



A trusted Judiciary • Ready for tomorrow



ANNUAL REPORT 2022

A trusted Judiciary **SG
Courts** Ready for tomorrow





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ABOUT THE SINGAPORE JUDICIARY

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

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



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



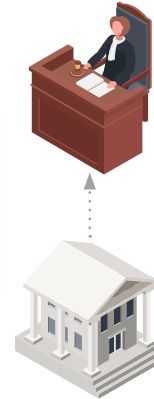
EXECUTIVE
includes the Elected President, the Cabinet and the Attorney-General, and exercises powers according to the law.



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



The Supreme Court is headed by the **Chief Justice**. The Supreme Court consists of the Supreme Court Bench, Supreme Court Registry and Singapore Judicial College, and is supported by the Judicial Administration team. It hears both civil and criminal cases and is made up of the Court of Appeal and the High Court, which includes the Singapore International Commercial Court.



HIGH COURT
Comprises the General Division and the Appellate Division of the High Court.

COURT OF APPEAL
• Hears all criminal appeals against decisions made by the General Division of the High Court in the exercise of its original criminal jurisdiction.
• Hears prescribed categories of civil appeals and appeals that are to be made to the Court of Appeal under written law.

Appellate Division

Hears all civil appeals that are not allocated to the Court of Appeal under the Sixth Schedule to the Supreme Court of Judicature Act. It also hears any civil appeals or other processes that any written law provides is to be heard by the Appellate Division.

General Division

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

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

Appeals arising from a decision of the General Division in civil matters will be allocated between the Appellate Division and the Court of Appeal in accordance with the statutory framework set out in the Supreme Court of Judicature Act.

Singapore International Commercial Court (SICC)

- Hears and tries actions which are international and commercial in nature, in accordance with Section 18D(1) of the Supreme Court of Judicature Act.
- Hears and tries proceedings relating to international commercial arbitration, in accordance with Section 18D(2) of the Supreme Court of Judicature Act.
- Includes cases commenced in the SICC or transferred from the General Division to the SICC.



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



DISTRICT COURTS
• Hear civil cases with claims of more than \$60,000 and up to \$250,000 in value, or up to \$500,000 for claims for road traffic accidents or personal injuries from 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 five years or which are punishable with a fine only.



CORONERS' COURTS
Conduct inquiries into sudden or unnatural deaths or where the cause of death is unknown.



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



COMMUNITY DISPUTES RESOLUTION TRIBUNALS
Hear disputes between neighbours involving unreasonable interference with the enjoyment or use of places of residence.



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



PROTECTION FROM HARASSMENT COURT
Hears matters arising out of harassment, stalking and related anti-social behaviour, as well as false statements of fact.



The Family Justice Courts are headed by the **Presiding Judge of the Family Justice Courts**. They hear family cases and deal with the care and treatment of young persons, operating based on the principles of therapeutic justice.



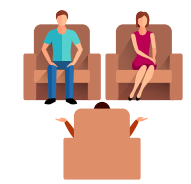
HIGH COURT (FAMILY DIVISION)
• Exercises original jurisdiction and hears appeals against the decisions of the Family Courts and the Youth Courts in family proceedings.
• Hears ancillary matters in family proceedings involving assets of \$5 million or more.
• Hears probate matters where the value of the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



FAMILY COURTS
• Divorce.
• Probate and administration.
• Maintenance.
• Protection against family violence.
• Deputyship.
• Adoption.
• Protection for vulnerable adults.
• Guardianship.
• International child abduction.



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



MEDIATION & COUNSELLING
All cases coming before the Courts are managed proactively by judges from the start. Where necessary, the Courts can direct that parties undergo counselling and mediation to try and reach an amicable resolution of the dispute instead of proceeding with adjudication.

CHIEF JUSTICE'S FOREWORD

In 2022, as Singapore finally began to emerge from the long shadow of the pandemic, we turned our focus firmly towards the future. At the Opening of the Legal Year, I suggested that the next phase of our journey would require us to go beyond the adjudication of discrete disputes and hone our vision for the SG Courts as the national institution entrusted with the administration of justice. To excel in the administration of justice, I suggested that the courts should prioritise three key themes: enhancing judicial capabilities, building a user-centric court system, and promoting international judicial engagement. These themes informed the work of the SG Courts in 2022.

First, we have made significant investments to systematically enhance our judicial capabilities. On 1 April 2022, we brought the Rules of Court 2021 and Singapore International Commercial Court Rules 2021 into force. This marks a very significant change in the way civil litigation is conducted by the parties and managed by the courts. To achieve the ideals of fair access to justice, efficiency and proportionality that are embodied in the new Rules, judicial officers and court administrators worked tirelessly to update our court processes and to gather and respond to stakeholder feedback. Besides innovations that enhance the judicial toolbox, we have also renewed our focus on judicial education and training. To this end, the Singapore Judicial College has been restructured and expanded to more effectively devise and deliver training that is tailored to the needs of judges.

Next, we have sought to adopt a user-centric approach to the design of our court system and the functioning of our courts. This involves recognising that the courts should provide neutral and objective assistance to court users, especially self-represented persons, as they navigate the judicial process. Thus, the State Courts made its *Guidebook for Accused in Person* available in all four official languages in 2022 to help those accused of criminal offences who do not have legal representation to better understand the criminal justice process. Likewise, the Family Justice Courts (FJC) published an updated and expanded edition of the *Family Orders Guide* and organised a series of webinars and roadshows under

the banner of Family Justice @ Heartlands to help demystify family justice. To ensure that we take a systematic approach towards communicating with and engaging our court users, we also unified the communications and outreach functions of the Supreme Court, State Courts and FJC into a single Communications & Service Excellence Division. This was part of a wide-ranging effort to integrate our three courts into One Judiciary.

Finally, the SG Courts have continued to actively engage with our counterparts from other jurisdictions. This allows us to benefit from the collective experience and wisdom of judiciaries around the world. In 2022, we continued our high-level engagements with the judiciaries of the People's Republic of China, Rwanda and our ASEAN neighbours, among others. The State Courts broke new ground by organising the inaugural Tribunals Conference and bringing together the International Judicial Dispute Resolution Network. The Supreme Court set up a Commercial Practice Panel to identify best practices in commercial litigation from across the world, and continued to participate actively in the Standing International Forum of Commercial Courts. In the area of commercial disputes in particular, international judicial engagement has the unique potential to contribute towards the development of a transnational system of commercial justice. This involves convergence towards a broadly common set of substantive and procedural norms and values for the regulation of transnational commerce, which would help reduce legal uncertainty, encourage growth, and promote the global rule of law. We should not underestimate the value of judicial diplomacy and interaction in moving us towards these valuable goals.

These efforts of the SG Courts in 2022 mark the first phases of a project to transform and future-proof the Judiciary, which will be the focal point for much of our energies in the coming years. The realisation of this vision will be essential if our courts are to remain prepared to respond to the considerable challenges that our society will face in the coming years, as well as the frequent and ongoing changes to our operating environment.



Indeed, as 2022 was drawing to a close, the launch of ChatGPT took the world by storm and put an end to any lingering doubts over whether artificial intelligence and related technologies would radically disrupt and transform the practice of law and the delivery of justice. More such watershed moments are sure to come, and we will need to be nimble and forward-looking if we are to tackle the challenges that such changes will bring and seize the opportunities that they will present to secure the promise of access to justice for all.

Sundaresh Menon
Chief Justice
Supreme Court of Singapore

MESSAGE FROM THE PRESIDING JUDGE OF THE STATE COURTS

As the world transitioned to a “new normal” where COVID-19 is endemic, 2022 offered us an opportunity to reflect upon the seismic changes in the preceding years, and renew our commitment to press ahead with innovation, even as we pursue our core values and mission.

Snapshot of work done in 2022

We have seen efficiency gains as we continue to hone our court processes. We achieved an overall clearance rate of 113% in 2022, a slight increase from 110% in 2021.

Over the year, our judicial officers collectively issued about 2,000 written decisions. Of these, 25 were selected for reporting in a new series of law reports by the Singapore Academy of Law. This is a key initiative which serves to recognise the valuable contributions by the lower courts to Singapore’s jurisprudence.

Pushing frontiers in the conduct of hearings

The mode for conducting hearings continues to be a significant focal point for innovation. Whilst the public health situation no longer necessitates social distancing, remote hearings by video conferencing remain the default for a wide range of matters. This has facilitated expedient disposal of straightforward matters, saving time and resources for parties and the courts alike. A return to the physical hearings of the past would be inconceivable for many types of hearings.

Another front where technology has enabled a re-imagining of court processes is asynchronous hearings. By conducting proceedings on an e-platform, without the need to schedule a time for parties and the court to convene, significant efficiencies are reaped. We have since widened its application in civil interlocutory matters and are taking the next major step of expanding asynchronous hearings to criminal pre-trial hearings.

Deepening our judicial skillset

Training and mentorship continue to play a central role in deepening judicial skillsets.

In 2022, our officers clocked an average of 105 training hours, an 8.2% increase over 2021. Training content was carefully curated and included bespoke courses, structured in collaboration with the Singapore Judicial College. Speakers from diverse disciplines were invited to share their expertise with our officers, making for a multi-faceted training diet.

Twelve new judicial officers embarked on their mentorship journey with senior colleagues, who each committed to spending 20 to 30 hours with their mentees. Whilst heavy, we believe this commitment in time and effort will yield solid returns in the form of better judges and, ultimately, quality justice.

Demonstrating our thought leadership

2022 was a productive year in terms of State Courts’ contributions to thought leadership in key areas of law. In collaboration with the Singapore Academy of Law, the State Courts organised two conferences featuring distinguished local and international speakers:

- The inaugural Tribunals Conference was held on 26 and 27 April 2022, with the theme of ‘Advancing Access to Justice Through a Quality Tribunals System’. It involved the sharing and discussion of experiences, learning points and initiatives on the law and practice of tribunals.
- The Sentencing Conference held on 31 October and 1 November 2022 was themed ‘Sentencing Frameworks: Instructive, Communicative, Consistent Outcomes’. It touched on topics such as the use of sentencing frameworks, the sentencing of youthful offenders and mentally disordered offenders, as well as the use of technology to assist in the task of sentencing.

Both conferences were well attended and received by local and foreign participants.

The State Courts continued to be active on the international stage. As a founder and EXCO member of the International Consortium for Court Excellence, the State Courts organised a two-day virtual conference on pursuing court excellence in challenging times. The State Courts also chaired the inaugural meeting of the International Judicial Dispute Resolution Network.



Moving onwards and upwards

A number of initiatives focused on enhancing access to justice and empowering self-represented litigants at the State Courts are in the pipeline. One such initiative that we expect to roll out within the year is a Digitised Defects List that can be utilised by litigants in renovation or tenancy disputes at the Small Claims Tribunals to list the areas in dispute in a manner that facilitates a systematic and efficient adjudication of the claim. These efforts dovetail with the broader Judiciary-wide focus on access to justice.

The past three years have taught us that the one true constant is change. The State Courts remain steadfast in our commitment to evolve and ensure that we remain fully equipped to deliver quality and timely justice in an increasingly complex legal landscape.

Vincent Hoong
Presiding Judge
State Courts

MESSAGE FROM THE PRESIDING JUDGE OF THE FAMILY JUSTICE COURTS

2022 was a busy and fruitful year for the Family Justice Courts (FJC). The theme of our Workplan 2022 was 'Let's Go'. It reflected that we were implementing initiatives, working and translating our ideas into real-world solutions and fine-tuning them along the way. Through this process, we strove to transform Therapeutic Justice (TJ) from a vision into something that is practised in all our cases.

As the Court of Appeal has recognised, TJ is not merely an ideal; it is a necessity and is intensely practical. Proceedings in the FJC are unique because the relationship between the parties, and between the parties and their children, continue long after court proceedings conclude. Thus, family disputes require a justice system that promotes healing and problem-solving. Our work in TJ is therefore immensely important.

