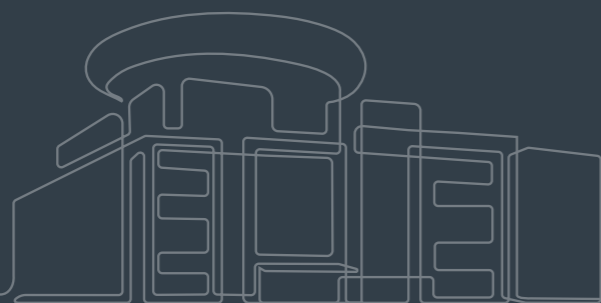


ONE  
JUDICIARY  
ANNUAL REPORT 2018





## CHIEF JUSTICE'S FOREWORD

As I have said on previous occasions, the Judiciary is the custodian of the sacred trust to uphold the rule of law. To this end, it must not only hand down judgments which are fair and well-reasoned, but also ensure that justice is accessible to all, for it is only by so doing that it can command the trust, respect and confidence of the public. This is indispensable to the proper administration of justice.

This One Judiciary Annual Report will provide an overview of the work done by the Supreme Court, the State Courts and the Family Justice Courts in 2018 to enhance our justice system to ensure that it continues to serve the needs of our people.

### Strengthening Our Justice System Both Within and Without

On the domestic front, we have made steady progress on reforms to our family, civil and criminal justice systems. In the area of family justice, the inter-agency Committee to Review and Enhance Reforms in the Family Justice System has been studying ways of strengthening our family justice framework through the incorporation of therapeutic and restorative principles and it will be putting forward a set of recommendations that include measures to simplify the enforcement of child access orders and a proposed certification and accreditation scheme for family law practitioners. In the areas of civil and criminal justice, the recommendations of the Civil Justice Commission, and the reforms introduced by the Criminal Justice Reform Act 2018, promise to transform our present system of civil and criminal justice by modernising procedures, simplifying archaic provisions, and facilitating the efficient disposal of cases.

The Courts have also launched several initiatives to help members of the public better navigate our judicial system. In October 2018, the State Courts,

together with community partners, launched the first part of a Witness Orientation Toolkit to help prepare vulnerable witnesses for their attendance in court. Similarly, the Family Justice Courts worked closely with the Family Bar to publish, earlier this January, the second edition of *The Art of Family Lawyering*, which is an e-book that hopes to encourage family lawyers to conduct proceedings in a manner that reduces acrimony between the parties, focuses on the best interests of the child, and conduces towards the search for meaningful long-term solutions for families.

On the international front, we continued to expand our international networks. Regionally, we deepened our engagement with ASEAN by playing host to a series of events involving the ASEAN legal community and will continue our outreach as I see through the rest of my term as President of the ASEAN Law Association. Beyond ASEAN, we also reaffirmed our warm relationships with other judiciaries and international groupings of judges. Notably, at the second Singapore-China Legal and Judicial Roundtable that was held in August 2018, the Supreme Court established a working group to develop further areas of possible cooperation and signed a memorandum of guidance on the recognition and enforcement of money judgments in commercial cases. And in October 2018, judges from the Supreme Court joined their counterparts from more than 30 other jurisdictions at the second meeting of the Standing International Forum of Commercial Courts (SIFoCC) in New York to exchange experiences and best practices in the resolution of commercial disputes. We are honoured to host the next SIFoCC meeting in 2020, and look forward to welcoming our colleagues from around the world to continue this important dialogue on how we can collaborate to strengthen the international legal infrastructure to promote cross-border investment and trade.



### The Road Ahead

As I announced in my Response at the Opening of the 2019 Legal Year, the legal landscape is being dramatically re-shaped by the forces of globalisation, technology, and commercialisation. The Judiciary is not insulated from these forces, and it will work with the legal profession to face the new challenges. In 2018, we focused on two key areas: (a) legal education and professional training, and (b) transformation and innovation.

#### Legal Education and Professional Training

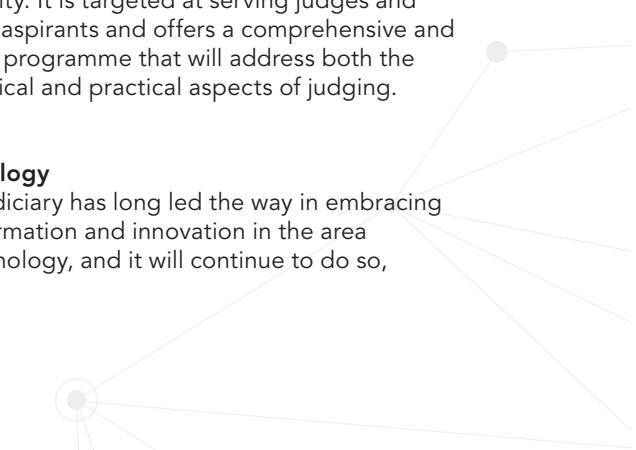
On legal education, it is imperative that our law schools continue to produce graduates who are equipped with the skills that will enable them to meet the evolving needs of our society and the challenges of modern legal practice. For this reason, we continue to engage with a variety of key stakeholders to strengthen the curriculum in our law schools and to expand the opportunities that students have for clinical training. One example of this is the ongoing collaboration between the Family Justice Courts and the Singapore University

of Social Sciences School of Law to develop the law school's curriculum and the design of its Legal Clerkship Programme under which final year students are given opportunities to observe court hearings and processes.

And yet, education does not only end in law school, which is why professional training and continuing legal education is critical. One important initiative in the area of legal education, which will be of particular interest to the Judiciary, is the Master of Laws in Judicial Studies programme, an advanced programme to be jointly offered by the Singapore Judicial College and Singapore Management University. It is targeted at serving judges and judicial aspirants and offers a comprehensive and diverse programme that will address both the theoretical and practical aspects of judging.

#### Technology

The Judiciary has long led the way in embracing transformation and innovation in the area of technology, and it will continue to do so,







## CHIEF JUSTICE'S FOREWORD

particularly where this will allow increased access to justice. It is for this reason that we have developed several technology-enabled self-help solutions for litigants.

One such notable initiative is the Community Justice and Tribunals System (CJTS), an online filing and case management system with dispute resolution capabilities, that the State Courts first launched in the Small Claims Tribunals in July 2017. Since then, the CJTS has been rolled out in phases to cover several other kinds of claims: in February 2018, it was implemented in the Community Disputes Resolution Tribunals to allow the electronic filing of neighbour dispute claims as well as to facilitate the early settlement of such disputes through an online dispute resolution module, and earlier this January, it was made available in the Employment Claims Tribunals to allow for the online filing of employment claims.

In similar vein, we are also aiming to launch an online dispute resolution platform for motor accident claims over the course of this year. The platform is expected to feature an outcome simulator as well as a facility for parties to negotiate a settlement online without having to come to court. The Family Justice Courts are also exploring the use of this system to resolve disputes over child maintenance claims.

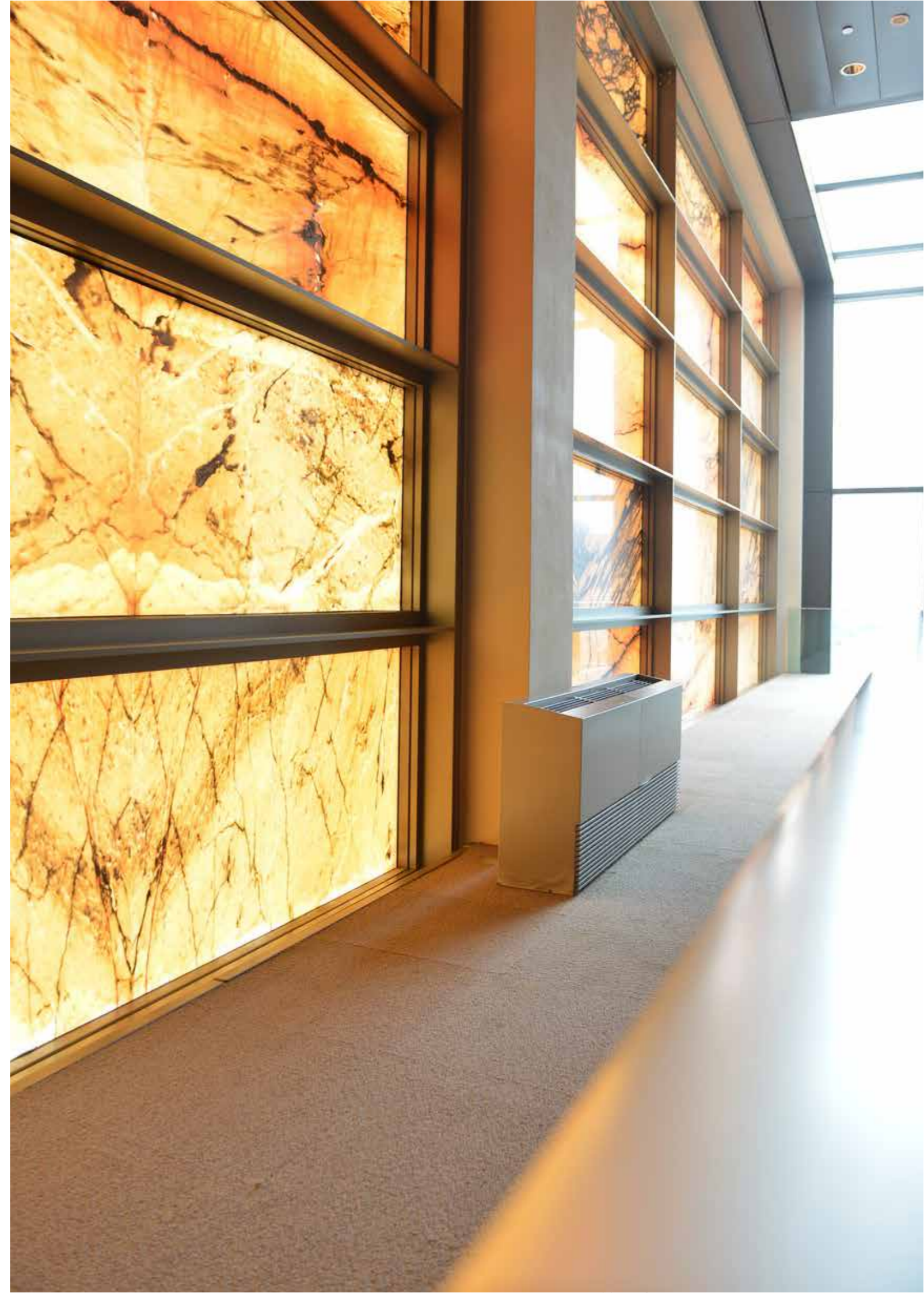
We are also looking at ways of harnessing technology to enhance the efficiency of physical hearings. For example, the use of automated voice transcription systems supported by artificial intelligence can significantly reduce the cost of obtaining real-time transcription for open court trials. In this regard, the State Courts have been collaborating with A\*STAR's Institute for Infocomm Research to develop an automated speech transcription system and, earlier this March, this system was deployed on a pilot basis in the State Courts, with further deployment in the Family Justice Courts and the High Court planned in due course.

### Closing

Much has been accomplished in the past year, but much work remains to be done. I have no doubt that, working together, the Singapore Judiciary will continue to discharge its duty of ensuring that justice is dispensed without fear or favour, affection or ill-will, and that it remains within the reach of all



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





# THE JUDICIARY OF SINGAPORE AT A GLANCE

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.

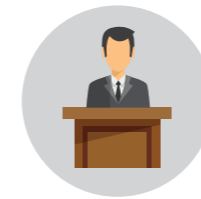


The **Judiciary** is one of the three Organs of State, together with the **Executive** and the **Legislature**.



## JUDICIARY

interprets the laws and is a system of courts that upholds the law and ensures justice is accessible to all.



## EXECUTIVE

or the Government, 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.



CHIEF JUSTICE



PRESIDING JUDGE



PRESIDING JUDGE

The Supreme Court Bench consists of the Chief Justice, Judges of Appeal, Judges, 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 who perform judicial functions.

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

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), including Judicial Officers holding the appointment of District Judges and Magistrates, and may concurrently be appointed as Assistant Registrars, together with Court Family Specialists and Court Administrators.



## COURT OF APPEAL

Generally hears civil and criminal appeals from the High Court



## SINGAPORE INTERNATIONAL COMMERCIAL COURT (SICC)

- 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 High Court to the SICC.



## HIGH COURT

Hears different types of cases including but not limited to 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.
- Civil and criminal appeals from State Courts.
- Admiralty matters.
- Company winding-up and other insolvency-related proceedings.
- Bankruptcy proceedings.
- Applications for the admission of advocates and solicitors.
- Judicial review and public law related cases.
- Tribunal appeals.



## DISTRICT COURTS

- Hear civil cases where the value of the claim is between \$60,000 and \$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 \$10,000, or \$20,000 if both parties consent in writing, for disputes arising from a contract for the sale of goods or the provision of services, a tort in respect of damage caused to property, or a contract relating to a lease of residential premises not exceeding 2 years.



## COMMUNITY DISPUTES RESOLUTION TRIBUNALS

Hear 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.



## FAMILY COURTS

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



## YOUTH COURTS

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

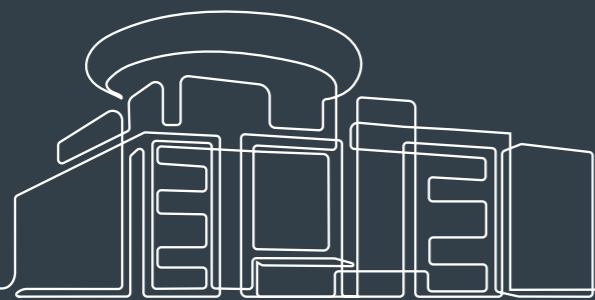


## MEDIATION & COUNSELLING

All cases coming before the Courts will be managed pro-actively 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 One Judiciary Annual Report, click the icons below



**Supreme Court, Singapore**  
*Charting the Course of Justice*



**State Courts, Singapore**  
*Shaping Tomorrow's Justice*

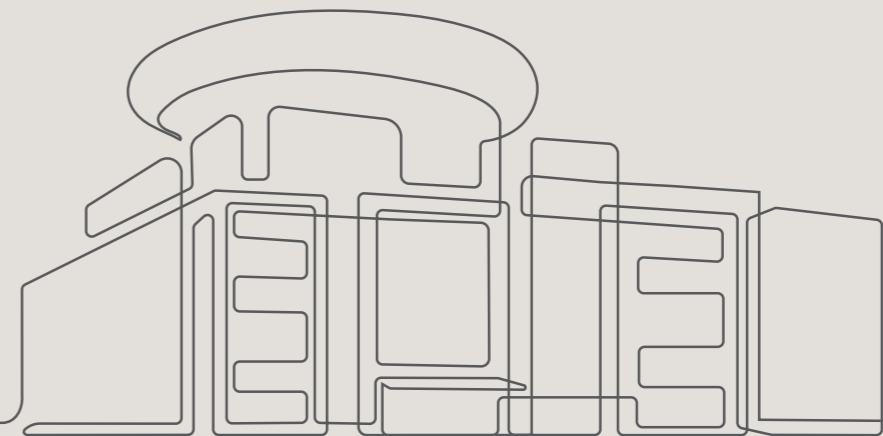


**Family Justice Courts, Singapore**  
*In the Next Phase*



# CHARTING

THE COURSE OF JUSTICE





# SUPREME COURT STRATEGIC COMPASS 2022



**VISION** A Leading, Trusted Judiciary. Ready for Tomorrow.

**MISSION** Accessible Justice that commands trust, respect and confidence.



## Success Outcomes

Thought leader in jurisprudence and court excellence

Effective access to fair hearing

High performing, service-oriented and passionate workforce

Innovative and future-ready organisation

## Our Values

**F**airness

**A**ccessibility

**I**ndependence, Integrity and Impartiality

**R**esponsiveness

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Charting the Course of Justice	03
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## CHARTING THE COURSE OF JUSTICE

### STRENGTHENING DISPUTE RESOLUTION FRAMEWORKS

#### Civil Justice Reforms

In October 2018, the Civil Justice Commission, established in 2015, released a set of recommendations, together with those of the Civil Justice Review Committee established by the Ministry of Law, for public consultation. The consultation process concluded in January 2019. The recommendations, when implemented, are expected to modernise and improve our civil procedure rules.



#### Criminal Justice Reforms

Our criminal justice system has been strengthened by a number of measures introduced over the past year. First, the Criminal Justice Reform Act, which was enacted in 2018, introduced a slew of changes to further strengthen the criminal justice framework. These changes include the expansion of community sentencing powers and the introduction of video recorded interviews. Second, the Criminal Procedure Rules Committee, established by that Act, will allow criminal procedure rules to be enacted, refined and developed more readily to respond to changing needs.



CHARTING THE  
COURSE OF JUSTICE



## CHARTING THE COURSE OF JUSTICE

### FORTIFYING INTERNATIONAL TIES AND PARTNERSHIPS

#### Singapore International Commercial Court (SICC)

Since its establishment in 2015, the SICC's caseload has grown steadily. Judgments of the court have been well received, and interactions between the Singapore and International Courts have been mutually beneficial. In tandem with the impending changes to the civil procedure rules, a body of new procedural rules for the SICC has been developed. These rules are designed to facilitate international commercial litigation, and incorporate international best practices from a variety of dispute resolution mechanisms and legal traditions. Before implementation, the rules will be refined in consultation with SICC's stakeholders.



#### Deepening Engagement in ASEAN

In 2018, the Supreme Court actively deepened our engagement in ASEAN, hosting a series of meetings including the 13<sup>th</sup> ASEAN Law Association General Assembly and the 2018 ASEAN Law Conference. These meetings helped to stimulate conversations on areas of mutual legal interest, and laid the foundation for enduring partnerships against the landscape of a more integrated ASEAN legal community.



### FORTIFYING INTERNATIONAL TIES AND PARTNERSHIPS

#### Annual Singapore-China Legal and Judicial Roundtable

The Supreme Court reaffirmed our warm relations with the Supreme People's Court of the People's Republic of China at the second Singapore-China Legal and Judicial Roundtable held in August 2018. At the conclusion of the second Roundtable, the President of the Supreme People's Court of the People's Republic of China, Chief Justice Zhou Qiang, and The Honourable the Chief Justice Sundaresh Menon agreed to establish a working group to develop further areas of possible cooperation, and also signed a memorandum of guidance on the recognition and enforcement of money judgments. The third Roundtable will be held in China in 2019.



#### Extending our Judicial Networks

The Supreme Court fortified our relationships with other judiciaries through our involvement in the Judicial Insolvency Network, the Standing International Forum of Commercial Courts and the Asia Pacific Judicial Colloquium. The Supreme Court will host the next Judicial Colloquium in May 2019 and the next meeting of the Standing International Forum in 2020. Through these efforts, the Supreme Court is able to forge connections with foreign counterparts and to contribute to important discussions concerning the international legal community.



## CHARTING THE COURSE OF JUSTICE

### TRANSFORMATION AND INNOVATION WITHIN THE JUDICIARY

#### Courts of the Future

The Courts of the Future Taskforce, established in 2016, has embarked on a number of initiatives to develop self-help solutions for litigants, devise technology solutions for the efficient administration of justice, and adopt the intelligent use of data. One example of these efforts is the development of an online dispute resolution platform for motor accident claims, which will comprise an outcome predictor as well as a facility for mediation and settlement. The platform will enable members of the public to resolve motor accident disputes online, potentially faster and cheaper. The contract to develop this platform was awarded in November 2018, and it is hoped that early phases can be launched by the end of 2019.



#### Office of Transformation and Innovation

An Office of Transformation and Innovation has been established to coordinate and drive transformative change throughout the entire Judiciary. The Office's mandate is to devise new and innovative approaches to the Judiciary's work, ensure a consistent approach throughout the entire Judiciary, and look into enhancing efficiency by, for example, reducing paperwork and physical meetings, making better usage of data, embracing innovative ideas and exploiting emerging technologies.



### LEGAL EDUCATION AND PROFESSIONAL TRAINING

#### Professional Training of Lawyers

The Committee for the Professional Training of Lawyers published its report with its recommendations on 30 August 2018. The recommendations have been accepted in principle by the Ministry of Law. The Committee's key recommendations include uncoupling the admission to the Singapore Bar from the completion of a practice training contract, lengthening the practice training period from six months to one year, and raising the standard and stringency of Part B of the Singapore Bar Examinations. The Committee also made 17 other specific recommendations to address discrete issues within the professional training regime. The implementation of these recommendations will help raise the quality of legal training and better equip law graduates with the necessary expertise to meet the demands of the future economy and society.



#### Singapore Judicial College

The Singapore Judicial College reviewed and revamped its curricula for several programmes, notably its induction programme for newly-appointed Judges and judicial officers and its Masterclasses. It further extended outreach efforts, and the College's international alumni now boasts almost 1,300 Judges and judicial officers from 76 jurisdictions. The College also held institutional exchanges with the National Judges College of the People's Republic of China and the Judicial Research and Training Institute of the Supreme Court of Korea. The College will take on a formal accreditation role through a new Master of Laws in Judicial Studies programme which it will jointly offer with the Singapore Management University.







## THE SUPREME COURT BENCH

SUPREME COURT

## THE SUPREME COURT BENCH

### OUR JUDGES

AS OF 31 JANUARY 2019



CHIEF JUSTICE  
Sundaresh Menon



JUDGE OF APPEAL  
Justice Andrew Phang



JUDGE OF APPEAL  
Justice Judith Prakash



JUDGE OF APPEAL  
Justice Tay Yong Kwang



JUDGE OF APPEAL  
Justice Steven Chong



# THE SUPREME COURT BENCH

## OUR JUDGES AS OF 31 JANUARY 2019



Justice Choo Han Teck



Justice Belinda Ang



Justice Woo Bih Li



Justice Chua Lee Ming



Justice Kannan Ramesh



Justice Valerie Thean



Justice Lee Seiu Kin



Justice Chan Seng Onn



Justice Quentin Loh



Justice Hoo Sheau Peng



Justice Debbie Ong



Justice Aedit Abdullah



Justice Vinodh Coomaraswamy



Justice Tan Siong Thye



Justice See Kee Oon

# THE SUPREME COURT BENCH

## OUR JUDGES

AS OF 31 JANUARY 2019



Judicial Commissioner  
Pang Khang Chau



Judicial Commissioner  
Audrey Lim



Judicial Commissioner  
Tan Puay Boon



Judicial Commissioner  
Mavis Chionh



Judicial Commissioner  
Ang Cheng Hock



Judicial Commissioner  
Dedar Singh Gill

## SENIOR JUDGES

AS OF 31 JANUARY 2019



Senior Judge  
Justice Chao Hick Tin



Senior Judge  
Justice Andrew Ang



Senior Judge  
Justice Tan Lee Meng



Senior Judge  
Justice Lai Siu Chiu



# THE SUPREME COURT BENCH

## INTERNATIONAL JUDGES

AS OF 31 JANUARY 2019



The Honourable  
Justice Carolyn Berger



The Honourable  
Justice Patricia Bergin



The Honourable  
Justice Sir Jeremy Cooke



The Honourable  
Justice Lord Jonathan Hugh Mance



The Honourable  
Justice Beverley McLachlin PC



The Honourable  
Justice Lord Neuberger of  
Abbotsbury



The Honourable  
Justice Sir Henry Bernard Eder



The Honourable  
Justice Robert French



The Honourable  
Justice Roger Giles



The Honourable  
Justice Sir Vivian Ramsey



The Honourable  
Justice Anselmo Reyes



The Honourable  
Justice Sir Bernard Rix



The Honourable  
Justice Dominique T. Hascher



The Honourable  
Justice Dyson Heydon AC QC



The Honourable  
Justice Yasuhei Taniguchi



The Honourable  
Justice Simon Thorley QC

## THE SUPREME COURT BENCH

### APPOINTMENT/REAPPOINTMENT

Timely developments to the Supreme Court Bench have added to the strength and calibre of the Judiciary, elevating our standing both on the local and international front. Equipped with diverse expertise and experience, the Bench is committed to carrying out our core mission of administering justice and upholding the values of honour, public service and integrity that are integral to our profession.

#### Reappointment of Judge of Appeal

**Justice Judith Prakash** was reappointed Judge of Appeal for a further term of three years with effect from 19 December 2018. She was appointed Judicial Commissioner of the Supreme Court in 1992 and subsequently a Judge of the High Court in 1995. She became Singapore's first female Judge of Appeal in 2016. In 2017, Justice Prakash was appointed as appellate Judge of the Dubai International Financial Centre Courts for a term of three years.



#### Reappointment of High Court Judges

**Justice Chan Seng Onn** was reappointed as a Judge of the Supreme Court for a further term of two years with effect from 4 January 2019. He was appointed Judicial Commissioner of the Supreme Court in October 1997. Subsequently, he assumed the appointment of Solicitor-General in June 2001 before returning as a Judge of the High Court in July 2007. Justice Chan has been the President of the Industrial Arbitration Court since 2007. He was appointed Senior Counsel in 2001.



**Justice Lee Seiu Kin** was reappointed as a Judge of the Supreme Court for a further term of two years with effect from 30 January 2019. He was appointed Judicial Commissioner of the Supreme Court in October 1997. Subsequently, he assumed the appointment of second Solicitor-General in October 2002 before returning as a Judge of the High Court in April 2006. Justice Lee also chaired the One Judiciary Steering Committee which oversees and drives the implementation of the Courts of the Future IT Roadmap initiatives. He was appointed Senior Counsel in 2002.



**Justice Choo Han Teck** was reappointed as a Judge of the Supreme Court for a further term of two years with effect from 21 February 2019. He was appointed Judicial Commissioner of the Supreme Court in April 1995 and was elevated to a Judge of the High Court in January 2003. He has been the President of the Military Court of Appeal since November 2004 and a member of the Singapore Academy of Law's Publication Committee since 2006.





## THE SUPREME COURT BENCH

### APPOINTMENT/REAPPOINTMENT

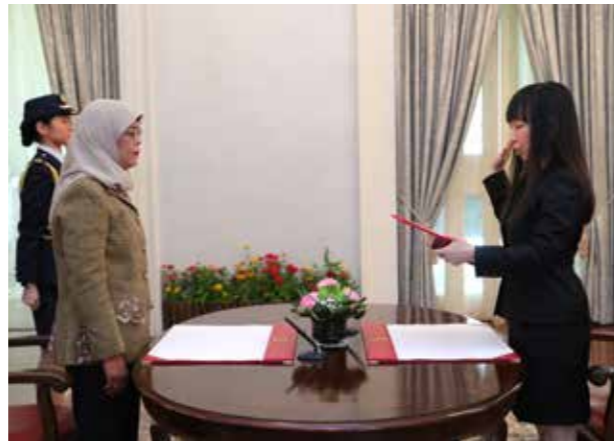
#### Appointment of Judicial Commissioners

Mr Tan Puay Boon and Ms Mavis Chionh were appointed Judicial Commissioners of the Supreme Court for a period of three years with effect from 12 March 2018.

**Judicial Commissioner Tan** has over 30 years of experience in the Singapore Legal Service. He joined the Attorney-General's Chambers as a State Counsel in 1987 and was posted to the Supreme Court as a Senior Assistant Registrar from 1991 to 1995. He was a District Judge of the then Subordinate Courts (now the State Courts) from 1995 to 2006. He was appointed Director of the Legal Aid Bureau, Ministry of Law in January 2007, and was concurrently the Chief Information Officer of the Ministry from June 2013 to April 2015. He returned to the State Courts in April 2015 where he served as the Principal District Judge of the Civil Justice Division.



