent. After a dispute, the respondent sent threatening communications to the applicant and his ex-colleagues, and posted adverse reviews of the company (which referenced the applicant) on various online platforms. The applicant applied for a Protection Order (PO) under s 12(2) of the Protection from Harassment Act (POHA) against the respondent.

The District Judge found that the respondent’s overall conduct constituted intentional harassment but dismissed the PO application as the evidence showed that the respondent was unlikely to continue harassing the applicant, and it was not just and equitable to grant a PO. The applicant appealed.

Three issues were considered on appeal. First, whether the District Judge should have adopted a ‘pre-emptive’ approach akin to that for POs under s 65 of the Women’s Charter (WC), that is, taking a starting position that a PO should be granted once the Court was satisfied that there were past acts of harassment. Second, whether the District Judge was correct to consider the respondent’s post-application conduct in not granting the PO. Third, whether the District Judge’s assessment of the evidence and decision were in error.

In dismissing the appeal, the High Court (HC) rejected the ‘pre-emptive’ approach and found that despite the similarities between the POHA and WC PO regimes, there were fundamental differences in their functions and operating contexts. Further, the ‘pre-emptive’ approach would render s 12(2)(b) POHA otiose by shifting the burden to the respondent to prove that the harassment was unlikely to continue; this could not have been Parliament’s intention.

The HC also accepted that all circumstances up to the date of the hearing of the PO application should be considered. This would preserve the POHA’s inherent flexibility and allow a just outcome to be achieved in each case.

## INSPIRING PUBLIC TRUST AND CONFIDENCE

### SIGNIFICANT COMMUNITY JUSTICE AND TRIBUNALS CASES

#### UNREASONABLE INTERFERENCE BY AN ANIMAL Leonhardt Georgia Charlotte v Rosalind Boots

The parties lived in neighbouring bungalows which were separated by a fence. In September 2018, one of the respondent's dogs dug a hole under the fence and entered the plaintiff's premises. One of the plaintiff's cats was found dead thereafter with bruises and bloody saliva on its chest and shoulder, with the dog standing nearby. The plaintiff claimed against the respondent for the loss of her enjoyment of her residence due to the respondent's failure to adequately secure the fence and remove her dogs permanently after the cat's death. She sought monetary damages, a written apology, and an order for all the respondent's dogs to be removed.

The Community Disputes Resolution Tribunal (CDRT) considered the preliminary issue of whether the plaintiff's claim could proceed, given that her husband had received a payout from his insurer for the cat's death. The CDRT found that this payout only

precluded the plaintiff from claiming for the replacement value of the cat or any losses arising from its death, and did not affect her unreasonable interference claim.

On the unreasonable interference claim, the CDRT found that in all likelihood, the dog did kill the cat. However, the CDRT noted that the claim was related to the respondent's actions after that incident, and found that the respondent did not intentionally, recklessly or negligently cause unreasonable interference with the plaintiff's enjoyment of her residence during that period. This was because the respondent, who was overseas at the time of the incident, promptly arranged to have her dogs removed from her property. She also arranged for the fence to be reinforced within eight days after she returned to Singapore. Importantly, there were no other instances of the respondent's dogs entering the plaintiff's property.

The CDRT found that the respondent had done what she could to prevent a recurrence of the incident involving the cat's death, and dismissed the claim.

### SIGNIFICANT COURT DISPUTE RESOLUTION CASES

#### SUIT INVOLVING THE EUTHANASIA OF AN ADOPTED DOG

The defendant had adopted a dog from the plaintiff, a company which specialises in rehoming stray dogs. The adoption agreement specifically prohibited adopters from euthanising the adopted dogs. Thereafter, the defendant euthanised the dog, without informing the plaintiff. As a result, the plaintiff sued the defendant for breach of the adoption agreement. In response, the defendant filed a counterclaim against the plaintiff for defamation, over comments made on social media by the plaintiff's founders about the defendant. This case generated much publicity among animal lovers and animal rights activists, after both parties publicly demonstrated on social media their unhappiness and conflict with each other. After two sessions of mediation at the State Courts, the parties arrived at an amicable settlement of their dispute.

#### A DISPUTE BETWEEN NEIGHBOURS

The disputants were two lady neighbours living on the same level with main doors directly facing each other. They had a long history of disputes and distrust with each other. One lady filed a complaint under the Protection from Harassment Act (POHA) against the other for harassment arising out of Facebook postings and a CCTV

camera which she alleged infringed her privacy. She applied for a Protection Order. In turn, the other lady made a POHA complaint for harassment, and also applied for orders under the Community Disputes Resolution Act. One lady was represented by counsel, while the other acted in person. These four applications were referred for mediation. After a few sessions of mediation, their underlying concerns were addressed through a safe and facilitated process. They agreed to holistically resolve their dispute by entering into a settlement agreement and withdrawing all applications against each other instead of pursuing further litigation.

#### DISPUTE OVER ALLEGATIONS ON SOCIAL MEDIA

The respondent had posted allegations about the applicant, a prominent local blogger and influencer, on various social media platforms. She then created a document containing all the allegations, circulated it to the public and encouraged people to pressure the applicant's business partners and sponsors to stop working with her. The applicant made a complaint against the respondent under the POHA, and the case was mediated at the State Courts. After a long mediation, in which the parties were able to listen to the other's views, the dispute was amicably resolved. The parties entered into a confidential settlement agreement and the respondent published a public apology on social media.

### STATE COURTS PUBLIC SERVICE WEEK OBSERVANCE CEREMONY 2020



In the light of COVID-19, the annual State Courts Public Service Week Observance Ceremony (PSWOC) was particularly poignant given the unprecedented challenges Singapore was facing. The ceremony reminded State Courts staff why, who and how they serve.

On 23 October 2020, the State Courts PSWOC was conducted via Workplace@FB, a first for the State Courts. During the virtual ceremony, the participants paid tribute to front-line colleagues who rendered assistance to members of the public and court users during the Circuit Breaker period, as well as those who served as Safe Distancing Ambassadors and General Election 2020 officials. Court officers, court interpreters and front-line staff also shared on how COVID-19 had inevitably changed their work. These included the challenges they faced in the initial phases of the pandemic, how they adjusted to the challenges, and what kept them going. It was heartening to learn that despite the challenges they encountered in an unfamiliar landscape, State Courts staff took them in their stride and continued to serve with utmost dedication.



# INSPIRING PUBLIC TRUST AND CONFIDENCE

## GOING THE EXTRA MILE, VIRTUALLY



In response to the COVID-19 pandemic, several initiatives were introduced to allow front-line counter staff to continue serving court users in a safe manner, without compromising the delivery of excellent court services.

### VIRTUAL COUNTERS

Court users can now be served by counter staff without being physically present before them. When a court user approaches the Information Counter or visits the Central Registry, he will see a tablet on the countertop and a staff will appear on screen to address his queries through video conferencing. Counter staff attending to court users in the Central Registry will also use a tablet to show them information from the State Courts website when explaining the court processes to them. This empowers the court user to find out more information on his own. The State Courts had received positive feedback on this initiative, especially from those who were able to refer to the online resources with the help of the staff.

### VIRTUAL CHECK-IN ASSISTANCE

Court users who require help with taking a queue ticket now also receive assistance virtually. On levels 2 and 3 of the State Courts where many court users have to take a queue ticket for

their cases, a tablet is available beside each queue kiosk to assist court users through video conferencing. If a court user is unsure of the appropriate option to select, the State Courts staff attending to him can guide or even activate the kiosk to dispense the ticket to him remotely. Apart from ensuring that court users continue to receive assistance when they need it, this initiative has also enabled the State Courts to manage their manpower resources more effectively.



## PROMOTING COURT EXCELLENCE INTERNATIONALLY

On 23 September 2020, the International Consortium for Court Excellence (ICCE), of which State Courts are one of the founding members, organised a webinar to launch the third edition of the International Framework for Court Excellence (IFCE). Titled "Responding to Challenges in a Pandemic", the webinar discussed challenges brought about by COVID-19 and how the IFCE could guide courts to respond to the situation with more orderly and considered changes in court procedures.

### THE ICCE EXECUTIVE COMMITTEE

- Mr Daniel Hall, ICCE Chair and Vice-President, US National Center for State Courts (NCSC)
- Mr Laurence Glanfield, Deputy President, Australasian Institute of Judicial Administration
- Ms Jennifer Marie, Deputy Presiding Judge of the State Courts
- Ms Beth Wiggins, Director of Research Division, US Federal Judicial Center
- The Honourable Chief Justice Carl B. Ingram, High Court of the Republic of the Marshall Islands

During the webinar, Mr Laurence Glanfield introduced the IFCE's core values, continuous improvement methodology and holistic approach to measuring court performance. Mr Daniel Hall described the similarities between IFCE and the framework used by the NCSC to help courts manage a crisis and develop calibrated long-term plans. Chief Justice Ingram spoke about how the Marshall Islands applied the IFCE's continuous improvement methodology to identify areas that courts should be focused on for court functions to resume smoothly and safely. Deputy Presiding Judge of the State Courts, Ms Jennifer Marie introduced the main enhancements in the revised edition and emphasised the importance of nurturing a committed and competent workforce against the backdrop of a global pandemic while Ms Beth Wiggins explained the features of the user-friendly self-assessment checklist and response collation tools.



About 250 ICCE members and participants from 30 countries attended the inaugural ICCE webinar. More information on the third edition of the IFCE can be found at [www.courtexcellence.com](http://www.courtexcellence.com).

### ONLINE COLLOQUIUM

Held in conjunction with the Eighth Meeting of the Council of ASEAN Chief Justices, more than 100 members of judiciaries from ASEAN countries participated in an online colloquium organised by the State Courts on 28 October 2020.

In addition to an introduction on the IFCE by Mr Daniel Hall, Ms Jennifer Marie presented the third edition's enhanced content and increased user-friendliness aimed at improving the effectiveness of the IFCE. The participants were also given a demonstration on the use of the new scoring guidelines in the framework.

Judge Sorawit Limparangri, Chief Judge of the Office of the President of the Supreme Court of Thailand, and Dr Prim Haryadi, General Director of the Directorate General, General Court of Indonesia, were also invited to share their experiences of using the IFCE in their respective judiciaries.



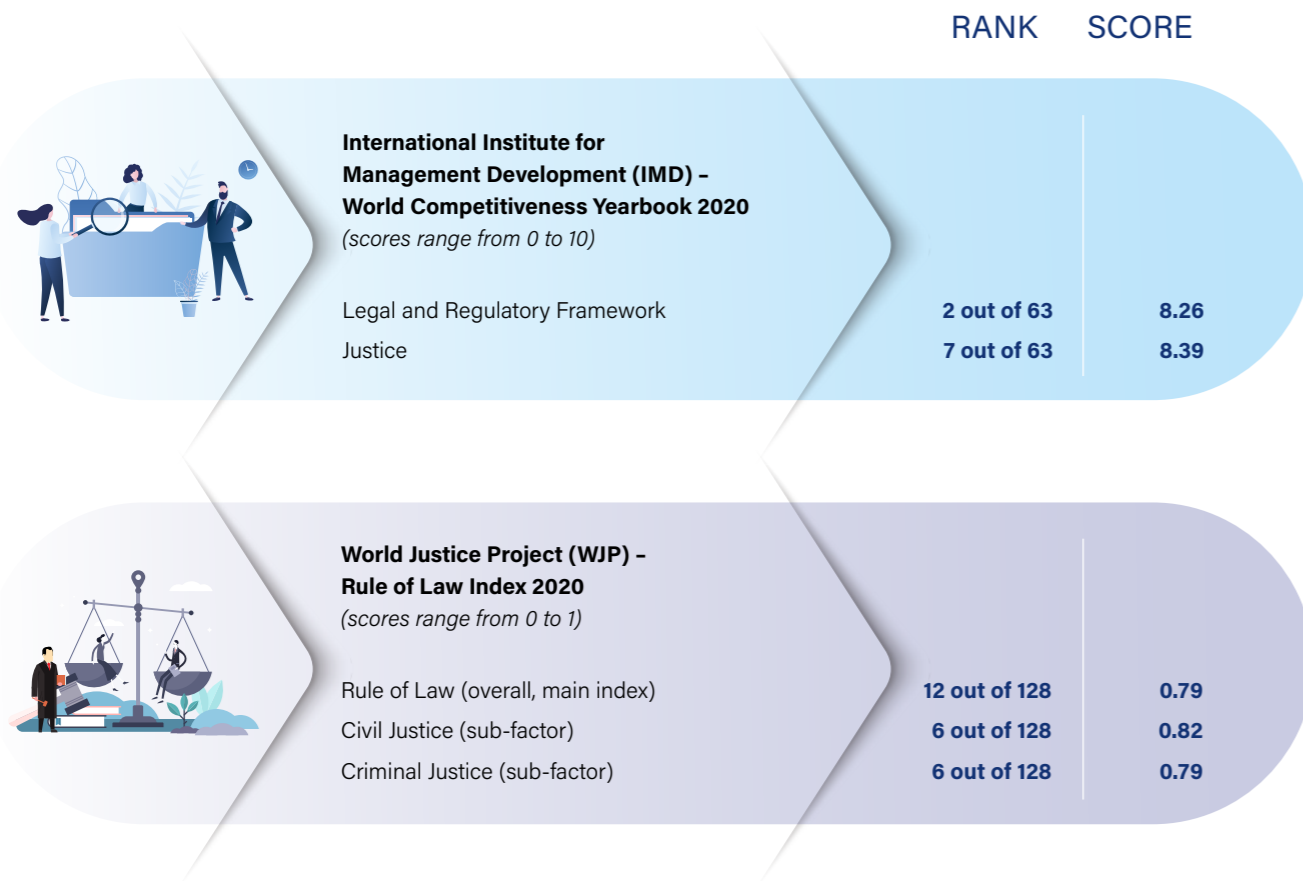
# INSPIRING PUBLIC TRUST AND CONFIDENCE

## INTERNATIONAL PROFILE

The Singapore Judiciary and legal system continued to be recognised internationally in 2020 as among the best in the world.

Across several research and survey studies conducted by reputable think tanks and international organisations to measure country performance, Singapore had performed exemplarily over the years in areas related to the judiciary and rule of law.

In 2020, Singapore continued to achieve high scores, ranking within or close to the top 10 for most indicators. These results are a recognition of the high quality of justice dispensed by the Singapore Judiciary.



# INSPIRING PUBLIC TRUST AND CONFIDENCE

## PUBLIC PERCEPTION SURVEY 2020

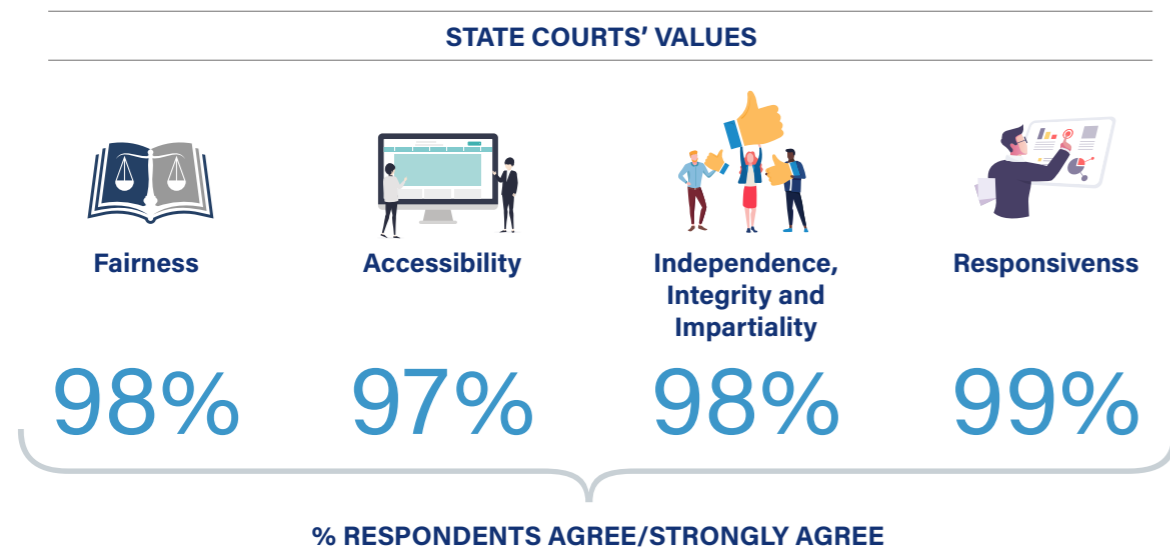


The State Courts conduct Public Perception Surveys regularly to measure the level of public trust and confidence in the administration of justice. The findings provide insight on the extent in which the public perceives the quality of justice administered by the State Courts.