FJC's initiatives and achievements

Our caseload in 2022 increased by 3%, including a 17% increase in probate cases. Notwithstanding that, our general rate of disposition increased as well—a reflection of the concerted efforts of our team in their work. There was also a 3% increase (from 60% to 63%) in the proportion of divorce applications filed under the Simplified Track, where parties agree on the divorce and the ancillary matters. This is a positive indication that our efforts in encouraging and helping divorcing parties to resolve their affairs amicably are bearing fruit.

Aside from hearing cases, the FJC has pursued several initiatives. These fall into three categories.

The first is **creating a multi-disciplinary environment to further TJ** by tackling the social, psychological and other challenges that underlie family disputes. Building on our work and experience over the last two years in the implementation of TJ, we embarked on a TJ Deep Dive to further our efforts in this area. Further, in line with our multi-disciplinary approach, we inked a Memorandum of Understanding with the College of Psychiatrists, Academy of Medicine, Singapore, the Singapore Association for Counselling

and the Singapore Psychological Society to set up a private-sector Panel of Therapeutic Specialists. This specialist panel will provide a variety of specialised therapeutic services to families who come through the FJC and are willing to undergo private consultations that would meet their specific needs. Similarly, we launched an updated version of the Panel of Financial Experts scheme, which assists the Court by providing equitable and objective valuations of the matrimonial assets under contest, thereby enabling justice to be administered more effectively and efficiently. The updated version of the scheme includes improved processes, the addition of probate applications and an expanded panel of financial experts. We also adopted a TJ Best Practice Guide among family judges, which expounds standards of conduct and expectations for all participants in the family justice system.

The second is **strengthening and facilitating court processes, settlement and enforcement**. These efforts ultimately enhance access to justice. To this end, we worked to bring services such as filing applications to community touchpoints in the heartlands. For instance, self-represented parties are able to file applications for maintenance enforcement at ServiceSG Centre Our Tampines Hub and ServiceSG Centre One Punggol. We also introduced the Electronic Template Statements initiative for fresh maintenance cases to assist and guide self-represented parties to fill all necessary and relevant information and documents in a single consolidated form, which will then be used at the trial.

The third is **fortifying judges' and lawyers' capacities and capabilities to handle family disputes of growing capacity**. We held our third run of the Family Judges Learning Week, where the focus was on training our family judges on TJ practices and techniques as well as a host of other multi-disciplinary topics. We are also working with the Singapore Academy of Law to offer the second run of the Family Therapeutic Justice Certification Programme, which is a voluntary professional certification course for family lawyers.



Looking forward

The theme for 2023's Workplan is 'Keep it Up!'. It is an encouragement to all stakeholders in our TJ journey, including judges, court staff and lawyers, for all the good work done.

Following our Deep Dive, we are working on ideating and operationalising TJ on a broader scale within our court operations and structure. This includes introducing elements of TJ in proceedings before the Youth Courts, which handle child protection, youth offences, and other cases involving children and young persons. The Family Justice Rules will also be simplified, making them more streamlined and efficient.

I am confident that with our sustained efforts, we will be able to fully transform our system of family justice to deliver justice that heals.

Debbie Ong
Presiding Judge
Family Justice Courts

HIGHLIGHTS OF 2022

10 JANUARY



OPENING OF THE LEGAL YEAR

This annual event was streamed live from the Supreme Court to about 700 participants on Zoom. Chief Justice Sundaresh Menon, Attorney-General Mr Lucien Wong, and newly appointed President of the Law Society, Mr Adrian Tan, delivered their customary speeches over video conference.

1 APRIL

NEW RULES COME INTO OPERATION

The new **Rules of Court 2021** came into operation. These civil procedure rules are intended to modernise the litigation process, enhance the efficiency and speed of adjudication, and maintain costs at reasonable levels.

The **SICC Rules 2021** and the **Supreme Court of Judicature (Intellectual Property) Rules 2022** also came into force. The latter legislation enhances the intellectual property dispute resolution system by making it more accessible to individuals and companies, particularly small and medium-sized enterprises.



11 AND 12 JANUARY

SINGAPORE INTERNATIONAL COMMERCIAL COURT CONFERENCE



The Supreme Court Bench and International Judges of the Singapore International Commercial Court (SICC) came together virtually to discuss and assess legal developments, as well as chart the course for the year ahead. The theme in 2022 was 'Charting a Path Beyond the Pandemic'.

18 AND 19 MAY

INTERNATIONAL JUDICIAL DISPUTE RESOLUTION NETWORK



The Singapore Judiciary hosted the inaugural meeting of the International Judicial Dispute Resolution Network (JDRN) over Zoom. At the meeting, the JDRN was formally established, with members agreeing that all decisions were to be taken by consensus and that the Singapore Judiciary would serve as the Secretariat. The JDRN seeks to promote the early, amicable, cost-effective and fair resolution of court disputes without the need for a trial through proactive, judge-led management of cases, twinned with the employment of Court Alternative Dispute Resolution modalities.

HIGHLIGHTS OF 2022

23 AND 24 AUGUST



MASS CALL

A total of 465 newly minted Advocates and Solicitors were called to the Bar over three sessions. This event was conducted in a hybrid format with all the applicants in attendance at the Supreme Court auditorium, while guests joined remotely. It followed two years of virtual Mass Calls.



1 OCTOBER

AMENDMENTS TO SICC RULES

The SICC (Amendment No. 2) Rules 2022 introduce new processes in the SICC for cross-border corporate insolvency, restructuring and dissolution proceedings. Concurrently, the Legal Profession (Representation in SICC) (Amendment No. 2) Rules 2022 facilitate the participation of foreign lawyers in such proceedings before the SICC.

New Rules Introduced in Relation to Cross-Border Corporate Insolvency, Restructuring and Dissolution Matters

The Singapore International Commercial Court (SICC) (Amendment No. 2) Rules 2022, which came into force on 1 October 2022, predominantly spotlight the new Order 23A of the SICC Rules 2021.

Key Features:

SICC's jurisdiction to hear corporate insolvency, restructuring and dissolution proceedings

- The SICC has jurisdiction to hear corporate insolvency, restructuring and dissolution proceedings under Parts 1 to 12 and 22 of the Insolvency, Restructuring and Dissolution Act 2018 (IRDA). These include proceedings relating to the following matters:
 - (a) references of management;
 - (b) liquidation;
 - (c) winding up;
 - (d) the SICC's Insolvency Law on Cross-Border Insolvency;
- The SICC's jurisdiction to hear corporate insolvency, restructuring and dissolution proceedings is contingent on the proceedings being international and commercial in nature.
- Such proceedings are international in nature if at least one of the following factors apply to the subject of the proceedings:
 - (a) the debtor/creditor at the commencement of the proceedings;
 - (b) the subject has a place of business in a foreign country;
 - (c) the subject has or had an asset or property in a foreign country;
 - (d) the subject has or had a liability that arose in a foreign country;
 - (e) the subject has at least a contractual obligation that has been or is to be performed in a foreign country;
 - (f) the subject has or had a contract with a foreign country;
 - (g) the subject has obligations and liabilities that are governed by the laws of one or more foreign countries;
 - (h) at least one creditor of the subject has a place of business in a foreign country;
 - (i) the capital and director of the subject is administered from a foreign country;
- Such proceedings are commercial in nature if the subject of the proceedings and any affected person have a relationship of a commercial nature, whether contractual or not.



Transfers from the General Division to the SICC

- Before an order for the transfer of any corporate insolvency, restructuring or dissolution proceedings is made by the General Division, either on its own motion or on the application of a party:
 - (a) notice must first be given by the applicant or respondent in the proceedings in a copy where the notice is to be made by the General Division to its own website, or by the party applying for the transfer, to the other parties in the proceedings and other affected persons; and
 - (b) the General Division must give the applicant an opportunity to be heard and the respondent an opportunity to be heard.
- The General Division may make any order in those insolvency proceedings as a consequence of the transfer. SICC may however do so provided that its order is not inconsistent with any order made by the General Division.



The Rules applicable to corporate insolvency, restructuring and dissolution proceedings heard by the SICC

- In any insolvency proceedings, the IRDA and the Insolvency, Restructuring and Dissolution (Corporate Insolvency and Restructuring) Rules 2021 (SICC Rules) apply with the necessary modifications, with the SICC Rules to be read subject to the IRDA and the IRDA Rules.
- Where there is an express provision in the IRDA or the SICC Rules on any matter of practice or procedure, the SICC may:
 - (a) adapt such provision or procedure under the SICC Rules as the court considers appropriate; or
 - (b) make such orders and give such directions as are likely to secure substantial justice between the parties.
- The provisions that the corporate insolvency, restructuring or dissolution proceedings in the SICC are proceedings in which the applicant or respondent, upon the filing of the originating application, as well as when the applicant or respondent applies to first participate in a hearing for directions on case management and when filing an interlocutory application:
 - (a) be an affected person before the applicant or respondent in the originating application; that makes an active participation in the proceedings; and the filing of the affected person's first document in the proceedings, as well as when that person files an interlocutory application.

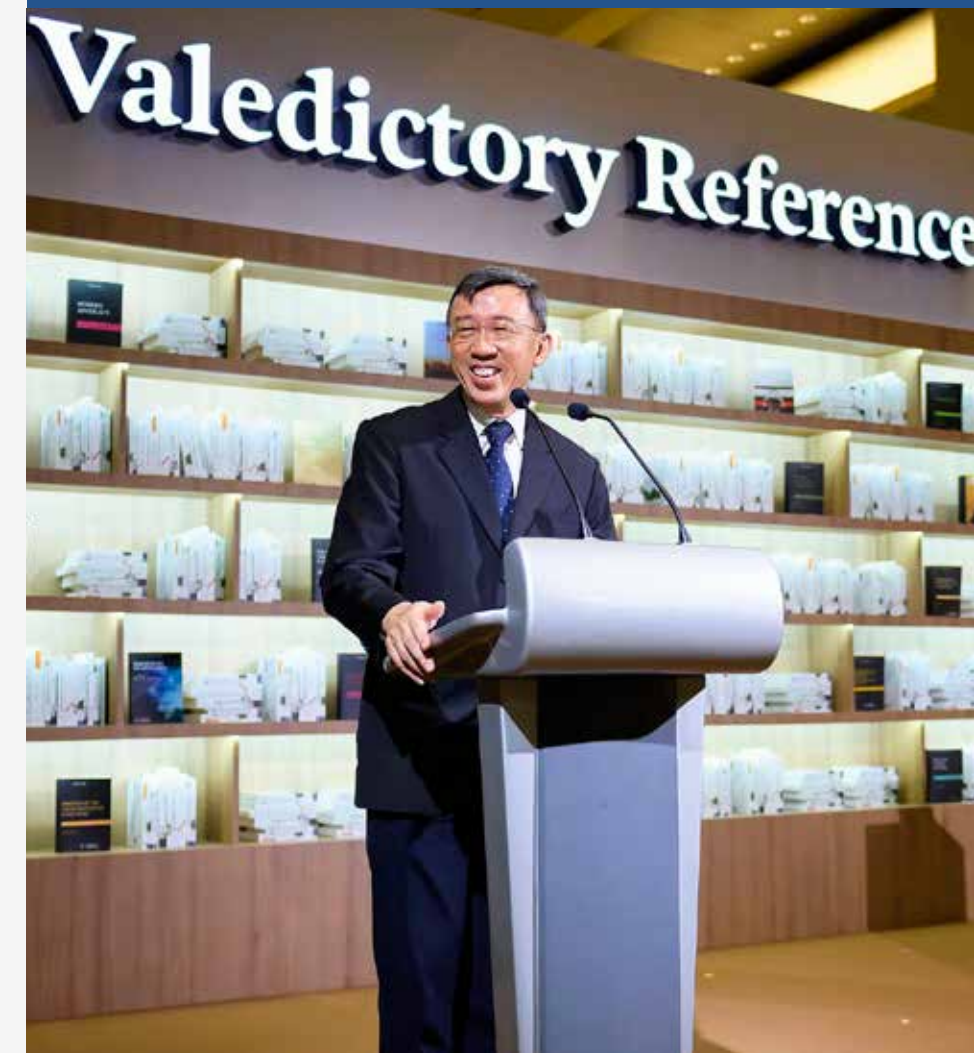


Legal representation in corporate insolvency, restructuring and dissolution proceedings in SICC

- Provisions from the SICC, must first be obtained before a foreign lawyer registered under section 28(1)(c) of the Legal Profession Act 1969 (LPA) (foreign lawyer) or a foreign lawyer registered under section 28(1)(d) of the LPA (foreign lawyer) may act in the corporate insolvency, restructuring and dissolution proceedings.
- An application to represent a party may be made by the foreign lawyer before or on the date the notice is filed and may be made before, at the same time as, or after the commencement of the proceedings.
- If the application is made prior to the commencement of the proceedings, it may be made by an "eligible foreign lawyer" in one of the following ways:
 - (a) by way of a submission; and
 - (b) must also be accompanied by a witness statement that is made by the applicant.
- Full registration foreign lawyers and section 28B solicitors are precluded from making submissions on any matter of Singapore law in corporate insolvency, restructuring and dissolution proceedings before the SICC.