**Judicial Commissioner Chionh** joined the Legal Service in 1991. She spent more than 25 years serving in a number of postings within the Singapore Legal Service, such as the then Subordinate Courts (now the State Courts), the Civil Division of the Attorney-General's Chambers (AGC), the Insolvency & Public Trustee's Office, and the Crime Cluster of the AGC where she served as Chief Prosecutor of the Financial and Technology Crime Division (formerly known as the Economic Crimes and Governance Division) and Criminal Justice Division. Before her appointment as a Judicial Commissioner, she served as second Solicitor-General. She was appointed Senior Counsel in 2015.



#### Appointment of Judicial Commissioners

Mr Ang Cheng Hock was appointed Judicial Commissioner of the Supreme Court for a period of 18 months with effect from 14 May 2018. Mr Dedar Singh Gill was appointed Judicial Commissioner of the Supreme Court for a period of two years with effect from 1 August 2018.

**Judicial Commissioner Ang** served as a Justices' Law Clerk in the Supreme Court in 1996 and 1997. He was called to the Singapore Bar in 1996 and admitted as an Attorney and Counsellor at Law in the state of New York in 1999. Before his appointment as a Judicial Commissioner, Judicial Commissioner Ang was a partner in Allen & Gledhill, and a member of its Litigation and Dispute Resolution department. He was appointed Senior Counsel in 2009.



**Judicial Commissioner Gill** specialises in intellectual property law. Prior to his appointment as a Judicial Commissioner, Judicial Commissioner Gill was a Managing Director of the Intellectual Property Department of Drew and Napier LLC.



#### Appointment of International Judges

**The Right Honourable The Lord Jonathan Hugh Mance** was appointed International Judge of the Singapore International Commercial Court for a period of two years with effect from 5 January 2019.

Lord 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 October 2009, Lord Mance became a Justice of the Supreme Court of the United Kingdom and he was appointed its Deputy President in 2017. He retired from the UK Supreme Court in June 2018.







# ORGANISATIONAL STRUCTURE

SUPREME COURT

## ORGANISATIONAL STRUCTURE

AS OF 31 JANUARY 2019

### SUPREME COURT REGISTRY



REGISTRAR  
Mr Vincent Hoong

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.



DEPUTY REGISTRAR  
*Divisional Registrar (Court of Appeal)*  
*Divisional Registrar (Singapore International Commercial Court)*  
Ms Teh Hwee Hwee

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



*Divisional Registrar (High Court)*  
Ms Cornie Ng Teng Teng



Mr Christopher Tan



Mr Phang Hsiao Chung



Mr Edwin San Ong Kyar



Ms Chong Chin Chin



Ms Cheng Pei Feng



# ORGANISATIONAL STRUCTURE

AS OF 31 JANUARY 2019

## ASSISTANT REGISTRARS



Mr James Elisha Lee Han Leong



Ms Janice Wong Shi Hui



Ms Wong Li Tein



Mr Paul Chan Wei Sern



Ms Wong Baochen



Mr Bryan Fang Hao Wen



Mr Scott Tan Chun Wen



Mr James Low Yunhui



Ms Una Khng



Mr Justin Yeo Rong Wei



Ms Gan Kam Yui



Ms Jean Chan Lay Koon



Mr Paul Tan Wei Chean



Mr Elton Tan Xue Yang



Mr Jonathan Ng Pang Ern



Ms Norine Tan Yan Ling



Mr Ramu Miyapan



Ms Karen Tan Teck Ping



Mr Jay Lee Yuxian



Ms Lim Sai Nei



Mr Navin Anand



Ms Zeslene Mao Huijing



Mr Kenneth Wang Ye



Mr Colin Seow Fu Hong



Ms Li Yuen Ting



Mr Kenneth Choo Wing Kong



Ms Jacqueline Lee Siew Hui

# ORGANISATIONAL STRUCTURE

AS OF 31 JANUARY 2019

## JUDICIARY ADMINISTRATION AND OPERATIONS

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.

CHIEF EXECUTIVE  
OFFICE OF THE CHIEF JUSTICE



Ms Juthika Ramanathan

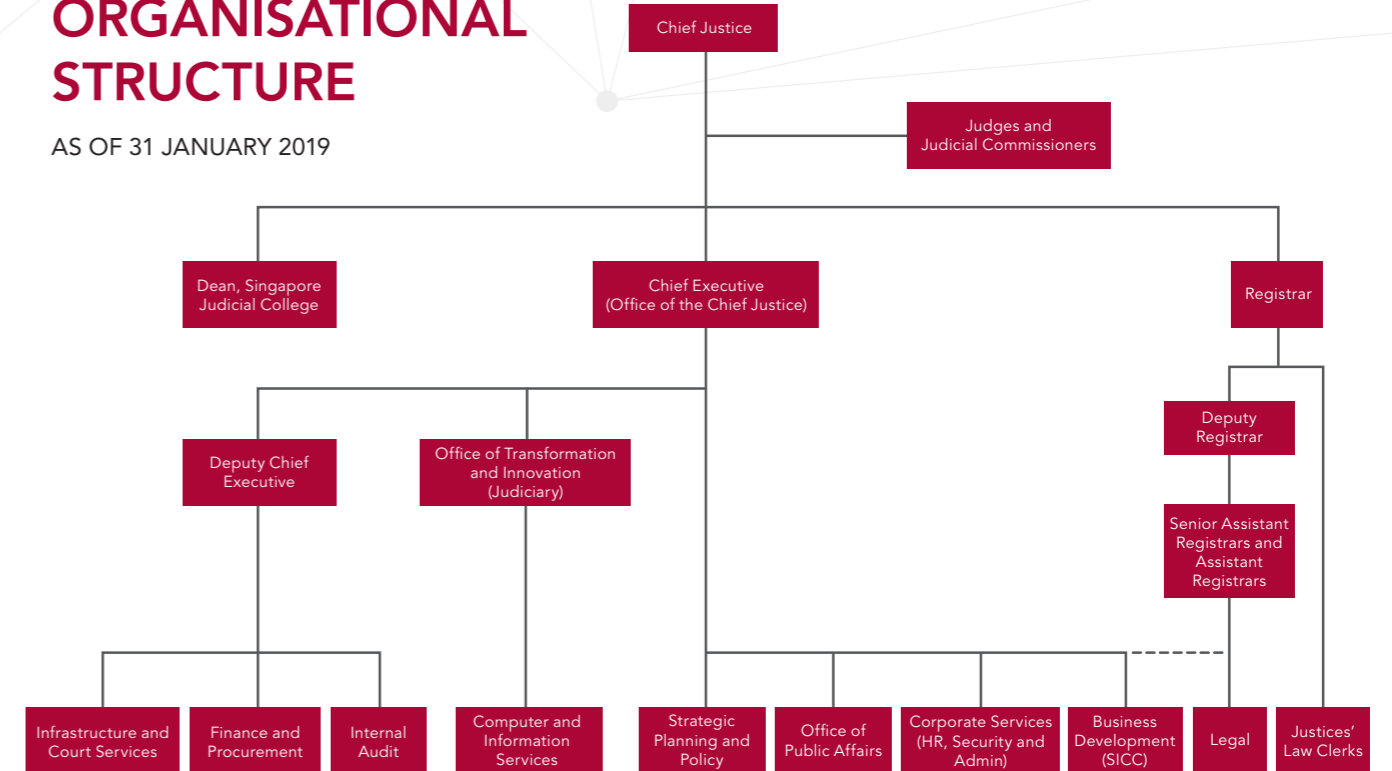
The Chief Executive is supported by the Deputy Chief Executive, the Chief Transformation and Innovation Officer and a team of Directors with specialised functions and roles.



From left to right  
Theresa Yeo, Director (Corporate Services) | Julie Sim, Director (Office of Public Affairs) | Dexter Tan, Director (Finance) | Jack Lim, Director (Infrastructure and Court Services) | Tan Ken Hwee, Chief Transformation and Innovation Officer (Judiciary) | Santhanam Srinivasan, Chief Information Officer | Juthika Ramanathan, Chief Executive | Laurence Wong, Senior Director (Business Development), Singapore International Commercial Court | Clara Goh, Deputy Chief Executive | Brian Lai, Chief Technology Officer | Carol Liew, Director (Legal) | Ho Shee Yan, Chief Internal Auditor | Shirlynn Loo, Director (Strategic Planning and Policy)

# ORGANISATIONAL STRUCTURE

AS OF 31 JANUARY 2019



### 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

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

Ensures the Supreme Court is at the forefront of new IT trends and developments; anticipates and implements IT solutions for the organisation.

### Strategic Planning and Policy

Advances the Supreme Court's position as a thought leader in court excellence through policy formulation, strategic external 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 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 marketing and communication platforms and initiatives.

### Legal Directorate

Responsible for inter alia the management and efficient disposal of all civil and criminal cases filed in the High Court, the SICC 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 & JURISDICTION

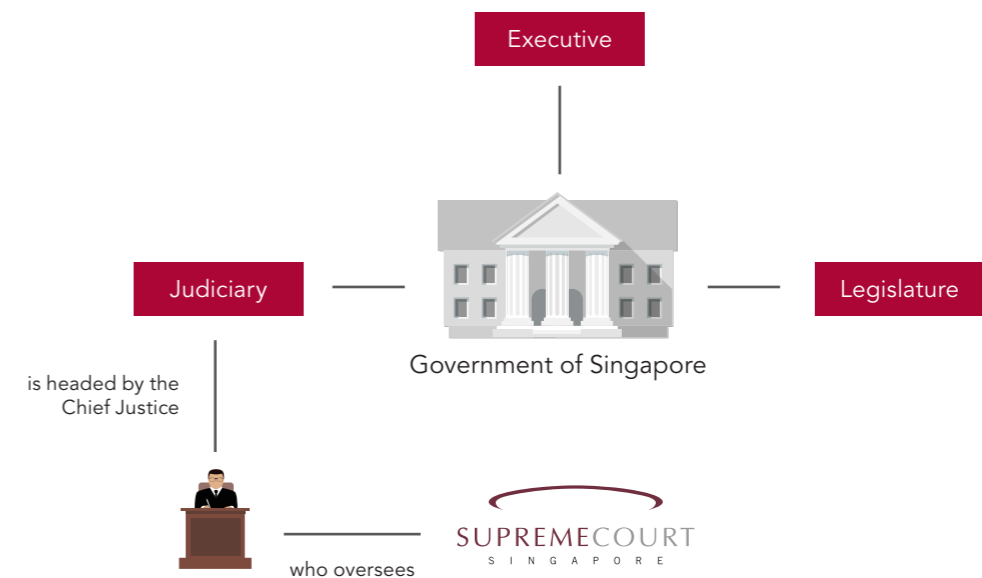
SUPREME COURT

# CONSTITUTION AND JURISDICTION

## OUR ROLE

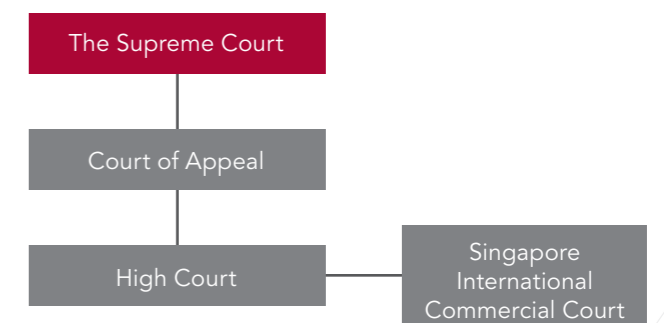
The Judiciary is one of the three branches of government, alongside Executive and Legislature. Under Article 93 of the Constitution of the Republic of Singapore, judicial power in Singapore is vested in the Supreme Court and in such state courts as may be provided for by any written law for the time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

Headed by the Chief Justice, the Judiciary is a system of courts that upholds the law and ensures justice is accessible to all. 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. The Singapore International Commercial Court (SICC), which hears international commercial disputes, is a division of the High Court. The Supreme Court Bench consists of the Chief Justice, Judges of Appeal, Judges, 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, particularly for appeals before the Court of Appeal.

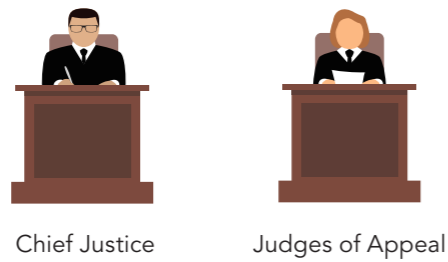


# CONSTITUTION AND JURISDICTION

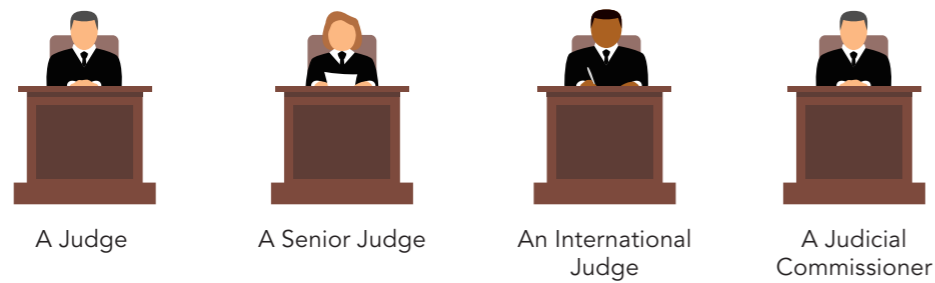
## COURT OF APPEAL

The Court of Appeal generally hears appeals against the decisions of the High Court in both civil and criminal matters. 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.

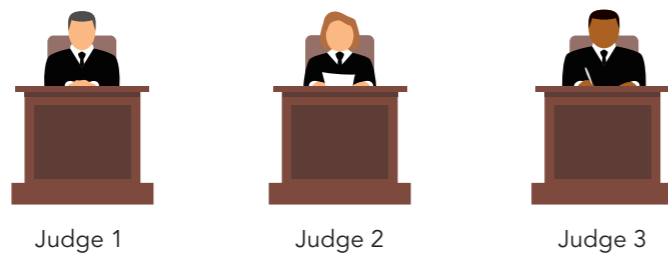
The Chief Justice sits in the Court of Appeal together with the Judges of Appeal. A Judge, Senior Judge, International Judge and Judicial Commissioner may sit in the Court of Appeal as such occasion as the Chief Justice requires. An International Judge may sit in the Court of Appeal against a judgment 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 Judge of the Supreme Court or a person appointed by the Chief Justice to preside where the Court of Appeal does not include any Judge of the Supreme Court.



May sit in the Court of Appeal



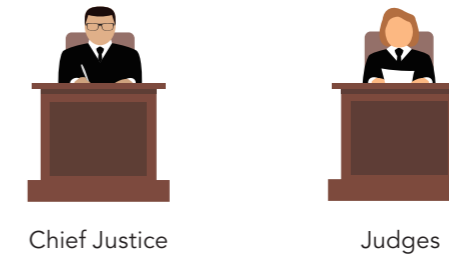
The Court of Appeal is usually made up of three judges. However, certain appeals may be heard by only two judges, including those against interlocutory orders. If necessary, the Court of Appeal may comprise five or more uneven number of judges.



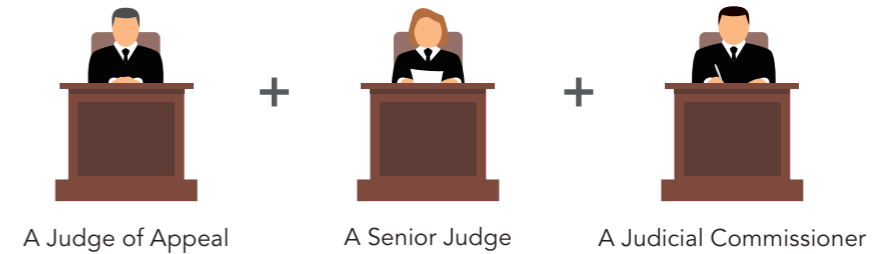
## HIGH COURT

The High Court consists of the Chief Justice and the Judges of the High Court. A Judge of Appeal may sit in the High Court on such occasion as the Chief Justice requires. A Senior Judge or Judicial Commissioner may also sit in the High Court on such occasion as the Chief Justice requires. An International Judge may sit in the SICC on such occasion as the Chief Justice requires.

Proceedings in the High Court are heard before a single judge, unless otherwise provided by any written law. The High Court may also appoint one or more persons with expertise in the subject matter of the proceedings to assist the court.



May sit in the High Court



May sit in the SICC



# CONSTITUTION AND JURISDICTION

## HIGH COURT

The High Court hears both criminal and civil cases as a court of first instance. The High Court 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 Magistrates' Court. In addition, the High Court has general supervisory and revisionary jurisdiction over all courts in any civil or criminal matter.



With a few limited exceptions, the High Court has 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 the Rules of Court, or where the defendant submits to the jurisdiction of the High Court. Generally, except in probate matters, a civil case must be commenced in the High Court if the value of the claim exceeds S\$250,000. In addition, ancillary matters in family proceedings involving assets of S\$5,000,000 or more are also heard in the High Court. In criminal cases, the High Court generally tries cases where the offences are punishable with death or imprisonment for a term which exceeds 10 years.

Cases commenced in the High Court:



The following matters are also exclusively heard by the High Court:



## SINGAPORE INTERNATIONAL COMMERCIAL COURT (SICC)

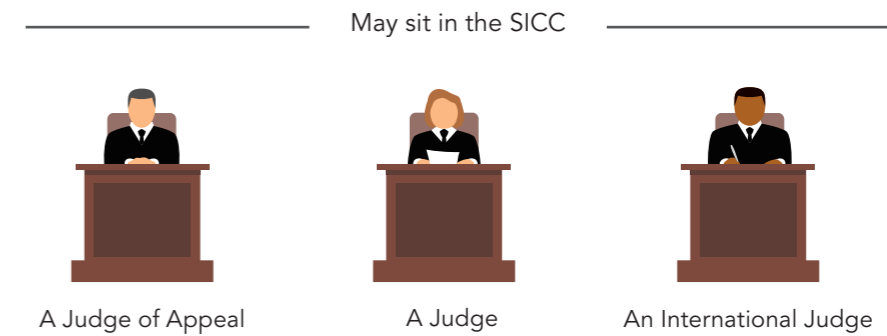
The SICC is a division of the High Court designed to deal with transnational commercial disputes. It was set up as an alternative to international arbitration that provides an internationally-accepted framework for the resolution of international commercial disputes based on substantive principles of international commercial law and international best practices.

The SICC has the jurisdiction to hear and try an action if:

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

The SICC also has jurisdiction to hear any proceedings relating to international commercial arbitration that are commenced by way of any originating process, and that the Singapore High Court may hear under the International Arbitration Act (Cap. 143A).

The SICC may also hear cases which are transferred from the High Court. SICC proceedings may be heard by either one or three judges. Appeals from the SICC will be heard by the Court of Appeal.







## EVENT HIGHLIGHTS

## EVENT HIGHLIGHTS

### OPENING OF THE LEGAL YEAR



#### Opening of the Legal Year Ceremony

8 January 2018  
Supreme Court

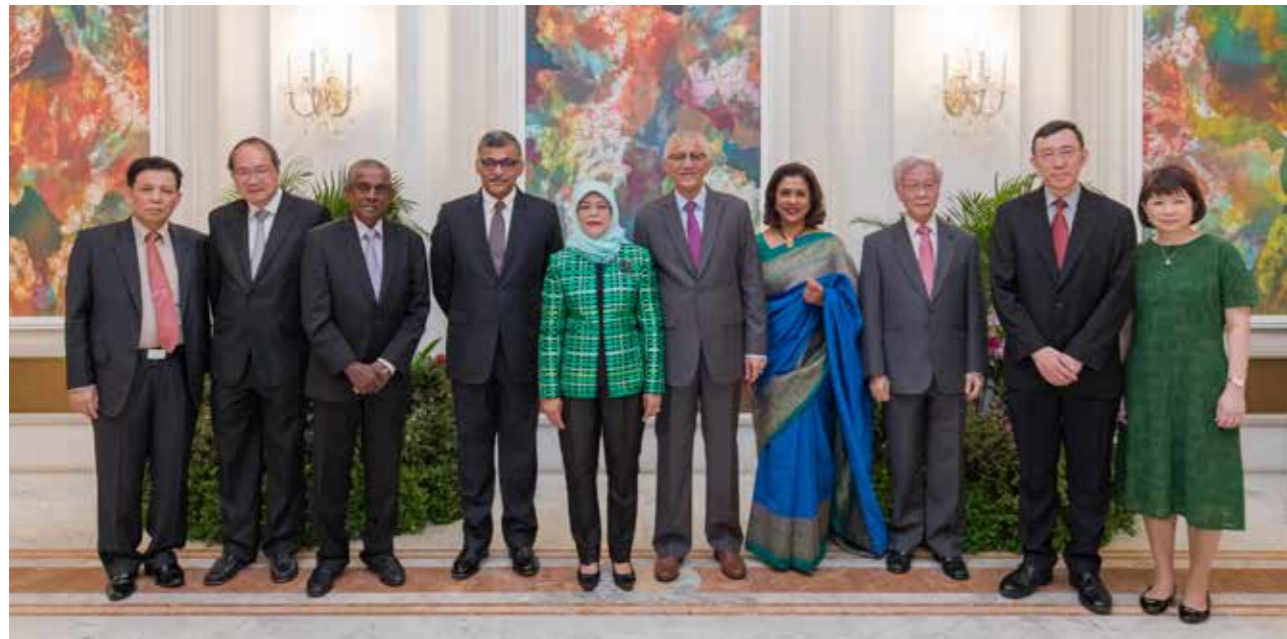
The Opening of Legal Year 2018 was marked by the traditional ceremony which brought together the legal community, including distinguished local and foreign guests. The Honourable the Chief Justice Sundaresh Menon delivered his response, outlining the key initiatives of the Judiciary, in areas such as enhancing access to justice and strengthening international partnerships. Chief Justice also highlighted the challenges posed by the disruptive forces of globalisation and technology, and exhorted the legal fraternity to integrate technology within their work and to raise professional standards.





# EVENT HIGHLIGHTS

## OPENING OF THE LEGAL YEAR



### Opening of the Legal Year Judiciary Dinner

8 January 2018  
The Istana

The Judiciary Dinner was held at the Istana, following the morning's Opening of Legal Year ceremonial proceedings. For the first time, Her Excellency President Halimah Yacob and Mr Mohamed Abdullah Alhabshee graced the Dinner as the Guests-of-Honour. The dinner, hosted by the Honourable the Chief Justice Sundaresh Menon and Mrs Menon, was well-attended by local and international guests from the Judiciary and legal fraternity.



## STRENGTHENING INTERNATIONAL PARTNERSHIPS

### Singapore International Commercial Court Conference

9 to 10 January 2018  
Supreme Court

The annual Singapore International Commercial Court (SICC) Conference, the fourth edition since its inception, convened the Judiciary and International Judges to review the work of the SICC and set further strategic goals for its development.





## EVENT HIGHLIGHTS

### STRENGTHENING INTERNATIONAL PARTNERSHIPS



#### 6th Council of ASEAN Chief Justices Meeting

25 to 28 July 2018  
Supreme Court

The Supreme Court hosted the 6th Council of ASEAN Chief Justices (CACJ) Meeting, to discuss the work of the six working groups of the CACJ. The meeting concluded with the ASEAN Chief Justices and their representatives adopting the Singapore declaration which sets out the agreed mandates on the future work of the CACJ. The ASEAN Judiciaries Portal (AJP), the first of its kind to provide accessibility to information on ASEAN judicial and legal systems, was officially launched at the meeting in the presence of about 150 guests including political office holders and members from the ASEAN judiciaries. The Honourable the Chief Justice Sundaresh Menon hosted a welcome dinner at the Istana, graced by Her Excellency President Halimah Yacob and Mr Mohamed Abdullah Alhabshee, for participants of the meeting. The 13th ASEAN General Law Assembly and ASEAN Law Conference were held at the sidelines of the CACJ meeting.



#### Singapore-China Legal and Judicial Roundtable

31 August 2018  
The Ritz-Carlton, Millenia Singapore

The second edition of the Singapore-China Legal and Judicial Roundtable was hosted by the Supreme Court of Singapore. Attended by the President of the Supreme People's Court of the People's Republic of China, His Excellency Zhou Qiang, and his eight-member delegation, the Roundtable served to strengthen bilateral ties and legal and judicial cooperation between Singapore and China. A Memorandum of Guidance (MOG) on the recognition and enforcement of money judgments in commercial cases was signed between the two courts. The MOG will enhance business confidence by providing greater legal support for companies in both Singapore and China under the Belt and Road Initiative.





# EVENT HIGHLIGHTS

## STRENGTHENING INTERNATIONAL PARTNERSHIPS

### Judicial Insolvency Network Conference

22 to 23 September 2018  
New York City

The Judicial Insolvency Network (JIN) held its second conference, which was jointly hosted by the United States Bankruptcy Court for the Southern District of New York and the US Bankruptcy Court for the District of Delaware. It was highly productive as the judges discussed how common principles and guidelines on cross-border insolvency matters prepared and agreed upon by judges from various key commercial jurisdictions can be valuable to the international market. In this spirit and building on the progress made thus far, the JIN also resolved to embark on four new projects. The conference concluded with a joint judicial colloquium with the International Insolvency Institute where there was robust discussion on the experiences of the US Bankruptcy Court for the Southern District of New York and the Supreme Court of Singapore on the joint management of the insolvency of the Singapore-incorporated Ezra Holdings Ltd – the first cross-border insolvency matter between two JIN courts where a protocol modelled on the JIN Guidelines was invoked.



### Supreme Court of Singapore Signs MOUs of Judicial Cooperation

16 May and 24 September 2018  
Singapore and New York City

In 2018, the Supreme Court of Singapore signed Memoranda of Understanding (MOUs) relating to insolvency matters with three courts – the United States (US) Bankruptcy Court for the Southern District of New York, the US Bankruptcy Court for the District of Delaware, and the Seoul Bankruptcy Court. The MOU with the Seoul Bankruptcy Court was signed in Singapore on 16 May, while the MOUs with the two US courts were signed in New York City on 24 September. These MOUs aim to improve the efficiency and effectiveness of transnational insolvency proceedings by encouraging cooperation between the Supreme Court of Singapore and these courts, and demonstrate the Supreme Court's commitment to efficient and effective judicial cooperation in cross-border insolvency matters.



Left to right: Chief Judge Kyung Chun Lee of the Seoul Bankruptcy Court, Chief Justice Sundaresh Menon and Justice Steven Chong of the Supreme Court of Singapore



Left to right: Judge Kevin J. Carey and Chief Judge Christopher S. Sontchi of the US Bankruptcy Court for the District of Delaware, Chief Justice Sundaresh Menon and Justice Steven Chong



Left to right: Justice Steven Chong and Chief Judge Cecelia G. Morris of the US Bankruptcy Court for the Southern District of New York

## PRESIDENT VISITS THE SUPREME COURT

### Visit by President and Council of Presidential Advisers

4 July 2018  
Supreme Court

The Supreme Court received Her Excellency President Halimah Yacob and Members of the Council of Presidential Advisers (CPA), who were given a tour of the Supreme Court and a briefing on the Judiciary's work and key initiatives.