In 2020, the Public Perception Survey was conducted with 1,001 Singapore citizens and permanent residents aged 17 and above.



Ratings pertaining to the State Courts' core values are summarised in the table below.



## VISITS BY DISTINGUISHED GUESTS



### JUDICIAL TRAINING PROGRAMME FOR THE QATAR JUDICIARY

On 23 January 2020, judicial officers from the Qatar Judiciary, Specialised Enforcement Courts, visited the State Courts as part of their Singapore Judicial College Customised Judicial Training Programme. They were received by then Presiding Judge of the State Courts, Justice See Kee Oon, and District Judges Toh Yung Cheong and Ow Yong Tuck Leong, who presented the State Courts' case management systems for criminal cases, and community justice and tribunals cases. The judges were also given a tour of the courts' premises and were introduced to the facilities/ functions at the State Courts.



### VISIT BY JUSTICE YUKO MIYAZAKI FROM THE SUPREME COURT OF JAPAN

Justice Yuko Miyazaki of the Supreme Court of Japan, accompanied by Judge Sakaniwa Masayuki, Director for International Relations, Secretary Division, General Secretariat, and representatives from the Japan Embassy in Singapore, visited the State Courts on 5 February 2020.

The delegation was received by Deputy Presiding Judge of the State Courts, Ms Jennifer Marie, District Judges Ow Yong Tuck Leong and Shawn Ho, who shared with them the adoption of technology and artificial intelligence in court proceedings. The visit gave the visitors and State Courts the opportunity to have an exchange on the trends in court technology and the challenges faced during implementation.



## INSPIRING PUBLIC TRUST AND CONFIDENCE

### ONE HAVELOCK SQUARE - BOOK ON STATE COURTS' OLD AND NEW BUILDINGS



To commemorate the historic move from the former State Courts Building to the State Courts Towers in December 2019, the State Courts published *One Havelock Square*, an exclusive book to showcase both the old and new courthouses.

The book, which is an eponym of the address of both courthouses, offers a journey of nostalgia and hope, as it documents the history that the State Courts' judicial officers, staff and stakeholders had created in the old building and the new chapter that they would embark on in the new two-tower courthouse. The 169-page book also comes with a companion microsite that presents readers with exclusive content including photographs that juxtapose the past and present, highlighting the purpose-built spaces and modern-day facilities to deliver access to justice.

*One Havelock Square* is not an ordinary book. With the aid of smart devices, the book offers an immersive experience through augmented reality and virtual reality technologies. Readers can watch insightful video interviews, tour lesser-known areas in

the former State Courts Building, and view three-dimensional models of the two courthouses. The book is also a record of the personal reflections and aspirations of the people of the State Courts, past and present, which will remind both the State Courts and the people they serve of their mission to administer justice with quality judgments, timely and effective dispute resolution, and excellent court services.

#### HIGHLIGHTS:

- Historical overview of the former State Courts Building
- Insight into the design of the two courthouses
- Interviews with the Chief Justice and the past and present heads of the organisation
- Personal stories and aspirations
- Exclusive photographs of the two courthouses
- Virtual tours of lesser-known areas in the State Courts Building

### THE STATE COURTS TIME CAPSULE



It is my hope for the generations to come that when they see these items in their time, they will realise how far we have come, and how important it is to continue striving to leave our institution better than when we first inherited it.

**Justice See Kee Oon**

Former Presiding Judge of the State Courts



The State Courts Time Capsule was installed on 20 March 2020. To be opened in the year 2050, it records the memories of and holds mementoes from State Courts' judges and staff, past and present. Courtroom artefacts, such as hardcopy court files, mention slip books and old courtroom doorknockers that would provide a glimpse of how court proceedings were like in the past, were specially curated to be preserved in the Time Capsule.

Other items included group photographs, office mementoes, and even a record of aspirations for the organisation in hope that the future generations will continue to be inspired and imbued with the spirit of upholding justice and serving society.

The Time Capsule is located in the State Courts Heritage Gallery. It is designed with an interactive multimedia display panel for visitors to know about the items contained in it.



# OUR PEOPLE



📄
🛡️
🔍
⚙️

## SENIOR MANAGEMENT



Justice Vincent Hoong (VH)



Ms Jennifer Marie (JM)



Mr Christopher Tan (CT)



Mr Toh Han Li (HL)



Ms Thian Yee Sze (YS)



Mr Victor Yeo (VY)



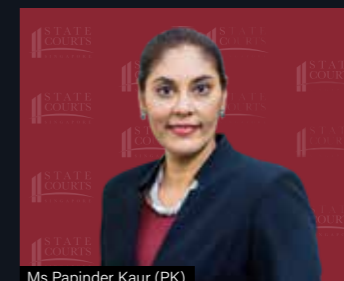
Mr Toh Yung Cheong (YC)



Mr Seah Chi-Ling (CL)



Ms Jill Tan (JT)



Ms Papinder Kaur (PK)

<b>VH</b> Justice Vincent Hoong <i>Presiding Judge</i>	<b>JM</b> Ms Jennifer Marie <i>Deputy Presiding Judge</i>	<b>CT</b> Mr Christopher Tan <i>Registrar</i>
<b>HL</b> Mr Toh Han Li <i>Principal District Judge Criminal Courts</i>	<b>YS</b> Ms Thian Yee Sze <i>Principal District Judge Community Courts and Tribunals Court Dispute Resolution</i>	<b>VY</b> Mr Victor Yeo <i>Principal District Judge Criminal Courts</i>
<b>YC</b> Mr Toh Yung Cheong <i>Principal District Judge Strategic Planning &amp; Technology</i>	<b>CL</b> Mr Seah Chi-Ling <i>Principal District Judge Civil Courts</i>	<b>JT</b> Ms Jill Tan <i>Acting Principal District Judge Corporate Services</i>
<b>PK</b> Ms Papinder Kaur <i>Acting Principal Director Corporate Services</i>		

🔇 Mute
 📺 Stop Video
 👤<sup>10</sup> Manage Participants

## OUR PEOPLE

### VIDEO INTERVIEWS FOR RECRUITMENT



The COVID-19 pandemic prompted the transformation of many human resource (HR) processes. The State Courts considered alternative modes to ensure that HR operations did not come to a halt. These modes leveraged digital technologies and included the transition from in-person interviews to video interviews for recruitment.

One of the advantages of having a video interview is that both the candidate and the interview panel enjoy greater flexibility in their schedule. They can attend the interview from wherever they are. There is also time saving as certain logistical arrangements, such as the booking of meeting rooms and showing candidates to the interview venue, need not be made.

Staff involved in facilitating interviews acquired new skills in the process. They learnt to use the video-conferencing applications to ensure that the interviews run smoothly. For some candidates, it was their first video interview. As such, the staff members had to also step up as "IT support" to guide the candidates through any technical difficulties that they encountered.

Apart from acquiring the required technical skills, the staff also honed their soft skills. They learnt how it was necessary to be creative and adaptable in finding alternative solutions to mitigate challenges.

Video interviews will become the norm. The State Courts endeavour to review and refresh their recruitment processes and tools to provide a pleasant experience for all job seekers and recruit the right people for the organisation to reach greater heights.

### EMBRACING CONTINUOUS LEARNING

The State Courts explored new ways to encourage continuous learning amidst the COVID-19 pandemic and introduced initiatives that leveraged online tools to facilitate learning in a virtual setting.

#### VIRTUAL TALKS

Over the course of 2020, more than 30 Virtual Talks were conducted for staff. The talks ranged from black letter law to general interest topics which encouraged staff to improve and innovate continuously.

#### ONLINE LEARNING

State Courts staff also continued to actively use the LEARN App to pursue online learning modules. They undertook the Basic Digital Literacy and Cyber and Data Security modules, and were encouraged to pick up new data and digital literacy skills through virtual trainings and events such as Tech.LawFest 2020.

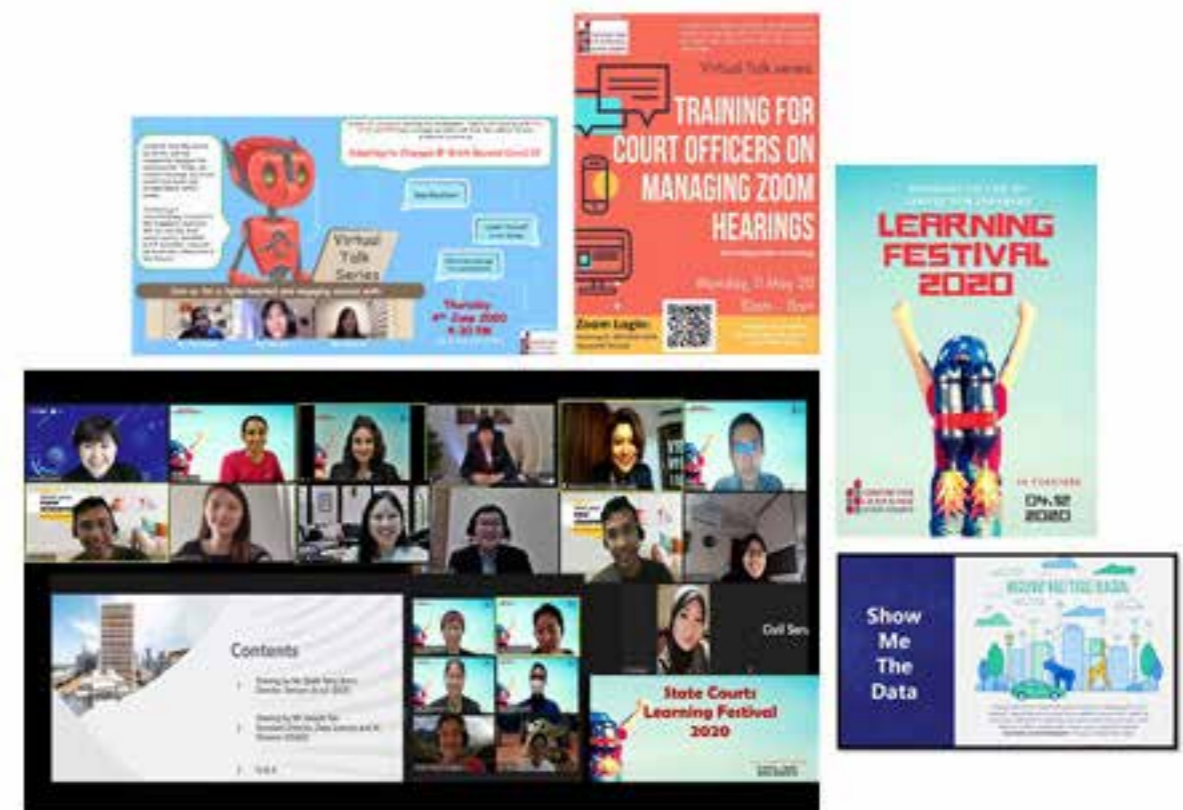
Although classroom-based training had been suspended, staff could still refer to a monthly Online Learning Directory to identify

online courses to refresh their skills and acquire new knowledge. These courses, with topics that were aligned with the Core Competencies for Public Service Officers, were specially curated to support staff in their learning.

#### LEARNING FESTIVAL

The State Courts held the Learning Festival virtually for the first time on 4 December 2020. The theme was "Challenging Times: Honing Skillsets for Tomorrow", to reflect the need to look ahead, following a year of adapting to new ways of working and learning. The Learning Festival featured speakers from the Civil Service College, GovTech, Ministry of Culture, Community and Youth, Raffles Medical Group, and the Singapore Counselling Centre. They covered a wide range of topics that included data and digital skills, mental resilience, social wellness, design thinking, and communicating with empathy.

The State Courts strive to continue developing meaningful programmes and fostering a culture of continuous learning.



## OUR PEOPLE

## AWARDS TO STATE COURTS STAFF

## PJSC AWARDS

The annual PJSC Awards recognise the commitment and outstanding contributions of staff members to the organisation.

**Exemplary JO Award**

District Judge Tay Wei Heng Terence  
District Judge Koh Jiaying

**Outstanding CA Award (Diamond)**

Mr Chow Keen Seng Bernard  
Ms Kum Hui Min

**Outstanding CA Award (Platinum)**

Ms Farhanah Binte Mohamed Amin  
Ms Tan Mei Choo

**Outstanding CA Award (Gold)**

Ms Yasmin Isma Bte Hamzah

**Outstanding Team Award**

New State Courts Towers Project Team  
Resource Management System Team  
Fines Management Team

## NATIONAL DAY AWARDS

The National Day Awards recognise various forms of merit and service to Singapore. In 2020, State Courts staff received awards in various categories.

**Public Administration Medal (Bronze)**

Mrs Renuka Thanabalan

**Commendation Medal**

Ms Quek Yi-Ching Daphne

**Efficiency Medal**

Ms Shanti d/o Ramakrishnan

**Long Service Medal**

District Judge Kan Shuk Weng  
Ms Ng Mui Lian Jasmine  
Ms Jayanthi d/o Jaganathan  
Ms Wahidah Banu d/o Abu Bakar  
Ms Siti Aishah Bte Ali

## GIVING BACK TO SOCIETY



“As a public organisation, we strive to contribute to the betterment of society and make a positive impact on the community, over and above performing our core functions.”

The State Courts were named a Champion of Good by the National Volunteer and Philanthropy Centre on 19 November 2020. They were among 74 organisations that were recognised for their extraordinary contributions to various social causes and beneficiary groups.

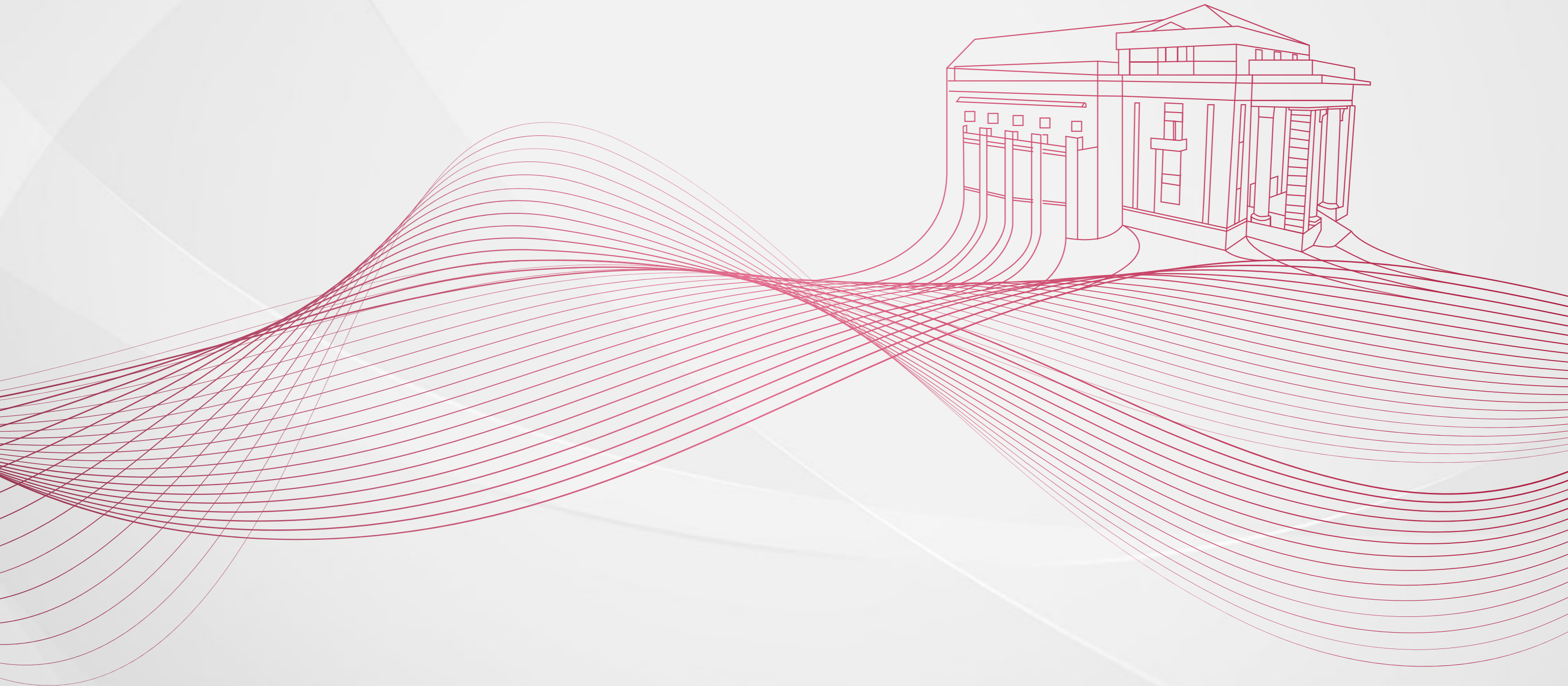
The State Courts were first conferred the Champion of Good status in 2018. As leaders and ambassadors of corporate giving, the State Courts organised numerous corporate social responsibility (CSR) activities such as fundraisers and outings with beneficiaries of different charities every year. They had also implemented meaningful initiatives like *Food for Good* and *Book Nook*, which encouraged the community to give back to society. Amid the pandemic in 2020, they reached out to front-line personnel and disadvantaged families, leaving a positive impact on the lives of many in the most challenging of times.