28 NOVEMBER



VALEDICTORY REFERENCE IN HONOUR OF JUSTICE ANDREW PHANG

A Valedictory Reference was convened to mark the retirement of Justice Andrew Phang Boon Leong as Justice of the Court of Appeal with effect from 15 December 2022 and as a tribute to his contributions to the Bench. It was the third time the Judiciary held an event of such prominence.

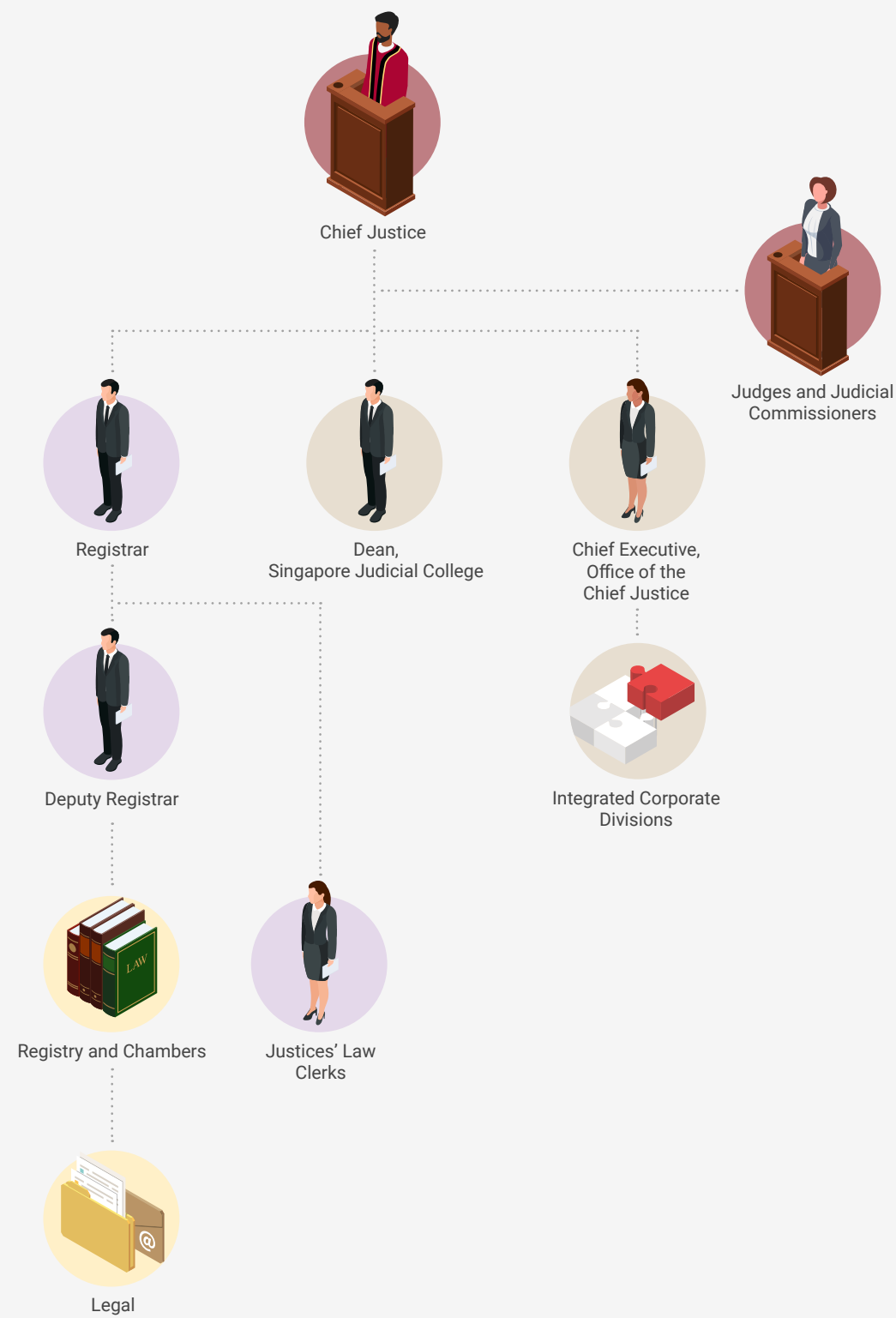


OUR PEOPLE

Demonstrating integrity, professionalism and a forward-thinking mindset, those who collectively make up the Singapore Judiciary embody the mission to ensure proper administration of justice.

ORGANISATIONAL STRUCTURE (AS OF 1 APRIL 2023)

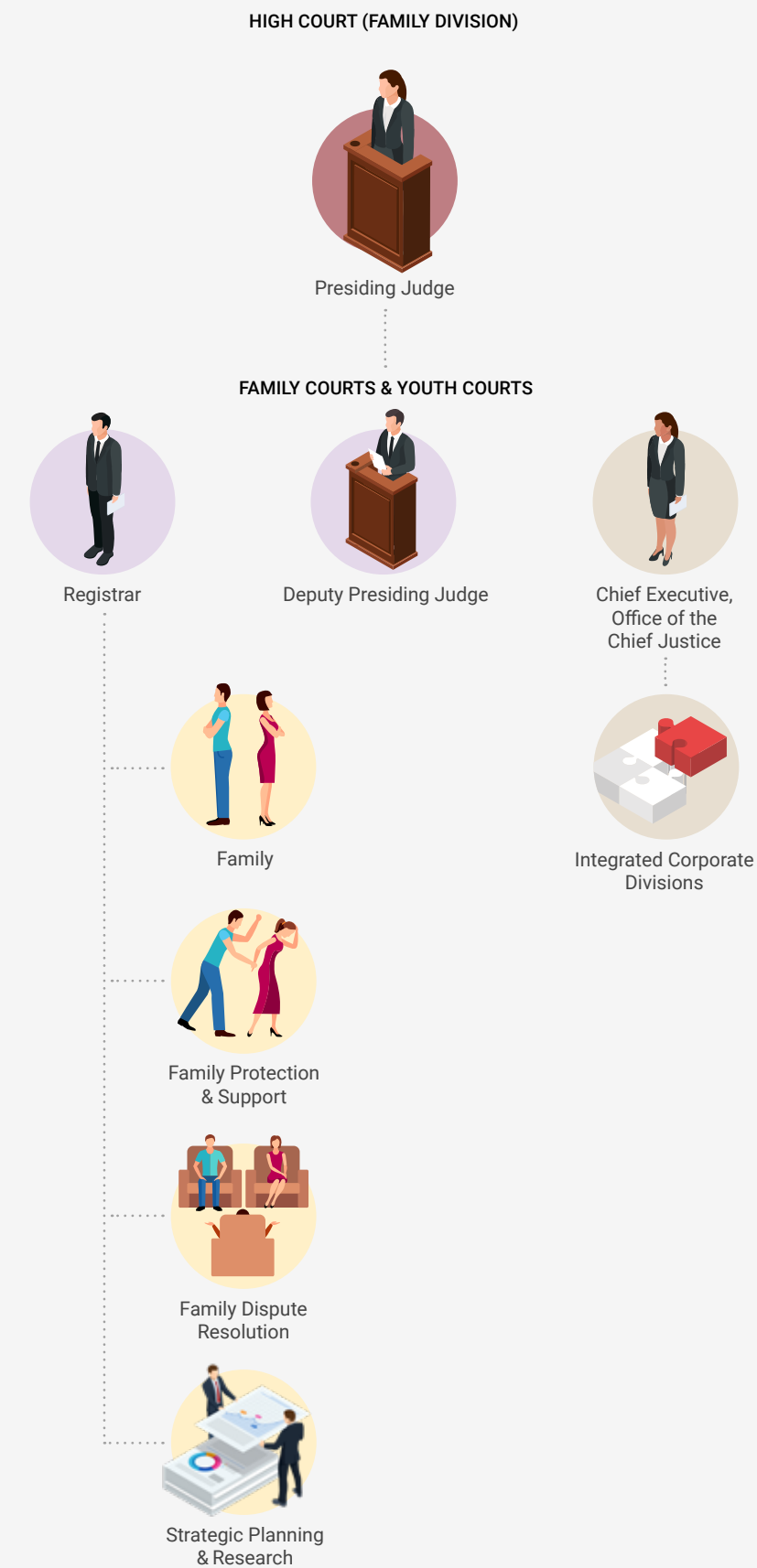
SUPREME COURT



STATE COURTS



FAMILY JUSTICE COURTS



ORGANISATIONAL STRUCTURE (AS OF 1 APRIL 2023)

CORPORATE DIVISIONS



In January 2022, the Judicial Service Commission was established, heralding a wider move to transform the Judiciary to meet the needs of an increasingly complex world. The restructuring underscores our conviction to develop and implement policies to attract the best legal minds, as well as strengthen the Judiciary as an institution entrusted with the administration of justice.

To move forward as ‘One Judiciary’, an integrated framework is required for the SG Courts’ corporate administrative functions. The journey towards One Judiciary began a few years ago with the integration of the Family Justice Courts and the Supreme Court, and was completed with the integration of the State Courts in April 2022. Headed by Ms Juthika Ramanathan, the integrated divisions make up the key corporate functions across the three Courts.

Communications & Service Excellence

Oversees the planning and execution of public engagement and communication efforts to position the SG Courts as a forward-thinking, innovative and trusted judiciary. Equal and continuous access to justice is facilitated through effective public service delivery. It also promotes awareness and usage of the Singapore International Commercial Court among legal and business professionals both regionally and internationally.

Corporate Services

Oversees the SG Courts’ human resources, security, record management (for non-court records) and administrative functions as well as the respective libraries at the Supreme Court and State Courts.

Finance & Procurement

Promotes proper stewardship of the SG Courts’ financial resources, through the implementation of frameworks that promote financial prudence, value-for-money practices and financial accountability.

Infrastructure & Court Resources

Strategises and optimises the use of space, technology and resources that best support court hearings and operations to create an excellent court experience for all court users. It comprises the Building Infrastructure Department, Court Infrastructure Department and Language Resources Department.

Innovation, Technology & Transformation

Coordinates and drives transformation to achieve consistency and to develop new approaches for the work of the Judiciary. It also oversees the acquisition and deployment of technology in the Judiciary.

Internal Audit

Adopts a risk-based approach to evaluate the adequacy of internal control systems—taking into account the organisation’s risk management practices—to enhance and protect organisational values as well as provide objective assurance, advice and insight, while ensuring compliance with government regulations, procedures and sound governance practices.

Judicial Policy

Drives the overall strategic direction of the Judiciary as an integrated whole, and identifies trends and leads in legal reforms. It works with the Access to Justice Programme Office to build trust and confidence in the Judiciary, enhance the Judiciary’s standing on the world stage, and ensure the Judiciary is recognised for championing access to justice, through thought leadership as well as building our International Relations’ capabilities and competencies. There is also a legal advisory unit, which acts as in-house counsel for the Judiciary.

Knowledge Management

Advocates knowledge as a strategic asset for the SG Courts and facilitates the sharing of knowledge and best practices across the Judiciary.