## EVENT HIGHLIGHTS

### MASS CALL



### Admission of Advocates and Solicitors

30 to 31 August 2018  
Supreme Court

The annual event was held over three sessions at the Supreme Court Auditorium. 456 newly-appointed advocates and solicitors were admitted to the Singapore Bar. The Honourable the Chief Justice Sundaresh Menon, in announcing the key recommendations by the Committee on the Professional Training of Lawyers, urged the newly-appointed advocates and solicitors to adapt and embrace change and imbue the right professional values.



### STAKEHOLDER ENGAGEMENT

#### Luncheons with the Law Schools

14 March & 3 October 2018  
SMU and Supreme Court

The Judiciary and the Academia meet regularly to network and keep abreast of developments in the legal landscape. On 14 March, the Singapore Management University (SMU) School of Law hosted a luncheon for the Supreme Court Bench and on 3 October, the Supreme Court Bench similarly met members of the National University of Singapore (NUS) Faculty of Law over lunch.



#### Luncheon and Dialogue with the Criminal Bar

12 July 2018  
Supreme Court

The Honourable the Chief Justice Sundaresh Menon hosted the annual luncheon and dialogue session with the Criminal Bar and the Criminal Practice Committee of the Law Society of Singapore. The luncheon, which was also attended by Attorney-General Lucien Wong, provided a useful platform for the Supreme Court to engage key stakeholders on important issues and initiatives concerning criminal law.



#### Tripartite Luncheon

16 July 2018  
Orchid Ballroom, The Central, Clarke Quay

Over 100 guests from the Judiciary, the Attorney-General's Chambers and the Law Society attended the Tripartite Luncheon to network and discuss pertinent legal issues.





## EVENT HIGHLIGHTS

### STAKEHOLDER ENGAGEMENT

#### Senior Counsel Forum Dinner

19 September 2018  
La Brasserie, The Fullerton Bay Hotel Singapore

The Supreme Court hosted the annual Senior Counsel Forum Dinner for the Judiciary and Senior Counsel to exchange insights on prevailing legal issues.



#### Judiciary Volunteers Appreciation Dinner 2018

3 October 2018  
Grand Copthorne Waterfront Hotel

The third Judiciary Volunteers Appreciation Dinner recognised the contributions of volunteers who play a significant role in enhancing access to justice. Jointly organised by the Supreme Court, State Courts and Family Justice Courts, the annual event, hosted by The Honourable the Chief Justice Sundaresh Menon saw the attendance of over 300 court volunteers and judiciary staff. Six Outstanding Court Volunteer awards were given out to volunteers for their dedication towards pro bono work. Mr Allagarsamy s/o Palaniyappan received the Legal Assistance Scheme for Capital Offences (LASCO) Award from the Supreme Court.



### SERVING THE COMMUNITY



#### Judiciary Cares

5 December 2018  
Gardens by the Bay

Judiciary Cares is an annual event jointly organised by the Supreme Court, the State Courts and the Family Justice Courts, to reach out to the needy and less privileged members of society. More than 120 Judges and staff of the Judiciary accompanied some 60 beneficiaries from the Alzheimer's Disease Association (ADA) to the Flower Dome at Gardens by the Bay for a fun-filled day. The three Courts raised close to \$31,000 for the ADA. Guest-of-Honour for the event, Justice Aedit Abdullah, presented the cheque to the CEO of ADA, Mr Jason Foo.





# EVENT HIGHLIGHTS

## VISITS BY FOREIGN DIGNITARIES TO THE SUPREME COURT

The Supreme Court's engagement efforts on the regional and international front continue to grow in breadth and depth as we extend our networks to other judiciaries around the world. These ongoing efforts, not only allow us to forge strong and strategic partnerships, they have also enabled us to share the work of the Judiciary, particularly in court technology and innovations as well as the Singapore International Commercial Court.



**His Excellency Mr Justice Yousef Al Abri**  
Undersecretary of the Abu Dhabi Judicial Department  
16 January 2018



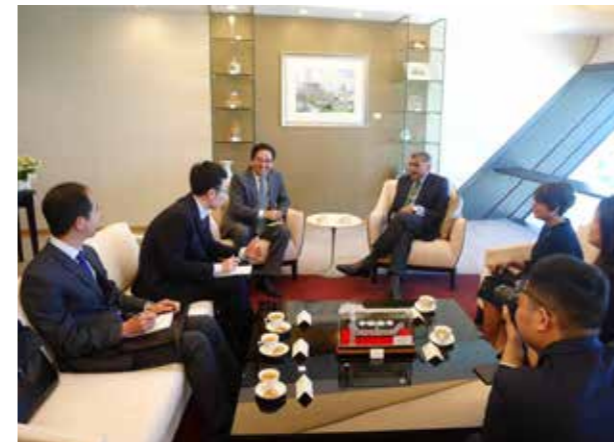
**His Excellency Zhakip Assanov**  
Chief Justice of the Supreme Court of the Republic of Kazakhstan  
27 February 2018



**The Honourable Mr Justice David Kenani Maraga**  
Chief Justice of the Supreme Court of Kenya  
5 March 2018



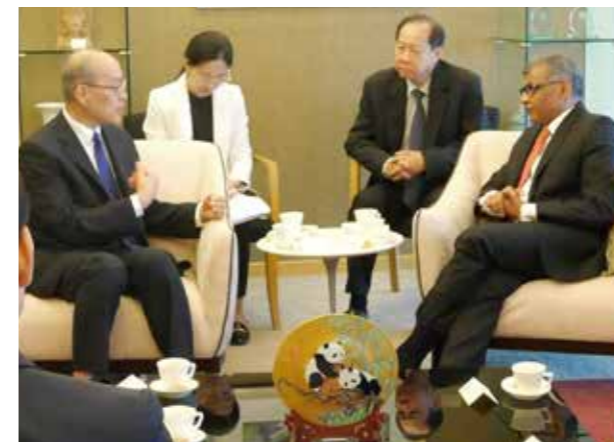
**Her Excellency Simona Halperin**  
Ambassador of the State of Israel to the Republic of Singapore  
25 April 2018



**His Excellency Hong Xiaoyong**  
Ambassador of the People's Republic of China to the Republic of Singapore  
9 May 2018



**Madam Justice Yonette Cummings-Edwards**  
Chancellor of the Judiciary of Guyana  
6 to 7 August 2018



**His Excellency Zhang Jun**  
Procurator-General of the Supreme People's Procuratorate of the People's Republic of China  
17 August 2018



**The Right Honourable The Lord Burnett of Maldon**  
Lord Chief Justice of England and Wales  
5 September 2018





## PERFORMANCE & STATISTICS

## PERFORMANCE & 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. All targets were achieved in 2018. The Court of Appeal targets are pending review and not included in this report.

TYPE OF PROCEEDINGS	TARGET
<b>Original Civil Jurisdiction</b>	
<b>Trials in Suits</b>	8 weeks from the date of setting down
<b>Originating Summonses (OSes)</b> (i) Inter partes (ii) Ex parte	6 weeks from the date of filing of the OS 3 weeks from the date of filing of the OS
<b>Bankruptcy OS</b>	6 weeks from the date of filing of the OS
<b>Company Winding-Up OS</b>	4 weeks from the date of filing of the OS
<b>Summonses (SUM)</b> (i) Applications for summary judgment pursuant to Order 14 of the Rules of Court (ii) All other summonses	5 weeks from the date of filing of the SUM (statutory minimum period) 3 weeks from the date of filing of the SUM
<b>Bankruptcy SUM</b> (Applications for discharge)	4 weeks from the date of filing of the SUM
<b>Original Criminal Jurisdiction</b>	
<b>Trials of Criminal Cases</b>	6 weeks from the date of the final Criminal Case Disclosure Conference or Pre-trial Conference before trial (whichever is later)
<b>Appellate Civil Jurisdiction</b>	
<b>Registrar's Appeals to the High Court Judge in Chambers</b>	3 weeks from the date of filing for other appeals 4 weeks from the date of filing for appeals involving assessment of damages
<b>Appeals to the High Court from the State Courts</b>	4 weeks from the date of receipt of the ROP from the State Courts
<b>Appellate Criminal Jurisdiction</b>	
<b>Appeals to the High Court from the State Courts</b>	12 weeks from the date of receipt of the ROP from the State Courts

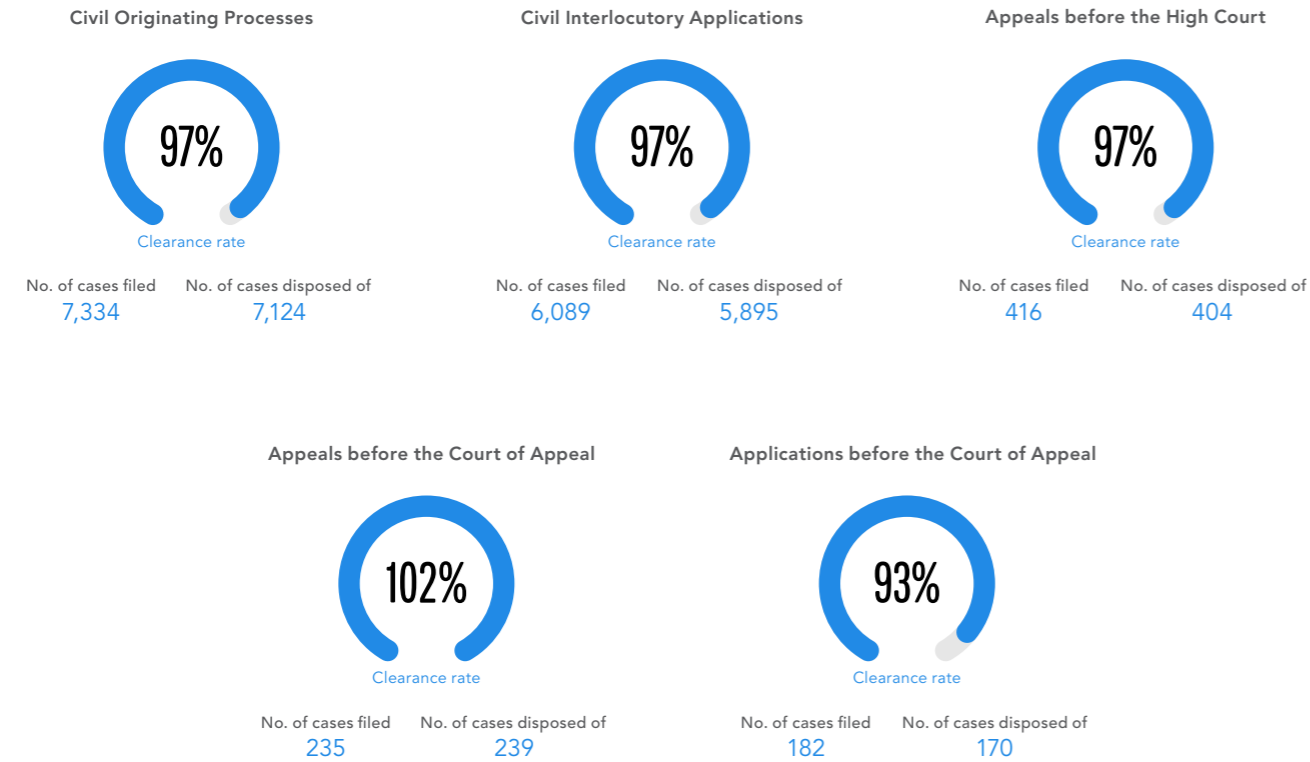


# PERFORMANCE & STATISTICS

## WORKLOAD STATISTICS

The Supreme Court received a total of 14,780 new civil and criminal matters in 2018. A total of 14,359 matters were disposed of in the same corresponding period. The clearance rate for all civil and criminal matters for 2018 was 97%. The following table shows the breakdown of the filing and disposal and clearance rates of the civil and criminal proceedings for 2018.

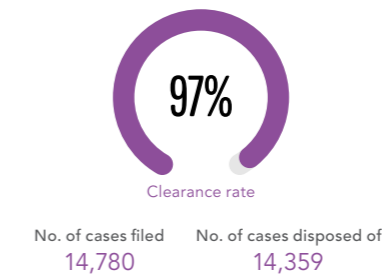
### Civil Jurisdiction



### Criminal Jurisdiction



### Grand total



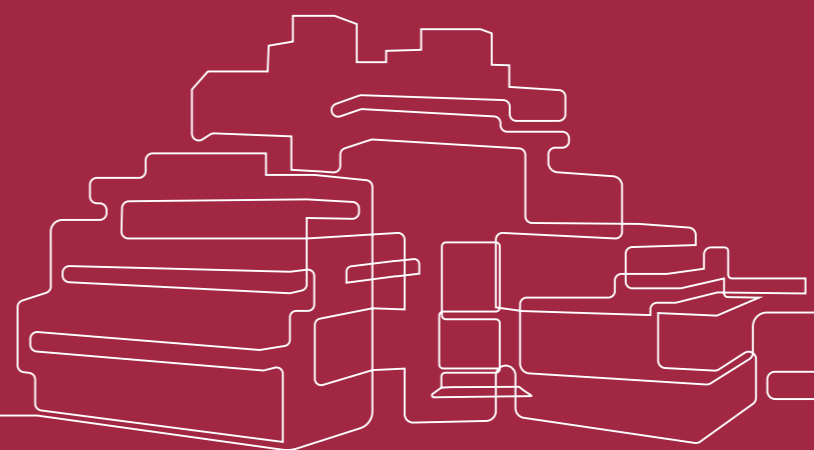
\*Based on the information compiled as at 21 January 2019.



Navigation Page



**SHAPING**  
TOMORROW'S JUSTICE





**Shared Vision**

Inspiring public trust and confidence through an effective and accessible justice system

**Mission**

Serving society with quality judgments, timely dispute resolution and excellent court services

**Core Values**

Fairness    Accessibility    Independence, Integrity, Impartiality    Responsiveness

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## MESSAGE FROM THE PRESIDING JUDGE OF THE STATE COURTS

In 2018, the State Courts maintained our course navigating an increasingly complex operating environment, and during a time of accelerating change. It was timely for the State Courts to take proactive measures to anticipate future needs and implement changes to better serve court users effectively.

### Evaluation and Capacity Building

We conducted our biennial Court Users Survey and were heartened to find that we had maintained excellent satisfaction levels in key aspects of our work, ranging from judicial independence to our efficiency and transparency. The survey found a high level of satisfaction with services rendered by the State Courts. The State Courts also obtained excellent results in the 2018 Employee Engagement Survey, which indicated that existing strategies were effective in fostering a motivated and engaged workforce which is receptive to change.

This year, we continued to prioritise capacity building. While many judicial officers and court

administrators had already developed expertise in the areas of work they are accustomed to, it was necessary to cultivate preparedness for change. Thus, a number of judicial officers undertook work in another division to enhance their breadth of legal knowledge, bench skills as well as administration and management skills. Special attention was also paid to court administrators' training in areas of work other than those which they are accustomed to, so as to develop cross-functional dexterity and further their knowledge of the entire justice process.

### Shaping Tomorrow's Justice Reaping the Benefits of Investments on Technology

In February 2018, we reaped the costs and time savings brought about by the implementation of the second phase of the Community Justice and Tribunals System (CJTS) which facilitates electronic filings of neighbour dispute claims. In January 2019, we rolled out the third phase, which allows for online filing of employment claims. To facilitate amicable resolution of disputes, parties

may conduct online mediation and negotiation for their claims at their convenience and time using the CJTS. We have also included a pre-filing assessment tool for neighbour dispute claims to allow litigants to find out if their claims fall within the jurisdiction of the Community Disputes Resolution Tribunals (CDRT).

In March 2018, we published *A Guide to Neighbour Dispute Claims* to provide guidance to litigants-in-person on navigating the processes of the CDRT, particularly given the introduction of online filing of neighbour disputes. Basic information is provided on topics such as the commencement of claims, enforcement of orders, as well as the appeal process. The Guide also includes case summaries and sample orders of the CDRT.

### Streamlining Processes

To create greater convenience to court users as well as optimise resources and streamline processes, we soft launched the Centre for Specialist Services in July 2018. This one-stop facility has been established to provide counselling and psychological services to all court users. The Centre has also begun managing the services that were previously provided by the Community Court Secretariat, and provides a broad range of services including counselling, psychological and clinical services, case management and referrals to community agencies.

### Accessible Justice – Economical Resolution of Disputes

We implemented two pre-prosecution protocols in March 2018 that require town councils to first engage and negotiate with potential defendants before initiating criminal prosecution for certain offences under the Town Councils Act. This was to ensure that resources channelled towards criminal

prosecution were optimised, and not expended for matters which can be settled through negotiation and agreement. We fine-tuned the protocols in September 2018 in consultation with stakeholders.

In October 2018, we introduced conciliation as an additional alternative dispute resolution tool. Prior to the introduction of conciliation, the two main modes of dispute resolution were mediation and neutral evaluation. Unlike mediation where the mediator's role is primarily to assist the parties in identifying their key interests and thereby guide them in formulating solutions of their own, during conciliation, the Judge plays a more active role in suggesting possible solutions to help them arrive at a mutually acceptable settlement.

We also made amendments to our Practice Directions in December 2018 to facilitate the more cost-effective disposal of civil matters.

- (i) Following a successful pilot phase, we provided for the resolution of civil trials or assessments of damages on a "documents-only" basis. If parties agree, certain civil trials and assessments of damages may be conducted and determined solely on the basis of documentary evidence, Affidavits of Evidence-in-Chief and written submissions.
- (ii) We implemented a defamation pre-action protocol to focus parties' pleadings, narrow issues for trial and to facilitate early exchange of information and negotiations for settlement.

# ORGANISATION CHART

## MESSAGE FROM THE PRESIDING JUDGE OF THE STATE COURTS

**Synergies with Stakeholder Collaboration**  
 In March 2018, in collaboration with the Community Justice Centre, we launched the FRIends ENgaging and Supporting (FRENS) scheme. Under FRENS, volunteer befrienders are linked up with offenders to provide post-incarceration emotional support and practical assistance. FRENS is targeted at offenders who have been released after serving imprisonment terms of less than 12 months. The support rendered under FRENS is intended to help ex-offenders stay crime-free, and to engage in employment and rebuild family and social ties.

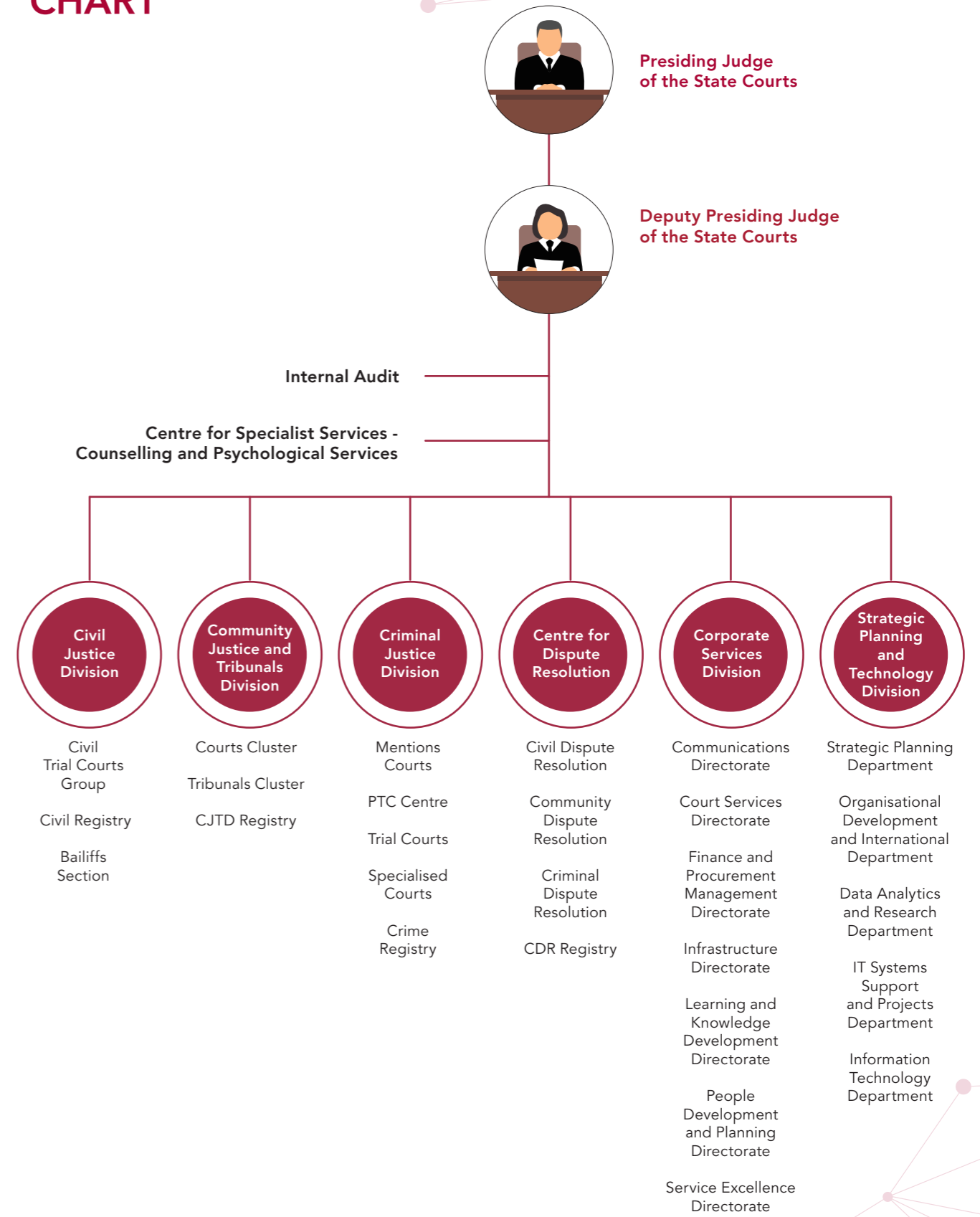
**Conclusion**  
 The State Courts remain committed to our core values, even as we navigate change. We will strive continuously to inspire public trust and confidence in the justice system, with the visionary leadership and guidance of The Honourable the Chief Justice.



**See Kee Oon**  
 Presiding Judge  
 State Courts, Singapore

**Projecting Ahead and Future-readiness**  
 Work is also ongoing to prepare for the completion of the new State Courts Towers and its official opening in 2020. We aimed for an inclusive and consultative process and therefore, in 2017, we started the State Courts Conversation 2020 with external and internal stakeholders, and completed the consultations in 2018. Through this consultation process, we were better able to understand what various parties thought the State Courts of the future should stand for, and how we may better serve court users' needs. We were thus extremely encouraged that the State Courts Conversation 2020 was accorded "Special Recognition" under the "Best Change Management Strategies" category at the HRM Awards 2018.

To facilitate planning for process improvements, we have also set up a Process Transformation Committee, which has been working tirelessly to ensure a seamless transition when we move to the new State Courts Towers, with the needs of court users from 2020 and beyond in mind.







## SHAPING TOMORROW'S JUSTICE

# SHAPING TOMORROW'S JUSTICE

## WORKPLAN 2018 INITIATIVES



### Staying Responsive in an Evolving Landscape

#### Pre-prosecution protocols for town council prosecutions

Two pre-prosecution protocols for non-payment of service and conservancy charges and breaches of town council by-laws, providing a framework for town councils to negotiate and engage with a defendant, before initiating criminal proceedings as a last resort

#### FRiends ENGaging and Supporting (FRENS) scheme

A befriender programme that links offenders sentenced to imprisonment terms of less than 12 months with volunteers who will accompany the offenders in their rehabilitation journey

#### Consolidated management of volunteer mediators

Centralised management of State Courts' volunteer mediators to enhance parity in terms of the volunteers' contributions, fulfilment requirements, awards and recognition

#### Capacity-building for Judicial Officers and Court Administrators

A structured framework to enhance Judges' bench skills and to develop their adaptiveness, and initiatives to develop the skill sets and enhance the professional development of Court Administrators



### Refining Court Processes

#### "Documents-only" civil trials and assessments of damages

An efficient, cost-effective and time-saving option for litigants to conduct their civil trials and assessment of damages hearings with documents only

#### Practitioner's Guide to Assessment of Damages in Defamation Actions

The first local publication which tracks all the defamation awards made in the Supreme Court and State Courts from 2006 for lawyers, litigants and the Courts to use as reference

#### Pre-action protocol for defamation actions

A pre-action framework to guide parties on the conduct of their defamation suits

#### Additional dispute resolution tool – Conciliation

Another alternative dispute resolution tool to help parties reach an optimal solution for their disputes through facilitation by a Judge-conciliator

#### Facilitating early resolution of criminal cases through Alternative Dispute Resolution

Extending judge-led mediation and neutral evaluation to minor regulatory offences that involve straightforward and less complex issues of law to facilitate an early resolution of such cases

### Streamlining Magistrate's Complaint process

A one-stop centre for Magistrate's Complaints for the complainant to have a holistic view of the options and support available for dealing with his complaint, and an interactive online self-assessment tool to guide potential complainants in assessing if the Magistrate's Complaint process is the appropriate forum to address their grievances



### Enhancing User Experience

#### i-connect@State Courts

A business centre with meeting and self-service facilities for court users which also serves as a test-bed for a similar set-up in the new State Courts Towers; also houses the family-connect@State Courts set up to assist families of offenders facing imprisonment terms

#### Intelligent Court Transcription System

An instant transcription system that recognises human voice and transcribes speech and oral evidence into text in real time, allowing parties and the Courts to conduct their cases in a more effective and expeditious manner



# SHAPING TOMORROW'S JUSTICE

## NEW COURT PROCEDURES

### Pre-prosecution Protocols for Town Council Prosecutions



The Pre-prosecution Protocols for Town Council Prosecutions came into effect on 28 March 2018. Under the Protocols, town councils are to initiate criminal prosecutions only as a last resort when enforcing breaches under the Town Councils Act (TCA).

In 2014, there were 3,609 town council charges filed in the State Courts. In 2015, the figure dropped to 2,939 before registering a marked increase to 5,134 in 2016 and 6,839 in 2017. The bulk of the charges related to the failure to pay conservancy charges while the remaining charges related to unlawful parking and obstruction of common property. These TCA offences are generally not serious regulatory offences given that they involve low moral culpability and low measure of harm to society, and are punishable with fines only. However, they accounted for over 95 per cent of all the town council cases filed in the State Courts in 2017. Approximately 86 per cent of these cases were resolved by composition or settlement and the charges were then withdrawn, by which time a considerable amount of time and public resources would have been expended.

Recognising that the prosecution of town council offences in the Courts is neither cost-effective nor an efficient use of the Courts' resources, the Protocols seek to divert cases away from the criminal process by giving parties a reasonable opportunity to engage each other on a mutually agreeable instalment plan before criminal proceedings are initiated. Some of the key aspects of the Protocols are:

#### Conservancy Arrears Cases

- Town councils must issue at least two notices to the defendant before a written demand under s 39(6) of the TCA can be issued. The notices should set out the details of the arrears, give the defendant reasonable opportunity to enter into an instalment plan with the relevant town council and highlight the consequences of non-compliance.
- Town councils should avoid resorting to criminal prosecution unless the arrears is more than \$500 or is equivalent to at least three months' arrears.
- Town councils are to highlight to the Crime Registry any Magistrate's Complaint where the claim amount is \$100 or less and equivalent to three months' arrears or less.