The State Courts are committed to promoting the spirit of volunteerism and cultivating the culture of giving back to society. CSR activities offer staff the opportunities to make someone's day better, in his own way, within his means.



# FAMILY JUSTICE COURTS

TODAY IS A NEW DAY



# FAMILY JUSTICE COURTS



## VISION

Justice that protects, empowers, restores.

## MISSION

Making justice accessible to families and youth through effective counselling, mediation and adjudication.

## VALUES

Every case, with fairness  
Every outcome, a way forward  
Every individual, with respect.

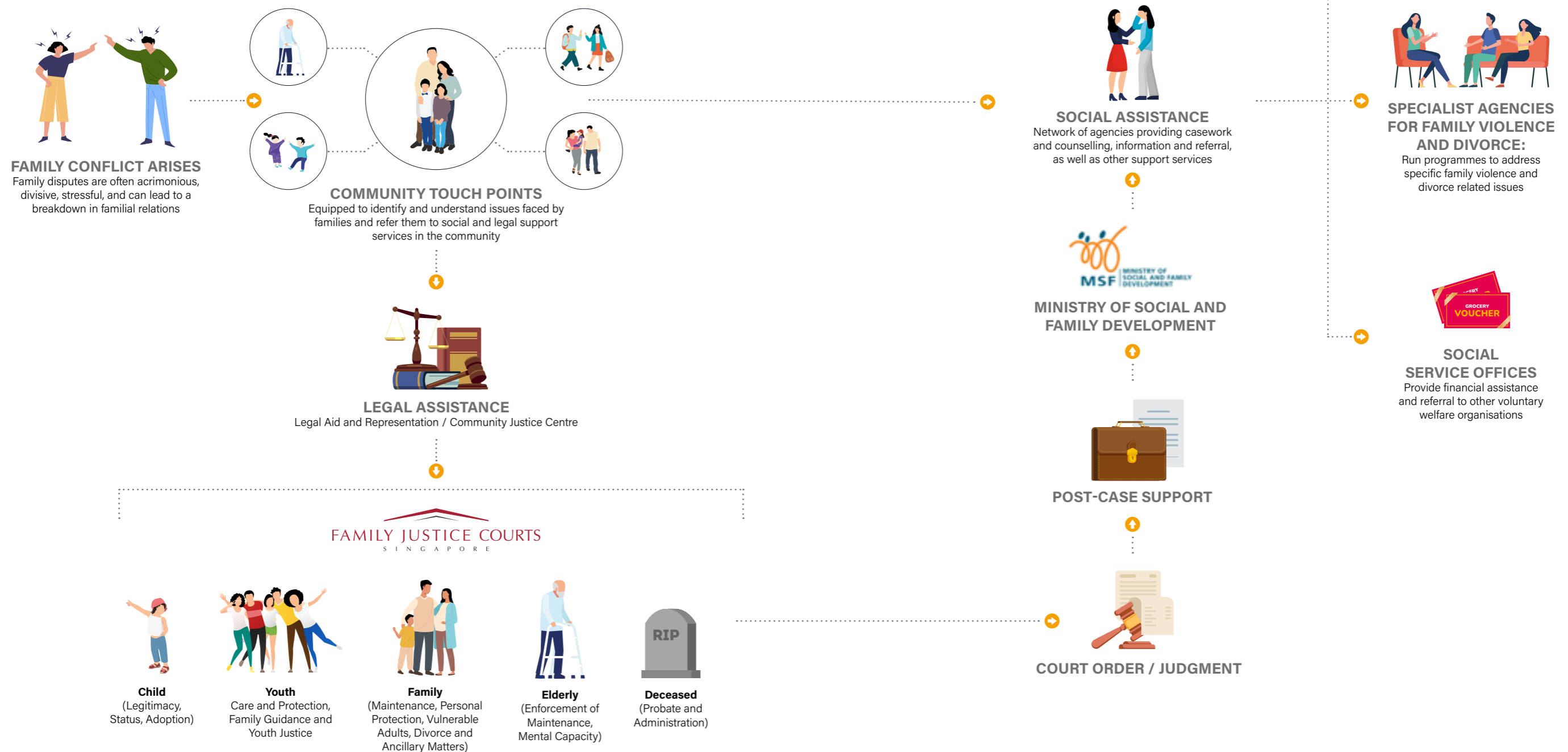
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# OUR FAMILY JUSTICE COMMUNITY

The mission of the Family Justice Courts (FJC) and our partners is to provide access to justice and support for families and youth in distress.

This infographic shows how every member of the family, young or old, obtains support through our family justice system.



# MESSAGE FROM THE PRESIDING JUDGE OF THE FAMILY JUSTICE COURTS

FAMILY JUSTICE COURTS  
SINGAPORE

FAMILY JUSTICE COURTS  
SINGAPORE



## "TODAY IS A NEW DAY"

In May 2020, during Singapore's rather memorable "Circuit Breaker" period, the Family Justice Courts (FJC) held its Workplan event by a virtual webinar. As the Presiding Judge, I delivered the Workplan Address entitled "Today is a New Day" ... from home. In this Address, I set out FJC's workplans to adopt Therapeutic Justice (TJ) in our refreshed vision of the family justice system, which I emphasised, was going to be built up as a "non-adversarial" system.

"Today is a New Day" focuses on a new mindset, a new understanding of what it might take for families to find a way forward. FJC embarked on 3 work streams in 2020.

## FURTHERING THERAPEUTIC JUSTICE WITHIN A MULTI-DISCIPLINARY APPROACH

A crucial plan in 2020 was to develop clearly a common "TJ narrative" which holds a consistent approach on the delivery of TJ amongst family lawyers, the social service sector, university students and of course, within the courts. FJC set up Multi-Disciplinary Teams (MDT) of judges, mediators, and court family specialists to steer proceedings away from an adversarial path and support a "problem-solving" approach. This MDT Pilot explores how judges, mediators, counsellors, psychologists and psychiatrists can work together to resolve family issues through a coordinated effort that enlists early involvement of therapeutic interventions and robust judge-led case management of proceedings.

FJC also established an Advisory and Research Council (ARC) comprising a panel of international experts and thought leaders on TJ to assist in our efforts to implement TJ in practical terms in the family justice system.

## FACILITATING COURT PROCESSES, SETTLEMENT, AND ENFORCEMENT

FJC has worked on redesigning the Family Justice Rules with TJ in mind. It is important that parties in court proceedings are able to navigate the journey using simpler and more user-friendly rules and processes.

Much effort has been poured into providing information to court users in the form of navigation packs and short videos, as well as enhancing access to services through mobile notifications and digital interfaces.

Earlier in 2020, FJC collaborated with a local bank on an initiative to provide support to families requiring emergency access to the funds of a family member with mental incapacity, in order to meet the latter's urgent needs.

FJC also collaborated with the Supreme Court's Office of Transformation and Innovation to develop an online portal, Lit.Assist which endeavours to aid divorcing spouses in generating and filing court documents, and connect them with lawyer-mediators who can help them to amicably resolve their Ancillary Matters (AM).

When the COVID-19 safe distancing restrictions affected the usual mode of operations in court, FJC swiftly adjusted to conducting remote hearings and used remote means of communication. Since April 2020, FJC has conducted case conferences using tele-conferencing, and conducted hearings and trials using the Zoom video-conferencing platform. To help individuals unfamiliar with technology to participate in remote hearings meaningfully and safely, FJC provided court users with training, technical 'guides' and court etiquette guidelines. FJC also trained court officers on the new modes of operations and established 28 on-site "Zoom Rooms" for parties who needed to attend remote hearings but had difficulty doing so on their own at home.

## FORTIFYING THE FAMILY JUDGES' AND LAWYERS' CAPACITY AND CAPABILITY

Family practice today, which adopts TJ in a non-adversarial system, requires family lawyers and judges to be equipped with the appropriate specialist skills. FJC continued to work with the Singapore Judicial College for the continuing training of the family judges, organising customised programmes for the family judges on the themes of TJ and multi-disciplinary practice.

In July 2020, FJC, supported by the Ministry of Social and Family Development (MSF) and the Law Society of Singapore, organised the Family Justice Practice Forum (FJPF) 2020. Conducted as a virtual webinar, the FJPF 2020 served as a platform to disseminate the TJ message to the wider legal and social service sectors.

FJC also worked with the Singapore Academy of Law to develop a specialised certification programme for practitioners on TJ and non-adversarial dispute resolution.

At the close of 2020, FJC signed a Memorandum of Understanding with the Institute of Singapore Chartered Accountants to set up a neutral Panel of Financial Experts. When engaged, these experts will assist parties in financial assessments and planning, and thus support them in reaching settlements through mediation or private negotiations. They will also offer objective valuations of matrimonial assets in AM proceedings, which may help to reduce potential disputes and acrimony arising from each party engaging its own financial experts.

The end of 2020 saw the beginning of building works on the "Octagon project". The Octagon building (the former State Courts building) will be FJC's future home. Renovation and retrofitting works are currently undergoing; the protective hoarding surrounding the construction site has been erected and architectural works will be introduced progressively over the next few years with thoughtfully designed features. The building renovation and retrofitting works are targeted to be completed in 2023.

2020 was an unprecedented year for everyone (in the world!). At FJC, the challenges brought about by the pandemic became opportunities for strengthening our work. This was possible only because my colleagues in FJC, the Family Bar and our community partners were incredibly resilient and committed to the mission, which never changed even as the pandemic changed the world. I record my deepest appreciation to them.

**Debbie Ong**  
Presiding Judge  
Family Justice Courts, Singapore

FAMILY JUSTICE COURTS  
SINGAPORE



# OVERVIEW OF FAMILY JUSTICE SYSTEM

## OVERVIEW OF FAMILY JUSTICE SYSTEM

### THE FAMILY JUSTICE SYSTEM

The Family Justice Courts (FJC) are established pursuant to the Family Justice Act which was passed by Parliament on 4 August 2014. The Family Justice Act was enacted based on the recommendations of the Committee for Family Justice which was formed in 2013 to review how Singapore's family justice system may be reformed to address the needs of youth and families in distress.

The FJC is a restructure of our court system to better serve litigants. By bringing together all family-related work under a specialised body of courts, we are able to frame disputes from the perspective of families and the individuals within. This is in contrast to other types of cases which are traditionally dealt with in an adversarial manner. In addition, we are able to provide a suite of family-specific services, enhance processes and identify relevant training programmes that develop family-specific skills in judges, lawyers and other family practitioners.

The "Family Justice Courts" is the collective name for a body of courts which comprise the Family Division of the High Court, the Family Courts and the Youth Courts. These Courts are administered by the Presiding Judge of the FJC. The FJC will hear the full suite of family-related cases including all divorce and related matters, family violence and vulnerable adults cases, adoption and guardianship cases, Youth Courts cases, applications for deputyship under the Mental Capacity Act, and probate and succession matters.

The FJC is a fundamental restructure of our court system, creating a separate and specialist body of courts to manage the full suite of family related disputes.

The FJC deals with cases involving the following legislations:

- Administration of Muslim Law Act (Cap. 3)
- Adoption of Children Act (Cap. 4)
- Children and Young Persons Act (Cap. 38)
- Family Justice Act 2014 (Act 27 of 2014)
- Guardianship of Infants Act (Cap. 122)
- Inheritance (Family Provision) Act (Cap. 138)
- International Child Abduction Act (Cap. 143C)
- Intestate Succession Act (Cap. 146)
- Legitimacy Act (Cap. 162)
- Maintenance of Parents Act (Cap. 167B)
- Maintenance Orders (Reciprocal Enforcement) Act (Cap. 169)
- Mental Capacity Act (Cap. 177A)
- Mental Health (Care and Treatment) Act (Cap. 178A)
- Probate and Administration Act (Cap. 251)
- Status of Children (Assisted Reproduction Technology) Act 2013 (Act 16 of 2013)
- Supreme Court of Judicature Act (Cap. 322)
- Vulnerable Adults Act 2018
- Voluntary Sterilization Act (Cap. 347)
- Wills Act (Cap. 352)
- Women's Charter (Cap. 353)



#### High Court (Family Division)

The Family Division of the High Court exercises original jurisdiction over cases where the gross value of the assets exceed \$5 million and hears appeals against the decisions of the Family Courts and the Youth Courts in family proceedings.



#### Family Courts

The Family Courts hear all family proceedings except cases under the Children and Young Persons Act, which are heard by the Youth Courts.