THE SUPREME COURT BENCH

(AS OF 1 APRIL 2023)



CHIEF JUSTICE

① Chief Justice Sundaresh Menon

JUSTICES OF THE COURT OF APPEAL

② Justice Judith Prakash

③ Justice Tay Yong Kwang

④ Justice Steven Chong

⑤ Justice Belinda Ang

JUDGES OF THE APPELLATE DIVISION

⑥ Justice Woo Bih Li

⑦ Justice Kannan Ramesh

⑧ Justice Debbie Ong

Justice Ong is also the Presiding Judge of the Family Justice Courts.

THE SUPREME COURT BENCH

(AS OF 1 APRIL 2023)



JUSTICES OF THE HIGH COURT

① Justice Choo Han Teck

③ Justice Vinodh Coomaraswamy

⑤ Justice See Kee Oon
Justice See is also the President of the Industrial Arbitration Court.

⑦ Justice Valerie Thean

② Justice Lee Seiu Kin

④ Justice Tan Siong Thye

⑥ Justice Chua Lee Ming

THE SUPREME COURT BENCH

(AS OF 1 APRIL 2023)



JUSTICES OF THE HIGH COURT

① Justice Hoo Sheau Peng

③ Justice Pang Khang Chau

⑤ Justice Vincent Hoong
Justice Hoong is also the Presiding Judge of the State Courts.

⑦ Justice Mavis Chionh

② Justice Aedit Abdullah

④ Justice Audrey Lim

⑥ Justice Dedar Singh Gill

THE SUPREME COURT BENCH

(AS OF 1 APRIL 2023)



JUSTICES OF THE HIGH COURT

① Justice S. Mohan

② Justice Andre Maniam

③ Justice Philip Jeyaretnam

Justice Jeyaretnam is also the President of the Singapore International Commercial Court.

④ Justice Kwek Mean Luck

⑤ Justice Hri Kumar Nair

JUDICIAL COMMISSIONERS

⑥ Judicial Commissioner Goh Yihan

⑦ Judicial Commissioner Teh Hwee Hwee

THE SUPREME COURT BENCH

(AS OF 1 APRIL 2023)



SENIOR JUDGES

① Justice Andrew Phang

③ Justice Andrew Ang

⑤ Justice Chan Seng Onn

② Justice Quentin Loh

④ Justice Lai Siu Chiu

JUDICIARY EXECUTIVE COMMITTEE

(AS OF 1 APRIL 2023)



① **Ms Juthika Ramanathan**
Chief Executive, Office of the Chief Justice

② **Mr Paul Quan**
Executive Director & Acting Dean, Singapore Judicial College

③ **Ms Clara Goh**
Deputy Chief Executive

④ **Mr Tan Boon Heng**
Registrar, Supreme Court

⑤ **Mr Christopher Tan**
Deputy Presiding Judge & Registrar, State Courts

⑥ **Mr Kenneth Yap**
Registrar, Family Justice Courts

⑦ **Mr Tan Ken Hwee**
Chief Transformation and Innovation Officer

⑧ **Mr James Leong**
Chief Knowledge Management Officer

⑨ **Mr Patrick Nathan**
Chief Communications Officer & Chief Risk Officer

⑩ **Ms Theresa Yeo**
Senior Director, Corporate Services

⑪ **Ms Cher Ming Hui**
Senior Director, Finance and Procurement

⑫ **Ms Papinder Kaur**
Senior Director, Infrastructure and Court Resources

⑬ **Mr Siva Shanmugam**
Chief Policy Officer

⑭ **Mr Toh Kon Sing**
Ministry Family Chief Information Officer

SUPREME COURT REGISTRY SENIOR MANAGEMENT

(AS OF 1 APRIL 2023)



① **Mr Tan Boon Heng**
Registrar

③ **Ms Cornie Ng Teng Teng**
Senior Assistant Registrar
Ms Ng is also the Divisional Registrar for the General Division of the High Court.

⑤ **Ms Chong Chin Chin**
Senior Assistant Registrar
Ms Chong is also the Divisional Registrar for the Court of Appeal and the Appellate Division of the High Court.

⑦ **Mr David Lee Yeow Wee**
Senior Assistant Registrar

② **Mr Phang Hsiao Chung**
Deputy Registrar
Mr Phang is also the Divisional Registrar for the Singapore International Commercial Court.

④ **Mr Edwin San Ong Kyar**
Senior Assistant Registrar

⑥ **Ms Cheng Pei Feng**
Senior Assistant Registrar

STATE COURTS SENIOR MANAGEMENT

(AS OF 1 APRIL 2023)



① **Justice Vincent Hoong**
Presiding Judge

③ **Mr Toh Han Li**
Principal District Judge, Criminal Courts (Group B)

⑤ **Ms Thian Yee Sze**
Principal District Judge, Community Courts and Tribunals

⑦ **Mr Clement Seah Chi-Ling**
Principal District Judge, Civil Courts

② **Mr Christopher Tan**
Deputy Presiding Judge & Registrar

④ **Mr Victor Yeo**
Principal District Judge, Court Dispute Resolution

⑥ **Mr Toh Yung Cheong**
Principal District Judge, Strategic Planning and Technology

⑧ **Ms Jill Tan**
Principal District Judge, Criminal Courts (Group A)

FAMILY JUSTICE COURTS SENIOR LEADERSHIP TEAM

(AS OF 1 APRIL 2023)



① **Justice Debbie Ong**
Presiding Judge

③ **Mr Kenneth Yap**
Registrar

⑤ **Ms Toh Wee San**
District Judge & Head, Family Division

NOT IN PHOTO:

Mr Muhammad Hidhir Abdul Majid
Principal District Judge & Head, Family Protection and Support Division

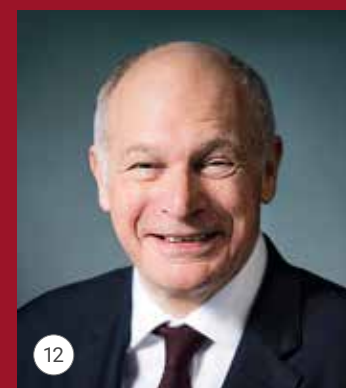
② **Mr Chia Wee Kiat**
Deputy Presiding Judge

④ **Mr Kevin Ng**
District Judge & Head, Family Dispute Resolution Division

⑥ **Ms Jen Koh**
District Judge, Deputy Registrar & Head, Family Division

INTERNATIONAL JUDGES

(AS OF 1 APRIL 2023)



① Justice Thomas Frederick Bathurst AC, KC

② Justice Patricia Bergin AO, SC

③ Justice Sir Jeremy Cooke

④ Justice Sir Henry Bernard Eder

⑤ Justice Robert French

⑥ Justice Roger Giles

⑦ Justice Dominique T. Hascher

⑧ Justice Douglas Samuel Jones AO

⑨ Justice Lord Jonathan Hugh Mance

⑩ Justice Beverley McLachlin PC

⑪ Justice Yuko Miyazaki

⑫ Justice Lord Neuberger of Abbotsbury

⑬ Justice Sir Vivian Ramsey

⑭ Justice Anselmo Reyes

⑮ Justice Sir Bernard Rix

⑯ Justice Arjan Kumar Sikri

⑰ Justice Christopher Scott Sontchi

⑱ Justice Simon Thorley KC

⑲ Justice Zhang Yongjian



ACCESS TO JUSTICE

Making justice accessible to all, and removing barriers that stand in the way of guaranteeing people's rights, is a necessary condition for a fair and equal society.

NEW RULES OF COURT IMPLEMENTED

Rules of Court 2021

The Rules of Court 2021 (ROC 2021) came into operation on 1 April 2022. During the three-month transitional learning phase from 1 April to 30 June, the SG Courts adopted a more lenient approach towards dealing with non-compliance with the new rules, so as to allow litigants and lawyers more time to familiarise themselves with the changes. This included granting extensions of time for compliance with procedural requirements, and waivers or refunds of fees incurred, where appropriate.

Key officers, both judicial and operational, have been assigned to collate and review feedback and proposals from users regarding issues encountered in the implementation of ROC 2021. The Supreme Court and State Courts Registries established a Pro Tem Focus Group on ROC 2021 to facilitate an open channel of communication between the Courts and the Bar on the implementation of the new rules. These active and ongoing processes will be coordinated with proposals for refinements that may be implemented through amendments to ROC 2021 and the respective Practice Directions 2021.

Supreme Court of Judicature (Intellectual Property) Rules 2022

In force since April 2022, the new Supreme Court of Judicature (Intellectual Property) Rules 2022 (SCJIPR) promise to enhance the resolution of intellectual property (IP) disputes in Singapore and make the IP dispute resolution system more accessible to individuals as well as small and medium enterprises. By consolidating the different rules relating to various IP claims found in a diverse range of subsidiary legislation, SCJIPR creates a useful, one-stop shop for IP litigants looking for the procedural rules applicable to their cases. In addition, it introduces a new optional Simplified Process track as a speedy and cost-proportionate alternative, thus ensuring enforcement of IP rights is not the preserve of the privileged.

Singapore International Commercial Court Rules 2021

A bespoke standalone set of procedural rules, the Singapore International Commercial Court (SICC) Rules 2021 are a gamechanger in the international dispute resolution landscape. They enhance the dispute resolution process in the SICC, with new procedures aimed at the expeditious and efficient administration of justice according to international commercial law, while providing for procedural flexibility through fair, impartial and practical processes. They contain novel features to streamline procedural steps and increase procedural flexibility. This ensures that the SICC remains progressive and has procedures compatible with, and responsive to, the fast-changing needs and realities of international commerce.

The SICC (Amendment No. 2) Rules 2022, which came into operation on 1 October 2022, introduce new processes in the SICC for cross-border corporate insolvency, restructuring and dissolution proceedings. These changes mark a positive development for Singapore with respect to the broader region's restructuring and insolvency landscape. The SICC, with its robust framework for international dispute resolution, is well placed to further strengthen Singapore's capability to serve as a preferred nodal jurisdiction in coordinating and dealing with cross-border restructuring and insolvency matters.

These changes mark a positive development for Singapore with respect to the broader region's restructuring and insolvency landscape.

NEW SICC RULES

CROSS-BORDER CORPORATE INSOLVENCY, RESTRUCTURING, DISSOLUTION

The Singapore International Commercial Court (SICC) (Amendment No. 2) Rules 2022, which came into force on 1 Oct 2022, predominantly spotlight the new Order 23A of the SICC Rules 2021.

SICC's jurisdiction to hear corporate insolvency, restructuring and dissolution proceedings



Transfers from the General Division of the High Court to the SICC



Rules applicable to corporate insolvency, restructuring and dissolution proceedings heard by the SICC



Legal representation in corporate insolvency, restructuring and dissolution proceedings in SICC





CIVIL JUSTICE PROCESS TRANSFORMATION PROJECT

Laying the Groundwork for the Rollout of the New Rules of Court

The Rules of Court 2021 (ROC 2021) introduced a new civil procedure framework that modernises the litigation process in Singapore through new modes of commencement, interlocutory applications, and stages of proceedings. This framework has fundamentally changed each step of the process through which parties bring their civil matters to fruition in the SG Courts.

In the year leading up to the successful launch of this mammoth project on 1 April 2022, the State Courts' Civil Justice Process Transformation Team (CJP Team) worked tirelessly to create a new foundation on which the efficient and effective rollout and operationalisation of ROC 2021 would be based.

All three of the CJP Team clusters worked together to:

- Formulate and provide the State Courts' input on the draft ROC 2021, including but not limited to provisions relating to enforcement, court fees and appeals.
- Formulate the State Courts' requirements for the eLitigation platform under ROC 2021, and test it to ensure smooth implementation.
- Conceptualise new operational frameworks, workflows and protocols necessary for achieving the new Ideals, as well as for managing and executing novel processes, created under ROC 2021.
- Create new forms, checklists and case digests to assist external stakeholders in their navigation of ROC 2021.
- Issue new Practice Directions providing necessary guidance to stakeholders of the State Courts on the civil processes introduced under ROC 2021.
- Restructure the existing Practice Directions, eLitigation platform and operations to manage the concurrent hearing of ROC 2014 and ROC 2021 matters.



A year-long preparation period preceded the implementation of ROC 2021 in the State Courts.

A Tailored and User-Centric ROC 2021 Framework

The State Courts deal with more than 80 per cent of cases filed in the SG Courts. Most of these are low-value claims where the principles of accessibility to justice and proportionality of costs bear particular significance.