#### Other Cases

- Town councils must issue at least two notices to the defendant before resorting to criminal prosecution. The notices should set out the details of the arrears, give the defendant reasonable opportunity to enter into an instalment plan with the relevant town council and highlight the consequences of non-compliance.

The number of town council prosecutions has, thus far, seen a steady decline since the Protocols came into effect. This is envisaged to be the trend in the near future.

### Documents-only Trials and Assessments of Damages (DOTA)



To provide an efficient, cost-effective and time-saving option for litigants, the State Courts piloted "documents-only" dispute resolution proceedings as an option for parties who consent to its use for the adjudication of their cases. This was based on the process used in arbitration where the proceedings can be conducted and determined solely on the basis of evidence tendered by way of documents, witness statements and/or written submissions. DOTA commenced as a pilot programme on 11 December 2017.

The pilot received positive feedback from the majority of the participants. On 12 December 2018, DOTA was implemented through Amendment No. 4 of 2018 to the Practice Directions. Parties involved in the following types of Magistrates' Court and District Court cases can consider DOTA:

- cases where the issues in dispute centre on the interpretation of documents;
- cases where the cross-examination of witnesses is not necessary either because there are no disputes of fact, and/or the parties agree to admit Affidavits of Evidence-in-Chief without the attendance of the witnesses (e.g. due to the simplicity of the issues in dispute, the small value of the claim, or any other valid reason);

- cases where the Court may determine the dispute based on the existing contemporaneous documents without the testimony of witnesses;
- cases where the cross-examination of witnesses is not an option for the dispute in question (i.e. where the relevant witnesses are not willing and/or available to give evidence, e.g. where an ex-employee is no longer with the relevant company, a third-party witness refuses to provide evidence or attend court, or a witness can no longer be located or is ill or has died); and/or
- cases where the issues between parties can be determined entirely by legal submissions/arguments.



# SHAPING TOMORROW'S JUSTICE

## NEW COURT PROCEDURES

### Pre-action Protocol for Defamation Actions



The State Courts have implemented the Pre-action Protocol for Defamation Actions to promote pre-action communication between parties and set the standards for the contents of such pre-action communication by:

- requiring the exchange of a Letter of Claim and Response from the claimant and the potential defendant respectively;
- setting out the information and documents which should be included in the Letter of Claim and Response; and
- establishing a timetable for the exchange of information and documents.

The Protocol aims to:

- facilitate an early exchange of information;
- encourage constructive negotiations leading to settlement;
- ensure that parties are guided on the technicalities of defamation action from the start; and
- lead to proper pleadings and narrowed issues for trial.

In order to encourage parties to engage in constructive negotiations to improve the chances of a pre-action settlement, parties are also required to indicate their preferred mode of alternative dispute resolution. The Protocol took effect on 24 September 2018.

### Enhancement of Protocols for Medical Negligence Claims



In 2006, the State Courts implemented a Practice Direction on Medical Negligence Claims and a related pre-writ exchange of information and communication with a view to resolving medical negligence disputes without litigation. These were reviewed and on 1 October 2018, the enhanced Protocol for Medical Negligence Claims was implemented. It puts in place a more robust pre-writ and post-writ case management framework to address issues of frivolous claims and unnecessary delays due to parties' need to obtain expert medical opinions. Towards this end, the amended Practice Direction and amended Protocol provide for:

- Pre-action disclosure of medical reports and claimant's medical records
- Pre-action without prejudice meeting to afford the claimant and healthcare provider an opportunity for communication, clarification and explanation on the medical treatment provided and the outcome
- Filing of claimant's supporting expert's report with the Statement of Claim

Under the enhanced Practice Direction, case management processes are tightened with the first Court Dispute Resolution session scheduled within two weeks of the filing of the Memorandum of Appearance. This allows counsel to raise any issues relating to the filing of the Defence and the defendant's supporting expert's report. A Neutral Evaluation of the strengths and weaknesses of the respective parties' cases is generally conducted, including the provision of court indications on liability and quantum, to assist parties in achieving early resolution and closure.

### Conciliation as an Additional Mode of Court Dispute Resolution



In October 2018, the State Courts introduced Conciliation to their repertoire of alternative dispute resolution tools as part of their case management strategies and to help parties resolve their disputes without going to trial.

Conciliation is a process by which a Judge-conciliator works closely with parties to help them reach an out-of-court resolution to their dispute. The Judge-conciliator will guide, assist and encourage the parties to reach an optimal outcome by actively suggesting measures or proposals that may resolve the issues in dispute. Ultimately, the decision on whether to agree to a settlement of the dispute rests with the parties.

Conciliation will be particularly helpful where one or both parties are unable to put forth constructive proposals to resolve the dispute or where they had already attempted mediation with no positive outcome. For certain types of cases or where one or more parties are not legally represented, Conciliation shall be the

default court dispute resolution process used. The Judge, as a figure of authority having legal expertise and an understanding of the parties' needs and interests, together with the assistance of the lawyers (where the parties are represented), will take the lead and be pro-active in working out the appropriate terms of settlement which the parties may consider to resolve their dispute.

Parties or counsel may opt for Conciliation where it is considered appropriate for their case. A Judge conducting a court dispute resolution session may also apply Conciliation at his discretion, depending on the needs of the parties in dispute, their relationship dynamics and the nature of the case.

# SHAPING TOMORROW'S JUSTICE

## SUPPORT FOR LITIGANTS AND COURT USERS

### Establishment of State Courts Centre for Specialist Services



Since 2006, the Community Court Secretariat had been supporting the Community Court in employing a rehabilitation-focused case management approach for certain categories of accused persons: youth, elderly or persons with mental health issues. With the introduction of the Protection from Harassment Act in 2014 and the Community Disputes Resolution Act in 2015, the Secretariat's mandate was widened to provide counselling support for litigants in harassment and neighbour disputes cases.

To provide more comprehensive counselling and psychological services for court users, the Community Court Secretariat was reorganised as the State Courts Centre for Specialist Services (SCCSS) in July 2018. The spectrum of services to court users was enhanced to include:

#### Clinical Services

- Preliminary psychological assessment for court users who are suspected of having mental illnesses
- Counselling the next-of-kin of the bereaved in Coroner's Court cases
- Conducting risk assessment and counselling for victims of crime or harassment

#### Referral & Case Management

- Conducting financial and social needs assessment and providing employment assistance
- Referring court users to the appropriate healthcare institution or community agency for specialised and longer-term follow-up
- Monitoring the progress made by court users in their follow-up

#### Outreach, Research & Development

- Collaborating with universities and polytechnics to host clinical internships in the fields of psychology, counselling and social welfare
- Partnering leading academics to research current trends, best practices and programmes in order to develop cutting edge and more effective strategies to assist court users

The SCCSS currently manages the On-Site Psychological Services (OSPS) programme in collaboration with the Institute of Mental Health (IMH) and the Ministry of Health (MOH). This signals a historic breakthrough within Singapore's justice system to facilitate the early identification and treatment of mental illness amongst court users. Under this MOH-funded programme, the SCCSS conducts a preliminary assessment of the mental health needs of court users who are believed to have a mental illness. Upon being

assessed by the SCCSS to have a mental illness, these court users attend a voluntary consultation with an IMH psychiatrist stationed at the State Courts, during which a preliminary diagnosis is made through mental health screenings and clinical risk assessments.



Nearly 80 per cent of the court users who had attended the consultations as at 31 December 2018 were newly diagnosed to have mental illness. These court users were encouraged to undergo follow-up treatment at the IMH, a Public Healthcare Institution (PHI) or a medical professional of their choice. They were concurrently referred to the Agency for Integrated Care which partners the relevant voluntary welfare organisations to provide them with counselling services and to address their day-to-day mental health needs within the community.

Following its success, the OSPS programme was extended to the Family Justice Courts in 2017. In October 2018, the State Courts successfully secured the necessary approvals for all court users who are referred to the IMH or PHIs through the programme to enjoy subsidised treatment, achieving yet another milestone for the State Courts and their partners in providing accessible and affordable community-based care for the early detection and treatment of mental health issues amongst Singapore's population.

Apart from the OSPS programme, the SCCSS is also working closely with partners including the Singapore After-Care Association and the Community Justice Centre on programmes such as the Court-directed Pre-sentencing Protocol and the FRIends ENGaging and Support scheme. It will continue to identify areas of need, innovate and develop new strategies and programmes to respond to the evolving needs of the justice system, court-users and the community.



# SHAPING TOMORROW'S JUSTICE

## SUPPORT FOR LITIGANTS AND COURT USERS

### FRiends ENgaging and Supporting (FRENS) Scheme

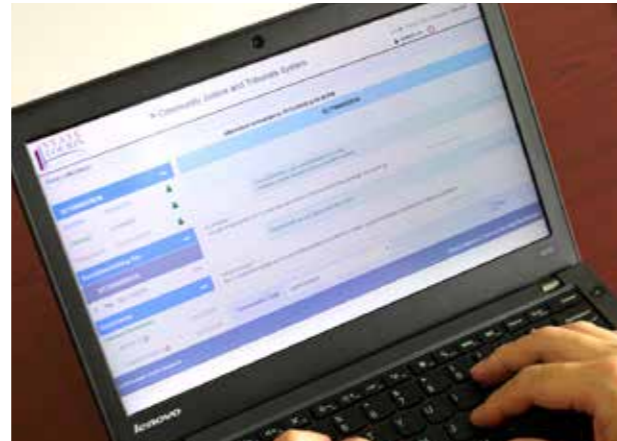


The FRENS scheme, a collaboration between the State Courts and Community Justice Centre (CJC), was launched in March 2018 as a pilot. The objective is to help rehabilitate and restore offenders to society, and to break the cycle of their reoffending.

The FRENS scheme links up offenders with volunteer befrienders, who accompany the offenders on their rehabilitative journey and provide emotional support and practical assistance along the way. The FRENS volunteers visit the offenders in prison and encourage them to seek treatment for any mental disorders, attend counselling in the community and to deal with any other underlying cause of reoffending, e.g. the lack of employment or mental illness. They follow up with the offenders upon the offenders' release from prison and provide the social and emotional support to encourage them to get help. Since the start of the pilot, 25 offenders had been referred to the FRENS scheme, with eight of the offenders successfully matched with befrienders.

To measure the success rate for this initiative, the State Courts will track the recidivism rate of the offenders who had participated in the FRENS scheme. Typically, recidivism rate is tracked two years after an offender is released from prison. In the interim, the qualitative feedback from the offenders and volunteers on how the FRENS scheme has benefitted the offenders will be collated.

### Launch of New CJTS Modules



The State Courts launched Phase 2 of the Community Justice and Tribunals System (CJTS) on 5 February 2018. Building on Phase 1 of the CJTS which was introduced in 2017 for Small Claims Tribunals (SCT) cases, Phase 2 of the CJTS extends online pre-filing assessments, online submission of documents, selection of court dates and online payments to neighbour dispute claims at the Community Disputes Resolution Tribunals (CDRT). Two new features, e-Mediation and Case Search, were also added to the CJTS.

The e-Mediation function enables disputing parties to resolve their dispute online with the help of a court mediator. The online mediation can take place at a date and time most suitable for them and their mediator. If they reach a settlement for their disputes, they may proceed to withdraw their claim or apply for an online consent order through the CJTS without going to Court.

The Case Search feature allows one to check if there is a pending claim or order against him for SCT and CDRT matters. The user can also check if there were cases filed by or against any supplier of goods, service provider or party to a residential tenancy. This would help him review the merits of his case and enable him to make informed choices when contracting with a particular party.

With these new features, the full suite of online services for filing a claim at the CDRT or SCT is available to court users, providing them with greater convenience and flexibility in the management of their cases, and saving them time from travelling to the State Courts for their matters.

The next phase of the CJTS will be implemented in 2019 for the online filing of claims at the Employment Claims Tribunals.

### Interactive Self-assessment Checklist for Magistrate's Complaints



In 2018, the State Courts developed an interactive pre-filing self-assessment checklist for Magistrate's Complaints to help a potential complainant assess whether his matter is suitable for filing as a Magistrate's Complaint before going to the State Courts.

The checklist, which is available on the State Courts' website, comprises a series of questions that the user will have to answer to assist him in determining if his matter could be lodged as a Magistrate's Complaint. If the matter is assessed to be suitable to be filed as a Magistrate's Complaint, the user will be directed to the relevant webpage that contains further information on how to file the Complaint, as well as other post-filing information. If the matter is assessed to be unsuitable for filing, the checklist will provide the user with the reasons, and links to alternative avenues of help.

### A Guide to Neighbour Dispute Claims



The State Courts published *A Guide to Neighbour Dispute Claims* in March 2018 to assist litigants who wish to bring or defend claims before the Community Disputes Resolution Tribunals (CDRT).

Drafted in plain language complemented with easy-to-understand infographics, diagrams, flowcharts, and questions and answers, the book guides users to navigate CDRT proceedings. It provides information on how to file a claim or a reply, and how to enforce a CDRT order in the event of a breach. It also sets out the principle underlying the Community Disputes Resolution Act and gives examples of unreasonable interferences.

To encourage mediation and settlement between neighbours, the book includes summaries of concluded CDRT cases and consent orders that had been entered into by disputing neighbours to settle common nuisance issues such as excessive noise, littering or trespass.

# SHAPING TOMORROW'S JUSTICE

## SUPPORT FOR LITIGANTS AND COURT USERS

### Witness Orientation Toolkit



The State Courts, in collaboration with Hagar Singapore Ltd, Community Justice Centre, and NUS Centre for Pro Bono & Clinical Legal Education, are developing the Witness Orientation Toolkit, which is intended to comprise materials targeted at assisting vulnerable witnesses and their supporters as they prepare to attend Court. Vulnerable witnesses include children, persons with mental disabilities and incapacities, as well as victims of sexual offences.

The first instalment of the toolkit comprises two picture books for children – *Who Will Be in Court?* and *Sara Goes to Court*. Presented in simple English, the books seek to provide a child with information

about the different people he will encounter in Court, his role as a witness, and the avenues available to make him feel safe in Court. These books were adapted from the books *Who Will Be in Court?* and *Bona Goes to Court*, which were developed by Hagar International and UNICEF, and modified to suit the Singapore context, with illustrations by Jolie Lim, a talented young artist and student at Pathlight School. The two books may be accessed from the State Courts and partner organisations' websites. Copies have also been extended to primary schools, the National Library and its branches, and family service centres.

## OUTREACH AND ENGAGEMENT

### Foreign Language Interpreters Training Workshop

The State Courts provide interpretation services for court users who are not conversant or proficient in English. While interpretation into the vernacular languages is provided by their language services staff, interpretation into foreign languages is provided by a pool of freelance foreign interpreters (FIs) managed by the State Courts.

On 1 June 2018, a training workshop was organised for all the FIs to provide them with guidelines on court processes and procedures, and to equip them with the skills and knowledge to interpret in Court efficiently, effectively and confidently.

The training also covered the State Courts' Code of Ethics and Professional Conduct for Court Interpreters to emphasise the State Courts' commitment in ensuring high standards and quality interpretation. At the end of the workshop, the FIs took their oath to affirm their commitment to providing quality interpretation and upholding the values of the profession.



### A Day in Court

The *A Day in Court* seminar for student leaders is part of the State Courts' outreach efforts to enhance the community's understanding of their work and role in the legal ecosystem. Held on 31 May 2018, the fifth run of the annual seminar saw the highest participation since it was first introduced in 2014. A total of 95 students from 48 schools that included co-curricular activity leaders, school prefects and student council members between 14 and 16 years old attended the one-day programme.

A highlight of *A Day in Court* is the role-play activities that introduce the students to aspects of the criminal justice system and alternative dispute resolution. Through a mock-court case involving a teenager who had been charged for unlawful assembly, the students took on the role of judge, prosecutor, defence counsel and accused person. This required them to stand in the shoes of these key roles in the criminal justice system and experience case proceedings from their perspectives. During the mediation role-play segment, the students took turns to mediate a neighbour dispute, learning the strategies for resolving disputes amicably.



In their feedback, all the students shared that the role-play sessions gave them a better understanding of court and mediation processes, and the roles of the parties involved. Some reflected how the conflict-resolution skills they had learnt from the seminar would benefit them as school councillors and leaders of tomorrow, while others felt inspired to consider law as a career.



# SHAPING TOMORROW'S JUSTICE

## OUTREACH AND ENGAGEMENT

### Public Service Week Learning Journeys to State Courts

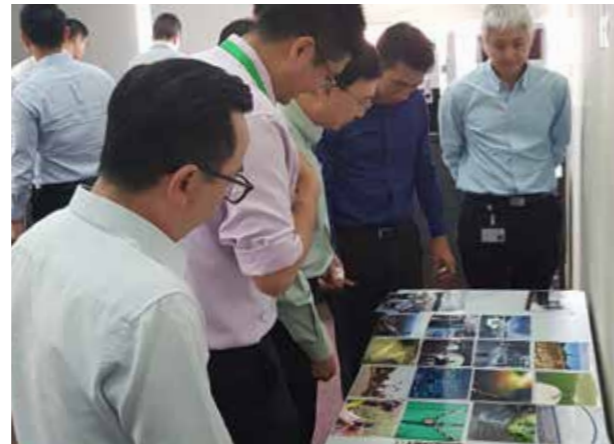


As part of the Public Service Week, the State Courts conducted two learning journeys titled *Court Innovation: Leveraging Technology in the Delivery of Justice*. A total of 52 public officers from various agencies visited the State Courts on 5 and 12 July to learn about the different types of technology used by the State Courts to further the delivery of justice.

The technologies showcased during the learning journeys included the Integrated Criminal Case Filing and Management System, video-conferencing facility for vulnerable witnesses, Intelligent Court Transcription System (iCTS), Video Remote Interpretation, Resource Management System, Automated Collection System (ACS) kiosk, and Community Justice and Tribunals System. The participants were given a hands-on experience such as the reading of a charge sheet which was transcribed immediately by the iCTS, an automated real-time transcription technology that is currently at a proof-of-concept stage and is expected to be completed in 2019. They also saw how the ACS kiosk is able to accept varied modes of payment – notes, coins, cheques, credit/debit cards and NETS.

The learning journeys were well-received – 93 per cent of the respondents of a post-visit survey indicated that they had learnt something new and useful.

### State Courts Conversation 2020



The State Courts' move into the new State Courts Towers in 2020 signifies a new chapter for the organisation and offers an opportunity to reinforce its commitment to inspire public trust and confidence through providing an effective and accessible justice system.

In 2017, the State Courts Conversation 2020 (SC2020) was launched to solicit views from staff on the current state of, and their future hopes for, the State Courts. In 2018, State Courts conducted the next phase of SC2020, and engaged their external stakeholders in focus group discussions. These discussions allowed the State Courts to hear their stakeholders' current perspectives of, and future aspirations for, the justice system. The perspectives gathered would help to shape the State Courts' future delivery of services, and allow for closer collaboration with their stakeholders. They would also help the State Courts refine their strategies to ensure that they continue to make justice accessible to all.

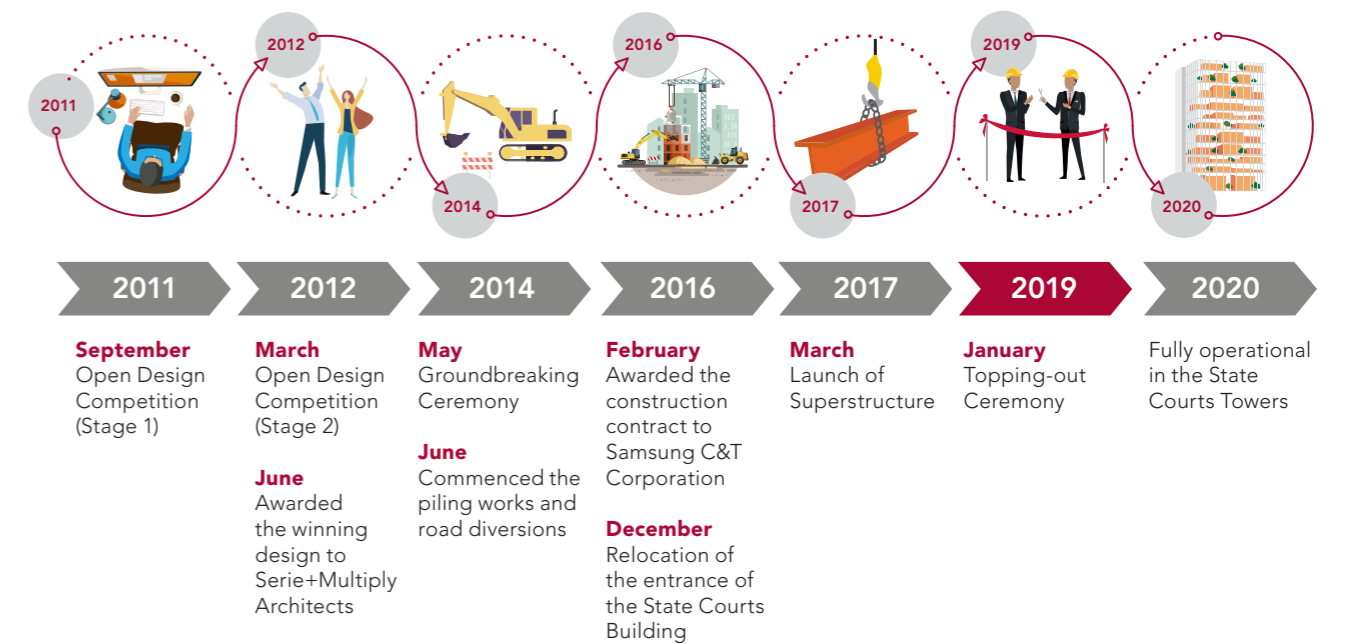
Between August and October 2018, 10 focus group discussions with stakeholders were organised. The groups consisted of participants from the Family Justice Courts, Supreme Court, Attorney-General's Chambers, Singapore Police Force, Singapore Prison Service, prosecuting agencies, lawyers, court volunteers, members of the media, academics, non-government organisations, and the various ministries with whom the State Courts have close working relationships.

## STATE COURTS TOWERS PROGRESS

The construction of the new State Courts Towers made steady progress in 2018 and is on course to be completed by end 2019 for the State Courts to commence operations in the new towers in 2020.

The State Courts Towers will comprise a Court Tower and an Office Tower linked by 39 bridges. A key design theme is sustainability and high-rise greenery that provides contemplative spaces for users. In the design of the two towers, there is a clear separation between the courtroom functions and other supporting functions. The exterior space between the two towers will give natural daylight to the inward-looking facades, and sky terraces along the perimeter of the Court Tower will provide vertical greening. The towers will also be fitted with environmentally-friendly features such as a solar photovoltaic system installed on the roof, LED light fittings, and smart sensors. In May 2018, the State Courts Towers project received the Green Mark Award (Platinum) for New Building and the Green Mark Award (Platinum) for Network Room.

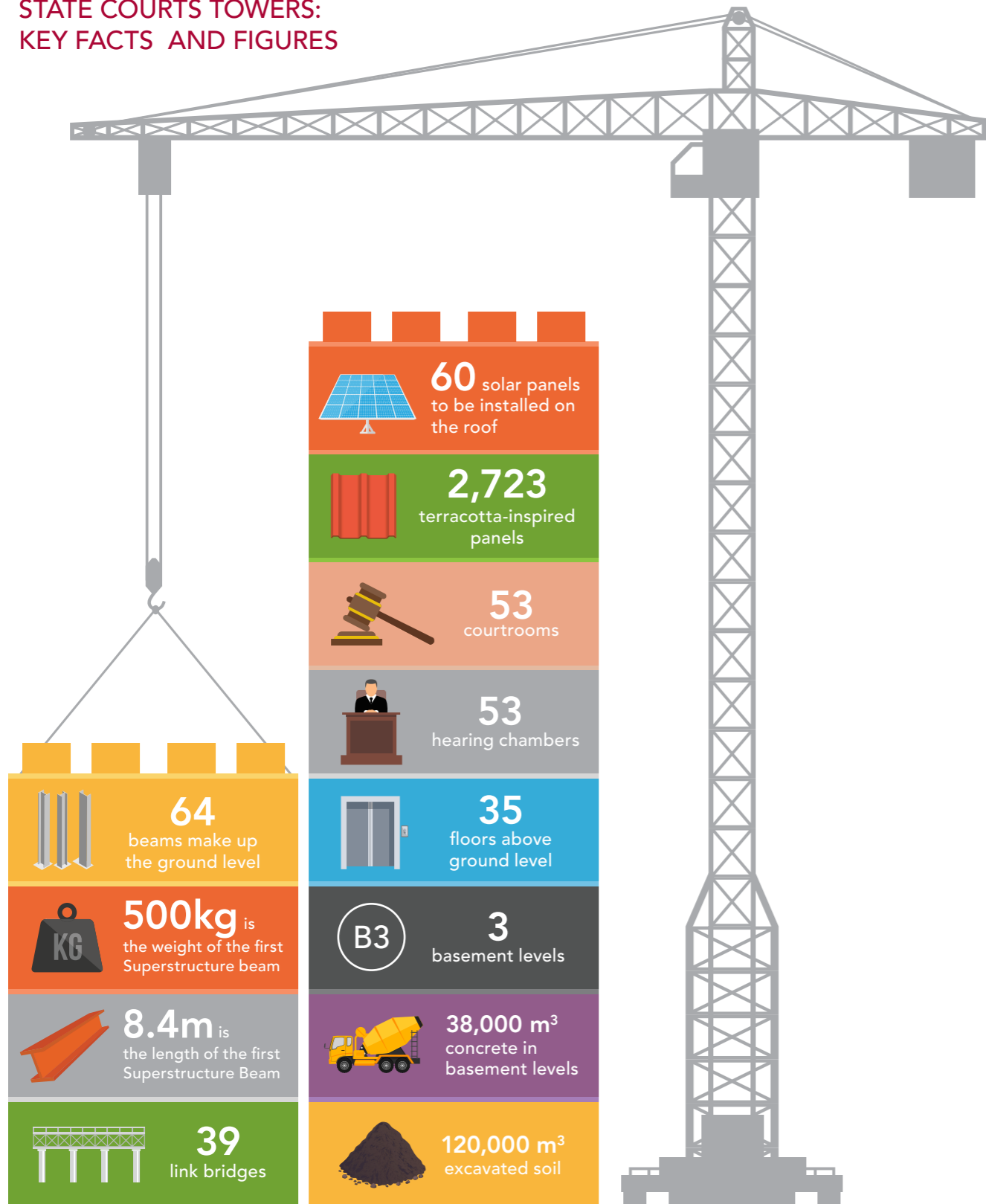
Accessibility for court users is the guiding principle in the design of the State Courts Towers. This commitment to cater to the needs of all age groups and people of different abilities is demonstrated in the State Courts Towers receiving the BCA Universal Design Mark GoldPLUS (Design) Award.