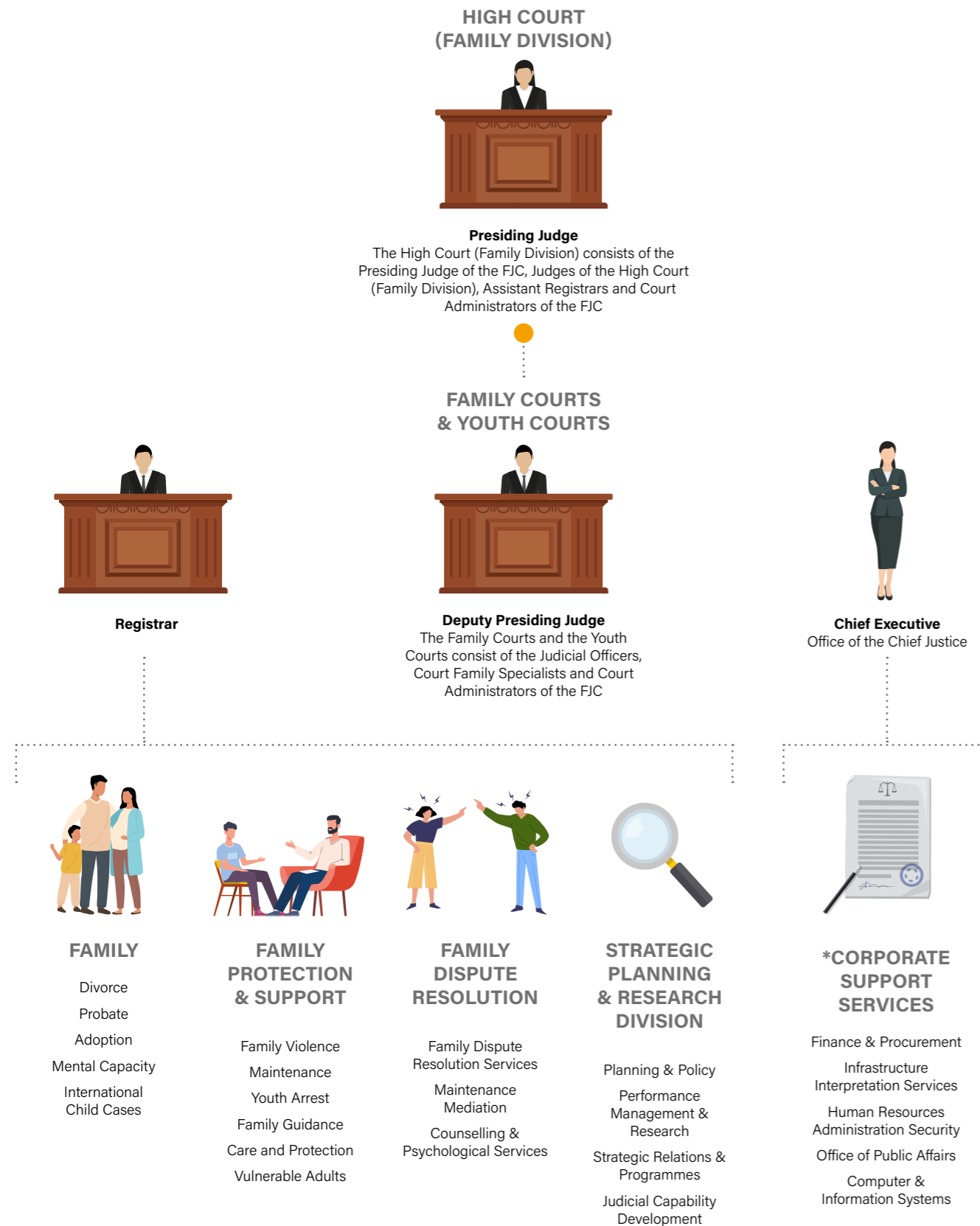


#### Youth Courts

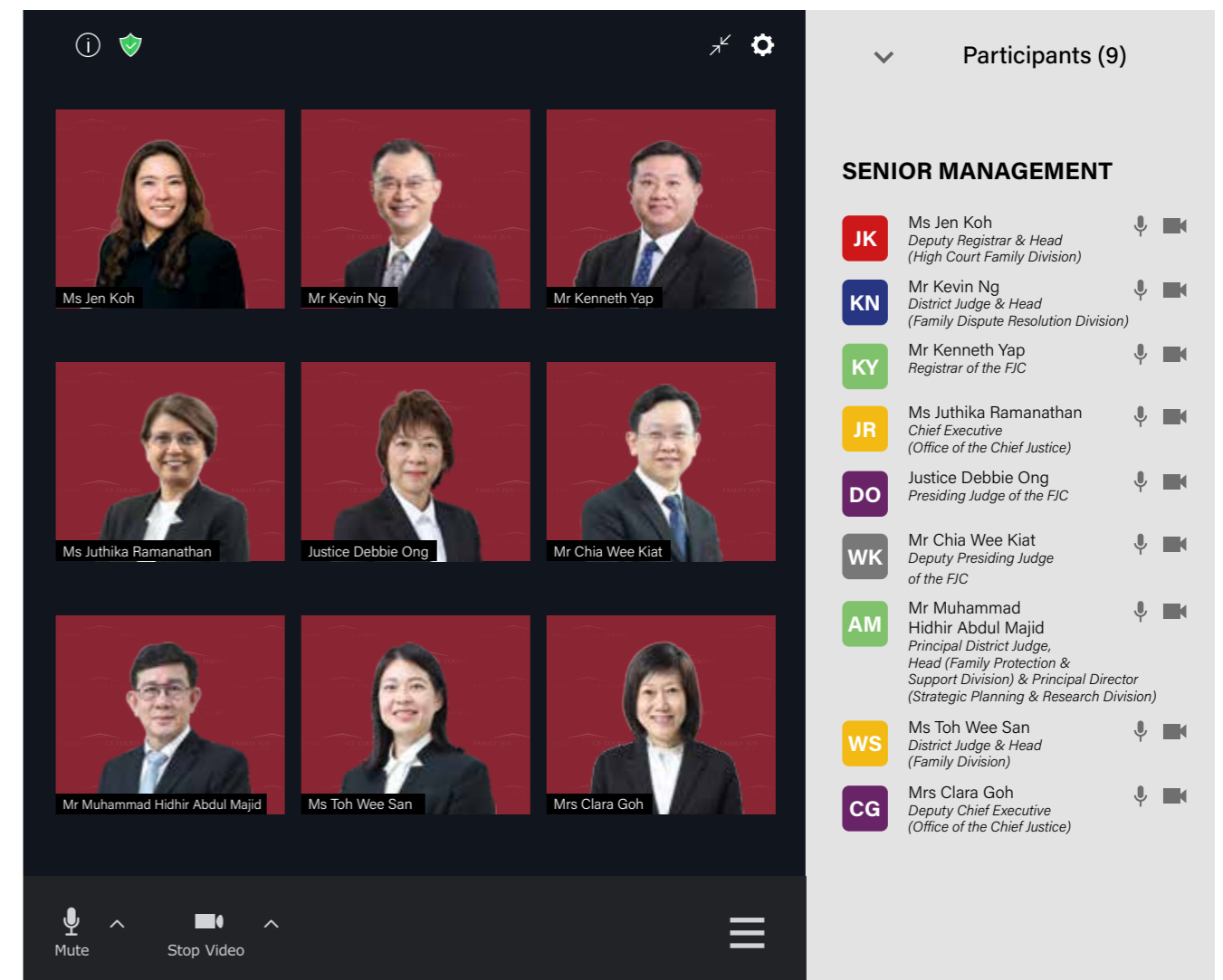
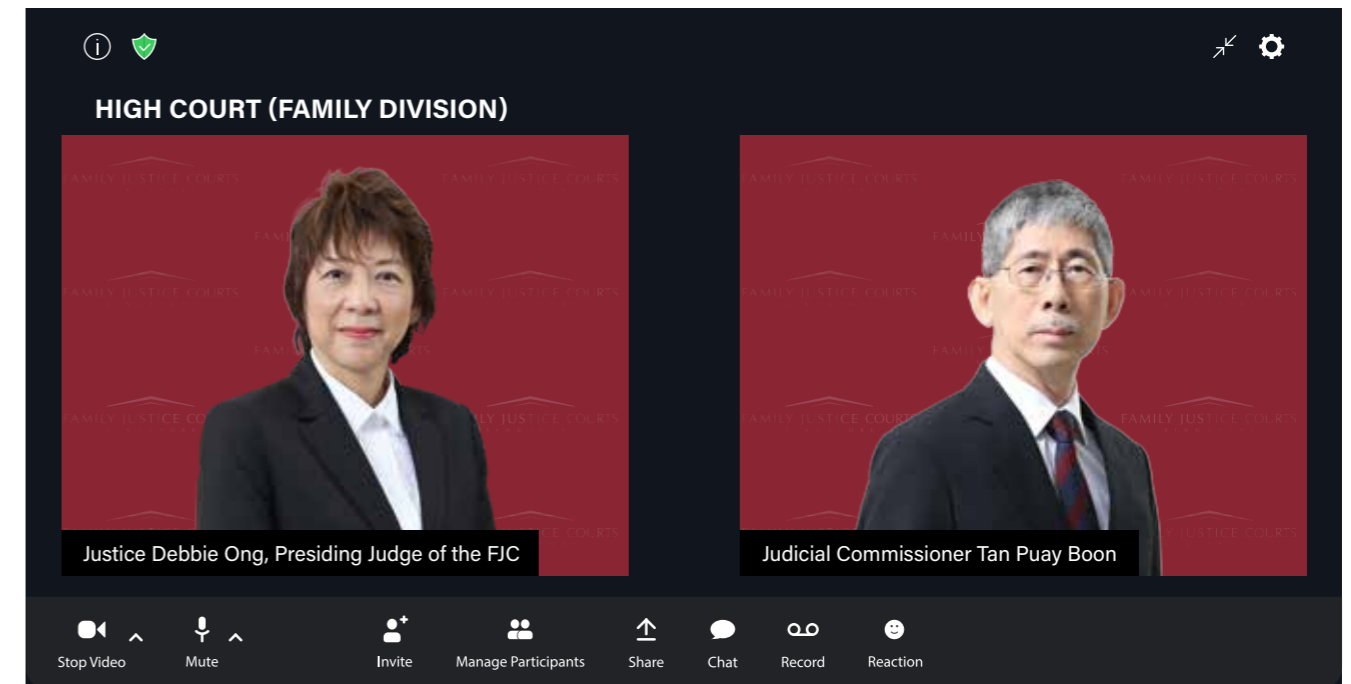
The Youth Courts hear cases under the Children and Young Persons Act.

# OVERVIEW OF FAMILY JUSTICE SYSTEM

## ORGANISATION CHART



\* Integrated Corporate Support Services with the Supreme Court.



# FURTHERING THERAPEUTIC JUSTICE IN A MULTI-DISCIPLINARY APPROACH

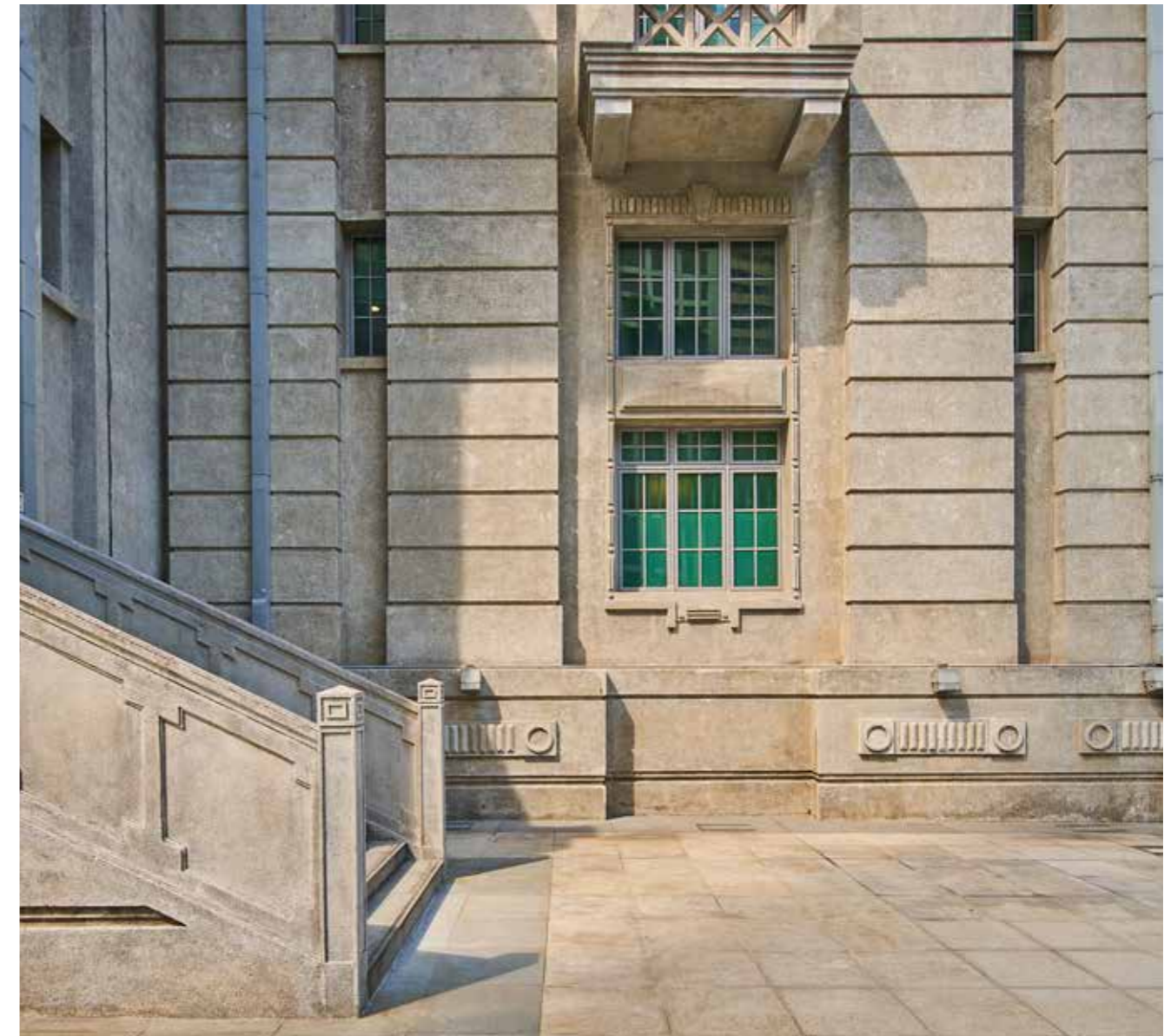
## FURTHERING THERAPEUTIC JUSTICE IN A MULTI-DISCIPLINARY APPROACH

### THERAPEUTIC JUSTICE

In May 2020, Justice Debbie Ong, Presiding Judge of the Family Justice Courts (FJC) articulated FJC's renewed vision to be a family court that delivers "Therapeutic Justice" (TJ). The aim of using TJ as a "lens of care" in the context of family justice is to ensure that we make the law and its application as therapeutic as possible by taking a multi-disciplinary and problem-solving approach to address a family's inter-related legal and non-legal issues to reach an outcome that improves the family's functioning beyond the immediate legal issue presented to the court.

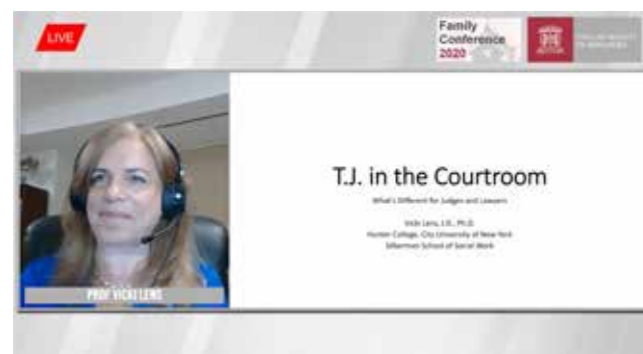
#### FORMATION OF THE ADVISORY RESEARCH COUNCIL

FJC established the Advisory and Research Council (ARC) on 1 July 2020 to provide support in its endeavour to adopt TJ and implement an all-round TJ approach. ARC comprises international thought-leaders on TJ, namely, Professors David Wexler, Barbara Babb, Tania Sourdin, Vicki Lens and Robin Deutsch. ARC held its virtual kick-off meeting on 22 July 2020, chaired by Justice Debbie Ong. ARC serves as an invaluable resource panel that FJC has been consulting in shaping and fine-tuning its various TJ initiatives. ARC members have also provided training sessions and workshops for FJC judicial officers and family law practitioners on TJ practices and techniques.



# FURTHERING THERAPEUTIC JUSTICE IN A MULTI-DISCIPLINARY APPROACH

## THERAPEUTIC JUSTICE



### DEVELOP TJ MATERIAL AND BEST PRACTICE GUIDES

A key cornerstone of FJC's endeavour is to build a common understanding of TJ amongst all stakeholders in the family justice eco-system including family judges, lawyers, counsellors, psychologists, relevant government ministries and universities. Developing a common TJ language is crucial because TJ entails the shifting of mindsets and perspectives of all the key stakeholders who have a role in the family justice system, to move away from an adversarial system towards a non-adversarial and TJ system of

family justice. FJC has therefore been working with ARC to develop a TJ narrative setting out what TJ means for family justice in Singapore and this paper is due for publication in an international family law journal. Work is ongoing to prepare TJ best practice guides for FJC officers. In addition, FJC has also been reaching out to the three law schools in Singapore to provide them with TJ materials and curriculum ideas in efforts to incorporate TJ into the course curriculum, so that TJ is a language familiar to law students during their formative university years.

FJC has also been engaging with family lawyers and other stakeholders in outreach efforts to bring all stakeholders on board TJ. Building on these efforts, FJC participated in the Law Society's Family Conference, which was held, as a webinar, over 2 days in September 2020 with the theme "Supporting, healing, reconstructing – a new landscape." Chief Justice Sundaresh Menon delivered the keynote address on Day 1 and Justice Debbie Ong delivered the Opening Address on Day 2 focusing on a balanced application of the law through a TJ lens. In addition, FJC judges and ARC members Professors Wexler and Vicki Lens spoke during Day 2 on the topic of Therapeutic Justice, international perspectives and capacity building. The outreach efforts with family lawyers and stakeholders are ongoing.



### PILOT A MULTI-DISCIPLINARY TEAM

In terms of court process, FJC is re-designing the Family Justice Rules to make processes simpler. FJC has also introduced a TJ Multi-Disciplinary team (MDT) Pilot for complex and high needs cases. Such cases are identified and triaged at an early stage of the court process to a single multi-disciplinary team of Judges, Judge-mediator and Court Family Specialist who will pro-actively manage the case from a TJ lens. Through a "problem-solving" approach that enlists early intervention by social services agencies and mental health professionals, the MDT approach aims to help divorcing parties resolve their issues whether by mediation or adjudication, through reaching durable outcomes that will help them recast their future. Judge-led case management and fact-finding, particularly early in the case, further reduces acrimony.

A crucial part of the TJ and MDT efforts is to ensure that parties are referred to the most appropriate specialist support service in the community as early as possible to address their longer term underlying concerns. Work is therefore ongoing to strengthen the coordination and integration of specialist support services between the courts and these specialist services. Hence, for example, a new scheme is being launched between FJC, MSF and the Police, involving an information sharing and triage protocol for child abuse allegations. The goal is to help us act more quickly and accurately to sift out allegations that have merit so that the most appropriate orders and directions can be issued expeditiously.

## FURTHERING THERAPEUTIC JUSTICE IN A MULTI-DISCIPLINARY APPROACH

### PANEL OF FINANCIAL EXPERTS INITIATIVE



The Family Justice Courts (FJC) signed a Memorandum of Understanding with the Institute of Singapore Chartered Accountants (ISCA) to form a Panel of Financial Experts (POFE) on 30 December 2020. Comprising ISCA members who are public accountants or ISCA Financial Forensic Professional credential holders with relevant experience, the POFE is intended to provide the FJC Judges with neutral financial valuation reports to assist them and the divorcing parties at the ancillary matters stage, in dealing with the division of the matrimonial assets of divorcing parties under section 112 of the Women's Charter.

This project will enable the FJC to appoint a financial expert from the POFE to assist in particular, parties who are embroiled in complicated and contentious financial disputes. It is hoped

that the neutral financial reports which will provide an equitable and objective valuation of the matrimonial assets under contest, thereby allowing justice to be administered more effectively and efficiently.