As such, at each stage of the development and implementation process for ROC 2021, the CJP Team had to accommodate the specific needs and requirements of the State Courts' caseload and their stakeholders. This meant making recommendations for—and thereafter operationalising adjustments to—the eLitigation platform, workflow processes and Practice Directions unique to the State Courts.

In particular, the CJP Team had to:

- Create nuanced, efficient and timely case management structures to bring into effect the new processes introduced in ROC 2021, bearing in mind the State Courts' manpower constraints and high caseload.
- Introduce simple forms, checklists and processes (electronic or otherwise) to guide court users through the new civil processes as litigants-in-person or otherwise.
- Streamline processes and court fees to ensure proportionality of costs.

ENHANCING THE COMMUNITY JUSTICE AND TRIBUNALS SYSTEM

Enhancements to the Community Justice and Tribunals System (CJTS) e-platform were made in 2022. The objective was to support amendments to the subsidiary legislation of the specialist courts and tribunals in the Community Courts and Tribunals Cluster, strengthen infrastructure capabilities and security posture, improve user experience, and enhance access to justice.

As part of the enhancements:

- Terminology changes were made, arising out of amendments to the subsidiary legislation of the specialist courts and tribunals.
- Court forms previously available in hard copy in the State Courts Practice Directions were migrated online to CJTS to provide easy access. These forms were made individually downloadable and editable.
- The CJTS module for claims under the Protection from Harassment Act was enhanced to cater to matters impacted by the Private Security Industry (Amendment) Act 2021.
- CJTS was successfully migrated from the Government Private Cloud to the Government Commercial Cloud. This improved the system's infrastructure capabilities and security posture, and the overall reliability of CJTS for court users.

PRE-TRIAL CONFERENCE CHECKLIST: A PILOT PROJECT

Taking their cue from the Supreme Court, the State Courts implemented the Judge Case Conference Checklist initiative for criminal cases. Used in judiciously selected cases, this checklist has enhanced the administration of justice through more efficient and effective case management.

In selected cases, the prosecution and defence counsel are required to fill in this checklist prior to attendance before the trial judge for a case conference. The purpose is to narrow down the issues that have to be determined at trial, and to facilitate the resolution of administrative issues well ahead of trial. For instance, parties are required to consider and indicate upfront whether there are undisputed facts that can be the subject of an agreed statement of facts. The use of the Judge Case Conference Checklist also encourages parties to outline their respective plans for witness and exhibit management, which enables the trial judge to better manage proceedings over the course of the trial.

ASYNCHRONOUS HEARINGS IN CRIMINAL CASES

Criminal pre-trial conferences (PTCs) and criminal case disclosure conferences (CCDCs) were identified as appropriate candidates for asynchronous hearings. This involves the asynchronous receipt of parties' applications and requests for directions, approval of applications, issuance of directions, and fixing of matters on the Integrated Case Management System, without requiring the attendance of parties. It allows for a more efficient disposal of such matters, saving time and resources for both parties and the State Courts. It also frees up PTC judges to devote more attention to active case management of more complex matters.

A pilot programme involving selected cases handled by the Attorney-General's Chambers and Criminal Legal Aid Scheme Fellows has been launched to gather data and feedback on the use of asynchronous hearings for criminal PTCs and CCDCs. This will enable the State Courts to understand the required process overhauls and technical enhancements before a full-scale launch is implemented.



ADDITIONAL ELECTRONIC OPTION TO SERVE COURT DOCUMENTS FOR CIVIL PROCEEDINGS

Leveraging Singpass for a More Secure, Private and Cost-Effective Mode of Service

On 1 September 2022, an additional electronic method to effect substituted service of court documents for civil proceedings via the Singpass app Inbox was introduced on the eLitigation platform. This enhancement is part of the SG Courts' efforts to drive legal transformation and innovation to better serve the needs of court users in today's digital society.

Litigants may seek to use substituted service when attempts at personal service of court documents have been unsuccessful. Frequently-used methods of substituted service include posting of court documents on the front door or gate of the recipient's premises, registered post with Advice of Receipt to the recipient's address, and electronic means such as email or Internet transmission. Newspaper advertisements are also used in some cases.

Subject to obtaining permission from the court, subscribers of the eLitigation platform can opt for the additional method of substituted service. The recipient will receive a 'push' notification through the Singpass app Inbox in the 'For Action' category, informing them of the service of court documents.

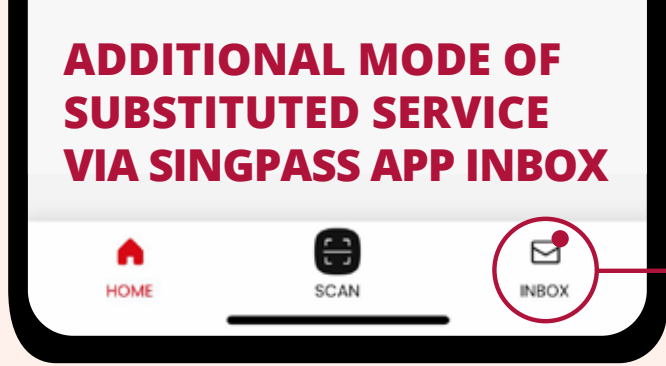
Recipients (for example, defendants or respondents to a claim or application) will benefit from:

- A discreet and direct way of being notified of the service of court documents. Recipients can privately view the relevant documents electronically, after carrying out authentication with Singpass. Some other methods of substituted service may inadvertently allow other persons to view the documents.
- Assurance that the documents viewed using the 'push' notification through the Singpass app Inbox are authentic. The notification is an official communication transmitted through secure and authenticated channels.

Benefits to the litigant carrying out substituted service include:

- Potential cost savings.
- Enhanced speed of effecting substituted service.
- Ability to carry out service where the recipient's address may not be known or may have changed.

ADDITIONAL MODE OF SUBSTITUTED SERVICE VIA SINGPASS APP INBOX



An additional electronic method to effect substituted service of court documents for civil proceedings will be introduced on the eLitigation platform. Law firm subscribers can select the additional "e-Service" option on the platform to send secure notifications to recipients (for example, defendants or respondents to a claim or application) via the Singpass app Inbox, which can be accessed by tapping the tab bar labelled "Inbox" on the menu bar at the bottom of the app. If the court approves an application for the documents to be served using the Singpass app Inbox, this is what the recipient will see:

- #### 1 Receiving court documents

The recipient will receive a notification in the "For Action" category in his or her Singpass app Inbox. There will be a link in the message to download the documents.

Note: By using the Singpass app, the recipient has agreed to receive messages through the Singpass app Inbox.
- #### 2 A SMS notification may be sent to the recipient's mobile number

If the recipient has a mobile number registered with Singpass, a SMS notification will be sent if the message in the Singpass app Inbox is not read after one hour or the recipient does not have the Singpass app installed.

Note: If the recipient does not have the Singpass app installed, the delivery will be marked as being unsuccessful.

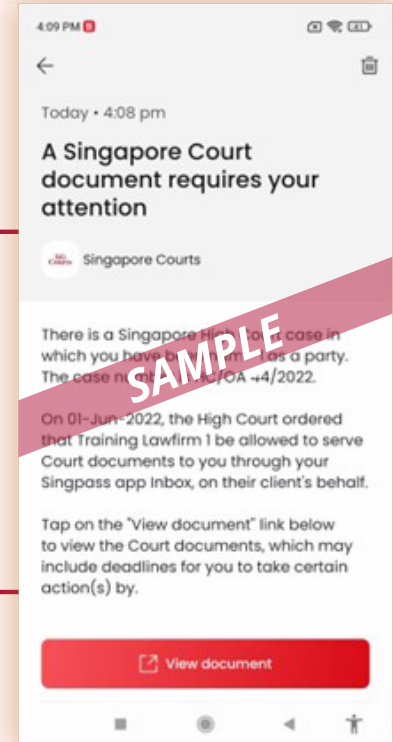

Benefits





Security and authenticity


- Assurance that the documents viewed are authentic as the official communications from the Singpass app Inbox are transmitted through secured and authenticated channels.

Privacy for recipient

- The recipient is notified discreetly of the service of court documents. Some other methods of substituted service may inadvertently allow other persons to view the documents.
- Only the recipient can see the message as he or she must log in through the secure Singpass app.



Scan the QR code
for more details.

To help court users understand how the new method of substituted service works, an infographic summarising key highlights was produced.

FILING MAINTENANCE ENFORCEMENT APPLICATIONS IN THE HEARTLANDS

The Family Justice Courts (FJC) have embarked on a collaboration with ServiceSG @ Our Tampines Hub to make frontline court services available at community touchpoints, starting with maintenance enforcement applications under Section 71 of the Women’s Charter. This initiative was announced by the Presiding Judge of the FJC, Justice Debbie Ong, during her presentation of the FJC Workplan 2022 on 18 March. It is part of the larger ‘Family Justice Without Walls’ programme aimed at enhancing access to justice across the heartlands.

The FJC commenced the pilot with ServiceSG in May 2022, with applications for enforcement of maintenance. Under the pilot, ServiceSG staff assist self-represented persons (SRPs) in filing the forms and completing the application process with the FJC’s Maintenance Registry, all within the same day. This means SRPs are no longer restricted to filing these enforcement applications at the FJC @ Havelock Square building. Instead, SRPs may now access FJC services at another venue nearer their homes with greater convenience.

Previously, while SRPs could draft enforcement applications online, they would still need to attend court in person to complete the process. With ServiceSG staff serving as community touchpoints, applicants can now be guided to complete the maintenance enforcement process with confidence and ease. Should they require assistance to affirm the authenticity and accuracy of their application contents before a duty judge, they can also do so through video-conference facilities available at the ServiceSG centre. SRPs may, at the same time, access other government services all under one roof.



The Public Service Centre @ Our Tampines Hub has been renamed as a ServiceSG centre.



FAMILY JUSTICE @ HEARTLANDS: BRINGING KNOWLEDGE TO THE PUBLIC

Family Justice @ Heartlands is an outreach programme developed by the FJC in partnership with the Ministry of Social and Family Development (MSF) and the Law Society of Singapore. It comprises a series of seminars covering key topics in family law. The inaugural seminar was held in December 2021.

In May 2022, the second Family Justice @ Heartlands webinar was conducted. The Registrar of the FJC, Mr Kenneth Yap, opened the session. Court administrators, family law practitioners and MSF officers briefed grassroots leaders on family law issues, court processes and available therapeutic support services.

In July 2022, a physical roadshow was also conducted at Fuchun Community Club. The event was opened to both grassroots leaders and members of the public.

Woodgrove residents and grassroots leaders attended a Law Awareness talk at Fuchun Community Club in July 2022.

ENHANCING ACCESS TO JUSTICE FOR COURT USERS



Opening of the Supreme Court Service Hub

The Supreme Court Service Hub was officially opened on 29 November 2022. This one-stop service point provides a seamless, end-to-end user journey facilitating over-the-counter enquiries, filing of applications, and other court-related processes in a single location for the convenience of court users.

Located at Level 1 of the Supreme Court, the Service Hub is particularly beneficial for self-represented persons (SRPs), as they can make enquiries, seek information on court processes, and perform transactions in one location, instead of having to shuttle between multiple locations within the same building. It also brings convenience to law firm clerks, who can deliver their bulky bundles and boxes for court hearings to a single location.

SRPs who wish to access their case files from the respective case management systems can use the self-help terminals at the Service Hub. For their convenience, the Service Bureau and Singapore Mediation Centre’s counter services are co-located there. In addition, the Community Justice Centre (CJC) conducts its weekly bankruptcy legal clinic services at the Service Hub.

Launch of the Public Defender’s Office at the State Courts

Space in the State Courts Towers was allocated to the Ministry of Law to set up a satellite office for the Public Defender’s Office (PDO), which commenced operations on 1 December 2022. In addition, arrangements were made for PDO officers to use the shared facilities at the State Courts’ Help Centre, such as public-facing counters and shared interview rooms. This enables public defenders to carry out their work more efficiently and effectively, as they have a place to work and meet vulnerable Singaporeans who find it challenging to afford legal representation.