# SHAPING TOMORROW'S JUSTICE

## STATE COURTS TOWERS: KEY FACTS AND FIGURES















INSPIRING  
PUBLIC TRUST  
AND CONFIDENCE



# INSPIRING PUBLIC TRUST AND CONFIDENCE

## CASELOAD PROFILE

	2018	2017
<b>Criminal Justice Division</b>	<b>303,487</b>	<b>296,001</b>
<b>Criminal and Departmental/Statutory Board</b>		
 Criminal Charge <sup>1</sup>	57,249	60,172
 Departmental/Statutory Board Charge and Summons	181,839	168,440
 Traffic Charge and Summons	60,230	61,429
<b>Other</b>		
 Coroner's Court Case	4,106	4,118
 Magistrate's Complaint <sup>2</sup>	63	1,842

	2018	2017
<b>Civil Justice Division</b>	<b>41,530</b>	<b>41,108</b>
<b>Originating Process</b>		
 Writ of Summons <sup>3</sup>	25,971	26,882
 Originating Summons	671	674
<b>Interlocutory Application</b>		
 Summons <sup>4</sup>	9,007	8,537
 Summons for Directions (Order 25/37)	3,875	3,281
 Summary Judgment (Order 14)	173	142
<b>Other</b>		
 Taxation	106	142
 Assessment of Damages	1,727	1,450

	2018	2017
<b>Community Justice and Tribunals Division</b>	<b>14,047</b>	<b>10,938</b>
<b>Community Disputes Resolution Tribunals (CDRT)</b>		
 CDRT Claim	108	57
<b>Employment Claims Tribunals (ECT)</b>		
 ECT Claim <sup>5</sup>	915	864
<b>Magistrate's Complaint<sup>2</sup></b>	1,785	-
<b>Protection from Harassment Act</b>		
 Originating Summons - Application for Protection Order/ Non-Publication Order	150	130
<b>Small Claims Tribunals (SCT)</b>		
 SCT Claim	11,089	9,887
<b>TOTAL</b>	<b>359,064</b>	<b>348,047</b>

### Notes

1. Includes District Arrest Charges, Magistrates' Arrest Charges and other types of charges.
2. All Magistrate's Complaints filings were counted under the Criminal Justice Division (CJD) in 2017. With effect from 2 January 2018, only Magistrate's Complaints that are non-relational (e.g. copyright nature) are counted under CJD while all other Magistrate's Complaints are counted under the Community Justice and Tribunals Division.
3. Includes District Courts and Magistrate's Courts cases.
4. Excludes Summons for Directions (Order 25/37)
5. Employment Claims Tribunals commenced operations on 1 April 2017.

## OTHER CASELOAD PROFILE

	2018	2017
<b>Centre for Dispute Resolution<sup>1</sup></b>	<b>6,897</b>	<b>6,224</b>
<b>Civil</b>		
 Writ of Summons, Originating Summons	6,601	5,952
<b>Community</b>		
 Originating Summons - Application for Protection Order/ Non-Publication Order, CDRT claim, Magistrate's Complaint	296	272

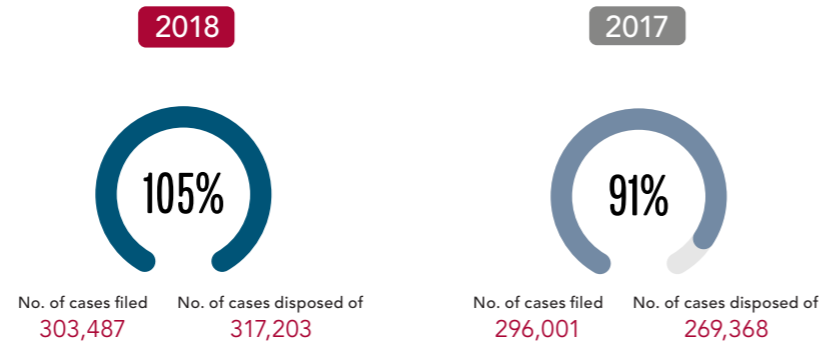
### Notes

1. Refers to fresh cases handled by the Centre for Dispute Resolution in the respective years.

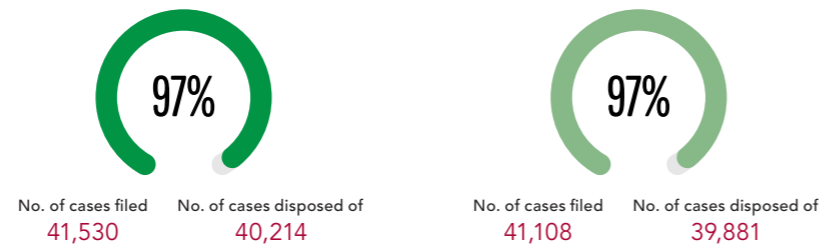
# INSPIRING PUBLIC TRUST AND CONFIDENCE

## CLEARANCE RATE<sup>1</sup>

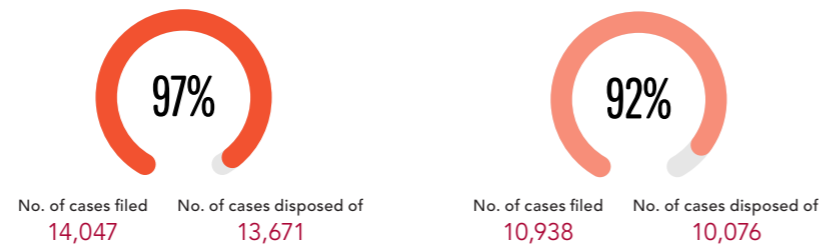
### Criminal Justice Division



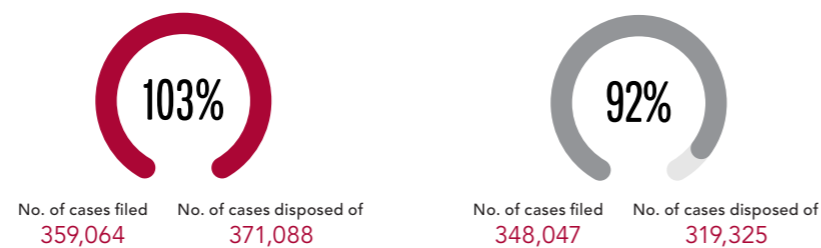
### Civil Justice Division



### Community Justice and Tribunals Division



### Total



Note  
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.

## SIGNIFICANT CASES: CRIMINAL JUSTICE DIVISION

### Sending Bomb Hoax Email PP v Khor Chye Siew

Khor Chye Siew was a Malaysian national who sent a bomb hoax email to the SingGov Feedback account in July 2005, claiming that there were going to be three suicide bombings during the upcoming National Day Parade. He had sent the bomb hoax email as a result of his resentment for having been convicted earlier that year for immigration offences in Singapore and repatriated back to Malaysia after having served his imprisonment term. Khor pleaded guilty to a charge of giving false information under s 182 of the Penal Code, and was sentenced to four months' imprisonment.

### Causing Death of NSman PP v Muhammad Nur Fatwa bin Mahmood

In July 2018, five Singapore Civil Defence Force officers were charged in relation to the drowning of a full-time national serviceman. Muhammad Nur Fatwa bin Mahmood was the first of the five officers to have been dealt with by the Courts. The victim had been pushed into a pump well by the accused during "ragging" activities to celebrate the completion of the victim's national service term. One of his colleagues took a video of the incident and the accused ordered that the video be deleted. The Court sentenced Muhammad Nur Fatwa to 12 months' imprisonment for the charge of causing death by a rash act, and four weeks' imprisonment for the charge of abetting the obstruction of justice. Both sentences were ordered to run consecutively. The aggregate imprisonment term imposed was therefore 1 year and 4 weeks.

### Causing Hurt to Member of Parliament PP v Mohammad Ameen s/o Mohamed Maideen

Mohammad Ameen s/o Mohamed Maideen pleaded guilty to a charge of voluntarily causing hurt to a Member of Parliament, Dr Tan Wu Meng, under s 323 of the Penal Code. At a Meet-the-People session in Clementi one evening, Mohammad Ameen grabbed Dr Tan by the neck, slammed him backwards against the wall, and also punched him several times. Mohammad Ameen was sentenced to three months' imprisonment.

### Thai Registered as Singaporean Failed to Enlist for National Service PP v Ekawit Tangtrakarn

Ekawit Tangtrakarn was a Thai national registered as a Singaporean when he was one year old, but had never lived in Singapore. He was 22 years old when he committed the offence of failing to enlist for national service (NS). In mitigation, Ekawit submitted a letter from the Thai embassy confirming that he was a Thai national and had served his national service in Thailand. At the time that he pleaded guilty, Ekawit was not a Singaporean or permanent resident and was no longer eligible to serve NS. This was the first case in which a defaulter had voluntarily returned to Singapore to face this charge in these circumstances. The Court imposed a fine of \$6,000 in view of the unique circumstances presented in this case.

### Coroner's Inquiry into the Demise of Radhika Angara

On 11 February 2017, a large heritage Tembusu tree in the Singapore Botanic Gardens collapsed and hit the deceased, who was carrying her son. The deceased suffered visible external injuries including open wounds on her head from the accident, while her son suffered abrasions on his limbs and contusions on his head. She was conveyed to the hospital and was in a state of cardiac arrest at the time of arrival. She died shortly thereafter.

At the Coroner's Inquiry, the Court heard that the deceased had demised from traumatic asphyxia with fractured ribs, and also suffered multiple abrasions, bruising, lacerations and fractures. The Court heard that the Tembusu tree, which predated the establishment of the Singapore Botanic Gardens, had exhibited no external signs of decay, and had no past reports of damage. However, a few days before the tree's collapse, there had been heavy showers and strong winds.

The Court found that the death was a tragic misadventure, as strong winds had caused the large tree to sway, the force of which caused its roots, which had decayed below the soil level, to fracture. As a result, the tree fell on the deceased. The Coroner observed that this episode brought to the fore the need for an enhanced tree inspection protocol, which the National Parks Board had already put in place since November 2016, for detailed second-level inspections with diagnostic equipment to detect non-visible root or trunk decay in large trees.



# INSPIRING PUBLIC TRUST AND CONFIDENCE

## SIGNIFICANT CASES: CIVIL JUSTICE DIVISION

### Costs of Obituaries as “Funeral Expenses” under Civil Law Act

**Ang Kim Heok v Ong Heng Guan**

The plaintiff was the wife of the deceased, who had been hit by a car driven by the defendant. She sued for the costs of publishing three obituaries of the deceased as damages for “funeral expenses” under the Civil Law Act (“CLA”).

The District Court held that the costs of publishing an obituary was a funeral expense under the CLA. The phrase, “funeral expenses”, could in principle include the cost of publishing obituaries. An obituary notified the world that the deceased had passed on and of the details of the funeral. The presence of the living was essential to a funeral, and to the extent that an obituary secured the attendance of the living at the funeral, it was a necessary step in the organisation of any funeral. Nevertheless, a claimant had to justify the full extent of any claim for the costs of publishing obituaries. The District Court thus awarded the plaintiff the costs of publishing only one of the three obituaries for which she claimed damages.

### Liability of Employer for Injuries Suffered by Employee Outsourced to Another Party

**Hossain Mohammad Elies v Yong He Property Pte Ltd**

The plaintiff was a construction worker. He sued his employer, the defendant, for damages for personal injury that he had suffered while working at a factory belonging to another party (the “non-party”).

The District Court held the defendant liable in negligence for failing to ensure that: (a) the plaintiff had been properly trained to perform the tasks that he was to undertake for the non-party; and (b) there was a safe system of work for and adequate supervision of the plaintiff. This was even though the services of the plaintiff appeared to have been outsourced by the defendant to the non-party.

### Interpretation of “Authorised Driver” in Insurance Policy for Motor Vehicle

**Liberty Insurance Pte Ltd v Powerplus Group Pte Ltd and another**

The plaintiff was the insurer of a Maserati car. The first defendant was the insured. The second defendant was the son of the managing director (“MD”) of the first defendant. The plaintiff sued the defendants to recover monies that it had paid out in respect of an accident involving the car, which had been driven at the material time by the second defendant. The plaintiff repudiated its liability under the insurance policy on the ground that the car was to be driven only by the MD and not by the second defendant.

The insurance policy listed the MD as the “Named Driver” of the car and stated that the plaintiff would “indemnify any Authorised Driver who is driving the Motor Vehicle” from liability to third parties. The defendants thus argued that the insurance policy covered any driver authorised by the first defendant to drive the car, including the second defendant.

The District Court held that the insurance policy covered only the MD and not the second defendant. Read as a whole, there was no ambiguity that the insurance policy entitled only the MD to drive the car. It was irrelevant that the word, “only”, did not feature after the MD’s name in the section, “Named Driver”, because that was just one way of identifying the MD alone as the driver of the car.

The defendants’ appeal against this decision was dismissed by the High Court.

## SIGNIFICANT CASES: COMMUNITY JUSTICE AND TRIBUNALS DIVISION

### Dispute over Salary Terms

**Selvaraj Lakshmanan v Kah Engineering (1986) Pte Ltd and other matters**

The foreign employee filed a claim for basic salary, overtime pay and salary for work on rest days against his employer. The main dispute centred on what the employee’s salary was. Applying the High Court case of Liu Huaixi v Haniffa Pte Ltd [2017] SGHC 270, the Tribunal Magistrate held that the amount stated on the letter from the Ministry of Manpower giving its in-principle approval of the employee’s work permit application (“IPA”) would constitute *prima facie* evidence of the basic monthly salary of the employee, and if the employer alleged that the amount on the IPA was a mistake (as in this case), the onus was on the employer to adduce evidence of the same. The Tribunal Magistrate found that the employer failed to displace the *prima facie* position that the employment terms were those stated in the IPA.

### Complaint of Excessive Noise, Littering and Surveillance

**Tham Sit Mooi v Loo Ming Xian Shawn and others**

The plaintiff alleged that the respondents interfered with her enjoyment of her property by:

- (i) revving the car engine;
- (ii) having bamboo plants which shed leaves; and
- (iii) installing surveillance cameras which were pointing at her property.

Video evidence showed instances of loud revving of car engine past midnight. The extent of the revving was viewed as excessive given the time of the night. The respondents were ordered not to rev the engines excessively, in particular, after 10pm.

Bamboo trees were found to protrude into the plaintiff’s property and litter was found to be caused by the fallen leaves. The respondents were ordered to ensure that the bamboo trees were trimmed at least once a month. Some of the footage from the surveillance cameras did not show any appreciable part of the plaintiff’s residence. For one which did, it was accepted to be necessary for security purposes. The plaintiff’s request for the removal of the surveillance cameras was denied.

### Harassment involving Persons other than the Applicant

**Bernard K K Ang v Koh Ai Lam**

The applicant and respondent were in the midst of divorce proceedings. The applicant alleged that the respondent had sent to him and his girlfriend harassing communications insulting his girlfriend and their children. The applicant sought protection orders protecting himself, his girlfriend and their children on the basis of harassment under either ss 3 or 4 of the Protection from Harassment Act (“POHA”).

A preliminary issue arose as to whether the applicant was the proper applicant in the proceedings. The respondent argued that as the main target of the letters was the girlfriend, she should be considered the victim that was entitled to apply for a protection order under POHA. The District Judge disagreed, holding that ss 3, 4 and 7 of the POHA made clear which persons were referred to as victims therein and as the applicant fell within the description of “victim” in each of those sections, he was entitled to apply for protection orders under s 12.

A further issue arose as to whether the applicant could seek protection orders on his girlfriend and the children’s behalf where he relied on ss 3 and 4 of the POHA. The District Judge observed that s 7(10) defined “related person” in relation to stalking only and based on the wording of s 12, the ambit of a protection order could extend to related persons (in this case, his girlfriend and the children) only when stalking was made out under s 7. The District Judge ruled that there was no discretion to grant a protection order to related persons where it was a case of harassment under ss 3 or 4.

## INSPIRING PUBLIC TRUST AND CONFIDENCE

### SIGNIFICANT CASES: STATE COURTS CENTRE FOR DISPUTE RESOLUTION (SCCDR)

#### High Court Suit Arising from the Purchase of a Condominium Unit

In December 2018, the High Court referred to the SCCDR an action that was commenced in the High Court which had a related action in the State Courts, so that the two actions could be amicably and efficiently resolved through judicial mediation. Both actions were successfully mediated before a District Judge at the SCCDR. In this case, the owners of a newly developed condominium unit took issue with the quality of the marble flooring in their unit and refused to authorise the release to the developer of certain moneys being held by the Singapore Academy of Law as stakeholder under the sale and purchase agreement. The developers first commenced action against the owners in the State Courts to obtain the release of the moneys, while the defendants counterclaimed against the developers for damages to make good certain alleged losses arising from the unacceptable flooring. The developers then discontinued their action in the State Courts and commenced a new action in the High Court against the owners for the release of the moneys. The developers' action in the High Court was referred to the SCCDR for mediation together with the owner's counterclaim in the State Courts. All the actions were settled after one session of mediation over half a day. The developers agreed to pay the owners a mutually agreed amount of compensation for the flooring. This not only saved judicial resources and several trial days each for both the High Court and the State Courts, but also achieved an amicable and mutually acceptable resolution of the dispute for all parties.

#### Suit Arising from Alleged Asbestos Exposure

In this case, the plaintiff, who was terminally ill with cancer, sued his ex-employer of more than 30 years for negligence, alleging that the ex-employer had not only exposed him to asbestos that caused the disease, but had also failed to warn him of the risks or to give him proper training and adequate protective equipment when he had to handle asbestos in the course of his duties. The case was amicably resolved through mediation by a District Judge at the SCCDR whereby the plaintiff obtained a mutually agreed settlement sum. The avoidance of a potentially long and complex trial allowed the plaintiff to spend his last days peacefully with his family instead of going through an inevitably long, complex and stressful trial.

#### Suit involving Parties from Multiple Jurisdictions

The case centred on the terms of a contract of employment of a business consultant who had been engaged to provide consultancy services in respect of the acquisition of a Singapore company. The contract, which was partly written and partly oral, had been formed through a series of events taking place in Japan, Taiwan and Singapore. Through mediation before a District Judge at the SCCDR, the parties were able to reach an amicable settlement and avoid lengthy and expensive litigation which would have required the participation of witnesses from different countries. The determination of the complex legal question as to which country would be the appropriate forum to conduct the hearing was also avoided. The plaintiff eventually recovered more than half of his claim without having to undergo a protracted court hearing.

### COURT USERS SURVEY 2018

The State Courts commissioned the biennial Court Users Survey in 2018 to obtain court users' feedback on their confidence in the State Courts and the quality of services rendered to them. Positive ratings were received, with high satisfaction levels across all respondent groups.



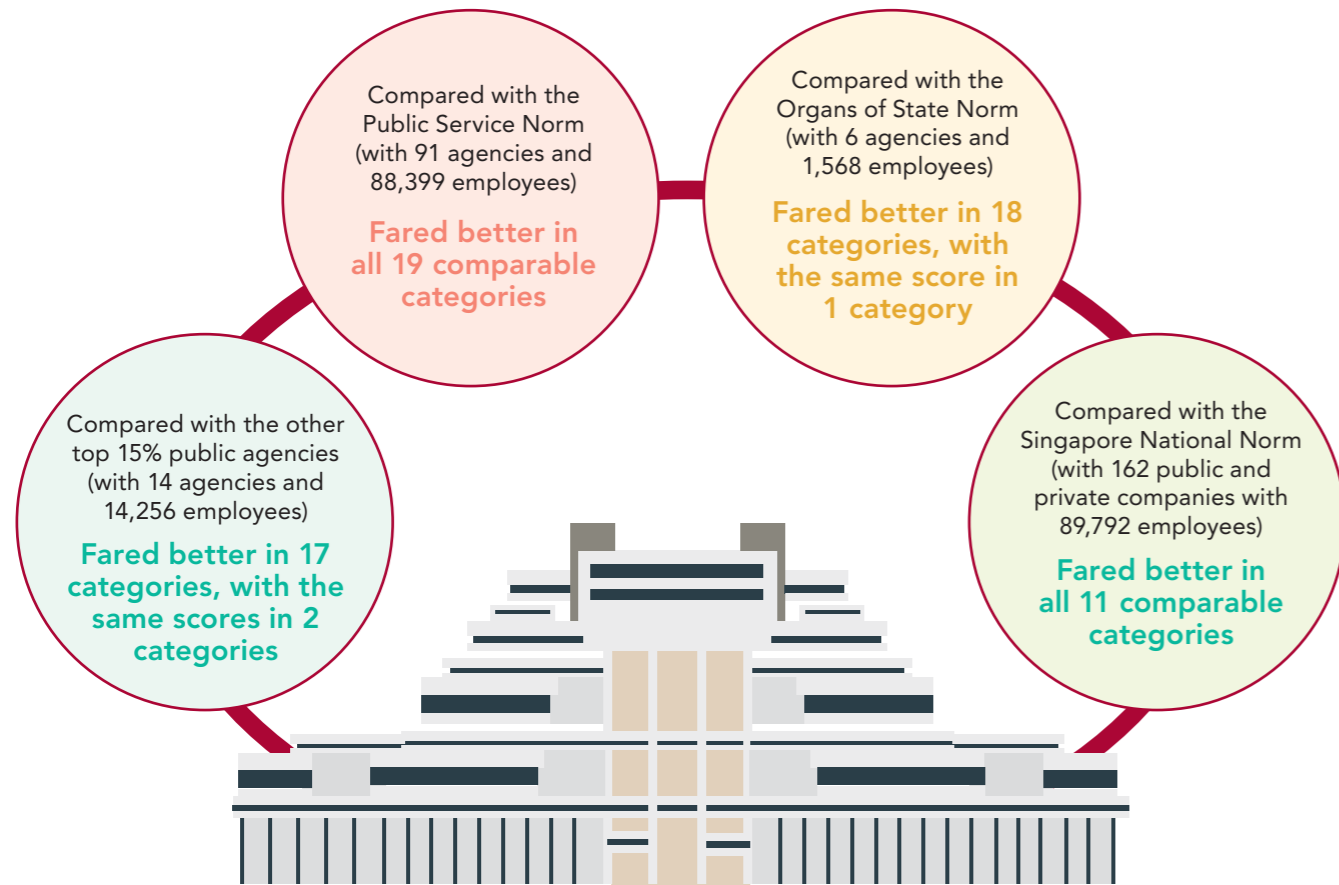


# INSPIRING PUBLIC TRUST AND CONFIDENCE

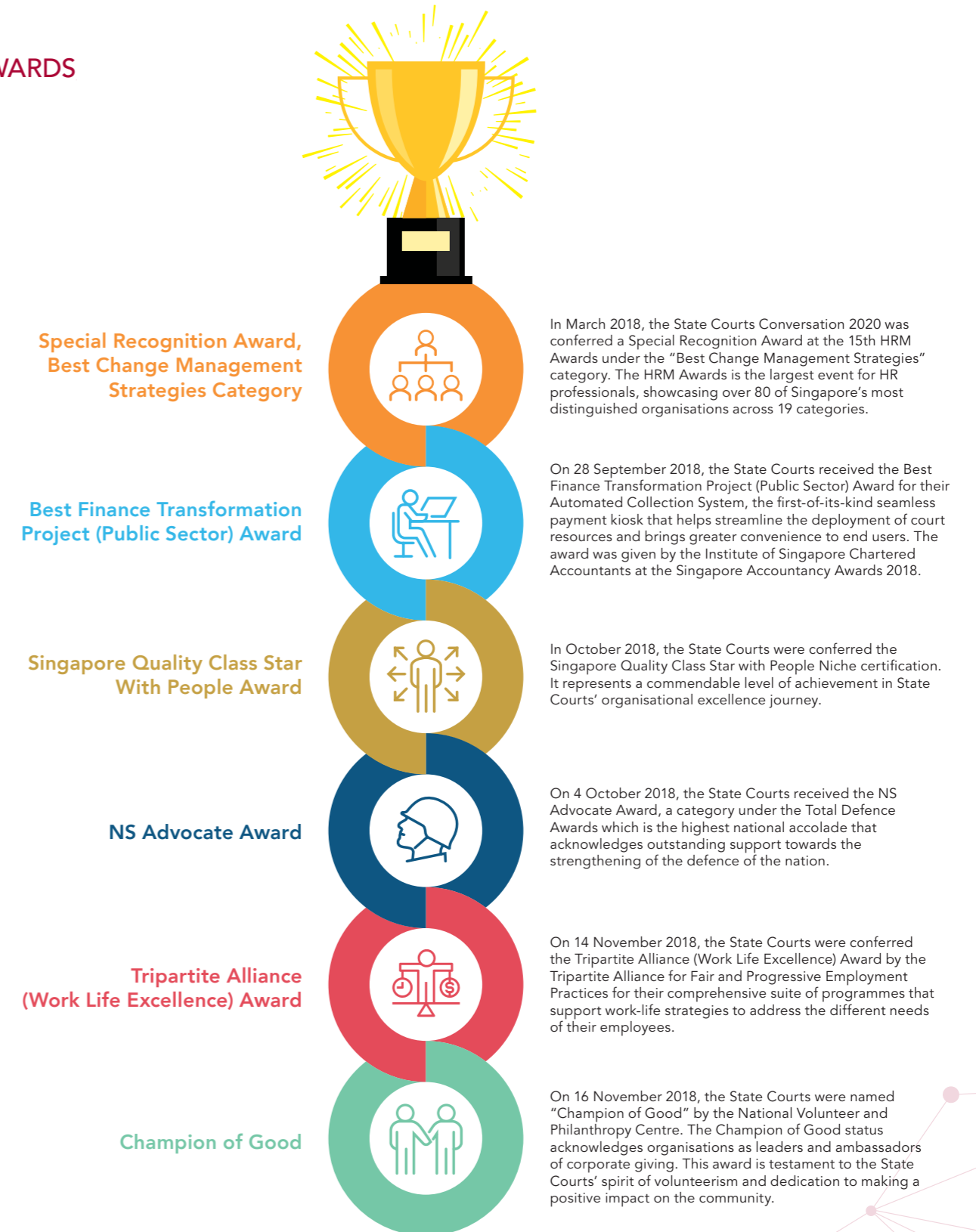
## EMPLOYEE ENGAGEMENT SURVEY 2018

In August 2018, the State Courts conducted the Employee Engagement Survey, which was organised by the Civil Service College and Willis Towers Watson. This was the first time that 91 public agencies with more than 88,000 employees participated in the survey at the same time. About 92 per cent of State Courts' staff participated in the survey.

The State Courts achieved very favourable results in the survey, when compared against the available benchmarks.



## AWARDS



# INSPIRING PUBLIC TRUST AND CONFIDENCE

## INTERNATIONAL PROFILE

In 2018, the Singapore Judiciary and its legal system continued to be recognised internationally as being among the best in the world.

Across several reputable think tanks and international organisations that conducted research and surveys to measure country or economy performance, Singapore achieved good scores and high rankings in indicators related to the Judiciary and the rule of law.

The results from these publications are a testament to the high quality of justice dispensed by the Singapore Judiciary.