The 1st tranche of cases for the pilot programme of the POFE project commenced in the first quarter of 2021. The 2nd tranche of cases for the pilot programme will commence in the second quarter of 2021. Following which, the FJC and ISCA will review the POFE project and decide if this should be implemented on a long-term basis. If successful, the FJC will work with the financial experts through ISCA, to finalise the key documents required for the preparation of the neutral valuation reports, and on the fees payable to the financial experts under the POFE project.

### DEVELOPING THE LAW AND PROCESS INNOVATIONS IN THE FAMILY JUSTICE COURTS

#### LAW REFORM

A key focus of the FJC is the reforms of laws that impact families and youth. Updates on recommendations by the committee to Review and Enhance the Family Justice System (RERF) are set out below.

#### A. Coming into force of the Children and Young Persons (Amendment) Act 2019

A number of provisions of the Children and Young Persons (Amendment) Act 2019 came into force on 1 July 2020. Changes in the law include:

- Care and protection orders can now be made for children up to the age of 18 (the previous age limit was 16).
- Enhanced care and protection orders can also be made in certain cases. These enable caregivers to make decisions relating to the children which will otherwise require parental consent, allowing crucial decisions to be made in a timely manner.
- "Beyond Parental Control Orders" (BPC) have also been replaced with "Family Guidance Orders" (FGO), to reflect the family's responsibility to guide children.

Other amendments which safeguard the interest of abused or neglected children, guide the rehabilitation of youth offenders and guide families also came into force on 1 July 2020. Further amendments will come into force at a later date.

#### B. Proposed Amendments to the Mental Capacity Act (MCA)

The Ministry of Social and Family Development (MSF) has proposed amendments to the MCA, which will enable the digitisation of processes and offer greater protection to donors and those who lose mental capacity.

The proposed amendments will enable the Public Guardian to set up the Office of Public Guardian Online (OPGO), an electronic transaction system. The amendments will simplify processes, offering the following benefits:

- A Lasting Power of Attorney (LPA) can be made electronically as a deed without wet-ink signatures and without the need to affix physical seals.
- Donors can register LPAs online instead of sending the LPAs and supporting documents to the Office of the Public Guardian (OPG).
- The electronic copy of the LPA retained by the OPG will prevail in the event of any inconsistencies between the electronic copy and the hard copy. This will remove uncertainties over accuracies of an LPA and enables confident transactions with third parties.
- Deputies can submit online annual reports of the decisions made on behalf of, and the expenses incurred for the person who lacks capacity for whom the deputy is appointed. They will no longer be required to submit hard copies of reports and supporting documents to the OPG.
- With consent of the relevant recipients, the OPG will be able to send notifications via Short Message Service (SMS) or emails to donor, donees, replacement donees, deputies and authorised persons.

In addition, under the proposed amendments, the Public Guardian or an authorised officer may interview a donor if he or she suspects that fraud or undue pressure was used to induce the donor to execute an instrument purporting to create an LPA or to appoint a particular person as a donee. The Public Guardian may also disclose to the donor the number of LPAs under which the prospective donee has been appointed as donee.

MSF has sought feedback from the public on the proposed amendments. The consultation period ended on 18 November 2020 and MSF is studying the responses and will be finalising the proposed amendments in due course.

## FURTHERING THERAPEUTIC JUSTICE IN A MULTI-DISCIPLINARY APPROACH

### DEVELOPING THE LAW AND PROCESS INNOVATIONS IN THE FAMILY JUSTICE COURTS

#### FAMILY JUSTICE RULES

The Family Justice Courts (FJC) rolled out a number of new initiatives and implemented measures in response to COVID-19. The Family Justice Rules (FJR) and the FJC Practice Directions (PD) also underwent a series of noteworthy changes in 2020. Key highlights and amendments to the FJR and FJC PD are set out below.



#### A. Use of video or telephone conferencing for hearings

With physical restrictions imposed due to COVID-19, FJC set in motion a transition toward remote hearings to ensure continued access to justice, even during the Circuit Breaker. Zoom and telephone conferencing became the default mode of hearing.

To support the transition, paragraph 161 of the FJC PD was amended to set out the procedure relating to the use of video and telephone conferencing for hearings. The new paragraph prescribed rules of etiquette for remote hearings and directions for parties to participate in remote hearings from a private and secure location. This protected the integrity and confidentiality of FJC proceedings under the new default mode of hearing. Paragraph 167 of the FJC PD was also amended to clarify the court dress requirements for lawyers and to dispense with the court gown for remote hearings.

In addition, paragraph 108A of the FJC PD was introduced to set out a protocol for witnesses outside of Singapore to give evidence by live video or live television link.

#### B. New procedural rules for the Parenting Coordination (PC) programme

Division 1A Part 4 of the FJR was established to introduce the PC programme into our family justice system. The PC programme is a family support programme which seeks to address or resolve disagreements about parenting matters, including matters relating to the custody, care and control, access to and welfare of a child. The programme is normally carried out after the conclusion of a case, and only if a parenting order (i.e., an order on custody, care and control and/or access) is in place.

Under the new rules, the Court may order parties to participate in a PC programme and appoint a parenting coordinator. Rule 34C sets out the factors which the Court must consider in determining whether a PC order should be made, as well as incidental orders that the Court may make (including orders relating to the period of participation, frequency of sessions and proportion of fees to be paid by each party). Where parties arrive at an agreement during the PC programme, rule 34D provides the procedure by which parties may record a consent order. In addition, under rule 34G, the Court may direct a parenting coordinator to prepare a report on any parenting matter that was addressed or resolved during the PC programme for the purpose of court proceedings.

#### C. Service of summonses under sections 71 and 72 of the Women's Charter by electronic mail and electronic messaging

It was often the case that summonses could not be served on respondents where their physical whereabouts were unknown (even if complainants had the respondents' email addresses and mobile telephone numbers). This was especially detrimental to complainants who sought to enforce their maintenance orders against defaulting respondents and created delays to the proceedings.

To strengthen the enforcement regime against defaulting respondents and ensure that maintenance-related complaints may be properly served and expeditiously heard, rule 131A of the FJR was amended to include two new modes of service: (i) electronic mail and (ii) electronic messaging to a mobile telephone number. These modes of service may be employed if the respondents had given prior written consent to be served in that manner.

Paragraph 24A and Form 207 of the FJC PD were accordingly introduced to set out the procedure relating to obtaining a respondent's prior written consent.

#### D. Empowering the Majlis Ugama Islam Singapura (MUIS) to file applications for grants of probate and administration

Rule 206 of the FJR was amended to include MUIS as a "trust corporation" for the purpose of probate proceedings. This enabled MUIS to exercise its statutory powers under section 5(3) of the Administration of Muslim Law Act, to act as an executor of a will or administrator of the estate of a deceased Muslim or as a trustee of any trust.

#### E. Consequential amendments arising from the Children and Young Persons (Amendment) Bill

Pursuant to the Children and Young Persons (Amendment) Bill which was passed in September 2019, a number of key changes were implemented in 2020: (i) enhanced care and protection for children from a wider age group; (ii) introduction of Family Guidance Orders; and (iii) changes to the treatment of youth criminal records. Consequential amendments to the FJR relating to the Children and Young Persons Act (CYPA) and to proceedings in the Youth Court were effected. Rules 20, 148, 149, 151 and the Fifth and Sixth Schedule were accordingly amended, and rules 148A, 148B, 148C and 148D introduced, to provide for the procedure in various applications under the new sections 49, 49A, 49B, 49C, 49D, 50 and 51 of the CYPA.

#### F. Procedural rules for applications under section 22(4) of the Vulnerable Adults Act 2018 (VAA)

Under section 22(4) of the VAA, the Court may order a person to remove the publication or cease the broadcast of any information leading to the identification of a vulnerable adult, the place of care and protection or the person under whose care the vulnerable adult is placed. The amendments to rules 20, 295E, 295I, 295L, 821 and 929A and the insertion of the new rule 295T set out the procedure for applications under section 22(4) of the VAA, which mirrors that of other applications under the VAA.

#### G. Miscellaneous

To facilitate the efficient conduct of court proceedings, rule 670 of the FJR was amended to allow the Court to deliver written judgments without parties' attendance in appropriate cases, and without requiring parties' consent.

In addition, rules 814, 816 and 839 were amended to clarify that a Notice of Appeal would be within time if it was filed (as opposed to issued) within 14 days after the Court's decision.

Finally, amendments were made to references to the "Court", "High Court", "High Court (Family Division)" and "Court of Appeal" in the FJR to incorporate changes in nomenclature arising from the creation of the Appellate Division of the High Court.



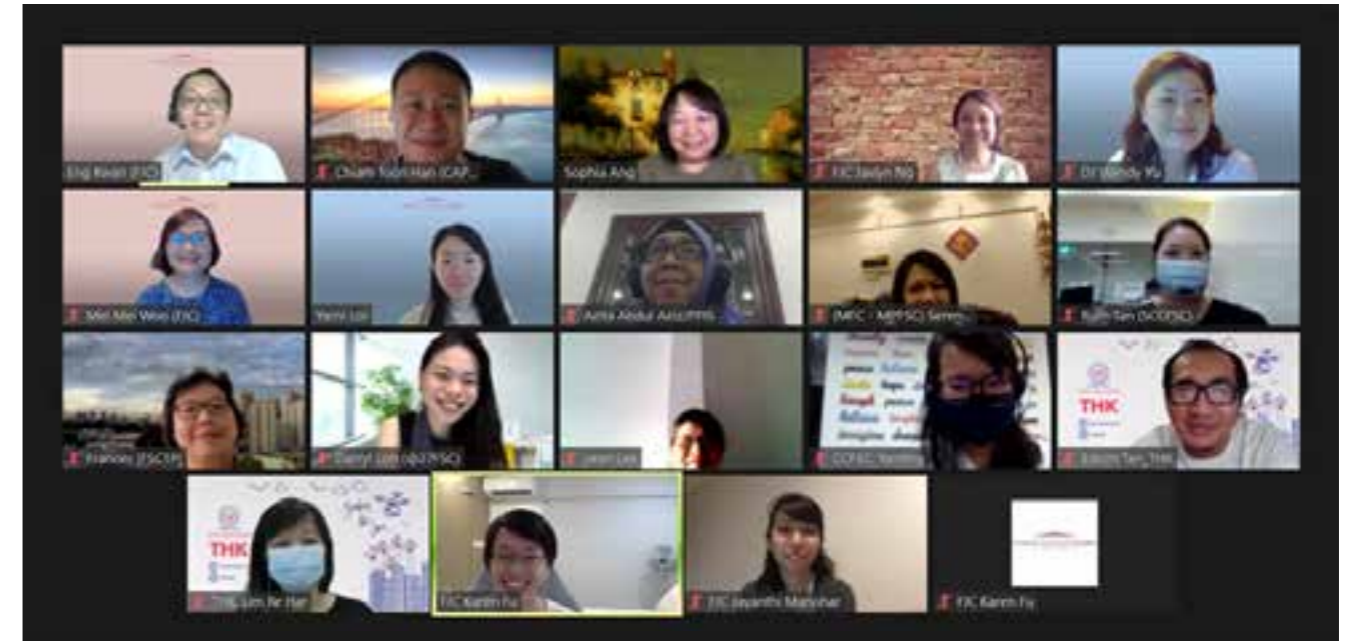
## FURTHERING THERAPEUTIC JUSTICE IN A MULTI-DISCIPLINARY APPROACH

### STRENGTHEN, COORDINATION AND INTEGRATION OF SERVICES



#### CASE MANAGEMENT HANDBOOK FOR DIVORCE MATTERS

In June 2020, the Family Case Management Team of the Family Justice Courts (FJC) produced a Case Management Handbook for Divorce Matters (Handbook). This Handbook was the product of the ongoing dialogue between the FJC and the family law practitioners about how best to manage the cases commenced in Court. The purpose of case management is to facilitate the just resolution of disputes according to law in an inexpensive and efficient as possible with the least acrimony. The Handbook contains a wealth of information on tools and techniques available to practitioners and unrepresented litigants. It also provides a valuable insight into the principles of case management within the FJC. It offers practical tips, dos and don'ts at case conferences and the Court's expectations of the conduct of hearings.



#### KOPI TIME WITH FAMILY SERVICE CENTRES - FAMILY SERVICE CENTRES APPRECIATE THE GROWING COLLABORATION WITH FJC

Since 2019, Counselling and Psychological Services (CAPS) has been helping a series of dialogue sessions with Family Service Centres (FSCs) to promote networking and mutual understanding between these community agencies and the FJC. The sessions, spread through the year, hoped to generate ideas on how FJC and FSCs can work better together.

In 2020, CAPS organised five sessions, branded as KOPI Time, and they were attended by a total of 41 centre directors and senior staff from 35 FSCs. Challenged by COVID-19 which prevented face-to-face sessions, three out of the five sessions were conducted remotely via Zoom so that these important opportunities would not be lost. Despite the challenges, CAPS managed to reach out to a comparable number of FSCs in that year (37 FSCs attended in 2019).

Another new aspect of KOPI Time last year was the special focus on introducing Therapeutic Justice (TJ) to the FSCs. Key Judges were invited to KOPI Time to lead the discussions on TJ with the FSCs. Some FSC Directors were moved by an inspirational TJ video shown, resonating with many of its values and principles. Others affirmed that TJ was a step in the right direction and showed interest to be part of TJ where possible.

Over the five sessions, Judges (including the Principal District Judge) and CAPS' senior staff fielded several questions and clarifications on legal proceedings. Matters concerning Personal Protection Order (PPO) remained the focus, as FJC and FSCs work most closely to ensure families are kept safe.

FSC directors appreciated that communication between FJC and FSCs had improved significantly over the years, which bode well for their clients. One director shared her experience of CAPS jumping into action upon hearing from the FSC about the potential risk that a respondent posed to a complainant during a court session. Working closely with the court administrators and security officers, CAPS quickly arranged for one party to leave before the other party to ensure safety.

Given that COVID-19 has disrupted many court processes, FSC directors affirmed the importance of strong communication of FJC's business continuity plans. FSC directors also hoped their staff could visit FJC or sit in court sessions so that they would be more familiar with FJC processes. With a better understanding, they would be able to better support their clients who may be undergoing court proceedings. Overall, the sessions were well-received and the participants were appreciative and keen for more of such sessions.

# FACILITATING COURT PROCESSES, SETTLEMENT AND ENFORCEMENT

## FACILITATING COURT PROCESSES, SETTLEMENT AND ENFORCEMENT

### IMPROVING ACCESS FOR COURT USERS

#### LIT.ASSIST

The Family Justice Courts (FJC) have been collaborating with the Supreme Court's Office of Transformation and Innovation to develop an online divorce application service portal to enhance access to justice for court users.