A shared space, the Help Centre is jointly operated by the PDO, the CJC and Pro Bono SG (formerly known as the Law Society Pro Bono Services). The CJC ensures that SRPs have access to justice through community partnership. Pro Bono SG provides free legal clinic services for qualifying applicants, as well as representation for qualifying applicants under the Criminal Legal Aid Scheme.



The PDO provides criminal defence aid to vulnerable accused persons who are facing non-capital criminal charges and cannot afford legal representation.

Redesigning Family Justice Courts Correspondence

The Family Justice Courts (FJC) established the Court Correspondence Review Committee (CCRC) on 1 November 2021. This committee has been working to redesign the FJC’s court correspondence to make it more user-friendly, whilst maintaining the primary aim of expeditious administration. This initiative complements current simplification efforts for the Family Justice Rules, the FJC Practice Directions and related forms.

On 11 May 2022, the FJC’s leadership team approved an overhauled template which the CCRC had developed. The CCRC is working to implement this revised template across all of the FJC’s court correspondence.



GUIDE TO VIRTUAL HEARINGS

Taking Part in Video Hearings Without a Lawyer

To help SRPs better prepare themselves for virtual hearings, a short video and an infographic were produced. Court users can refer to either resource for step-by-step guidance.



THE THERAPEUTIC JUSTICE

Through the lens of therapeutic justice, the legal system epitomises an ethos of care in helping families heal and move forward.

UPDATE ON THE PANEL OF FINANCIAL EXPERTS SCHEME

Following the signing of a memorandum of understanding on 30 December 2020, the Family Justice Courts (FJC) and the Institute of Singapore Chartered Accountants (ISCA) collaborated to form a Panel of Financial Experts (POFE). Made up of ISCA members, the POFE was set up to provide neutral valuation reports on matrimonial assets under Family Court proceedings. This scheme was launched in the first quarter of 2021 with a pilot project based on 6 selected cases.

The POFE scheme aims to promote resolution amongst parties in a non-adversarial manner and save costs for all involved, so that parties can find a financially sustainable way forward. Such neutral valuation reports are intended to facilitate and enable a more amicable resolution of matrimonial issues, as part of the FJC’s continuing efforts to deliver therapeutic justice in matrimonial matters.

The purpose of the POFE scheme was highlighted in *VZD v VZE [2022] SGFC 1*. In this case, the Family Court noted that the financial expert would assist the Court and the parties by providing an equitable and objective valuation of the matrimonial assets under contest, thereby allowing justice to be administered more effectively and efficiently.

The POFE scheme underwent review and further improvement in December 2021. Subsequently, it was relaunched as POFE 2.0 in conjunction with the Family Justice Practice Forum on 15 September 2022. The revised POFE scheme (POFE 2.0) expands the FJC’s engagement with ISCA, and provides a greater range of expertise by increasing the number of experts on the panel. POFE 2.0 also includes a new fast-track process to cover straightforward valuation cases, which will reduce the costs to parties and the time needed to produce valuation reports.



LAUNCH OF THE PANEL OF THERAPEUTIC SPECIALISTS

In July 2022, the FJC launched the Panel of Therapeutic Specialists (POTS) pilot to encourage access to appropriate therapeutic interventions for individuals and families who are undergoing legal proceedings at the FJC.

Since the start of the pilot, cases referred have mostly been parties with deep-seated parenting conflicts who could benefit from therapeutic intervention to support co-parenting. As every family’s circumstances leading to parenting conflicts may differ, a team of senior mental health professionals who form the Therapeutic Advisory Council helps identify and match a suitable POTS specialist to the family.

This is the first time the FJC has collaborated with mental health professionals in the private sector, with the aim of expanding the scope of specialised interventions. It also supports the diverse needs of families, who require mental health-related support or specialised assessment and intervention during mediation or during legal proceedings. POTS services are sought as directed by a judge or through a voluntary referral process.



This is the first time the FJC has collaborated with mental health professionals in the private sector, with the aim of expanding the scope of specialised interventions.
















TRUST AND TRUSTWORTHINESS

Timely resolution of cases is a hallmark of effective and efficient court operations, instilling trust in the Judiciary and confidence in the trustworthiness of the Judiciary.

SUPREME COURT'S 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 endeavours to achieve at least 90% compliance with all targets set.

In 2022, at least 90% compliance was achieved in relation to all target waiting periods published in the Supreme Court Practice Directions. Those target waiting periods are set out below.

TYPE OF PROCEEDINGS	TARGET	
Original Civil Jurisdiction		
Trial in Suit	 8 WEEKS	from the date of setting down
Originating Summons (OS)		
(i) Inter partes	 6 WEEKS	from the date of filing of the OS
(ii) Ex parte	 3 WEEKS	from the date of filing of the OS
Bankruptcy OS	 6 WEEKS	from the date of filing of the OS
Company Winding-Up OS	 4 WEEKS	from the date of filing of the OS
Summons (SUM)		
(i) Application for summary judgment pursuant to Order 14 of the Rules of Court	 5 WEEKS	from the date of filing of the SUM (statutory minimum period)
(ii) Any other applications	 3 WEEKS	from the date of filing of the SUM
Bankruptcy SUM (Application for discharge)	 4 WEEKS	from the date of filing of the SUM
Original Criminal Jurisdiction		
Trial of Criminal Case	 6 WEEKS	from the date of the final Criminal Case Disclosure Conference or Pre-trial Conference before trial (whichever is later)
Appellate Civil Jurisdiction		
Registrar's Appeals to the General Division of the High Court Judge in Chambers	 4 WEEKS	from the date of filing for appeal involving assessment of damages
	 3 WEEKS	from the date of filing for other appeal
Appeals to the General Division of the High Court from the State Courts	 4 WEEKS	from the date of receipt of the record of proceedings (ROP) from the State Courts
Appellate Criminal Jurisdiction		
Appeals to the General Division of the High Court from the State Courts	 12 WEEKS	from the date of receipt of the ROP from the State Courts

STATISTICS

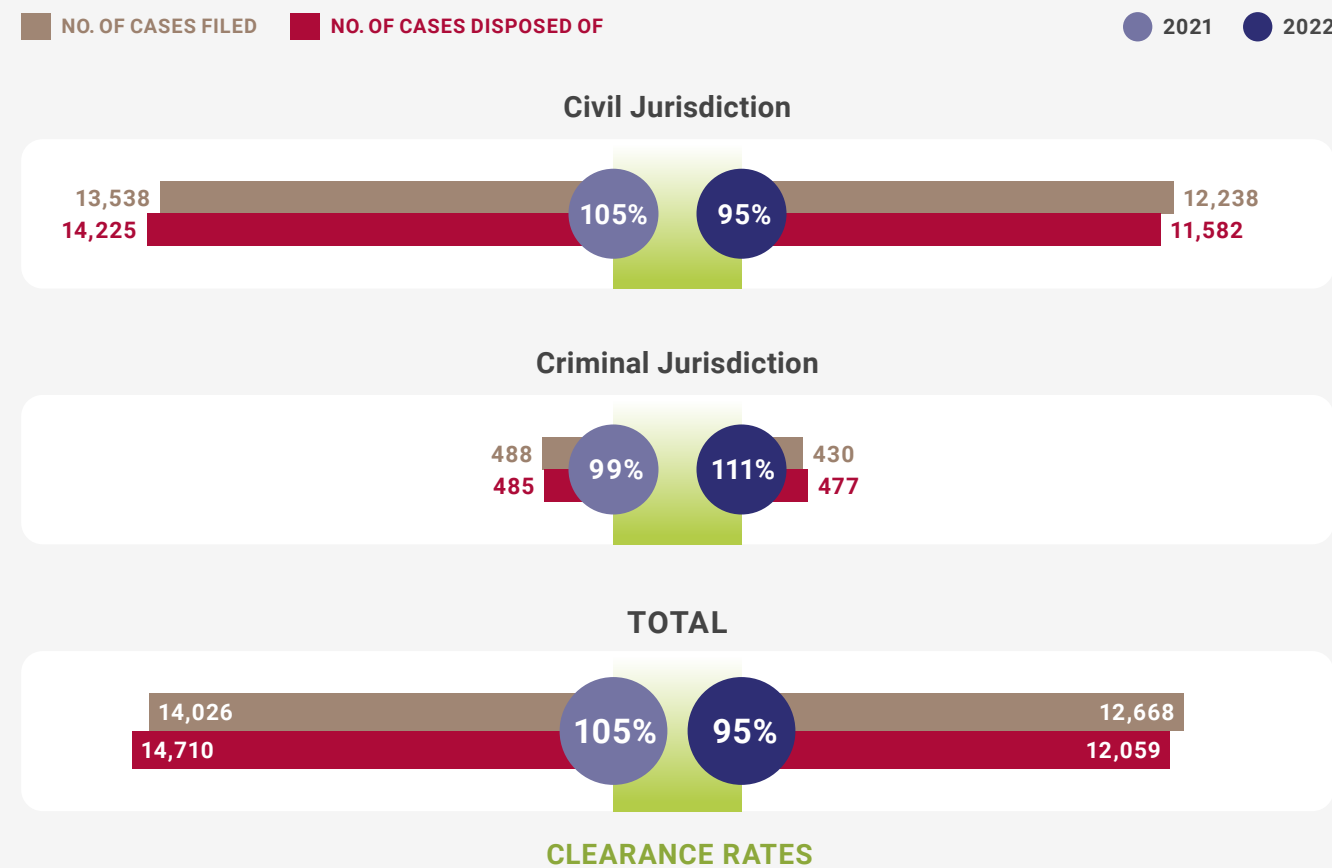
One of the indicators by which the SG Courts' performance is measured is clearance rate, which is the number of cases disposed of in a year expressed as a percentage of the number of cases filed in the same year. The clearance rate can exceed 100%, as the cases disposed of in any year are not a subset of the cases filed in that year.

SUPREME COURT'S WORKLOAD STATISTICS



In 2022, the Supreme Court received 12,668 new civil and criminal matters and disposed of 12,059 matters. The clearance rate for all civil and criminal matters was 95%, which is a 10% decrease from the record clearance rate of 105% achieved in 2021.

The following shows a comparison of the filing and disposal numbers and clearance rates for civil and criminal proceedings between 2021 and 2022.



	NO. OF CASES FILED		NO. OF CASES DISPOSED OF	
	2021	2022	2021	2022
Civil Jurisdiction	13,538	12,238	14,225	11,582
Civil Originating Processes	6,716	6,885	7,587	5,998
Civil Interlocutory Applications	5,956	4,588	5,791	4,785
Appeals before the General Division of the High Court	421	441	412	458
Appeals before the Appellate Division of the High Court	138	121	59	114
Applications before the Appellate Division of the High Court	103	94	80	89
Appeals before the Court of Appeal	72	59	168	71
Applications before the Court of Appeal	132	50	128	67
Criminal Jurisdiction	488	430	485	477
Criminal Cases	69	73	68	87
Criminal Motions before the General Division of the High Court	116	84	121	85
Magistrate's Appeals	226	196	203	219
Criminal Revisions	11	6	13	6
Criminal Appeals	31	41	41	44
Criminal Motions before the Court of Appeal	35	30	39	36
TOTAL	14,026	12,668	14,710	12,059