### World Economic Forum (WEF) – Global Competitiveness Report 2018 (scores range from 0 to 100)

	Rank	Score
Efficiency of Legal Framework in Settling Disputes	1 out of 140	86.1
Judicial Independence	19 out of 140	78
Property Rights	3 out of 140	89
Intellectual Property Protection	3 out of 140	87.8

### International Institute for Management Development (IMD) – World Competitiveness Yearbook 2018 (scores range from 0 to 10; score of 0=worst; score of 10=best)

	Rank	Score
Legal and Regulatory Framework	2 out of 63	7.76
Justice	10 out of 63	8.24

### The World Bank – Doing Business 2019 (scores range from 0 to 100)

	Rank	Score
Enforcing Contracts	1 out of 190	84.53

### Heritage Foundation – 2018 Index of Economic Freedom (scores range from 0 to 100)

	Rank	Score
Rule of Law- Property Rights	1 out of 185	98.4
Rule of Law- Judicial Effectiveness	3 out of 185	90.9
Rule of Law- Government Integrity	4 out of 185	91.2

### Fraser Institute – Economic Freedom of the World: 2018 Annual Report (scores range from 0 to 10)

	Rank	Score
Legal System and Property Rights	7 out of 162	8.23

### The World Bank – Worldwide Governance Indicators 2018 (scores range from -2.5 to 2.5)

	Rank	Score
Rule of Law	8 out of 209	1.82



# INSPIRING PUBLIC TRUST AND CONFIDENCE

## VISITS BY DISTINGUISHED GUESTS

In 2018, the State Courts hosted a total of 18 groups of visitors from 13 countries.

**28 FEB**  
The Honourable Chief Justice Zhakip Assanov, Supreme Court of the Republic of Kazakhstan, and delegation

**15 OCT**  
Appeal Judge Shaikh Fahad Bin Mohammed Al Monif, Assistant General Manager of the General Department of Advisors at the Supreme Judicial Council, Ministry of Justice, Kingdom of Saudi Arabia, and delegation

**8 AUG**  
Madam Justice Yonette, Chancellor of the Judiciary of Guyana, and the Honourable Chief Justice Cummings-Edwards, Guyana, and delegation

**20 JUN**  
Judge Vladimir Passos De Freitas, President of International Association for Court Administration

**6 MAR**  
The Honourable Chief Justice David Maraga, Supreme Court of the Republic of Kenya, and delegation

**30 NOV**  
Justices of the Supreme Court of Nigeria, the Federal Republic of Nigeria, and delegation

**18 JAN**  
His Excellency Mr Justice Yousef Al Abri, Undersecretary, Abu Dhabi Judicial Department, and delegation

**10 MAY**  
Mr Bui Manh Cuong, Central Commission for Internal Affairs, Communist Party of Vietnam, and delegation

**19 JAN**  
Mr Zhang Changhao, Chief Executive Officer, Sina Court Channel, Head of the Sina Internet Legal Research Institute, and delegation

**9 MAY**  
Ms Feng Wenli, National Judges College, People's Republic of China, and delegation

**30 AUG**  
The Honourable Chief Justice and President of the Supreme People's Court of the People's Republic of China, Zhou Qiang, and delegation

**20 NOV**  
Delegation of lawyers from Shaanxi Province, People's Republic of China

**2 APR**  
Mr Joji (George) Kobayashi, Tokyo Dai-Ichi Bar Association, and delegation

**8 FEB**  
Judge Yoji Kawakatsu, Distinguished Judicial Visitor at NUS Law School Centre for Asian Legal Studies

**14 DEC**  
Judges Dr Zarof Ricar and Edward Simarmata, Supreme Court of the Republic of Indonesia, and delegation

**14 NOV**  
Justice Syamsul Maarif, Supreme Court of the Republic of Indonesia, and delegation

**29 OCT**  
Mr Dick Ho, Registrar, District Court, Hong Kong SAR, People's Republic of China

**26 JUL**  
Justice Mohamed Ajmeer Mohamed Haniffa, Judicial Department of Fiji, and delegation





## OUR PEOPLE

## OUR PEOPLE

### INAUGURAL MY FAMILY DAY@STATE COURTS



Every staff member is a valued member of the State Courts. Their families are equally important to the organisation. To help their staff strike a balance between work and family obligations, the State Courts have programmes to address their varied needs, e.g. flexible work arrangements for staff who need to tend to young children or elderly parents. On 31 August 2018, the State Courts organised the inaugural *My Family Day@State Courts*, in support of "My Family Weekend", which is an initiative by Families for Life to encourage extended families to spend quality time together, reconnect and bond.

To welcome the participants and give them a memorable time in the State Courts, a variety of activities was organised for the different age groups of participants. Children had fun on a bouncy castle, did craftwork and investigated a case of theft which required them to complete a series of challenging tasks. For teenagers and adults, there was opportunity for them to play the role of a mediator in a mediation workshop and to learn more about the work of their family members in the State Courts through interactions with State Courts staff, in addition to observing court proceedings. The activities in the morning culminated in a family-bonding event where the participants and their State Courts family members showcased their talents through song and dance items.

To promote the spirit of social responsibility, State Courts staff and their family members took part in corporate social responsibility activities in the afternoon. Some brought joy to the residents of the Singapore Cheshire Home, while others watched a movie with beneficiaries of the Singapore After-Care Association. There was also a group that packed and distributed exam packs to children from less privileged families in the Henderson and Jalan Bukit Merah areas.





## OUR PEOPLE

### DEVELOPING A FUTURE-READY WORKFORCE



The State Courts recognise that developing their people is key to empowering them to deliver quality justice to the people of Singapore. With the increasing use of technology, robotic automation and artificial intelligence, the State Courts aim to develop, upskill and reskill their workforce to fulfil the requirements of their current and future operating environment. To this end, the State Courts had reviewed their manpower frameworks to prepare the way for their people to take on higher value and more meaningful job roles. Concurrently, they are developing their people holistically with the higher cognitive, social, emotional and technological skills needed for the jobs of the future.

#### Establishment of State Courts Centre for Learning

In 2018, the State Courts established the "State Courts Centre for Learning" to provide quality learning and development programmes for their staff. Through its diverse and enriching programmes, the Centre aims to prepare staff for the current and future workplace, and inspire everyone to embrace lifelong learning to equip themselves with the skills to be future ready.

#### Training in Legal and Court Administration Skills

The State Courts also joined hands with the Supreme Court and Family Justice Courts to develop and launch the inaugural three-month *Tri-court Executive Certificate in Legal Skills*. This programme imparts foundational knowledge in legal principles, basic legal research and communication skills to the staff of the three Courts. To develop leaders in court administration, the State Courts collaborated with the National University of Singapore's Lee Kuan Yew School of Public Policy to conduct the second *Executive Leadership Programme for Court and Tribunal Administrators* in February 2018. The customised programme, which was supported by the World Bank, promotes excellence in court leadership, governance and management. Participants from the local courts and tribunals were joined by participants from nine other countries: Australia, India, Kenya, Myanmar, Nepal, Saint Lucia, Serbia, Sri Lanka and Uganda. These foreign delegates included chief justices, judges, senior registrars, and court and tribunal administrators.

#### Learning from Industry Experts and Public Leaders

A new core training area in 2018 was "Judicial Wellness and Mental Wellness", which aimed to address the stressful nature of judicial and legal-related work performed by Judges and Court Administrators. A *State Courts Wellness Workshop* was organised for all staff in March 2018. In addition, 83 Judges participated in the inaugural *State Courts Judicial Wellness Workshop*, which was meant to help them meet the many challenges in their course of work.



Beyond leadership and technical competencies, the State Courts also aim to increase learning opportunities for staff by exposing them to useful and interesting insights outside the judicial field. Under the *Talks@StateCourts* initiative, Mr Ho Kwon Ping, Founder and Executive Chairman of Banyan Tree Holdings and Founding Chairman of Singapore Management University, who launched a book *Asking Why*, was invited to share his outlook on the changing economic, political, and social landscapes in Singapore and globally.



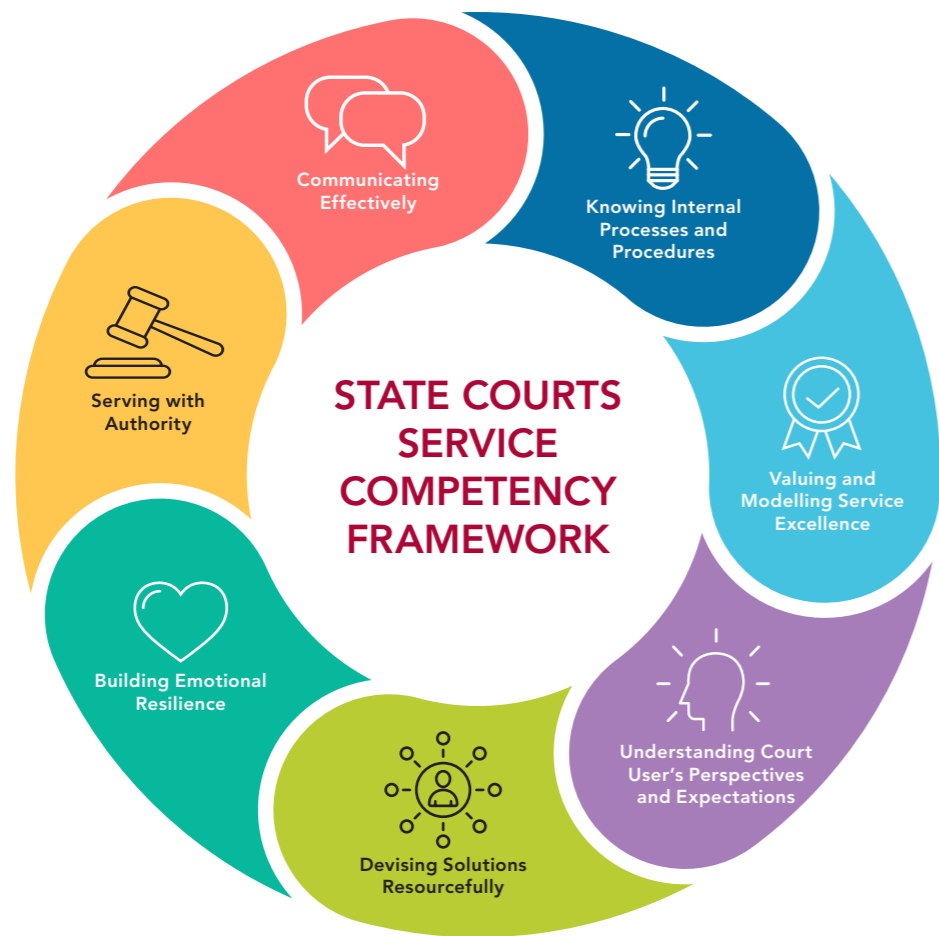
Under the Fireside Chat Series, staff members had the privilege to chat with former Deputy Prime Minister and Minister for Law, Home Affairs, Foreign Affairs and Labour, Professor S Jayakumar. As one of Singapore's key second generation political leaders who had served Singapore's three Prime Ministers - the late Mr Lee Kuan Yew, Mr Goh Chok Tong and Mr Lee Hsien Loong, the current Prime Minister, Professor Jayakumar shared his wealth of experience in public service and dispensed valuable advice on leadership and governance.

# OUR PEOPLE

## SERVICE COMPETENCY FRAMEWORK FOR FRONTLINE SERVICE STAFF

As part of their continual commitment to deliver excellent court services, the State Courts introduced a Service Competency Framework for their staff in July 2018. This is a customised framework that guides frontline service staff on the core competencies essential for delivering quality service in the State Courts and describes the desired behaviours they are expected to demonstrate in their duties.

The Framework also provides a structured training development roadmap which they can use to track their progress and identify further learning opportunities for honing their specialist skills in service delivery.



## AWARDS TO STATE COURTS STAFF

### National Day Awards

The National Day Awards recognise various forms of merit and service to Singapore. In 2018, State Courts staff members received awards in various categories.

#### Public Administration Medal (Silver)

District Judge Jill Tan  
District Judge Jaspendar Kaur  
Ms Lim May Leng

#### Public Administration Medal (Bronze)

District Judge Samuel Chua

#### Commendation Medal

Ms Suseela Devi

#### Efficiency Medal

Mr Sim Jingyao

### State Courts Awards

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

#### Manager of the Year Award

Ms Ng Kar Meng

#### New Manager of the Year Award

Ms Saira Banu

#### Court Administrator of the Year Award

Ms Cheng Ruo Xuan  
Mr David Seah  
Ms Koh Puay Chin  
Ms Nazeini Parveen

#### Team of the Year Award

Central Registry Directorate  
Community Justice and Tribunals System Team  
Health & Wellness Campaign Team

**Special Mention (for Team of the Year Award)**  
Guidebook for Accused in Person Team  
Integrated Criminal Case Filing and Management System Team

### Public Sector Transformation Awards

The Public Sector Transformation Awards recognise excellence in service delivery, innovation and best practices. In 2018, State Courts staff members and teams received a total of 12 awards.

#### Star Service (Individual)

Mr Caliph Md Sufiyan Bin Moezar  
Ms Jackie Chong Keng Lai  
Ms Kalai Selvi d/o Rajendran  
Ms Puvana d/o Ramasamy  
Ms S Nachamai d/o Subramanian  
Ms Tan Jia Hui Cherie

#### Star Service (Team)

Automated Collection System Team  
Employment Claims Tribunals Working Group  
Statistics and Analysis Section

#### Star Manager

Ms Noran Farhana Binte Mohammed

#### ExCEL Innovation Champion

Mr Ha Yeong Sheng

#### ExCEL Innovation Project

Community Justice and Tribunals System Team





STATE COURTS





# OUR VOLUNTEERS

# OUR VOLUNTEERS

## SUPPORTING AND APPRECIATING COURT VOLUNTEERS

Court volunteers are an important pillar in the work of the State Courts, as they assist in the delivery of justice. Many of them serve as volunteer mediators who help parties in civil cases, Magistrate’s Complaints and community disputes resolve their disputes without resorting to litigation. With a view to build up the court volunteer mediators’ expertise in mediation, in April 2018, the State Courts enhanced their court volunteer mediator management framework. This enhanced framework is managed by the State Courts Centre for Dispute Resolution (SCCDR) which:

- Oversees the recruitment and appointment/ re-appointment of court volunteer mediators
- Maps their progression and development, including their continuous training
- Provides opportunities for volunteer engagement and recognition

To ensure that the quality of court mediation service is maintained and that the work of court volunteer mediators continues to be recognised, the SCCDR undertook a comprehensive review of the recruitment, appointment and management of these volunteers, and introduced enhanced eligibility criteria for their appointment.



The objectives of the training and management framework is to equip the court volunteer mediators with the latest know-how to mediate cases in the State Courts. At least two half-day training sessions covering skills-based and/or court dispute resolution-related topics are conducted annually by the SCCDR. In 2018, training sessions on “Handling disputants with psychological or personality disorders”, and “Fostering greater collaboration between mediators and the lawyers who represent the parties at mediation”

were organised. Both sessions included a panel discussion during which SCCDR Judges and the court volunteer mediators shared mediation experiences and techniques.

The State Courts are also supported by law students from the local universities who guide litigants to navigate and adhere to court processes. The assistance they provide include explaining court processes and helping potential claimants to fill out their forms.

In appreciation of the court volunteers’ services and contributions to the administration of justice, the annual Judiciary Volunteers Appreciation Dinner was held on 3 October 2018 at the Grand Copthorne Waterfront Hotel. The Honourable the Chief Justice Sundaresh Menon graced the event at which the sterling contributions of all volunteers were recognised, and the annual State Courts Outstanding Court Volunteer awards were presented.



Outstanding Court Volunteer (Open Category)  
**Mr David Hoicka**



Outstanding Court Volunteer (Advocate & Solicitor Category)  
**Ms Vivienne Sandhu**



Outstanding Court Volunteer (Student Category)  
**Ms Victoria Tay Shi Ying**



## OUR CORPORATE SOCIAL RESPONSIBILITY

### GIVING BACK TO SOCIETY

The State Courts embrace corporate social responsibility (CSR) and actively implement programmes that contribute to the betterment of society. The motivation for corporate giving is to increase the spirit of volunteerism and contribute to the less privileged sectors of society.

In 2018, the State Courts supported a variety of charities and causes, including those relating to the less privileged, disabled, the elderly and the environment. Their staff clocked a total of 664 hours throughout the year across more than 11 events. These ranged from a charity recycle drive where clothes, blankets and soft toys were donated to the needy and refugees around the world through Global Ehsan Relief, to *Dining in the Dark* with the Singapore Association for the Visually Handicapped to raise awareness for the visually handicapped. In addition, staff volunteers did their bit for the environment by cleaning up a section of the beach along East Coast Park. And as part of *My Family Day@State Courts* on 31 August 2018, staff and their families took part in various CSR activities, including visiting the Singapore Cheshire Home to have a tea and bingo session with the residents after officially handing over a wall mural which the State Courts had painted for them, distributing 200 exam packs to the young children of the less privileged families in Henderson and Jalan Bukit Merah, and bringing a group of beneficiaries from the Singapore After-Care Association and their families for a movie screening.

The State Courts concluded the year by participating in a national movement, Giving Week, by partnering Beyond Social Services to distribute *Bless-A-Kid* school packs to children from needy families, to spur them on for 2019.



OUR  
CORPORATE SOCIAL  
RESPONSIBILITY

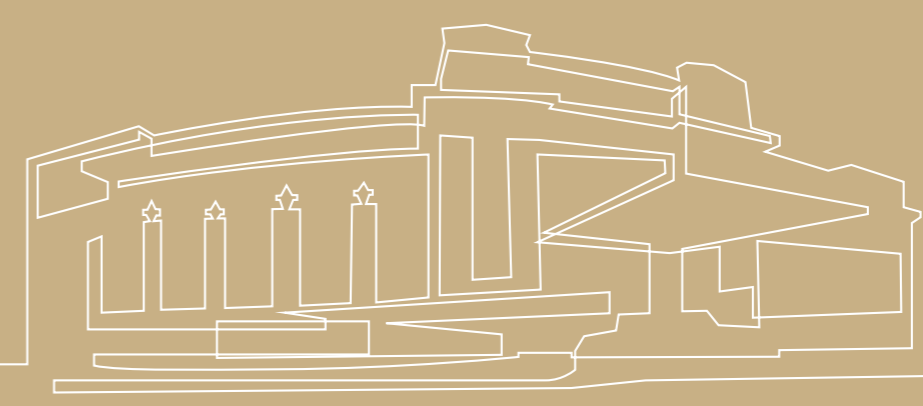


Navigation Page





IN THE  
**NEXT**  
PHASE





**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.

**ABOUT OUR LOGO**  
The Family Justice Courts logo is a symbolic representation of shelter within the visual frame of a traditional courthouse. The outer maroon roof encapsulates the vision of the Family Justice Courts to be a source of justice that protects, empowers and restores individuals from troubled families. The inner roof reflects the commitment of those working within to build a vibrant, inclusive and cohesive community. An elegant typeface emphasises our aspiration to remain a modern and relevant, yet sturdy custodian of the rule of law.

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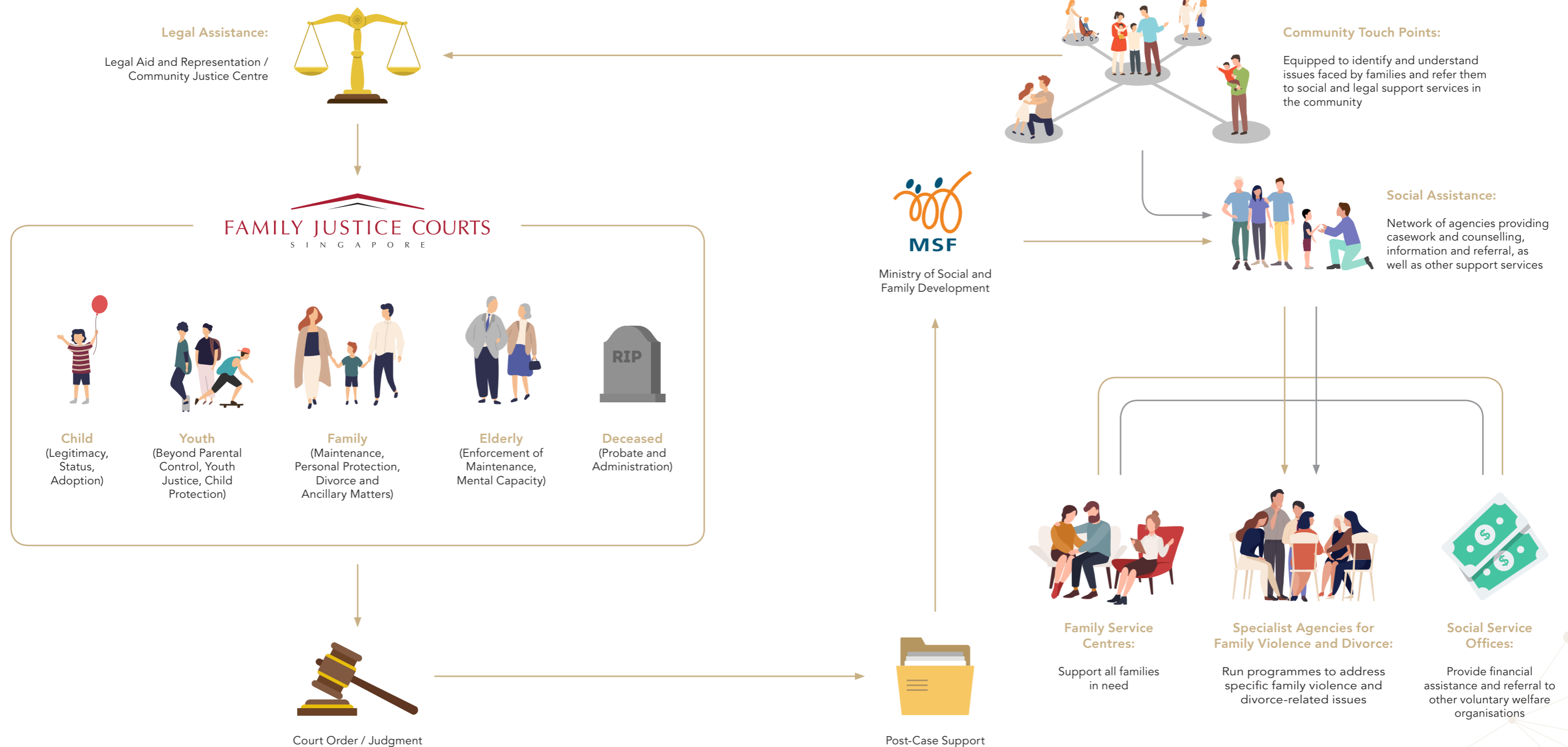
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# OUR FAMILY JUSTICE COMMUNITY

The "Family Justice Courts" is the collective name for the Family Division of the High Court, the Family Courts and the Youth Courts. The mission of the Family Justice Courts and our partners is to provide access to justice and support for families and youth in distress.

This info-graphic 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

### Introduction

In the last two Family Justice Courts (FJC) Workplan speeches, I had said that the “presence of children demands a less adversarial approach”. As a Judge speaking to a child, hearing her very own words on how she tries, with difficulty, to be loyal to both parents, and reading reports on how children are severely damaged by parental conflict, have given me even greater conviction of the grave need to help our children. Children are not parties in the divorce litigation process, yet they are deeply and immensely affected by almost every step taken and every order made. Their interests behoves us to constantly review and relook at our law and processes, so that family proceedings are less adversarial and less acrimonious.

2018 was a year where we evaluated how we do things and took critical steps to improve the ‘how’, guided by the ‘why’.

### Collaborations

The Review and Enhance Reforms in the Family Justice System (RERF) Committee looked at how to promote harmonious and multi-disciplinary approaches towards conflict resolution; reduce the cost and complexity of proceedings, and strengthen access to family justice. These approaches entail, amongst other things, the training of both the Family Bar and the Family Bench, as well as a simplification of processes and rules.

Chief Justice Sundaresh Menon has remarked that “Family justice is a unique field in the administration of justice”. It is vital that lawyers possess the right skills and mind set in practising family law. The training of lawyers begins in law school. The FJC has assisted the Singapore University of Social

Sciences’ law school in identifying students suited to family law practice, and helped to formulate the law school’s curriculum.

We have also worked with the Family Bar to support the Law Society’s production of the 2019 Special Edition of the Law Society’s best practice guide for family law practitioners, *The Art of Family Lawyering*. This edition highlights the new Rules 15A and 15B in the Legal Profession (Professional Conduct) Rules 2015, which signal a paradigm shift from the traditionally adversarial approach to a conciliatory one, and which emphasises the child’s welfare as being of paramount importance.

The timely provision of support services upstream can obviate the need to attend Court altogether or at least reduce the time parties spent embroiled in litigation. FJC has worked with Ministry of Social and Family Development’s (MSF) agencies to facilitate parties’ access to relevant support services, such as the Mandatory Parenting Programme. This programme highlights to parents the multi-faceted impact of divorce on their children, so that they may make better informed decisions before they file for divorce.

### Processes and Initiatives

The litigation process is often seen as being complex and complicated. This causes further stress and distress for parties and can even escalate the costs of litigation when parties fail to abide by rules and practice directions, thereby protracting proceedings. We will be examining how the Family Justice Rules and Practice Directions may be simplified. We have begun to consider how to simplify and streamline court processes, and intend



to amend the structure of the Family Justice Rules, review interlocutory processes for efficiency, reduce the complexity of forms and take advantage of Information Technology in the revamped processes.

As one of the initiatives of the Courts of the Future taskforce, FJC intends to use Online Dispute Resolution (ODR) for the amicable resolution of maintenance matters. An outcome simulator will provide possible outcomes for a maintenance claim and a platform will be provided for parties to negotiate between themselves. Online mediation will also be available. ODR ultimately saves time, costs and reduces acrimony for all involved.

We also studied how ‘design thinking’ may be applied to the litigation space – from our processes to the physical space itself – so that when parties come to FJC, they do not experience another layer of stress from navigating the litigation journey. Children often come through the doors of FJC, whether as witnesses, to be interviewed or simply because their parents cannot find someone to take care of them while they attend a court proceeding.

Through the redesign of existing processes and our physical environment, and leveraging on technology, we hope to minimise the physical and psychological stress for families.

We have also looked into enhancing the tools for enforcement of cross-border child access orders. As part of our efforts to build international cross-border mediation networks, FJC facilitated a cooperation agreement between the Singapore Mediation Centre and MiKK, a Berlin-based family mediation provider with a Europe-wide network. This agreement provides a platform for parents, one of whom may be in Singapore and the other in Europe, to undergo mediation via video link conferencing, in cases involving relocation or matters under the 1980 Hague Convention.



## MESSAGE FROM THE PRESIDING JUDGE OF THE FAMILY JUSTICE COURTS

### Looking Ahead

It is our fervent hope that our efforts and reforms in 2018 will go a long way in empowering parties to do what is best for their marriage and families, and enabling a divorce journey with the least acrimony and stress as possible. FJC judges are and will continue to be trained in holistic judge-led case management, informed by social science research, to enhance their adoption of multi-disciplinary approaches for the optimal resolution of cases. We will continue to capitalise on the diversity of strengths of our family judges, even as we hope that the court is the forum of last resort for the resolution of family disputes.

### Appreciation

For those of us in the family justice system, we are privileged to play a role in helping families achieve an amicable resolution of their disputes. I record my deep thanks to my colleagues in FJC, the Family Bar and our community agency-partners, who tirelessly work towards our mission of achieving therapeutic justice for all families.



Debbie Ong  
Presiding Judge  
Family Justice Courts, Singapore



OVERVIEW OF  
FAMILY JUSTICE  
SYSTEM

# OVERVIEW OF FAMILY JUSTICE SYSTEM

## I. THE FAMILY JUSTICE SYSTEM

The Family Justice Courts (FJC) were 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. The Committee was formed in 2013 to review how Singapore's family justice system may better address the needs of youth and families in distress.