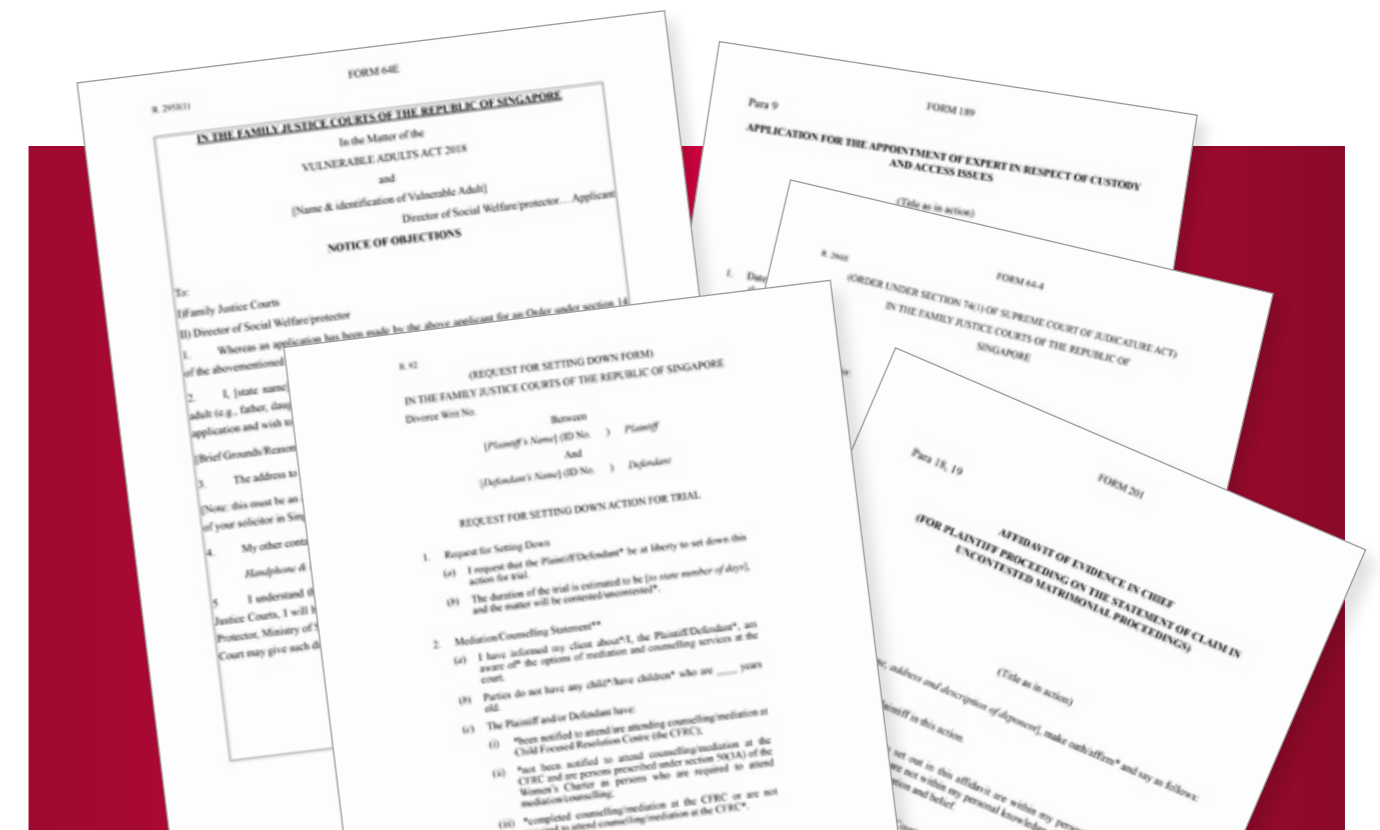
For parties who are not represented and who have come to an agreement with their spouse on the divorce and all the other ancillary issues, this portal will allow the applicant to fill in the court documents online, and submit the documents for filing without the need to personally attend at the Service Bureau of Crimson Logic. FJC is working with stakeholders to increase the avenues which parties can turn to if they wish to mediate or negotiate with their spouse. All this is done to encourage and facilitate more couples to be amicable and conciliatory in the resolution of matters relating to a divorce.

For parties who have not been able to reach an agreement with their spouse before the commencement of proceedings, they are still able to use the portal to fill in the court documents. There will be various links within the portal to give assistance to the

applicants and for the applicants to seek legal advice from a lawyer. Lawyers can then assist by providing advice and/or assist in the negotiations with the spouse. Advice can also be given on the sufficiency of particulars to support the allegation that the marriage has broken down and/or making the allegations less inflammatory so that the proceedings will not be made too acrimonious and contentious as a result of inflammatory allegations in the court documents.

One important feature of this portal is that it will leverage on digitalised data so that information can be obtained from other Government departments and court filing systems so that the users do not need to manually fill in all the required fields or furnish physical documentation wherever possible. Not only does it improve the user experience, it exemplifies the cross sharing of information amongst Government agencies. This is a first in the judiciary and FJC is proud to be a pioneer in this movement towards digitalisation of Court forms.

The first iteration of the portal is scheduled for launch sometime in the second half of 2021.





# FACILITATING COURT PROCESSES, SETTLEMENT AND ENFORCEMENT

## IMPROVING ACCESS FOR COURT USERS

### ONE-TIME EMERGENCY FUNDING

The Family Justice Courts (FJC) and DBS / POSB Bank commenced an initiative to provide support to families who may have a member lacking mental capacity (P), especially those of low-income. This initiative aims to help P and his family members to have emergency access to P's funds while they seek other forms of help. This will be especially useful in cases where P may be incapacitated due to a sudden accident and his dependants require access to these funds for their daily subsistence. The collaboration covers applications for one-time authorisation to withdraw up to \$5,000 from P's bank account(s) with DBS/ POSB. Once P has consulted with a registered doctor in Singapore, and a medical report has been submitted online to the FJC by the doctor, the applicant can visit any of the six selected POSB branches located at major housing estates to file the application.



We are pleased to be implementing this initiative and are honoured to work with FJC to provide greater support to low-income families. As a purpose-driven organisation, we want to do our part to help families facing challenging circumstances obtain emergency funds as quickly as possible. It is our hope that our participation in this initiative will help ease and facilitate this process for families undergoing a challenging transition.

Mr Shee Tse Koon, DBS Singapore Country Head



With this collaboration, it becomes more convenient for distressed families to obtain emergency funds by approaching a neighbourhood bank rather than going to court.

Mr Kenneth Yap, Registrar, Family Justice Courts

**POSB** Neighbours first, bankers second

### Access Emergency Funds for a Loved One who has Lost Mental Capacity

If you are an immediate family member of a loved one who has lost mental capacity, you can apply under a simplified track of the Mental Capacity Act (MCA) to withdraw funds from their bank accounts to care for their (and their dependants') urgent needs.

**One time withdrawal of up to \$55,000 in emergency funds**, while you seek other forms of assistance.

#### 3 Steps to Apply

We worked with the Family Justice Courts (FJC) to design a 3-step application process. Here's an overview so you'll know what to expect at every step. You should typically receive a response within three working days of the submission of the application, if the application is in order.

- 1 Medical Check**

Bring your loved one to a registered medical practitioner in Singapore for medical assessment to confirm that they have lost mental capacity. The doctor will prepare a **medical report** certifying this. The doctor will submit the medical report and an email notification of this will be sent to you.

**Your CHECKLIST**

  - Your loved one's NRIC for passport and FIN if not a citizen/PR
  - Your NRIC for passport and FIN if not a citizen/PR
  - Fees for the medical report, to be paid directly to the doctor
- 2 Application (1st Bank Visit)**

Once you receive a notification, head to any of these 6 POSB branches:

  - Toa Payoh Central
  - Yishun West
  - Bedok Central
  - Hougang Central
  - Tanjong Pagar
  - Jurong Point

We will then assist you with making your application for emergency funds.

**Your CHECKLIST**

  - Proof of your relationship (Marriage, Birth or Adoption Certificate)
  - Your Birth Certificate and NRIC for passport and FIN if not a citizen/PR
  - Your SingPass login details and a valid email account
  - S40 application fee to FJC (payable online)
  - Medical report is valid up to 6 months
- 3 Fund Release (2nd Bank Visit)**

Once FJC grants your application, a Court Order will be sent to you by email. Present this Court Order at the same POSB Branch you visited and we will be able to release the funds.

**Your CHECKLIST**

  - Your NRIC for passport and FIN if not a citizen/PR
  - Court Order email from FJC

Further Enquiries: You may contact the Family Justice Courts at 63257619 or email [FJCOURTS\\_MAIN@POS@FJCOURTS.GOV.SG](mailto:FJCOURTS_MAIN@POS@FJCOURTS.GOV.SG)

More information: [posb.com.sg/fjc](http://posb.com.sg/fjc)

## IMPROVING ACCESS FOR COURT USERS

### NAVIGATION PACK AND SHORT VIDEOS

Navigating the Family Justice Courts (FJC) for the first time may be a nerve-racking experience for many. To better assist and enhance court users' access to justice and familiarise with FJC's services, a navigation pack, along with a series of curated short videos were created as part of FJC's Design Thinking Project and the Process Transformation Committee Workstream 1 - Information and Digital Outreach. The navigation pack will enable users to quickly and

easily understand the process flow for their journeys with FJC, and also build a consistent identity, terminology, symbols and cues to help court users find their way around communications materials, the physical premises, and the digital systems. The videos will illustrate key moments of a user journey and cover the respective case types and/or journeys. The navigation pack and the short videos will be made available on FJC's website by the second half of 2021.



\* The above photos were taken prior COVID-19

### MOBILE NOTIFICATION AND DIGITAL SERVICES

The integrated Family Application Management System (iFAMS) was enhanced to implement a mobile notification service which would enable court users to receive SMS notification(s) via their mobile phones to help them keep track of FJC appointments.

The SMS sending process will be fully automated on iFAMS. Phase 1 of the initiative will be launched by second quarter of 2021. This service would help remind users of court attendances and improve the experience of coming to court.



# FORTIFYING COMPETENCIES, CAPACITY AND CAPABILITY

## FORTIFYING COMPETENCIES, CAPACITY AND CAPABILITY

### COVID-19 MEASURES

#### ZOOM ROOMS AND TRAINING INITIATIVES

Court proceedings are traditionally conducted physically. Especially in family proceedings, the Family Justice Courts (FJC) provide the solemn, private, and safe space for parties to resolve their emotionally charged disputes, away from the households which embody their issues. The COVID-19 pandemic, its 'Circuit Breaker' and safe management measures significantly disrupted that. Vulnerable individuals in need of the court's protection were at risk of having justice delayed.

At the onset of the COVID-19 pandemic in February 2020, FJC quickly allocated resources to study videoconferencing platforms and, upon the commencement of the 'Circuit Breaker', FJC accelerated the transition into remote proceedings. When making this transition, FJC was mindful that some court users may experience difficulties in taking full advantage of remote proceedings and digital technology.

To ensure that court users were familiar with remote proceedings, dedicated on-site training sessions were conducted at FJC's Havelock and MND premises to court users on how to use Zoom. A Zoom training video was also produced and uploaded online. FJC also published and circulated easily digestible online technical guides and guidelines on conduct and etiquette during remote proceedings on a dedicated video conferencing microsite on the FJC webpage. Court officers were concurrently trained to provide basic troubleshooting assistance. FJC also made available on-site "Zoom Rooms" to allow parties without the necessary technical or infrastructure capabilities to come to FJC to participate in remote hearings. Presently, FJC has established 28 "Zoom Rooms", the largest number of such Rooms among all three Courts: 20 at FJC's main premises at Havelock Square, and 8 at its premises at the Ministry of National Development Complex at Maxwell Road.



# FORTIFYING COMPETENCIES, CAPACITY AND CAPABILITY

## COVID-19 MEASURES



### SERVICES AT THE REGISTRIES GOING REMOTE

The outbreak of the Covid-19 pandemic necessitated a rapid shift towards serving court users over a virtual counter and the issuance of electronically certified copies of court documents, just to name a few. Prior to the Circuit Breaker put in place by the Government to curb the COVID-19 situation in Singapore, the Family Justice Courts (FJC) operated physical counters and walk-in court users could expect services such as case searches, payment and collection of certified true copies of court documents, submission of documents and case-related enquiries.

For the Divorce Registry, in its efforts to reduce footprints and to safeguard the health of court users and registry officers amidst the escalating COVID-19 situation, the Registry re-engineered its full suite of counter services. Through the collaborative efforts of the Registry, Finance Directorate and the Office of Transformation and Innovation, electronically certified copies of divorce court documents (e-CTC) were rolled out in time to replace hard copies with embossment during the start of Circuit Breaker period. This service allows court users to make payments via online banking and receive the electronically certified court documents over email. e-CTC has brought much convenience to court users as many of them needed their divorce documents for urgent applications during the Circuit Breaker period, such as extending their Permanent Resident status, seeking reliefs arising from the Circuit Breaker and housing matters.

The Registry also went on to introduce a full-fledged virtual counter service for court users who have no means to get in touch with the Registry via phone or email, or are already in the court premises. Enquiries and calls made at the virtual counter are remotely channelled to 14 registry officers who handle them off-site. More than 500 enquiries/calls were attended to since its launch in August 2020.

For the Family Protection and Support (FPS) Division, the Integrated Family Application Management System or iFAMS, is now the primary mode used by Litigants-In-Person (LIP) and counsel for online submission of documents, in about 70 per cent of all their cases. This, in turn, has led to virtual hearings where affidavits and documents are shared via the video-conference platform. Correspondingly, transactions such as requests for court records have moved fully online, with applications made by court users via iFAMS instead of walk-in applications.

The division has also implemented an option for Service of Summonses under the Women's Charter to be carried out electronically via email. The Division has also discontinued the printing of most of the hardcopy forms used during the pre-Covid 19 era, including the 'Notification of Next Court Date' and 'Statement Form', in view of the fact that most of the LIPs are using Zoom and such essential information is available in comprehensive Registrar's Notes which the staff will send

to LIP after the court sessions. iFAMS interfaces have been enhanced, in particular for the transmission of critical Court Orders to partner agencies such as the Singapore Police Force and Singapore Prison Service. For example, transmission of Personal Protection Orders (PPO) and Expedited Orders (EO), is carried via email to our court users. The Division is also in the midst of a project involving the digitalisation of Family Violence-related court records.

To ensure that essential services provided by Counselling and Psychological Services (CAPS) remained accessible to court users, virtual client services (counselling, family conferences and custody assessments) were put in place. In the very early stages of the pandemic outbreak, before the Zoom videoconferencing platform was whitelisted and guidelines established for its use, CAPS tried to minimize direct contact with court users by utilizing tele-counselling. Later, as online videoconferencing protocols became clearer and in compliance with national guidelines, most of CAPS' services transited to the Zoom platform.

A literature review conducted by CAPS studied the benefits and limitations of distance counselling, and concluded that virtual counselling confers more benefits than limitations. Many of its limitations could be overcome with countermeasures. This gave further confidence to CAPS in moving its client services online.

Counselling and Family Conferences are often conducted within a confined space over a prolonged period, anywhere between a 1 hour to a full day session. As such, the most obvious benefit of virtual CAPS services is the eradication of health risk to staff and court users posed by in-person sessions.

Although the transition to virtual counselling and assessments was mainly intended towards addressing the risk posed by Covid-19, this led to the discovery of other benefits of this system for our court users and staff. The implementation of virtual counseling promoted the psychological and physical safety of court users by providing options of attending the sessions from separate physical locations. This was found to be especially useful for cases with high risk family violence or with elements of power and control where one party feels unsafe or unable to participate effectively in the presence of the other party.

The benefits of virtual counselling extend further to the quality of interaction between the CAPS staff and the litigants. CAPS' experience with virtual counselling generally corroborates with studies done overseas which showed that when counselling is conducted virtually, clients feel less inhibited and more at ease to share more openly and honestly<sup>1</sup>. The openness enhances the effectiveness of the counselling.

<sup>1</sup> Clark-Gordon, C. V., Bowman, N. D., Goodboy, A. K., & Wright, A. (2019). Anonymity and Online Self-Disclosure: A Meta-Analysis. *Communication Reports*, 32(2), 98-111.

Remote accessibility to counselling also increases convenience for court users, who can exercise a greater balance between their engagements and their counseling sessions. Not only does it cut down travelling time, it allows court users to choose a convenient and safe location of their choice to attend the session. With this ease of attending counselling sessions, court users can now attend shorter but more frequent counselling sessions with CAPS.

Despite all the benefits and possibilities that virtual court services offers, FJC recognises that there are segments of court users who are not suitable for such virtual engagement, such as elderly court users or emotionally dysregulated parties. In such cases, FJC will arrange to meet the court users face-to-face, to ensure that justice continues to be accessible to them.

### GOING 'PAPER-LESS'

With reduced 'facetime' with court users, the FJC streamlined its processes and administrative instructions and made further progress towards a more paper-less workflow, catalysed by the commencement of the 'Circuit Breaker'.

Physical document transactions, both internally and with external court users and partner agencies, were replaced with contactless transactions as far as possible. For example, electronic notifications of future court dates and guides on the preparation of documents were sent via email together with guides on how to participate in remote proceedings. Similarly, certified true copies, orders, judgments and decisions were signed and transmitted to court users digitally. Internal minute sheets and forms were converted into editable documents and endorsed using digital signatures. Officers were also strongly encouraged to collaborate through network or cloud platforms. Filing of documents by court users for their matters were facilitated via online case management platforms. Where possible, electronic filed documents were used and shared during mediations, hearings and trials. Case management platforms were also enhanced so that agencies working with FJC can have the relevant documents or applications transmitted and processed online.

In light of the above initiatives to go paper-less, court users, partner agencies, and officers were able to conduct their matters more efficiently with minimal disruption to the overall conduct of proceedings.

## FORTIFYING COMPETENCIES, CAPACITY AND CAPABILITY

### FAMILY JUSTICE PRACTICE FORUM 2020: THERAPEUTIC JUSTICE - A RENEWED VISION

The Family Justice Practice Forum (FJPF) 2020, organised by the Family Justice Courts (FJC) and supported by the Ministry of Social and Family Development (MSF) and the Law Society of Singapore, was held on 27 July 2020 and was conducted via webinar in view of the COVID-19 pandemic. The forum focused on Therapeutic Justice (TJ) as a common lens through which the family justice community can use to look at various aspects in the family justice system. For example, how the legal landscape of substantive rules, laws and legal procedures (i.e. hardware), as well as the role and behaviour of professionals including judges and lawyers (i.e. software), can produce helpful or harmful consequences to families and children in distress.