STATISTICS

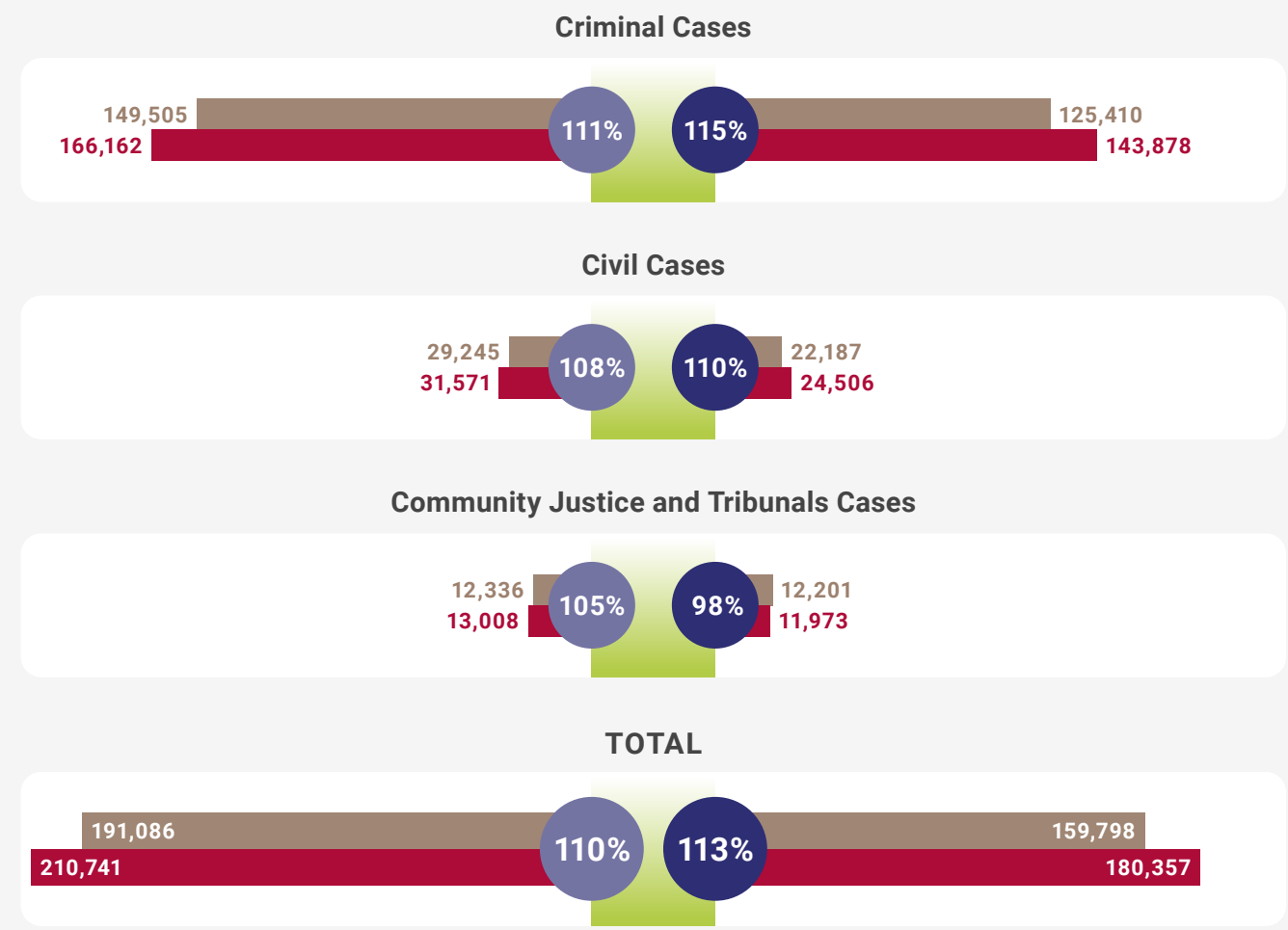
STATE COURTS' WORKLOAD STATISTICS



In 2022, the State Courts received 159,798 new civil and criminal cases and disposed of 180,357 matters. The clearance rate for all civil and criminal matters was 113%, up by 3% from 2021.

The following shows a comparison of the filing and disposal numbers and clearance rates for civil and criminal proceedings between 2021 and 2022.

■ NO. OF CASES FILED ■ NO. OF CASES DISPOSED OF ● 2021 ● 2022



	NO. OF CASES FILED		NO. OF CASES DISPOSED OF	
	2021	2022	2021	2022
Criminal Cases	149,505	125,410	166,162	143,878
Criminal Charges ¹	38,986	27,843		
Departmental or Statutory Board Charges and Summonses	68,323	60,411		
Traffic Charges and Summonses	37,448	31,875		
Coroner's Court Cases	4,745	5,281		
Magistrate's Complaints ²	3	0		
Civil Cases	29,245	22,187	31,571	24,506
Originating Processes	16,205	12,086		
Writs of Summons/Organizing Claims ³	15,408	11,638		
Originating Summonses/Organizing Applications ⁴	797	448		
Interlocutory Applications	11,120	8,603		
Summonses ⁵	7,128	6,014		
Summonses for Directions (Order 25 or 37)	3,887	2,545		
Summary Judgments (Order 14)	105	44		
Others	1,920	1,498		
Taxations	102	85		
Assessment of Damages	1,818	1,413		
Community Justice and Tribunals Cases	12,336	12,201	13,008	11,973
Community Disputes Resolution Tribunals (CDRT) Claims	237	189		
Employment Claims Tribunals (ECT) Claims	997	999		
Magistrate's Complaints	1,388	1,348		
Protection from Harassment Court (PHC) Cases	434	552		
Small Claims Tribunals (SCT) Claims	9,280	9,113		
TOTAL	191,086	159,798	210,741	180,357

OTHER CASELOAD PROFILE		
Court Dispute Resolution⁶	4,994	3,970
(Civil) Writs of Summons, Originating Summonses	4,476	3,508
(Community) PHC Cases, CDRT Claims, Magistrate's Complaints	518	462

¹ Include District arrest charges, Magistrates' arrest charges and other types of charges.
² Non-relational Magistrate's Complaints are counted as criminal cases. Relational Magistrate's Complaints are counted as Community Justice and Tribunals cases.
³ Writs of Summons are now called Originating Claims under the Rules of Court 2021 with effect from 1 April 2022.
⁴ Originating Summonses are now called Originating Applications under the Rules of Court 2021 with effect from 1 April 2022.
⁵ Exclude Summonses for Directions (Order 25 or 37).
⁶ Refers to fresh cases handled by the Court Dispute Resolution cluster in the respective years.

STATISTICS

FAMILY JUSTICE COURTS' WORKLOAD STATISTICS



In 2022, the Family Justice Courts handled 27,338 cases, up by 2.8% from 2021. Divorce, maintenance and probate cases made up more than half of the total caseload.

The following shows a comparison of the filing and disposal numbers and clearance rates for family proceedings in 2021 and 2022.

	NO. OF CASES FILED		NO. OF CASES DISPOSED OF	
	2021	2022	2021	2022
Maintenance and Family Violence Cases	4,971	4,959	5,434	4,954
Divorce Cases, Originating Summonses, Probate Cases and Summonses	20,390	21,402	20,363	20,941
Youth Court Cases	1,228	977	1,128	989
TOTAL	26,589	27,338	26,925	26,884

■ NO. OF CASES FILED ■ NO. OF CASES DISPOSED OF ● 2021 ● 2022

Maintenance and Family Violence Cases



Divorce Cases, Originating Summonses, Probate Cases and Summonses



Youth Court Cases



TOTAL

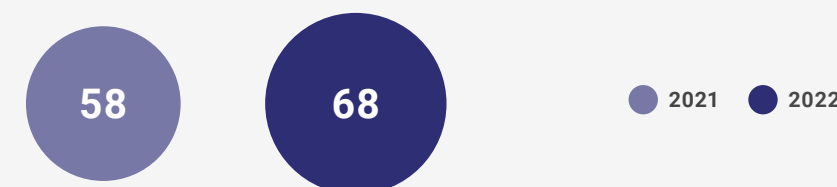


CLEARANCE RATES

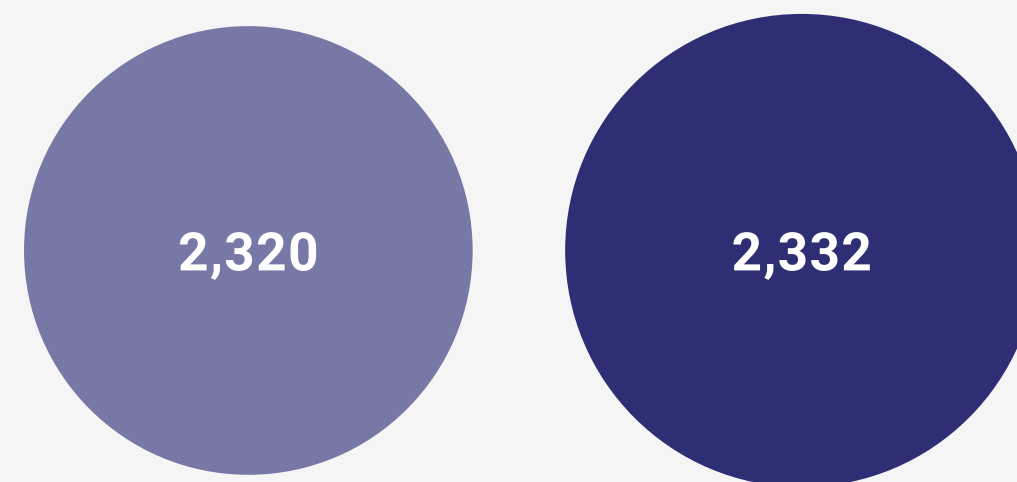
SINGAPORE JUDICIAL COLLEGE'S PROGRAMMES AND TRAINING PLACEMENTS

The Singapore Judicial College fulfilled its learning and development mandate in 2022 through 68 programmes that translated to 2,332 training placements for local judges and international participants.

PROGRAMMES



TRAINING PLACEMENTS



INTERNATIONAL RANKINGS

The Singapore Judiciary and legal system continued to be recognised internationally in 2022 as among the best in the world. Singapore maintained high scores across multiple annual surveys and research studies, ranking within or close to the top 10 for most indicators. This exemplary performance is a recognition of the high quality of justice dispensed by the Singapore Judiciary.

READY FOR TOMORROW

Good corporate governance is essential for effective and efficient court operations. With the integration of corporate functions across the Singapore Judiciary in April 2022, the Audit Committee (AC) was reconstituted with members from the three courts, chaired by the Chief Executive, Office of the Chief Justice. The Judiciary AC held its inaugural meeting in July 2022 and endorsed the revised AC Terms of Reference, as well as an oversight control framework, to ensure good governance across the three courts.

As one of its first tasks, the AC approved the risk-based internal audit plan for FY2023. The internal audit plan ensures the review of internal controls by Internal Audit (IA), which will provide assurance of good corporate practices across the Courts. The audits will also instil greater discipline and compliance with the Government’s Instruction Manuals by the operating divisions. One of the critical areas reviewed by IA in FY2022 was business continuity readiness in the face of disruptions. The Enterprise Risk Register and Business Continuity Management framework was reviewed by IA, and baselined against whole of government and industry best practice. The Business Continuity Plan (BCP) is important as it prepares the Judiciary to continue providing access to justice throughout different disruptions. This review served to provide assurance on the readiness of the BCP to cope with the transition of the integration of the Judiciary’s corporate functions, as well as during disruptions to operations.

IA generated greater awareness and buy-in on the importance of internal controls. Continuous internal control awareness activities such as education sessions were conducted, and follow-up audits on the adequacy of resolution of previous audit recommendations added a layer of preventive control. IA also partnered other divisions by providing advice on internal controls and facilitated the inclusion of greater internal controls in the divisions’ systems and processes. These collaboration efforts with other divisions enabled IA to develop an amicable working relationship and a consultative platform, which serve as a mode of preventive control.

Moving forward, IA advisory efforts will place greater emphasis on the inclusion of technology as a tool. This will better support divisions to place greater reliance on automation, information systems and technology, ensuring that the Judiciary is ready for tomorrow.



SIGNIFICANT CASES FROM THE SUPREME COURT



Principles for Recognising Lack of Consent as an Unjust Factor in the Law of Unjust Enrichment

Esben Finance Ltd and others v Wong Hou-Liang Neil

The Court of Appeal laid down definitive guidance that lack of consent would generally not be available as an unjust factor in cases where an alternative and established cause of action was already available to the plaintiff concerned. An unjust enrichment claim also cannot be founded on lack of consent as an unjust factor in situations where the defendant is entitled by law to retain the property or value transferred, or where the transfer of the property or value in question was legally valid. The Court of Appeal also expressed a provisional view that the principle of international comity ought to apply to bar claims not only in contract but also in unjust enrichment, where such claims involve the contravention of the laws of a foreign country, and that there are merits to the view that the principle should also extend to defences to claims in unjust enrichment.