The FJC is a restructure of our court system to better serve the litigants. By bringing together all family-related work in 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 Family Justice Courts. The FJC will hear the full suite of family-related cases including all divorce and related matters, family violence cases, adoption and guardianship cases, Youth Courts cases, applications for deputyship under the Mental Capacity Act, and probate and succession matters.

The Family Justice Courts go beyond a change in name. A separate and specialised body of courts was created 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)
- Criminal Procedure Code (Cap. 68)
- 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 (Facilities for Enforcement) Act (Cap. 168)
- 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)
- Voluntary Sterilization Act (Cap. 347)
- Vulnerable Adults Act 2018
- Wills Act (Cap. 352)
- Women's Charter (Cap. 353)

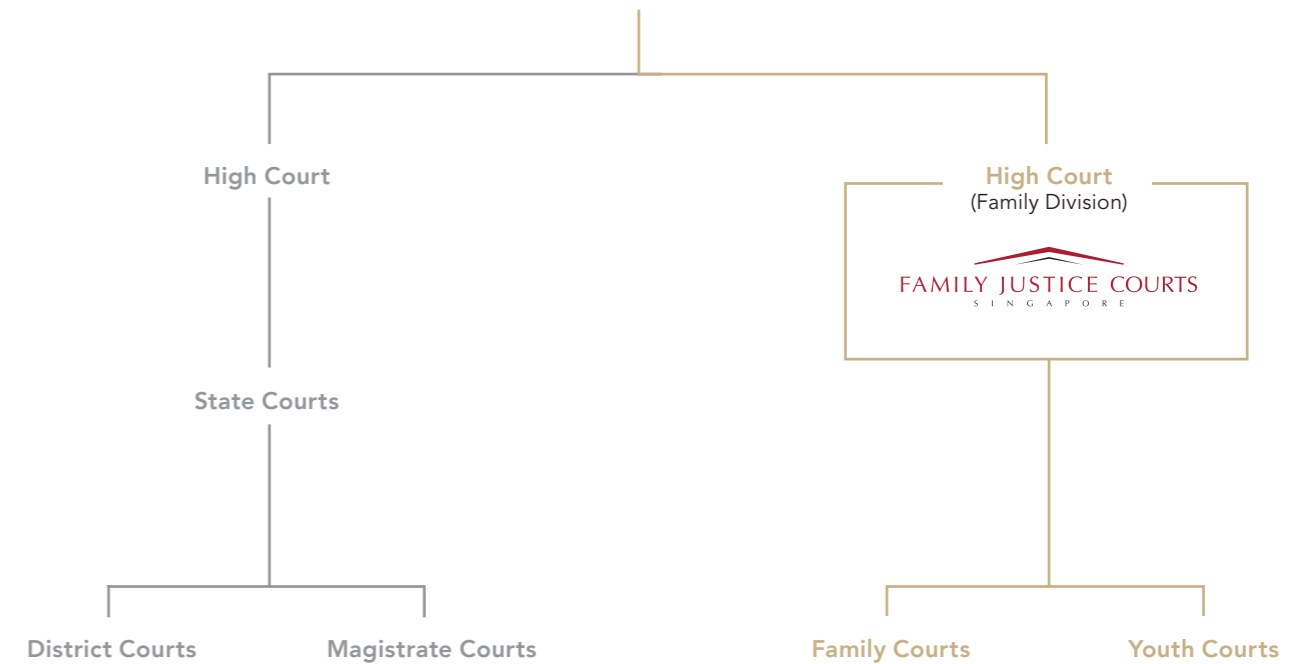
The wide-ranging family jurisdiction incorporated probate and succession matters from Civil Division of the State Courts and the High Court from January 2015.

The diagram below illustrates how the FJC now operates as a separate set of specialist courts within the overall Court structure in Singapore.



Court of Appeal

High Court exercising appellate jurisdiction:  
Appeal only with leave from Court of Appeal or High Court



- Overseen by the Presiding Judge of the FJC
- Hear all matrimonial, probate, adoption, mental capacity and youth issues
- Centralised Registry



Youth Courts

The Youth Courts (formerly known as Juvenile Court) hear cases under the Children and Young Persons Act.



High Court (Family Division)

The Family Division of the High Court exercises original jurisdiction over cases where the gross value of the assets exceed \$5million 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.



# OVERVIEW OF FAMILY JUSTICE SYSTEM

## II. ORGANISATION CHART



\* Integrated Corporate Support Services with the Supreme Court.

### High Court (Family Division)



Judicial Commissioner Tan Puay Boon and Justice Debbie Ong, Presiding Judge of the FJC

### Senior Management



Ms Clara Goh, Deputy Chief Executive (Office of the Chief Justice), District Judge Toh Wee San, Group Manager (Family Division), Ms Juthika Ramanathan, Chief Executive (Office of the Chief Justice), Mr Vincent Hoong, Registrar (Supreme Court), District Judge Kevin Ng, Group Manager (Family Dispute Resolution Division), Justice Debbie Ong, Presiding Judge of the FJC, Principal District Judge Muhammad Hidir Abdul Majid, Group Manager (Family Protection and Support Division) and Principal Director (Strategic Planning and Research Division), Deputy Presiding Judge Chia Wee Kiat, Registrar (FJC), District Judge Jen Koh, Deputy Registrar (FJC)



## ENHANCING ACCESS TO JUSTICE

### DEVELOPING THE LAW AND PROCESS INNOVATIONS IN THE FJC

#### I. Case Summaries Highlights 2018

The Court of Appeal and the High Court issued a total of 27 judgments providing clarification as well as guidance on different aspects of family law and procedures. Here are some of the highlights:

##### A. Division of Matrimonial Assets

- The party who is the eventual owner of the matrimonial property will bear the mortgage payments for the period between the date of the court order and date of completion of the transfer of ownership. For payments which do not affect the net equity of the property, the notional owner of the property as at the date of the court order is to bear such payments (*TIC v TID* [2018] SGCA 75)

The Court of Appeal affirmed the findings of the High Court and held that as the Wife was taking over the Husband's share in the matrimonial property, she was to solely bear the existing mortgage payments for the period before the completion of the transfer of the matrimonial property into her sole name.

The court further made a distinction between mortgage payments and property tax payments, holding that they attract different considerations.

In relation to mortgage payments, the court held that as the Wife would be the sole beneficiary of any payments made towards the outstanding mortgage during the interim period, it would be fair that she bore the mortgage payments for the said interim period.

The court distinguished property tax payments as payment that did not have the same standing as mortgage payments as they did not affect the net equity of the property. Rather, property tax payments were tariffs levied on the ownership of the matrimonial property, independent of its occupation or beneficial use. Thus, the *prima facie* position was for such payments to be borne by the notional owner of the matrimonial property as at the date of the court order, subject to the powers of the court to make a contrary order if the circumstances so required.

The court expressed the view that in cases where one party to a divorce was given the option of buying over the other party's share of the matrimonial property, it would be important for the court to identify the different types of payments involved and to state whether it was applying the *prima facie* position or whether there were special circumstances (on the facts) which justified the imposition of a specific, tailored order. In situations where the party with the option to take over the matrimonial property did not immediately indicate whether he or she wished to do so, it would be open to the court to make an order on the basis that the option would be taken up but with liberty to the other party to apply to court to reapportion the payment of the liabilities in the event that the option was not taken up and the matrimonial property was sold in the open market instead.

##### B. Maintenance

- Mortgage repayments can be considered a reasonable expense in claims for maintenance (*UEB v UEC* [2018] SGHCF 5)

The High Court held that generally, for the purpose of determining the quantum of reasonable maintenance, an expense is not reasonable if it is made to accumulate wealth or acquire assets usable in the future. Maintenance is ordered to ensure that present needs are met. However, the law on maintenance does not contain any absolute prohibition against the use of maintenance funds to acquire assets.

In this case, the court made a finding that the mortgage repayment expense submitted by the Wife was to ensure that the Wife and child had a roof over their heads. Thus, it was considered a reasonable accommodation expense as it reflected the Wife's overall financial burden.

The court also stated that the law takes into account various factors in deciding a maintenance award and does not require that every specific item of expense be proved by receipts or assessed on specific values, as if on a reimbursement exercise.

ENHANCING  
ACCESS TO JUSTICE



# ENHANCING ACCESS TO JUSTICE

## DEVELOPING THE LAW AND PROCESS INNOVATIONS IN THE FJC

### I. Case Summaries Highlights 2018

#### C. Adoption

- The welfare of the child is the first and paramount consideration in adoption proceedings even when taking into account public policy considerations (*UKM v Attorney-General* [2019] 3 SLR 874)

The appellant is in a long-term relationship with his male partner and had engaged the services of a surrogate mother. The child was conceived through in-vitro fertilisation and the surrogate mother gave birth to the child in the United States of America. The appellant initially filed an application to adopt the child but the application was dismissed. He filed an appeal which was heard by the High Court.

The court held that the concept of “the welfare of a child” for the purposes of Section 5(b) of the Adoption of Children Act (Cap 4), refers to the child’s well-being in every aspect: that is, his well-being in the most exhaustive sense of that word. It refers to his physical, intellectual, psychological, emotional, moral and religious well-being, both in the short-term and in the long-term. Besides ensuring that the child’s parenting arrangement is satisfactory, it is equally critical to account for the intangible components of the child’s well-being including factors such as his psychological and emotional development, and the environment within which his sense of identity, purpose and morality is cultivated.

It also held that Section 3 of the Guardianship of Infants Act (Cap 122), which states that the welfare of the child shall be the first and paramount consideration, applies to adoption proceedings. Any countervailing public policy is to be balanced against promoting the child’s welfare. The court established a two-step framework for taking public policy into account: where the legal context concerned statutory law and where the court is being asked to curtail a claimed statutory right on the basis of public policy.

The first step is a forensic exercise by which the court identifies whether the alleged public policy exists and if it does, whether the policy is violated if the claimed right is given effect. The second step is a balancing exercise, in which the court considers the weight to be given to the value underlying the claimed right and to the countervailing public policy consideration, and then reasons towards an outcome which strikes the proper balance between the competing considerations.

The court considered that if an adoption order was made, the public policy against the formation of same-sex family units would be violated. However, the court found that nothing indicated that the appellant set out deliberately to violate any law or public policy. Having regard to all the circumstances of the case and given that the welfare of the child was the very source of the claimed right, the court should not ignore the statutory imperative to promote the welfare of the child and to regard it as first and paramount.

The court was satisfied that an adoption order would be for the welfare of the child as it would increase the child’s prospects of securing Singapore citizenship and possible long-term residence in Singapore, where his natural father and family support structures were located. To a limited extent, the legitimisation of the child by the grant of an adoption order would have some positive social, psychological and emotional impact on him because of the social acceptance attached to this status.

The court emphasised that the decision was based on the particular facts of the case, and should not be taken as an endorsement of what the appellant and his partner set out to do.

#### D. Variation of consent orders

- An applicant applying for a variation of a consent order on the division of matrimonial assets must prove one of the vitiating factors or that the consent order was or has become unworkable. Unworkability must be due to a fundamental misunderstanding on the face of the consent order (*UMM v UML* [2018] SGHCF 13).

The parties in this case entered into a first consent order in which the Wife would not be required to refund the Husband’s Central Provident Fund (CPF) monies used for the purchase of the matrimonial home with accrued interest. In lieu of such refund, the Wife would waive her entitlement to claim for maintenance against the Husband.

The CPF Board informed the Wife of its objection to the transfer of the matrimonial home with no refund to the Husband’s CPF account in view of the transfer arising from the related maintenance order.

The Husband then signed a second consent order containing a variation to the first consent order in which an attempt was made to remove the link between the Wife’s waiver of her maintenance claim and the division of the matrimonial home. The Wife then filed an application to vary the first consent order, enclosing the second consent order. The court granted the variation sought in the second consent order. The Husband, however, applied to court to set aside both orders and argued that (1) his consent to the first consent order was vitiated, (2) the consent orders were oppressive and unfair and (3) he also relied on the CPF Board’s objection to the consent orders which he submitted rendered both consent orders invalid. The Husband’s application was dismissed and he appealed to the High Court.

The court held that the power to set aside or vary a consent order on the division of assets under S112(4) Women’s Charter (Cap 353) is to be exercised narrowly. An applicant must prove one of the vitiating factors or that the order was or has become unworkable. While it is possible that unworkability may be due to a fundamental misunderstanding, it must be a fundamental misunderstanding on the face of the order. Accordingly, it held that the court below was not wrong in refusing to set aside the orders. The court also held that the decision to grant the Wife’s application to vary the first consent order was necessitated by the CPF Board’s objection. The variation was necessary to give effect to the first consent order which was unworkable.

#### E. Relocation

- The welfare of a child is the paramount consideration in relocation applications (*UFZ v UFY* [2018] 4 SLR 1350)

The Father, who was originally a British citizen, became a Singapore citizen in 2013, and the Mother, who is a British citizen, became a Singapore permanent resident in 2009. Both parties have three children with dual citizenship. The mother, a home maker, wanted to relocate to the United Kingdom, on the breakdown of the relationship, with the children.

The High Court reiterated the principles set out in *BNS v BNT* [2015] 3 SLR 973 which states that the welfare of a child is the paramount consideration when deciding whether to allow the child to be relocated. It also reinforced the point made by the Court of Appeal in *BNS v BNT* that the assessment of what the child’s best interests are is “an intensely fact-centric exercise.” The court also reiterated that two important factors were (i) the reasonable wishes of the primary caregiver; and (ii) the child’s loss of relationship with the “left-behind” parent.

# ENHANCING ACCESS TO JUSTICE

## DEVELOPING THE LAW AND PROCESS INNOVATIONS IN THE FJC

### I. Case Summaries Highlights 2018

#### F. Third Party Interests

- The Family Court does not have jurisdiction under S112 of the Women's Charter (Cap 353) to hear and determine claims by a third party as the legal or beneficial owner of any alleged matrimonial asset and to make orders directly affecting the third party's interest in the disputed asset (*UDA v UDB and another* [2018] 1 SLR 1015)

The Court of Appeal held that S112 Women's Charter (Cap 353) does not give the Family Court the power to hear and determine a third party's claim to an alleged matrimonial asset or make orders against the third party.

Where a third party wished to directly assert his rights to an alleged matrimonial asset, he should start separate civil proceedings against either or both spouses for a declaration as to his interest and other relief. The third party could also apply to intervene in the S112 proceedings to notify the Family Court of his alleged interest, in which case the Family Court should stay the S112 proceedings.

A third party claim could arise in two situations: (1) where the asset was legally owned by a third party, but one or both spouses claimed that it was held on trust for them; and (2) where the asset was legally owned by one of the spouses, who claimed that it was held on trust for a third party and therefore could not be a matrimonial asset. In the former situation, the following options would be available:

- (a) The third party could give a legally binding confirmation that he or she held the asset on trust, and an undertaking to respect and enforce any order that the court might make relating to the beneficial interests in the asset.
- (b) If the third party did not agree, either spouse would have to start a separate legal action to determine the disputed asset rights of the third party. In the meantime, the S112 proceedings would have to be stayed.
- (c) Alternatively, the spouse could drop his or her claim that the property was a matrimonial asset.

Where the property is legally owned by one of the spouses and that spouse claims that the third party has an interest in the property but no order is sought by or against the third party, the court could determine on the evidence before it whether the asset was a matrimonial asset, without involving the third party at all. If the court concluded that the disputed asset was beneficially owned by one or both spouses, then it could include the asset in the matrimonial pool. Instead of making an order directly affecting that asset, the court would adjust the division of other assets to account for its value. This option would not be viable if the disputed asset was the main or only substantial asset available for division. Moreover, this option should only be used if both spouses agreed to it. The determination of ownership would not bind the third party, who could subsequently challenge it in separate proceedings.

## II. Law Reform

In 2018, the FJC participated and engaged in a range of law reform efforts undertaken by the Committee to Review and Enhance Reforms in the Family Justice System.

### Committee to Review and Enhance Reforms in the Family Justice System

The Committee to Review and Enhance Reforms in the Family Justice System, or RERF Committee for short, was co-chaired by the Presiding Judge of the FJC and the Permanent Secretaries of the Ministry of Social and Family Development (MSF) and Ministry of Law. The RERF Committee studied how elements of therapeutic justice and multi-disciplinary approaches could be incorporated in the resolution of family disputes. This included several areas of law reform. The endeavour was to reduce acrimony and conflict amongst disputing parties and for every outcome to be a positive way forward.

One of the notable law reform proposals studied was to enhance the law to support judge-led case management. The "judge-led" approach was introduced in the Family Justice Rules to empower the judge to take the lead in identifying relevant issues and to ensure that evidence adduced is relevant to the case. The judge may, at any time, make orders or give such directions for the just, expeditious and economical disposal of the matter. However, the existing rules may be worded too broadly and it is unclear whether there are any limits on the power given to judges. The RERF Committee therefore considered various ways to promote clarity in the "judge-led" approach. These included disallowing parties from filing further applications unless leave is obtained from the Court, permitting paper hearings, restricting cross-examination in certain situations, and empowering the Court to make substantive orders on its own motion.



# ENHANCING ACCESS TO JUSTICE

## DEVELOPING THE LAW AND PROCESS INNOVATIONS IN THE FJC

Another notable law reform proposal was to simplify the enforcement of child access orders. Child access orders made by the FJC are generally complied with and the number of enforcement applications is relatively small. Although the number of enforcement applications is small, there are serious effects on the family and the flagrant violation of court orders undermines the rule of law. Disproportionate judicial resources are spent adjudicating these applications. Breaches of court orders damage public confidence in the family justice system and can negatively affect the child's relationship with the access parent. While sanctions exist for breaches of access orders, they are fairly draconian and not easy to obtain. To address these challenges, the RERF Committee considered broadening the enforcement regime for child access orders by considering a simpler mode of commencing enforcement proceedings, and a slew of measures such as parental education, counselling and parenting coordination to encourage compliance with child access orders. The RERF Committee recommendations are expected to be released in the first half of 2019.

### III. Family Justice Rules

Year 2018 marks an important year as the FJC introduced new rules with the implementation of various new initiatives. The implementation of these initiatives with the corresponding changes to the Family Justice Rules (FJR) and (where applicable) the Family Justice Courts Practice Directions (FJC PD) are set out below.

#### A. New Rules for Uncontested Mental Capacity Act (MCA) Applications for Certain Specified Matters

- The FJC simplified the process for uncontested and urgent MCA applications or for applications which carry minimal risk to the person lacking mental capacity (P). The introduction of the simplified process ensures that the P's interests are met expediently while saving time and costs for the applicant who seeks to make the decision on behalf of P. The specified matters, as set out in the FJC PD, include, amongst other things, consenting to medical and dental examination and treatment on P's behalf.
- A new Originating process known as an "Application Form" was introduced for these applications and set out in the new Rule 176A. Building on the capabilities of the new iFAMS system which was commissioned in 2017, an applicant can now apply for orders in respect of specified matters by filling in an online form in iFAMS. The application process is made easier with a step-by-step guide which prompts the applicant to provide the requisite information. Apart from the new Rule 176A, consequential amendments were made to Rules 3, 18, 175, 176 and Part 2 of the Fifth Schedule of the FJR.
- In addition, paragraphs 46, 50 and 61 of the FJR PD were amended and a new paragraph 61A was introduced to the FJC PD to set out the process and requirements for a specified matter application made under Rule 176A of the FJR.

#### B. Enhancing the Interlocutory Procedure in Proceedings Under Part VII And VIII of the Women's Charter

- Concurrently, Rule 109A of the FJR was introduced to align the discovery process under Part VIII of the Women's Charter (Charter) with Part X of the Charter. With the new Rule, all applications for discovery under Part VIII of the Women's Charter are heard by the Registrar and all appeals arising from such applications are heard by a District Judge in Chambers under Part 18, Division 57 of the FJR.
- In addition, Rules 100 and 114 of the FJR were amended to extend the Court's powers under rule 647 to strike out statements and documents filed in the proceedings under Parts VII and VIII of the Charter.
- The amendments came into effect on 20 June 2018.

#### C. Amendments To The Sixth Schedule Of The FJR

- As a result of the Criminal Justice Reform Act which came into force on 31 October 2018, consequential amendments were made to the Sixth Schedule of the FJR to reflect the applicable Criminal Procedure Code (CPC) amendments. The FJC also reviewed the applicability of the Sixth Schedule in the FJC proceedings. The CPC provisions relating to the powers of arrest without warrant under Section 64(1)(a), and the attendant provisions in Sections 67 and Section 68 which prescribe how the arrested person is to be dealt with. This is consequential to the establishment of a new protocol with the State Courts in which complaints relating to breach of Personal Protection Orders are referred to the State Courts for further action, thereby rendering the CPC provisions redundant.
- The amendments came into effect on 20 June 2018.

#### D. The Vulnerable Adults Act 2018

- The Vulnerable Adults Act 2018 (VAA) came into effect on 19 December 2018. Vulnerable Adults (VAs) are defined as individuals aged 18 or above, who are unable to protect themselves from abuse, neglect or self-neglect due to mental or physical infirmity, disability or incapacity.
- In a situation where the care arrangements within the family have broken down and other social interventions have failed, the Director of Social Welfare or the Adult Protector, under the MSF can apply to the Family Court for Care Orders. The Court may make Care Orders such as to remove a VA from his residence and place the VA in a place of temporary care and protection or place of safety, or under the care of a fit person. The Court may also include an order to make the VA's residence a safe living environment.
- The VAA also allows the Director of Social Welfare or the Protector, an Approved Welfare Officer, the VA, the VA's family member or the VA's donee or deputy to apply for Protective Orders. The Court may make Protective Orders which are similar to the Charter's Personal Protection Orders, Domestic Exclusion Orders and Counselling Orders for family violence cases.
- In addition, the Court may also make a Non-Access Order and a Non-Visitation or Non-Communication Order.
- FJR was amended to include the new VAA procedure. A new Part 17B was introduced in the FJR to allow a VAA application to be made by way of a Magistrate's Complaint under the CPC and to allow relevant persons who are served with the application to record their objections in a newly created form known as the Notice of Objection. The new rules also set out the requirements to establish the lack of mental capacity of the VA. In addition, amendments were made to Rule 18 to allow all applications for contempt of court under the VAA to be filed as an Originating Summons as well as to Rule 821 to provide for appeals against VAA orders under Part 18, Division 59 of the FJR. Other consequential amendments arising from VAA were made to Rules 929A and 991.
- A new Part 6A in the Fifth Schedule was introduced in the FJR to provide for court fees under the Act.
- The corresponding introduction of new paragraphs 71A to 71D and Forms 64A to 64H in the FJC PD sets out the procedure and forms to be used in applications filed under the Act.

# ENHANCING ACCESS TO JUSTICE

## DEVELOPING THE LAW AND PROCEDURAL INNOVATIONS IN THE FJC

### IV. Streamlined Processes

To meet the future needs of family justice, the FJC is actively harnessing technology and design ideas to improve the user experience and make family justice accessible to all.

#### Phase 2 of the Integrated Family Application Management System

The FJC implemented the Integrated Family Application Management System (iFAMS) to make it easier and more convenient for litigants to make applications for maintenance orders, protection orders, deputyship orders and other matters.



This system provides better support for families to resolve their disputes through an integrated network of assistance and support, and is useful for families and for those in need of more than a Court Order. In implementing iFAMS, the FJC collaborated with the MSF, to allow the applicants to file such applications to the FJC from Family Service Centres or Family Violence Specialist Centres across Singapore. Such centres provide assistance in the form of social financial assistance or counselling services for citizens and are a natural touchpoint for applicants in need. Also, since these centres are located in several places across the island, they are more convenient for the applicants.

iFAMS has features that enable parties to make offers to resolve their disputes amicably and for litigants to draft and file their applications at home without needing to come to the Court.

This system has increased access to justice by making it easier for litigants to file their applications as it relies on a web-based platform, which can be accessed from anywhere with an internet connection, instead of requiring installation of proprietary software. Scheduling of appointments for hearings, changing of hearing dates, and requesting for copies of documents, for example, can all be done online and do not require physical visits to the Courts.

Since its launch in July 2017, over 4,300 maintenance cases and over 2,500 family violence cases have been filed via iFAMS. In addition, a total of 1,080 other applications (i.e. applications for change of hearing date, cancellation of Warrants of Arrest, and copies of documents) have also been filed via this system.

The iFAMS system gives effect to the recommendations of the Committee for Family Justice which was formed by the Chief Justice to strengthen the family justice system in Singapore by providing increased access to family justice for all.

## STRENGTHENING OUR INTEGRATED SUPPORT NETWORK

The Courts come into the frame of family life at a critical juncture. While each case has its unique complexities, the FJC's approach is to use the moment to protect the vulnerable, to empower individuals to resolve their disputes with a sustainable outcome, and to restore viable relationships. Yet we do not do this alone. Working with our partners, we hope to provide holistic, multi-disciplinary support to families and youths in distress, to prevent escalation of the disputes as early as possible, and after court resolution, to support them in finding new pathways ahead.

### Our network comprises:





# ENHANCING ACCESS TO JUSTICE

## STRENGTHENING OUR INTEGRATED SUPPORT NETWORK

### In The Community

#### I. Child Representative



A Child Representative (CR) presents a child's best interests to the Courts and serves to ensure that it is the focus of decision making relating to the child. The FJC can order the appointment of a CR in cases where the Court considers it necessary for a child's welfare and well-being. The CR represents the voice of the child, and provides an objective assessment of the arrangements that are in the best interests of the child.

#### II. Friend of Litigant-in-Person



The FJC partners with the Community Justice Centre (CJC) to provide timely legal and social services to needy court users. A Friend of Litigant-in-Person (FLiP) lay volunteer, adorably known as a FLiPper, and is activated to provide emotional support and is a guidance to unrepresented court users during a court session. Recognising that such courts users may also face socio-economic challenges, the CJC can provide interim financial assistance and food rations through its Legal Information & Knowledge of Social Services (LinKS). Those facing more complex issues will be referred to the relevant community partners for more sustainable assistance.

By working with the law schools, the University Court Friend (UCF) programme offers students that are aspiring to become legal officers the opportunities to interact with and provide useful procedural information to the public.

#### III. On-site Psychological Services



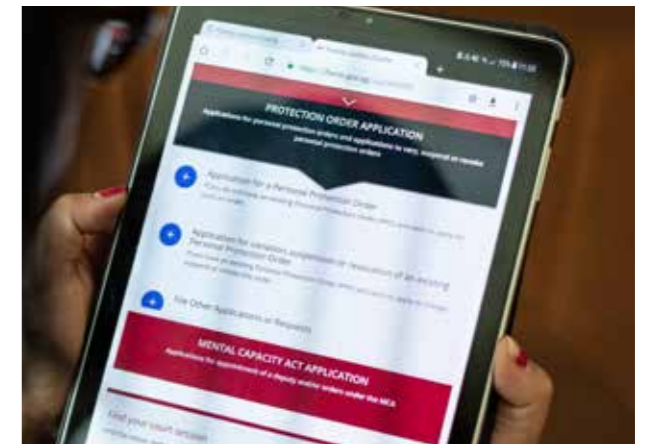
The FJC is a key service touch-point for families seeking legal intervention in times of intense emotional, physical or psychological distress. To assist court users with vulnerabilities or undiagnosed mental health concerns, the On-site Psychological Services (OSPS) is an initiative by the FJC, State Courts and Institute of Mental Health (IMH) that allows Court users to be assessed by IMH psychiatrists. In order to provide psychiatric assessment expediently, the psychiatrist is stationed at the State Courts on a weekly basis. OSPS serves as an aid in early detection and is an important conduit to connect court users to early mental health assessment and follow-up interventions. In 2018, the FJC successfully referred 20 court users to OSPS and 80% of them were linked up with IMH or re-structured hospitals for further psychiatric and psychological follow-ups. In late 2018, the Ministry of Health extended their approval for court users who are referred to re-structured hospitals to receive subsidised rates, to better support court users in their recovery.