The forum was opened by Presiding Judge of the FJC, Justice Debbie Ong before three substantive presentations on TJ were delivered. The first was FJC's presentation on the concept of TJ and the various upcoming TJ-related projects from the courts. MSF then presented its key initiatives in respect to the various stages of the divorce process, as well as trauma related issues. The third presentation featured candid and thought-provoking interviews from junior and senior family lawyers on the application of TJ in their practice.

This year's forum also included a unique consultation segment that invited participants to provide their feedback and reflection on how they can co-create the future family justice landscape with TJ at the heart of it. A total of 332 of participants comprising family practitioners, social science professionals, policy makers, academics, social services practitioners and others across the family justice system attended the forum.



“ We focused on the adoption of TJ in our problem-solving system because we think this can make things better, we want to consider how each of our roles can be refreshed in this system... I am deeply convinced that if we work together in this endeavour we will make big difference to families. ”

Justice Debbie Ong

### TRAINING OF FAMILY JUDGES AND LAWYERS

Recognising that family judges are specialists in using the judge-led approach and in delivering TJ, the FJC continued to devote time, effort and resources towards equipping and training its judicial officers.

FJC held its second learning week for all its Judicial Officers during the week 22 February to 26 February 2021 as part of its specialised training curriculum for family judges, with a focus on the concept and delivery of TJ and the multi-disciplinary approach to problem solving.

The learning week was conducted entirely virtually and it was highly interactive and covered a deep range of multi-disciplinary subjects.

The topics covered included TJ practices and techniques on how to engage parties in problem-solving instead of adversarial posturing in court, specialised skills such as when and how to talk to and listen to children, social science knowledge to understand parties and families better including basic child developmental psychology; parenting and the importance of co-parenting; mental illness and its impact on parenting; and family violence and child abuse. Judges were also taught about the different types of support services located in the wider social services community and the different types of referrals that judges may make. There were also topics that touched on judicial wellness, self-care, biases and transference.

The faculty comprised leading experts in different disciplines. Trainers included Presiding Judge Justice Debbie Ong, family law experts such as Professors Leong Wai Kum and Chan Wing Cheong, Advisory and Research Council (ARC) members who are experts on TJ including Professors Barbara Babb and Vicki Lens, psychiatrists such as Dr Daniel Fung and Dr George Fernandez from the Institute of Mental Health, psychologists including ARC member Dr Robin Deutsch as well as clinical forensic psychologist Dr Kenji Gwee, social science experts including Dr Sudha Nair from PAVE and Ms Ang Bee Lian from the Ministry of Social and Family Development (MSF) and FJC's judicial officers and Court Family Specialists.

Pursuant to Review and Enhance Reforms in the Family Justice System (RERF) Committee recommendations, there are also plans to make specialised training available for family lawyers in the later part of 2021. A working group has been established comprising representatives from FJC, Singapore Academy of Law (SAL) as well as members of the family bar to put together a specially curated certification training program, to be run by SAL, for family lawyers who have an interest in acquiring additional specialist skills to be even more effective TJ family lawyers. The focus of the program will be on TJ and adopting a problem-solving multi-disciplinary approach to family lawyering and will include blended learning with online components as far as possible.



# YEAR IN REVIEW

## YEAR IN REVIEW

### CASE SUMMARIES 2020

#### A. DIVISION OF MATRIMONIAL ASSETS

**Pre-marital cohabitation should not be taken into account in determining the length of marriage and parties' indirect contributions (*USB v USA and another appeal [2020] SGCA 57*)**

The parties (the Husband and the Wife) were married for approximately five and a half years. Prior to the marriage, they had cohabited for about 12 years. In the divorce proceedings, the High Court took into account the parties' indirect contributions during the period of cohabitation and divided the assets in the ratio of 89:11 in the Wife's favour.

The Court of Appeal (the CA) disagreed with the High Court's approach. The CA held that it would be wrong in principle for the Court to take account of parties' indirect contributions during cohabitation in determining the extent of their contributions to the marriage. The CA elaborated that the directive under s 112(2) of the Women's Charter to take "all the circumstances of the case" into account does not give the court *carte blanche* to take account of matters that are unrelated to the parties' marriage. A holistic analysis of the factors listed under s 112(2) shows that they are only concerned with circumstances relating to the marriage. Furthermore, the statutory context of the provision makes it apparent that s 112 relates only to marriage.

The CA also emphasised a number of other principles.

First, when a marriage is dissolved, all the parties' assets will be treated as matrimonial assets. The burden of proof is on the party asserting that an asset is not a matrimonial asset to show that the asset was not acquired during the marriage or was acquired through gift or inheritance. Conversely, when an asset is *prima facie* not a matrimonial asset, the burden of proof is on the party who asserts that the asset is a matrimonial asset to show that the asset was transformed.

Second, the structured approach in *ANJ v ANK* continues to apply for short marriages and the Court should not incline towards equality of division in short marriages.

Third, the broad-brush approach should be applied with particular vigour in assessing the parties' indirect contributions. The Court should not focus unduly on the minutiae of family life, but direct its attention to broad factual indicators, such as the length of the marriage, the number of children, and which party was the children's primary caregiver.

Fourth, the Court has a discretion to adjust the weightage of direct and indirect contributions.

Applying the above principles, the CA affirmed the High Court's ratio for division of assets. Notwithstanding its disagreement with the High Court's approach, the CA noted that both parties' indirect contributions prior to the marriage had to be disregarded.

#### B. CONTEMPT OF COURT

**A sentence of one-week imprisonment was justified in view of the Mother's contempt of court when she deliberately prejudiced the Father's reputation and drove a wedge between Father and children (*VDZ v VEA [2020] SGCA 75*)**

The Father had commenced committal proceedings against the Mother for breaching two court orders: not to make disparaging remarks about one another to the children and to refrain from involving the children in litigation between parties, including verbal or written communication of the stage of proceedings and showing them copies of any legal or court documents.

The CA noted that although the Mother had denied any responsibility for the children's access to legal or court documents, her explanations were unconvincing as the daughter would not have been able to easily obtain certain images that she (the daughter) had posted on social media if she had been acting independently. The Mother had also allowed the children to engage in a newspaper interview which focused on the social media posts. The CA held that the circumstantial evidence inevitably and inexorably led to the conclusion that the Mother had indeed breached the court order.

Given the nature of her breach, her refusal to admit wrongdoing and her pattern of conduct of turning the children against the Father, the CA held that it would have been appropriate to impose a week's imprisonment to ensure that the Mother refrained from any further instances of contempt.

However, in view of the Mother's medical condition, as a result of which she was assessed by Singapore Prison Services to be unfit for incarceration, the CA held that it was appropriate to exercise judicial mercy and to temper the punishment imposed. A fine of S\$5,000 payable was imposed instead.

The CA took the opportunity to emphasise the importance of Therapeutic Justice so that healing can take place and parties can move forward with their respective lives. In this case, the damage in the relationship between spouses had impacted the relationship between the Father and the children. The children were forced to pick sides and turn against their father whom they previously had a healthy relationship with. The CA reiterated the fundamental and practical need for the children to restore their relationship with the Father especially should the Mother's medical condition severely worsen as the children would then have to rely on their only other parent, the Father, to raise and care for them.

# YEAR IN REVIEW

## CASE SUMMARIES 2020

### C. VARIATION OF ORDERS

#### Approaching children-related issues through a Therapeutic Justice lens and recognising the personal responsibility of parents to cooperate with each other for the sake of the children (*TEN v TEO [2020] SGHC 20*)

In earlier proceedings, the parties (the Mother and Father) obtained joint custody of the children with care and control to the Father and access with the Mother. In these proceedings, both parties filed cross-applications to vary the care arrangements. The Mother filed an application for sole custody and a reversal of care and control of the children to her, while the Father sought an order for sole custody and sole care and control of the children to him.

The High Court observed that the deterioration of the relationship between the Mother and the children might be caused by the actions, unintentional or otherwise, of both parents. There was likely to be excessive gatekeeping or alienating behaviour by the Father, which would explain the escalation of the children's anger towards the Mother despite their lack of contact with her.

The High Court emphasised that even though the law does not force the children to love a parent, the law does expect a parent not to engage in alienating behaviour and to support the reunification efforts as far as he or she can. However, in this case, the Father not only failed to be facilitative, the evidence indicated that the Father's excessive gatekeeping or polarising conduct contributed to the breakdown of the Mother's relationship with the children. Nevertheless, the High Court recognised that the Mother bore some responsibility when she insisted on having contact with the children when they resisted, thereby pushing the children further away.

The High Court found that the reversal of care and control would not be appropriate given the state of the Mother's relationship with the children. In fact, the Court found that it was in the children's best interests to cease direct contact with the Mother until they were ready and willing to meet her. While this would be painful for the Mother, pushing the children to connect with the Mother might cause a further deterioration of whatever remained of their relationship with her.

The High Court declined to fix a further hearing to review the case, expressing its preference for litigation to conclude and parties to move forward. The Court stressed that it is ultimately the personal responsibility of the parents to be the best they can be for the sake of the children.

- In determining if there is a material change in circumstances to warrant a variation, the change must be sufficiently material such that it is no longer fair to expect the status quo to remain (*BZD v BZE [2020] SGCA 01*)

The parties (the Husband and the Wife) were married in 1996. They applied to vary the maintenance order made at the conclusion of their divorce proceedings in 2010 (Maintenance Order). The Husband applied for maintenance to cease, submitting that the children's move to the UK for studies meant a substantial increase in the educational expenses borne by him. The Wife applied for an increase in her maintenance and for the Husband to bear the cost for her relocation from Singapore to UK.

The trial judge (the Judge) allowed the Husband's application in part and dismissed the Wife's application. The Judge held that the increase in educational expenses of the children constituted a material change of circumstances that justified variation of the Maintenance Order, while the Wife's decision to relocate was speculative and a self-induced change of circumstances. The Judge therefore ordered, *inter alia*, that the Husband's monthly payment for the Wife's personal expenses and for the time she spends with the children to cease after 1 February 2020.

The Court of Appeal (the CA) allowed the Wife's appeal and restored the aforesaid monthly payment but dismissed the Wife's appeal for an increase in the maintenance payable to her. The CA held that the change in circumstances must be sufficiently *material* such that it is no longer fair to expect the *status quo* to remain.

While the increase in the children's educational expenses constituted a change of circumstances, the CA did not consider it to be a *material* change considering *all* the circumstances. The increase in the children's educational expenses was not unforeseen and the Husband's income had also increased substantially since the Maintenance Order was made.

There was also no evidence of any material change in circumstances to justify any change in the monthly maintenance payable to the Wife. The Wife had not been working since the marriage almost 25 years ago and it was not realistic to expect her to find employment at a level sufficient to displace the monthly maintenance she was receiving. However, the CA agreed with the trial judge that the Wife's alleged relocation was speculative.

### D. PROBATE AND ADMINISTRATION

#### Different circumstances in the applications meant that the doctrine of *res judicata* did not apply to prevent the sale of a property in the Estate from being re-litigated (*VIK v VIL & Ors [2020] SGHCF 12*)

The Administrator of the Estate applied to sell one of the properties identified in the Schedule of Assets (the Property). The first to third defendants, who were the daughters of the Testator and beneficiaries of the Estate (the Sisters), opposed the sale of the Property. They submitted that the issue of whether the Property could be sold had already been determined in a previous application, OS 904/2013, and the doctrine of *res judicata* prevented the issue of the said sale from being re-litigated.

The doctrine of *res judicata* consists of three "conceptually distinct but interrelated principles": (1) cause of action estoppel, (2) issue estoppel, and (3) the "extended doctrine" of *res judicata*, or the defence of "abuse of process." The Sisters focused their submissions on both issue estoppel and abuse of process.

The High Court reiterated the requirements for issue estoppel. Of particular relevance to this case were: (1) there must be a final and conclusive judgment on the merits; and (2) there must be identity of subject matter in the two proceedings.

In respect of the first requirement, the High Court held that the decision in OS 904/2013 was an interim decision made based on the prevailing circumstances at that time. The circumstances had changed as the Sisters no longer took the position that a codicil was invalid and the fourth defendant no longer pursued a sale of the Property but only a transfer of the Property to the beneficiaries according to the codicil. This called for a reassessment of the means by which the liabilities to the Estate were to be discharged. The change in the facts and circumstances giving rise to the earlier decision also meant that there was no identity of subject matter. Therefore, both the relevant requirements of issue estoppel were not met.

The High Court also found that there was no abuse of process by the Administrator in the present application for the sale of the Property. In fact, in OS 904/2013, the Administrator had argued against the sale of the said property as it took the view that the mortgage would be acceptable and sufficient for the Estate's needs. In other words, the Administrator had gotten what it wanted in OS 904/2013 and was not re-opening the issue. Rather, this present application was perhaps an acknowledgement that a sale might be needed for the Estate. This could not be said to be a collateral attack on the prior decision.

Therefore, *res judicata* did not apply to prevent the Administrator from pursuing the sale of the Property.

### E. MENTAL DISORDERS AND TREATMENT

#### Contemporaneous evidence of donor's mental capacity led to the High Court's finding that the donor had no capacity to execute the Powers of Attorney (POAs) and that there was undue influence in executing the POAs (*Goh Yng Yng Karen (executrix of the estate of Liew Khoon Fong (alias Liew Fong), deceased) v Goh Yong Chiang Kelvin [2020] SGHC 195*)

The Plaintiff and Defendant were siblings. The Plaintiff was the executrix of their mother's (the Mother) estate. The dispute centered over two POAs executed by the Mother in November 2017 without the Plaintiff's knowledge. The Plaintiff submitted that the Mother did not have the capacity to execute those POAs. Her evidence was that the Mother's mental state was deteriorating from around mid-2017. She became, *inter alia*, withdrawn and confused with her bill payments. Her declining mental state was corroborated by her longstanding friend, who noticed that she stopped attending church and contacting her.

The High Court agreed with the Plaintiff and found that the evidence clearly showed that the Mother's personality and behaviour had changed drastically from the first half of 2017 to December 2017. Accordingly, the Court concluded that she lacked mental capacity when she executed the November POAs, rendering the POAs void.

The High Court also found that even if the Mother had mental capacity to execute the POAs, the Defendant, with whom the Mother had a relationship of trust and confidence with, had failed to rebut the presumption of undue influence. The solicitor who prepared the POAs failed to take sufficient steps to satisfy himself that the Mother had sufficient mental capacity to understand the nature and effect of the POAs she was executing. The solicitor had not contacted the Mother for confirmation of the instructions and assumed that the Defendant had accurately conveyed his mother's instructions. The solicitor had not adequately ascertained her intentions when he attended at her house for the signing of the POAs, nor did he ascertain her capacity to give those instructions.

## YEAR IN REVIEW

## INTERNATIONAL RELATIONSHIP



## QATAR JUDICIARY

23 January 2020

Judicial officers from the Qatar Judiciary, specialised enforcement courts, went on a learning journey, which was part of their Singapore Judicial College Customised Judicial Training Programme. District Judge Colin Tan from the Family Justice Courts shared about the Integrated Family Application Management System. The judicial officers were given a tour of the courts' premises and were introduced to the facilities/functions.