#### IV. Parenting Coordination

The Parenting Coordinator (PC) is essentially an educator, a facilitator, a coach, and mediator all rolled into one. A relatively new Alternative Dispute Resolution process for parents, a PC is appointed by the judge to help parents implement the parenting plan contained in the court order, including orders related to child access. The PC does so by teaching parents how to co-parent, helping them find ways to resolve parental disputes or disagreements through consensus instead of bringing the conflict back to Court. Through this, the PC minimises the need for parents to regularly return to the Court for new orders, among other things. The ultimate goal is for the parents to be able to co-parent and to

resolve conflict on their own. A PC is typically appointed for a period of between six months and two years, giving parents sufficient time to learn how to co-parent.

#### V. The Vulnerable Adults Act 2018



The Vulnerable Adults Act (VAA) came into force on 19 December 2018, accompanied with the Family Justice (Amendment No. 4) Rules and the Family Justice Practice Directions (Amendment No. 5 of 2018) which set out the rules and processes governing the implementation of the Act respectively. The VAA module was also launched in the FJC's integrated Family Application Management System (iFAMS) to enable applications to be made via the system.

Under the Act, the vulnerable adult, his donee or deputy, his family members, duly appointed welfare officers, and the Director of Social Welfare or the Adult Protector may apply to Court for the appropriate protective or care orders against abuse or potential abuse, neglect or self-neglect of the vulnerable adult. The Director of Social Welfare or the Adult Protector may also apply for an order to enter a vulnerable adult's residential premises and remove him for his personal safety. The Court can also direct all relevant parties to attend counselling or another directed programme. This is to ensure that both vulnerable adults and their caregivers will receive the support that they need. This will also facilitate the repairs of relationships and allow family members to care for one another sustainably.





## BUILDING COMPETENCIES

## BUILDING COMPETENCIES

### I. FAMILY JUSTICE PRACTICE FORUM 2018: A CALLING OF KINDRED



“All of us here do work that makes a difference to someone. You could even be part of a milestone turning point in someone’s life. It is a calling that comes with a heavy responsibility, but this road can be so much more manageable when we do not walk alone. We must rally together and encourage each other.”

Justice Debbie Ong,  
Presiding Judge of the Family Justice Courts

The Family Justice Practice Forum 2018: *A Calling of Kindred* was held on 2 October 2018 at the Supreme Court Auditorium. Jointly organised by the FJC, MSF, Ministry of Law and the Law Society of Singapore (LSS), it brought together experts from the legal, psychological and social science fields to stock-take and consider possible improvements to further enhance the family justice system, and in doing so, to also boost access to justice. The Honourable the Chief Justice Sundaresh Menon graced the event, the Honourable Justice Debbie Ong, Presiding Judge of the FJC opened the Forum and Mr Desmond Lee, Minister for Social and Family Development, delivered the Keynote Address.

Mr Lee spoke at length on the three key focus areas which the inter-agency committee tasked to Review and Enhance Reforms in the Family Justice System, or RERF Committee for short, had identified for enhancement. First, the RERF Committee recommended the introduction of more upstream interventions in the divorce process, such as providing more pre-filing mediation and counselling to help reduce acrimony. This could help increase the proportion of uncontested divorces and enable parents to focus more on their children’s well-being. Second, the RERF Committee considered ways to build on the role of family law practitioners and the Judges of the FJC to help families in dispute. Lawyers could be trained to help steer families towards more therapeutic and restorative ways of dispute resolution and judges be further equipped to ensure that family disputes are resolved in a more therapeutic and restorative manner. Last, the RERF Committee began studying how deputyship applications could be made more accessible and convenient, and how deputies could be better equipped and supported to execute their roles. Mr Lee also emphasised the importance of introducing more therapeutic and restorative principles in the family justice ecosystem to create better outcomes for families. In the context of family justice, therapeutic and restorative justice aims to resolve family disputes through providing more counselling, mediation and conciliation, instead of relying on adversarial litigious means. The emphasis is on healing relationships and re-opening communication channels between family members caught in acrimonious disputes, to achieve more sustained and positive family outcomes.

The Forum was attended by over 400 family practitioners comprising family lawyers, policy makers, mental health professionals, and social workers – all kindred spirits connected by their common calling to help children and families. In her Opening Address, Justice Ong explained that weaving a strong fabric within the family justice system entailed professionals from various disciplines working together to weave their services together in a coherent manner to ensure no one falls through the gaps. Sharing words of encouragement in her Opening Address, Justice Ong said, “All of us here do work that makes a difference to someone. You could even be part of a milestone turning point in someone’s life. It is a calling that comes with a heavy responsibility, but this road can be so much more manageable when we do not walk alone. We must rally together and encourage each other.”



## BUILDING COMPETENCIES

### II. FAMILY CONFERENCE 2018

The FJC participated in the inaugural Family Conference organised by the LSS on 8 and 9 May at the Marina Bay Sands Convention Centre. The Conference was spearheaded by LSS Family Law Practice Committee in collaboration with the Probate Practice and Succession Planning Committee and the Muslim Law Practice Committee.

The two day event attracted some 215 delegates, and was uniquely designed with panel and workshop segments relevant to both senior and junior practitioners. The Conference holistically encompassed family law practice with the aim of benefitting delegates with a breadth of knowledge from experts in their field. These experts spoke on topics including private wealth, mental capacity, inheritance and succession planning, matrimonial matters, adoption and fostering, Islamic estate planning, updates on Syariah family practice, conflict management and mental health issues.

Keynote Speaker for the Conference, Ms Indraneel Rajah, S.C., Senior Minister of State for Law and Finance, and Member of Parliament for Tanjong Pagar GRC, called on the legal profession to transform itself in tandem with the changes in our family justice system. "I would urge all practising lawyers here to know and understand that you are not just a family lawyer. You are specialist lawyers. You will need to become a specialist lawyer in your own right," she declared, adding, "We are at the point of time where we are transforming family law. You are at the vanguard and the forefront of this transformation. In the context of family law, you have to be peacemakers. You have to be the problem solvers and to some extent, the people who also have to counsel... There are some types of cases where you really need the professionals to step in. But I think as lawyers, you need to understand what the underlying issue is and very often the issue is not legal."

Many Judges from the FJC were fielded as moderators and speakers. The Conference was a resounding success and participants shared that they were looking forward to the next one, scheduled for July 2019.



### III. ABOUT FAMILY JUSTICE: DIVORCE IN SINGAPORE – WHAT YOU NEED TO KNOW

*About Family Justice: Divorce in Singapore – What you need to know*, is an initiative by the FJC in collaboration with Law Society Pro Bono Services (LSPBS), CJC and the Singapore University of Social Sciences (SUSS), to help individuals who are either contemplating divorce or going through divorce. This initiative is an example of how the FJC collaborates with various segments of the family justice community to develop new means of reaching out to the public and make justice truly accessible. The initiative comprises an on-going public talk to all on divorce (Talk) as well as a series of complementary collaterals on the divorce process.

Entitled *Divorce and You*, the free Talks cover the divorce process and procedures, and offers information on the help services available to litigants at various stages. Scheduled in the evenings for the convenience of working adults, the Talks will equip and empower individuals with the necessary knowledge and tools to better manage the often stressful situation and make informed decisions on divorce matters. Commenting on the Talks, Deputy Presiding Judge and Registrar of the FJC Mr Chia Wee Kiat said: "These Talks will offer practical and useful knowledge to individuals, who are thinking about or have taken steps to file for divorce, and help them better navigate the often stressful situation to make informed decisions on divorce matters." He added that "Divorce is one of the most stressful events in a person's life. The decision to do so will irrevocably change the lives of all family members, particularly children. Thus it is important for individuals thinking of divorce, to consider carefully, and try all other avenues of help to resolve the conflicts before starting a divorce proceeding."

The FJC, in partnership with SUSS, has produced a leaflet, brochure and video on the divorce process as informational collaterals for attendees at the Talks and court users in general. The hardcopy leaflet and brochure are distributed at the FJC divorce registry, at LPBS's island-wide legal clinics and at CJC's Help Services Centres and LInKS office. Together with vernacular versions of the brochure, these collaterals are also available for download from the FJC and CJC websites.



## BUILDING COMPETENCIES

### IV. DESIGN THINKING EXPERIMENT

In May 2018, the FJC embarked on a Design Thinking project to devise a better court experience for our vulnerable users and to make family justice more accessible. The project is part of the FJC's larger efforts to streamline processes through innovative design in order to meet the future needs of our users and the family justice system. Design Thinking is a design approach used to gain a deep understanding of users' needs by observing their interaction with the system and listening to their views on how it can be better.

The process comprises:

- The Intent stage where the basis for the review is defined
- The Explore stage, where insights from user experience are gained through interviews, focus groups, observations and research
- The Innovate stage where interim conclusions are derived from the insights/findings from the Explore stage
- The Evaluate stage where recommendations are tested by users for validity and viability and iteratively tweaked
- The Formulate stage where a report, setting out the collaboratively assessed issues and sensibly recommended steps to address them, are formulated

The central aim of the Project is to make the court experience more user-friendly. Further, with the implementation of the Vulnerable Adults Act, an increasingly aged population, and the FJC's impending move to new premises, it was opportune to think of how we could better use our physical space and improve our processes to make the experience in the family justice system a better one. The Project is a system-wide collaborative effort between the court and our close partners, MSF and their Family Service Centres, who are all equally sensitive to the myriad of unique needs these users have.

The Project is currently in the Evaluate stage where conceptualised prototypes have been tested out on the premises of the FJC's Havelock site and are currently being refined as the team further re-evaluates their validity and viability with our stakeholders. The project will be proceeding to the Formulate stage in late February next year and a report will be ready in March. We have enjoyed our journey through Design Thinking and believe this has helped us to better understand our court users and the issues they face with the system. We hope that through the co-created solutions, our users will have a more desirable experience in the future.

Our Design Thinking process through the different stages:

#### STAGE 1

At the Intent Stage, several workshops were held with staff from across the organisation to define and scope the reason for the exercise. Participants also had opportunity to pick up and test out our new design thinking skills during the interactive workshops, granting us a greater appreciation for user centric solutioning.

#### STAGE 2

At the Explore Stage, fieldwork was conducted by studying the system and interacting with court users to gain insight into the current state. The physical premises were observed, online systems were heuristically evaluated for usability, and dozens of interviews were conducted with a variety of people experiencing vulnerabilities to better understand their behaviours, values, needs, and journeys.



#### STAGE 3

At the Innovate Stage, several ideation sessions were held with different groups of staff to make sense of our research findings and co-create and reiterate several versions of possible solutions.

#### STAGE 4

At the Evaluate Stage, both staff and walk-in court users viewed, tested, and provided feedback on our conceptualised ideas for a better future experience at the Ideas Gallery set up at the court house.



# BUILDING COMPETENCIES

## V. TRAINING PROGRAMMES

The FJC has embarked on programmes and training to increase understanding and to build competencies both within the organisation as well as in the community.

### Within FJC

Date	Topic	Speakers/Trainer Designation/Organisation
Jan, Feb, May & Sep	Standard First Aid, CPR & AED	Raffles Hospital
Jan, May & Dec	Influencing and Diffusing Skills for Difficult Customers	NTUC Learning Hub
14 Feb	Post-Divorce Housing Options for HDB Flat Owners	Ms Sharon Chua & Ms Quek Wai Ying Senior Estate Managers, Housing Management Group, Housing Development Board
27 April	An overview of Family Systemic Theory and Experiencing the Family Genogram (Part 1)	Ms Esther Tzer Wong, Senior Lecturer, TCA College
May	Conference Interpreting	Dr Zhan Cheng Professor and PHD Supervisor of School of Foreign Language Sun Yat-Sen University
4 May	An overview of Family Systemic Theory and Experiencing the Family Genogram (Part 2)	Ms Esther Tzer Wong, Senior Lecturer, TCA College
11 May	Handling Child issues	
	Child Reports – Myths and realities about Child Reports: “What it can and can’t tell you”	Ms Sophia Ang and Ms Sylvia Tan, Counselling & Psychological Services, FJC
	Update on Child Representative Scheme and Private Mediation Scheme	Ms Lim Choi Ming & Ms Kimberly Scully, District Judges, FJC



Standard First Aid, CPR & AED



An overview of Family Systemic Theory and Experiencing the Family Genogram

24-25 May	Carly’s Judicial Wellness Program	Dr Carly Schrever, Judicial Wellbeing Advisor, Judicial College of Victoria, Australia
30 May	Vulnerable Adults	
	Introducing Vulnerable Adults Act (VAA)	Mr Muhammad Hidhir Abdul Majid, Principal District Judge, FJC
	Practice Philosophy for the VAA	Mr Yap Ching Sian, Adult Protective Service, Ministry of Social and Family Development
	Mental Health Issues in Vulnerable Adults	Dr Jared Ng, Consultant, Institute of Mental Health
	Cross-examination of Vulnerable Witnesses	Mr Jonathan Lee, District Judge, FJC
11 Jul	Dialogue on Judicial Conduct, including interaction between bench and bar – “In Conversation with Leslie Chew, SC”	Prof Leslie Chew, SC Dean School of Law, Singapore University of Social Sciences
6 Aug	Babies, Toddlers And Youth	
	Children’s Court Room- an opportunity to protect, heal and restore- Understanding trauma informed practice for better outcome	Dr Winne Goh, Senior Consultant, KIDSo-3, Division of Medicine, Adj Asso Prof. Duke- NUS Graduate Medical School, Department of Child Development, KK Women’s and Children’s Hospital
	Child Protection Issues, Principles of placement and reunification of children under MSF’s child-protection scheme and types of assistance available to such families, including the Court’s role in such interventions.	Ms Firdawati Masri, Assistant Director, Child Protection Services
		Ms Cherlyn Lim, Assistant Director, Children in Care
		Ms Ting Ming Hwa, Senior Manager, Clinical and Forensic Psychological Services Ministry of Social and Family Development
	Children and Young Persons Act Amendments	Mr Eugene Tay, District Judge, FJC



Learning Day 2018 - Innovating through technology



Mental Health Issues in Vulnerable Adults

# BUILDING COMPETENCIES

## V. TRAINING PROGRAMMES

### Within FJC

Sep	Write for Approval	Civil Service College
31 Oct	Abuse and Neglect of Vulnerable Adults: Consultation with Judges	Ms Page Ulrey, Sr. Deputy Prosecuting Attorney, Seattle, WA, United States
26 Nov	MCA in a context of Abuse and Neglect – Exploring the BC context	Dr Deborah O'Connor, RSW, Professor, School of Social Work, University of British Columbia Co-Director, Centre for Research on Personhood & Dementia, Vancouver, BC, Canada
Nov to Feb	Executive Certificate in Legal Skills	Temasek Polytechnic
Dec	Learning Day 2018 – Innovating Through Technology	Rohei



Abuse and Neglect of Vulnerable Adults



### Learning Journeys conducted by the FJC

Date	Organisation
8 Mar	Ministry of Social and Family Development, Chrysalis (Residential) Training (CRT) Programme for Youth Residential Services
Apr	Singapore University of Social Sciences, undergraduate social work students
6 Jun	Singapore Police Force, Honorary Volunteer Special Constabulary Officers from the Volunteer Special Constabulary Headquarters
6 Jun	Volunteer Mediators: Mediation and Working with Individuals with Mental Health Disorders
16 Jul	Mining Deep, Scaling Heights: Co-Parenting: Navigating Through Conflict from Social Service Institute
Aug	National Institute of Education, teacher-participants of the Management and Leadership in Schools Course
11 Sep	Ministry of Social and Family Development, Chrysalis (Residential) Training (CRT) Programme for Youth Residential Services
11 Oct	Singapore University of Social Sciences, graduate students who specialised in couple and family therapy (CFT)
1 Nov	Singapore Police Force, Honorary Volunteer Special Constabulary Officers from the Volunteer Special Constabulary Headquarters
22 Nov	Ministry of Social and Family Development, officers from the Intervention Strategy Branch and the Operators for the Transitional Shelters
30 Nov	KK Women's and Children's Hospital, medical social workers and psychologists



Singapore Police Force, Honorary Volunteer Special Constabulary Officers from the Volunteer Special Constabulary Headquarters



Ministry of Social and Family Development, Chrysalis (Residential) Training (CRT) Programme for Youth Residential Services



## EXTENDING INTERNATIONAL RELATIONSHIPS

### I. ASEAN 5<sup>TH</sup> WORKING GROUP MEETING ON CROSS-BORDER DISPUTES INVOLVING CHILDREN

The 5<sup>th</sup> Working Group (WG) on Cross-Border Disputes involving Children was held in the afternoon of 26 July at the Supreme Court. The meeting was co-chaired by Justice Debbie Ong, Presiding Judge of the FJC and Judge Angelene Mary Quimpo-Sale of the Philippines. Judges and officials from Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Thailand and Vietnam were also present.

The meeting discussed the follow-up items to the 4<sup>th</sup> WG meeting that was held in Manila on 25 and 26 October 2017.



These included:

- A set of common procedures for ASEAN Member States with cross-border disputes involving children.
- A non-binding Code of Conduct and Protocol to deal with cross-border disputes involving children within ASEAN Member States.
- To adopt a Country Profile template which is to contain the applicable laws and reciprocal arrangements for each ASEAN Member State.
- The proposed organisation of the 2<sup>nd</sup> ASEAN Family Judges Forum (AFJF) in Singapore to be held in conjunction with a Hague Conference in March 2019.

At the conclusion of the meeting, the WG agreed to adopt a common procedure to deal with with cases where there cross-border dispute involving children within ASEAN where appropriate and to work on a non-binding Code of Conduct and Protocol to deal with such cases. The proposed Country Profile template and flow chart were adopted and each ASEAN Member State would populate the content for their respective countries.

EXTENDING  
INTERNATIONAL  
RELATIONSHIPS



## EXTENDING INTERNATIONAL RELATIONSHIPS

### II. REGIONAL & INTERNATIONAL PARTICIPATION

In 2018, the FJC hosted a number of regional and international guests.

#### Overseas Guests

Date	Guests/Program
10 Jan	Delegation of associate judges from the Nonthaburi Juvenile and Family Court, Thailand, led by Judge Chatchavech Sukitjavanich
15 Jan	Delegation from Abu Dhabi Judicial Department (ADJD), led by His Excellency Mr Justice Yousef Al Abri, Undersecretary of ADJD
17 Jan	Ms Keiko Imazato from the Japan Central Authority
28 Feb	Chief Justice of Kazakhstan's Supreme Court, H.E. Mr Zhakip Assanov
9 May	Delegation from the National Judges College of the People's Republic of China, led by Vice President Ms Feng Wenli
30 Aug	Chief Justice of China, Zhuo Qiang
4 Sep	Participants, comprising of foreign judges and judicial officers, of the "Singapore's Experience: Protecting Women's Rights", a 5-day training programme organised by the Ministry of Foreign Affairs and the Singapore Judicial College.
20 Sep	Delegation of deputy public prosecutors and senior officers from Malaysia Attorney General Chambers, the Sexual Crime & Domestic Violence Unit
8 Oct	Hague Conference on Private International Law (HCCH) Secretary General, Dr Christophe Bernasconi and Mr Frank Poon
29 Oct	Delegation from Hong Kong Judiciary, led by The Honourable Mr Justice Johnson Lam, Vice President and Justice of Appeal of the Court of Appeal of the High Court
12 Nov	Participants, comprising of foreign judges and senior court administrators, of the Judiciary Wide Induction Programme, organised by Singapore Judicial College
14 Nov	Dr. Anne Hobbs (Director of the Juvenile Justice Institute at University of Nebraska at Omaha), Ms Monica Miles-Steffen (Director of Placement-court Services for the Nebraska Administrative Office of Courts and Probation) and Ms Mary C Visek (Chief Probation Officer, Nebraska State Probation) from United States of America
15 Nov	Delegation from Indonesia Supreme Court, led by Justice Syamsul Maarif, SH., LL.M., PhD
4 Dec	Justice Dato' Faizah binti Jamaludin and Justice Datuk Hajah Azizah binti Haji Nawawi, from the Malaysian Judiciary

Quotes from a few of our guests.

**“** Judge Chatchavech Sukitjavanich  
 Thank you so very much for your kind assistance. The presentations were just what I had hoped they would be. My colleagues and I truly thought Judge Eugene and Ms Eileen were great. **”**

**“** His Excellency Mr Justice Yousef Al Abri  
 Today, I and the accompanying delegation were so pleased to visit the Family Justice Court in Singapore. Thank you for the warm reception and the information provided to us. Thank You. **”**

**“** H.E. Mr Zhakip Assanov  
 The pleasure was mine to be a part of Kazakhstan's court delegation received by Singapore courts on 27-28 February 2018. Thank you very much! It was fantastic visit to Singapore. I hope we can continue our close cooperation and a fruitful interaction. **”**

**“** The Honourable Mr Justice Johnson Lam  
 I would like to thank you and your colleagues for the warm reception during our recent visit to the Family Justice Courts of Singapore on 29 October 2018. The visit was most informative and fruitful. Thank you for sharing with us your experience in adopting a multi-disciplinary approach in helping families in distress resolve their issues through counselling, mediation and adjudication. Our visit to the law court building and the mediation facilities also gave us some insight regarding the design and planning of our court buildings. **”**

**“** Justice Syamsul Maarif  
 Thank you for (the) very informative briefing. We learnt a lot from the presentations. **”**

**“** Justice Dato' Faizah binti Jamaludin and Justice Datuk Hajah Azizah binti Haji Nawawi  
 Datuk Azizah Nawawi and I would like to thank Family Justice Courts very much for organising such an excellent programme for our study visit to the FJC last week. We were looked after very well by Sarah. Our grateful thanks to Deputy Presiding Judge, Mr Chia Wee Kiat, DJ Kevin Ng, DJ Darryl Soh, Mr Yeo Eng Kwan, Ms Grace Leong and Mr Jack Lim for taking the time off their busy schedules to brief us on the FJC and Family Dispute Resolution & the Specialist Services Division of the FJC. We learnt a lot during the briefing and are very impressed at what the FJC has achieved in the last 4 years. We would also like to thank DJ Kevin Ng and Sarah for hosting lunch for us. **”**



## CORPORATE SOCIAL RESPONSIBILITY

### I. FOOD FROM THE HEART GROCERY SHOPPING FOR THE ELDERLY



For the second year in a row, the FJC and Supreme Court collaborated with Food From The Heart (FFTH) on a grocery shopping project for the elderly. Held on 20 March 2018, the event saw 37 staff from the two Courts volunteer their time to pair up with single elderly folks living in one-room rental flats around the Kallang Bahru area. Each pair was given an \$80 FairPrice voucher to do grocery shopping at a nearby supermarket. After grocery shopping, the staff volunteers accompanied the elderly back to their homes. The event ended on a good note, with the staff volunteers interacting meaningfully with the elderly. It was definitely an enriching experience for all.

### II. FOOD FROM THE HEART – TOY DONATION DRIVE

The Toys Buffet was a carnival for over 2,000 needy children aged 6 to 13 years. At the carnival, children selected toys donated from various organisations and schools, played carnival games and enjoyed treats. In support of FFTH's upcoming Annual Toys Buffet, the Courts, for the second time, initiated a Toy Donation Drive between 12 to 19 October. A total of 216 toys were collected from both Courts. The collected toys were checked to ensure that they were in good condition and individually wrapped by the People Matters Committee (PMC) members before being sent to FFTH.

### III. JUDICARES WITH ALZHEIMER'S DISEASE ASSOCIATION



Judiciary Cares is an annual event organised by the Judiciary Cares Organising Committee, comprising Judges and staff of the Judiciary, to reach out to the needy and less privileged members of society. In 2018, the Courts were happy to partner with the Alzheimer's Disease Association (ADA), an organisation which provides programmes and services to support families on their caregiving journeys, and in doing so, enables and integrates persons with dementia in our society. Judges and Court Administrators accompanied some 60 beneficiaries from the ADA to the beautiful Flower Dome at Gardens by the Bay for a fun-filled day.

Funds raised through staff donations were presented by the guest of honour for the event, Justice Aedit Abdullah from the Supreme Court, to the CEO of ADA, Mr Jason Foo. S\$30,752.00 was raised by the three courts. More than 120 Judges and staff of the Judiciary volunteered at the event and accompanied the beneficiaries throughout the day at Gardens by the Bay.

CORPORATE  
SOCIAL  
RESPONSIBILITY





# YEAR IN REVIEW

## YEAR IN REVIEW

### I. CASE LOAD STATISTICS

FJC handled a total of 27,483 cases in 2018. There is a decrease of about 2% of cases compared to 2017. Divorce, Maintenance and Probate cases made up more than half of the total caseload handled by FJC in 2018.

Caseload Profile	2017	2018*
<b>Family Justice Courts</b>	<b>28,076</b>	<b>27,483</b>
<b>Maintenance</b>	<b>4,976</b>	<b>4,712</b>
Fresh Applications	1,303	1,208
Enforcement of Maintenance Orders	2,527	2,422
Variation/ Rescission/ Suspension of Maintenance Orders	771	765
Enforcement of Maintenance of Parents Tribunal Orders	26	19
Enforcement of Syariah Court Orders	349	298
<b>Family Violence</b>	<b>2,935</b>	<b>2,699</b>
Fresh Applications for Personal Protection Orders (PPO)	2,717	2,478
Variation/ Rescission of PPO	172	198
Breach of PPO	46	23
<b>Divorce Writs</b>	<b>6,093</b>	<b>5,974</b>
<b>Others</b>	<b>12,923</b>	<b>13,034</b>
Adoption	414	429
Probate <sup>1</sup>	6,459	6,590
Originating Summons	901	889
Breach of Syariah Court Orders	174	155
Summonses (Family) <sup>2</sup>	4,975	4,971
<b>Youth Court</b>	<b>1,149</b>	<b>1,064</b>
Youth Arrest Charges	812	589
Beyond Parental Control <sup>3</sup>	86	114
Child Protection Orders <sup>4</sup>	246	293
Youth Summons Case/Youth Court Notice <sup>3</sup>	5	68

(\*) Figures for 2018 are subjected to revision

<sup>1</sup> Probate statistics are revised as at January 2019

<sup>2</sup> Includes Divorce, Originating Summons (Family), Probate and Adoption Summonses

<sup>3</sup> Refers to number of youths

<sup>4</sup> Formerly refers to Police Summonses/Summonses & Tickets, and Other Charges



# THE FJC FAMILY



## ACKNOWLEDGEMENT

The Family Justice Courts would like to thank all who have contributed to this publication.



Navigation Page





SUPREMECOURT  
S I N G A P O R E



STATE  
COURTS  
S I N G A P O R E



FAMILY JUSTICE COURTS  
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