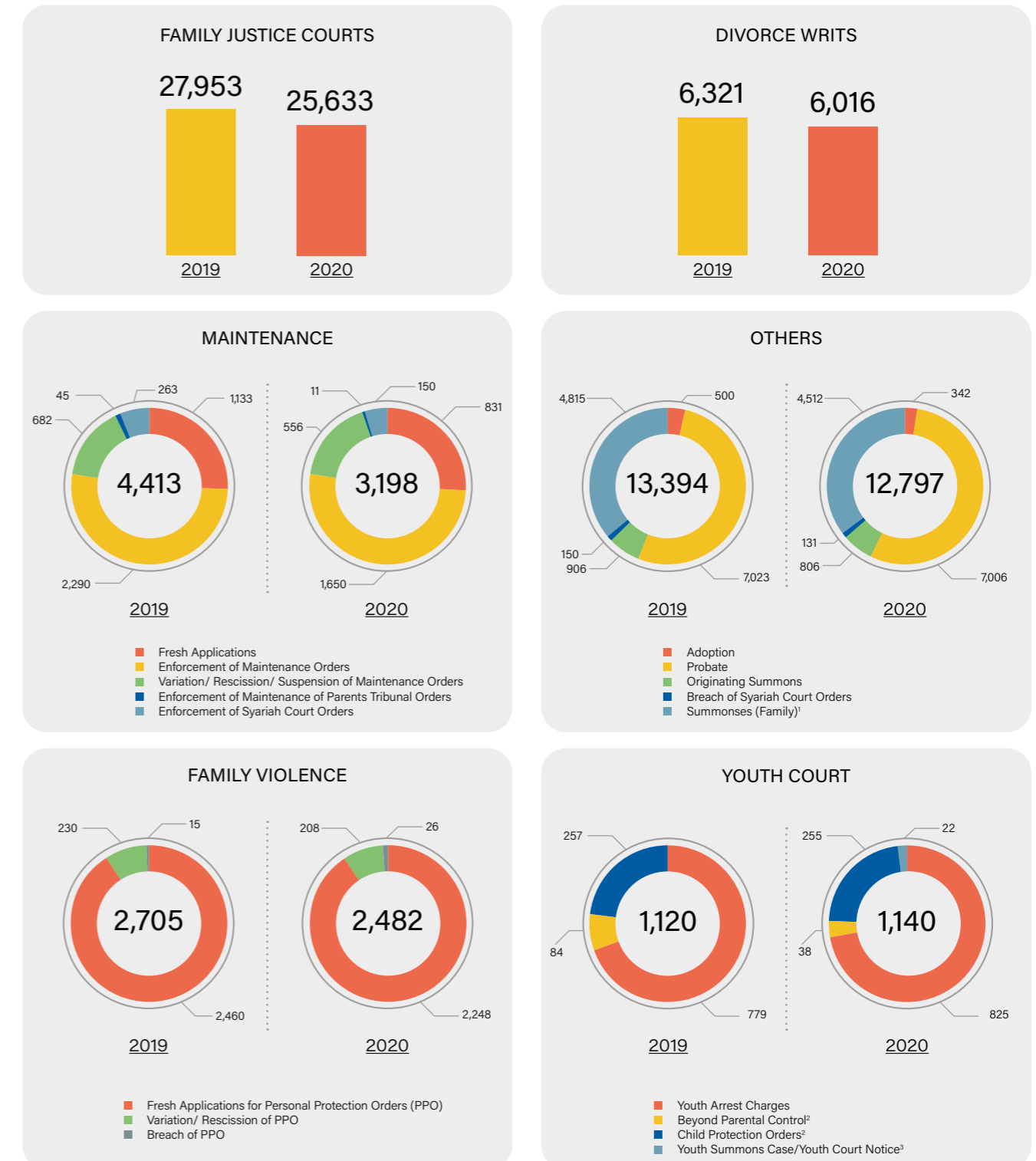
## JAPAN SUPREME COURT

5 February 2020

A delegation from the Supreme Court of Japan, led by Justice Miyazaki Yuko were received by Deputy Presiding Judge Chia Wee Kiat. The delegation was briefed by District Judge Jinny Tan on the use of technology by litigants-in-person. A fruitful exchange on the current trends in court technology and the challenges faced during implementation followed. The delegation was also given a tour of the courts' premises.

## CASE LOAD STATISTICS

The Family Justice Courts (FJC) handled a total of 25,633 cases in 2020, down by 8.3% from the 27,953 cases handled in 2019. Divorce, Maintenance and Probate cases made up more than half of the total caseload handled by FJC.



<sup>1</sup> Includes Divorce, Originating Summons, Probate and Adoption Summonses

<sup>2</sup> Refer to number of youths

<sup>3</sup> Formerly refers to Police Summonses/Summonses & Tickets, and Other Charges

# ONE JUDICIARY EFFORTS IN...

## INNOVATIVE SOLUTIONS TO ENHANCE ACCESS TO JUSTICE

### HACKATHON FOR A BETTER WORLD

From July to October 2020, a total of 37 teams comprising members of the Singapore Judiciary, practising lawyers, law students, legal technologists, and staff from DBS bank participated in a Hackathon to find innovative solutions to enhance access to justice in today's age of disruption.

Jointly organised by the Singapore Judiciary and DBS Bank, the 'slow-burn' Hackathon adopted a unique "learn-as-you-hack" format where the participants worked on problem statements over a course of three months, allowing them ample time and space to develop bright ideas and transform them into reality, while comfortably managing their daily responsibilities.

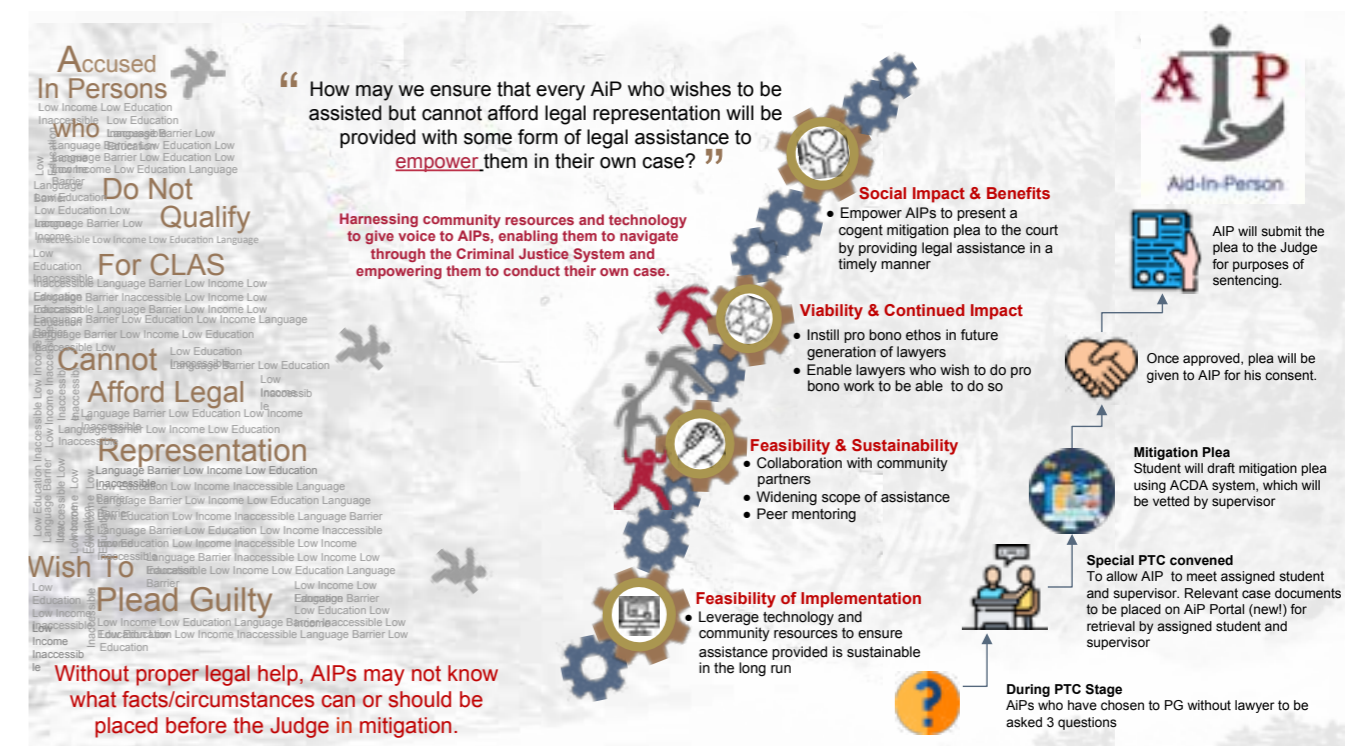
Six finalists, including teams that comprised members from the Supreme Court and State Courts, presented their pitches to a virtual judging panel on 1 October 2020.

Four teams emerged as the overall winners after impressing the judges with their innovative proposals, incisive analysis and empathy for various stakeholders' needs.

The 'Hackathon for a Better World 2020' wrapped up with an Awards Day that was held virtually on 13 October 2020, with Justice Aedit Abdullah gracing the event as the Guest-of-Honour.



- White Hat Hackers (DBS Bank)**  
*Most Innovative*  
A convenient and streamlined process where bereaved family members can centrally access all financial institutions, which hold assets of the deceased, for probate/administration purposes.
- LAB Legal Tech (Legal Aid Bureau)**  
*Most Feasible*  
A one-stop platform with self-help tools for wives facing family violence.
- Access and Opportunity (Allen and Overy LLP)**  
*Most Life-Changing*  
An easy-to-use, downloadable, online platform containing information in different native languages for migrant workers.
- Aid-in-Person (State Courts)**  
*Most Human-Centred*  
To harness community resources and technology so that accused persons can navigate the criminal justice system and be empowered to conduct their own cases.



Aid-in-Person poster



# ENGAGING COURT VOLUNTEERS

## JUDICIARY VOLUNTEERS APPRECIATION

Volunteers, comprising members of the Bar, professionals and individuals from diverse backgrounds, and students, constitute an important pillar in the Singapore Judiciary. Be it providing pro bono legal advice to an accused, mediating disputes between neighbours or couples, or explaining court processes to those not familiar with the justice system, each court volunteer plays a significant role in promoting greater accessibility to justice and enhancing support for litigants and court users.



To ensure the safety and well-being of the court volunteers, the annual Judiciary Volunteers Appreciation Dinner was dispensed with this year. In its place were cookies baked by the Yellow Ribbon Industries Bakery that were hand delivered to the court volunteers, together with a message from Chief Justice Sundaresh Menon.

In 2020, 43 volunteers of the Supreme Court, State Courts and Family Justice Courts were honoured for their steadfast commitment to pro bono work. Among the 330-strong court volunteer pool, three Outstanding Court Volunteer awards and 40 Long Service Awards were conferred to recognise volunteers for their outstanding contributions, commitment and dedication to support the work of the Judiciary. These awards give recognition to volunteers in various vocations, including pro bono criminal defence in a capital matter, mediation and committee and project contributions, for their time and dedication in supporting the work of the Courts.

## ANNUAL TRAINING SESSIONS



Regular training and timely updates on developments in the State Courts are important for enabling the court volunteers to assist the court users effectively.

on understanding common mental health issues, recognising mental health disorders, and better managing of court users experiencing mental health issues.

In 2020, the State Courts conducted two training sessions for their volunteer mediators via video conferencing. The first session, titled "Mediating in the Shadow of COVID-19" was held on 5 June 2020, to equip the volunteer mediators in conducting mediations via video conferencing. The topics covered during the webinar addressed the various challenges brought about by the shift from the conventional physical mediation hearings to the remote mediation hearings due to the pandemic.

Both training sessions included a Q&A component, where a panel comprising State Courts judges and experienced volunteer mediators addressed queries and challenges faced by the volunteer mediators in the course of their mediation work. The Q&A segments also allowed the volunteer mediators to share their insights on mediation and learn from one another's experiences.

On 20 November 2020, the volunteer mediators attended the second webinar, where senior court counsellors presented

The State Courts conduct these training seminars twice yearly to keep the volunteer mediators up to date on the knowledge and skills required for effective mediation, so that they can better help the parties resolve their disputes amicably.

## OUTSTANDING COURT VOLUNTEER AWARDS

### ADVOCATE & SOLICITOR CATEGORY:

**Mr Rengarajoo Rengasamy Balasamy\***



\*Mr Rengarajoo concurrently received the 10-year Long Service Award

### OPEN CATEGORY:

**Mr Indu Kumar Vasudevan**



### STUDENT CATEGORY:

**Mr Jordan Lim Zi Rui**



### LASCO LONG SERVICE AWARD

(conferred by the Supreme Court):  
Mr James Bahadur Masih  
Mr Mahendran Mylvaganam

### LONG SERVICE AWARD

(conferred by the State Courts):  
Mr Amolat Singh  
Mr Cheong Aik Chye  
Mr Abdul Salim Ahmed Ibrahim  
Ms Anjalli Muniandy  
Mr Balasubramaniam Appavu  
Mr Chan Jin Han  
Mr Chen Nan Chung Burton  
Mr Cheng Sun Cheok Alvin  
Mr Chew Kei-Jin

Mr Choo Chih Chien Benjamin  
Mr Daryl Ong Hock Chye  
Mr Goh Choong Sien Aloysius  
Ms Goh Mia Yang  
Mr Kamalarajan Malaiyandi Chettiar  
Mr Kang Kim Yang  
Dr Karunanithy Ramasamy  
Mr Lam Kuet Keng Steven John  
Ms Lim Ching Ching Sandra  
Ms Lim Lei Theng  
Mr Lim Tat  
Mr Lim Wei Loong Ian  
Dr Loke Chi Wei Peter  
Associate Professor Lum Kit Wye  
Mr Mathavan Devadas  
Mr Melvin Chan Kah Keen

Ms Neoh Sue Lynn  
Mr Nicholas Philip Lazarus  
Mr Patrick Tan Tse Chia  
Mr See Chern Yang  
Mr Seet Pek Hian Harold  
Mr Sim Chong  
Mr Tan Heng Khim  
Mr Tan Lam Siong  
Mr Wan Kwong Weng  
Ms Wong Su-Hsien Audrey  
Mr Yuen Djia Chiang Jonathan

### LONG SERVICE AWARD

(conferred by the Family Justice Courts):  
Mr Ng Ngiap Khiang, Francis

# GIVING BACK TO SOCIETY

## CORPORATE SOCIAL RESPONSIBILITY

The Judiciary organised numerous corporate social responsibility activities to reach out to the less privileged members of society.

### February

On 3 February, staff members of the State Courts celebrated the 10th day of the Lunar New Year with the elderly at the Banda Seniors Activity Centre.



The State Courts participated in the Earth Hour by switching off non-essential lights at their lobby and sky terrace from 8.30pm to 9.30pm on 28 March. Staff members were also encouraged to contribute towards this global movement by making a commitment towards reducing carbon emissions.

### April

- The State Courts showed their appreciation to front-line personnel who had been working tirelessly by distributing care packs, snack packs and bento lunches to them on six separate occasions. Partnering with a social enterprise, Project Dignity, in the "In State Courts, We Care" project, a virtual fundraiser was held with contributions from staff members.



- State Courts staff members contributed art pieces for "SG Health Care Heroes - Energising Through Art", to spread positivity among the healthcare community and to commemorate Singapore coming together as one during unprecedented times.



- Due to the COVID-19 pandemic, the Multi-Ministry Task Force required public officers to help fight against the pandemic by ensuring that people don their masks when they were outside their homes and kept a safe distance from one another. Eight State Courts staff members responded to the call to keep Singapore safe.

- The State Courts raised \$17,829 for 119 workers who were involved in the construction of the State Courts Towers to show appreciation for their contributions to society. Through their employers, each worker received a token sum of \$150.

### March

### July

State Courts staff members lent their support to the "Read for Books" charity drive 2020 by either participating in individual reading sessions or attending a group reading session via Zoom. For every 10 individuals who read for 15 minutes, a book was donated to WondeRead, the beneficiary of the initiative. The State Courts recorded a total reading time of 89 hours which resulted in 35 books donated to the charitable cause.



### July-August

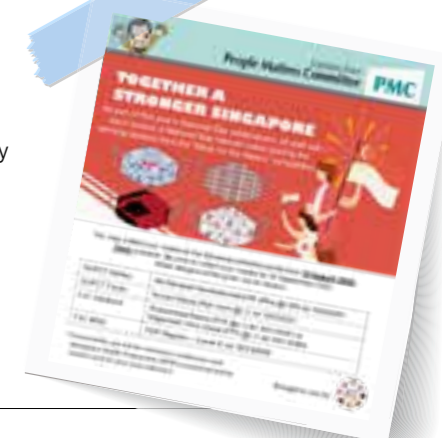
- As part of their annual National Day fundraising efforts, the State Courts reached out to Beyond Social Services, a charity dedicated to helping children and youths from less privileged backgrounds, to provide 275 children with a set of three reusable masks each, through the "Gift a Mask, Help a Child" initiative. The 825 pieces of reusable masks were purchased from Sew Can We, a social enterprise supporting women from low-income families who utilise their sewing skills to earn a small income for their families.



- The annual National Day Carnival and a virtual gala lunch were held to support the State Courts' adopted charity, Singapore After-Care Association (SACA). A sum of \$47,805 was raised through the fundraising events and donated to SACA.

### August

The Supreme Court and Family Justice Courts supported "Mask for the Nation", a Mediacorp charity initiative where they bought 592 pieces of face masks to be distributed to staff during the National Day celebrations. The solidarity-themed mask designs emerged from a competition, of which one was a specially commissioned piece by an artist with cerebral palsy. The proceeds went to the Mediacorp Enable Fund to support persons with disabilities.



### September

Staff from the Judiciary lent their support to the annual "Judiciary Cares" initiative by participating in a virtual walkathon from 13 to 20 September. The "#HOWRU Virtual Walkathon" was organised by the Samaritans of Singapore, and held in conjunction with suicide prevention awareness month. The event raised \$33,333 through staff donations.



### December

The State Courts partnered Lion Befrienders, a social service agency which aims to provide friendship and promote community participation in caring for seniors, to organise a Virtual Craft & Chit-Chat Session for their senior beneficiaries.





SUPREMECOURT  
S I N G A P O R E



STATE  
COURTS  
S I N G A P O R E



FAMILY JUSTICE COURTS  
S I N G A P O R E