Applicability of Discount for Lack of Marketability to Valuation of Shares under a Buyout Order in a Minority Oppression Action

Kiri Industries Ltd v Senda International Capital Ltd and another and other appeals and other matters

This was the first time the Court of Appeal clarified and authoritatively decided the law on the applicability of a discount for lack of marketability (DLOM) where a minority shareholder's shares are valued pursuant to a buyout order made under Section 216(2) of the Companies Act (Cap 50, 2006 Rev Ed) in a minority oppression action. The Court of Appeal held that a DLOM should not apply to the valuation of the shares of Kiri Industries Ltd in DyStar Global Holdings (Singapore) Pte Ltd, because there was no reason why a sale forced upon Kiri by the conduct of Senda International Capital Ltd, not involving any contributory conduct by Kiri, should reflect anything less than the enterprise value of DyStar underpinning the value of Kiri's shareholding.

An Arbitral Award Made based on *Res Judicata* Principles Is Not for That Reason Contrary to Public Policy, and Preclusion by Such Principles from Advancing Estopped Claims Does Not Give Rise to a Breach of Natural Justice

Sanum Investments Ltd and another v Government of the Lao People's Democratic Republic and others and another matter

The Singapore International Commercial Court (SICC) released this judgment within two weeks after the last date of hearing. The SICC held that an award that is made based on *res judicata* principles is not for that reason contrary to public policy, and that preclusion by such principles from advancing estopped claims does not give rise to a breach of natural justice. The SICC found, among other things, that there was no breach of natural justice as the arbitral tribunal had made determinations of law and fact in relation to a doctrine of substantive law under the governing law. These determinations led to the arbitral tribunal's conclusion that the doctrine of collateral estoppel applied to bar the investors from arguing the merits of the estopped claims. The SICC noted that a tribunal's determinations of fact and law must be taken as they are unless they have been tainted by process failures. The SICC further held that the mere fact that the investors were barred by the collateral estoppel doctrine from arguing the estopped claims cannot found a natural justice challenge. An award that is made based on *res judicata* principles is also not, for that reason, contrary to public policy. The invocation of any preclusionary doctrine means a party will not be heard on the aspects of the case that it is precluded from reopening. Such doctrines serve the cause of justice by promoting finality in litigation. The decision was upheld upon appeal to the Court of Appeal.

SIGNIFICANT CASES FROM THE SUPREME COURT

Guiding Principles in Relation to the Assessment of Costs in Proceedings before the Singapore International Commercial Court

Senda International Capital Ltd v Kiri Industries Ltd

The Court of Appeal provided guidance on the assessment of costs in proceedings before the SICC. The approaches to costs in the General Division of the High Court and in the SICC are fundamentally distinct.

The starting point of the analysis was the indemnity principle (viz. a successful litigant is to be indemnified by the unsuccessful party for the legal costs they have incurred), which underlies the costs recovery scheme in the common law civil litigation system. This ensures that a successful party is not prejudiced by having to assert its rights or defend itself against the unsuccessful party in court proceedings. Limitations may however be placed on the restorative or compensatory function of the indemnity principle, in furtherance of the policy of enhancing access to justice for all.

The costs assessed under Order 59 of the Rules of Court (Cap 322, R 5, 2014 Ed) for proceedings in the General Division are assessed at such a level as would enable a litigant with reasonable merits to pursue justice. This requires the application of an objective standard to determine the level of recoverable costs in each case, shaped by the normative question of what ought to be the amount of costs a successful party may recover for the particular work done in the context of the dispute in question, irrespective of the level of costs it may have actually incurred in the legal proceedings. The use of an objective standard manifests itself in the use of costs precedents and Appendix G.

The Court of Appeal observed that in the SICC, however, the policy of enhancing access to justice is less relevant. The principal underlying consideration is a commercial one of ensuring that a successful litigant is not unfairly put out of pocket for sensibly prosecuting their claim or defence. Accordingly:

- The entitlement to costs under the SICC regime is to “whatever costs that had in fact been sensibly and reasonably incurred by the successful party”.
- The determination of the level of recoverable costs in each case involves, as a starting point, a subjective inquiry into just what costs were in fact incurred by the successful party in a particular case. The test of reasonableness will thus be directed at the costs that had in fact been incurred in that case. This holistic inquiry into reasonableness entails the Court looking at the fundamentally inseparable questions of whether costs were reasonably incurred and whether the overall quantum of costs is reasonable.
- As to the process for the assessment of costs in the SICC, the Court of Appeal opined that it is typically for the trial court that heard the matter to assess costs. The Court noted that this has been made express in Order 22 Rule 2(3) of the SICC Rules 2021. It explained that this is consistent with, and affirms, the ideals of efficiency and procedural flexibility that the SICC espouses. Whether costs are to be fixed, assessed at the conclusion of the substantive proceedings, or assessed by way of a separate process after the conclusion of the proceedings, it is a matter for the trial court’s discretion.
- In relation to the burden of proof, the Court of Appeal held that the legal burden is on the successful party who seeks to persuade the trial court that its claimed costs are “reasonable costs”. This comes with the evidential burden to adduce some evidence in this regard. To discharge this burden, the successful party should adduce evidence of information on its claimed costs and disbursements, and include a sufficient breakdown of the same.
- In relation to the transfer of cases, the Court of Appeal opined that a party’s objection to the transfer of a matter from the High Court to the SICC that is maintained specifically over the issue of costs will not generally be a relevant consideration affecting the assessment of reasonable costs.



SIGNIFICANT CASES FROM THE STATE COURTS

Criminal Cases

Public Prosecutor v Khoo Moy Seen

This is the first case involving a sentencing framework for an offence under Section 9(1) of the Remote Gambling Act 2014 (RGA) for providing an unlawful remote gambling service for another.

Khoo Moy Seen pleaded guilty to one charge under Section 9(1)(e) of the RGA where, between 15 and 29 November 2020, Khoo assisted in the conduct of remote gambling in accordance with arrangements made by her principal. One other charge under Section 8(1) of the RGA was taken into consideration for the purpose of sentencing. The district judge stated that the sentencing principle for offences under the RGA would clearly be one of deterrence, both specific and general. The district judge applied the sentencing approach for offences under Section 9(1) of the RGA in *Public Prosecutor v Loy Jit Chan* [2021] SGMC 9, which was based on the sentencing framework in *Koo Kah Yee v Public Prosecutor* [2021] 3 SLR 1440. The district judge sentenced Khoo to an imprisonment term of eight weeks and a fine of \$20,000.

Khoo's appeal was dismissed by Justice Vincent Hoong. A sentencing framework for offences under Section 9(1) of the RGA was adapted from the *Koo Kah Yee* sentencing framework for offences under Section 11(1) of the RGA. The sentencing ranges were adjusted to adequately calibrate for the different maximum imprisonment terms under Sections 9(1) and 11(1) of the RGA, and to ensure that the full spectrum of sentences under the former was utilised. It was observed that notwithstanding the differences between Sections 9(1) and 11(1) of the RGA, they were broadly similar in that they both sought to penalise persons for facilitating and providing unlawful remote gambling services, whether in their capacity as an agent or a principal.

Public Prosecutor v Sue Chang

This is the first case in which a sentencing framework was established for the offence of driving without due care and attention following legislative amendments to Section 65 of the Road Traffic Act (Cap 276, 2004 Rev Ed) (RTA).

Sue Chang pleaded guilty to a charge under Section 65(1)(a) punishable under Section 65(3)(a) of the RTA. He had failed to keep a proper lookout while driving along the Central Expressway and collided into the rear of a motorcycle before swerving and hitting the rear of a car. The motorcyclist was flung off her motorcycle and suffered a severe head injury and other extensive injuries to vulnerable parts of her body. She remained unresponsive and unable to obey commands, speak or communicate, despite multiple surgical procedures and intensive care.



The district judge adopted a sentencing approach based on a two-stage, five-step framework, which involved assessing the level of harm caused and the culpability of the offender, identifying an indicative starting sentence, and thereafter making adjustments to it. This adjustment was based first on the aggravating and mitigating factors specific to the offender, and second, on the totality principle which ensured that the sentence would not be crushing or substantially above the norm. Sue was sentenced to six months' imprisonment and disqualified from holding or obtaining all classes of driving licences for five years.

On appeal, the High Court, with the assistance of a young independent counsel, established a sentencing framework for Section 65 of the RTA. Justice Vincent Hoong held that the sentencing approach would guide sentencing judges to arrive at the appropriate sentence through a process of increasing granulation, which enhances analytical clarity and promotes the transparent articulation of reasons for the eventual sentence imposed. Sue's appeal was dismissed, and the High Court affirmed the sentence imposed by the district judge.

SIGNIFICANT CASES FROM THE STATE COURTS

Coroner's Inquiry

Muhammad Irfan Danish Bin Azhar

This case involved the death by severe burns of a 20-year-old man. The deceased worked as a food delivery rider. To do his job, he had purchased a personal mobility device (PMD) from Carousell. The PMD that he purchased was fully modified, and the man further modified the PMD in the time that he owned it. A stock PMD of the same make and model was installed with a 10.4 amp-hour battery and a 36-volt motor that was rated for 250 watts. At the time of the accident, the PMD had a 72-volt, 24 amp-hour battery –with its battery management system removed—and a 60-volt motor that was rated for 4,500 watts.

The PMD's modified motor required at least a 62.5 amp-hour battery to power it. As such, the modified battery that had a capacity of 24 amp-hours was underpowered. This component mismatch meant that the battery had to be rapidly recharged more frequently. In addition, bypassing the battery management system resulted in the battery being over-discharged during use and overcharged during charging. The frequent charging, overcharging and over-discharging damaged the individual lithium-ion battery cells that made up the battery.

On the fateful day, the deceased had ridden the PMD into a lift. Whilst in the lift, some of the lithium-ion battery cells failed catastrophically, releasing a massive amount of energy that damaged neighbouring cells which in turn released energy as they progressively failed. The heat from the failing lithium-ion cells resulted in a fire that spread to the combustible parts of the PMD, the deceased's clothing and belongings, and, eventually, to the deceased. As he was confined in the lift, he was unable to escape the fire until the lift came to a stop. He died due to extensive burn injuries.

As part of the coroner's findings, it was emphasised that PMD users should be aware of the inherent dangers posed by modified PMDs, and that they should not purchase modified PMDs or modify PMDs they have purchased. It was advised that users should only purchase PMDs that are UL2272-certified and registered with the Land Transport Authority.

Civil Cases

Attorney-General v Xu Yuan Chen (alias Terry Xu)

Notable political personality Terry Xu was the respondent who faced prosecution in this case. The police applied for the continued retention of two electronic devices seized from the respondent, on the basis that these devices were relevant to contempt proceedings initiated against him.

Rejecting the application, the judicial officer found that the police had failed to provide sufficient information to satisfy the Court that there was a reasonable basis for thinking that the seized property was relevant for its stated purpose. Accordingly, the devices were to be returned to the respondent forthwith.

K Kawshigan v Tan Shu Mei, Nora

This case attracted a great deal of public interest and attention. The claimant and defendant had met in 2016, but issues began arising after they became misaligned about how they saw their relationship. While the defendant regarded the claimant as a friend, the claimant considered her to be his "closest friend". Following threats of litigation by the claimant, the parties attended counselling for about a year and a half to no avail. Eventually, the defendant ceased communications with the claimant, who proceeded to sue her for damages in excess of \$3 million in the High Court. After she filed her defence to the High Court claim, the claimant sued the defendant in the Magistrate's Court for "lost income arising from his affected earning capacity", which he claimed was caused by the defendant's breach of an agreement between the parties.

In striking out the Magistrate's Court claim for being an abuse of process, the judicial officer noted that the claim was a guise to compel the defendant to maintain communications with the claimant. The Court held that the claim was "intentionally initiated ... with the ulterior motive of vexing or oppressing the defendant by requiring her to defend various claims that fundamentally stem from the same factual matrix in different forums". The Court further stated that it would not "be an accessory to [the claimant's] calculated attempt to compel engagement from the defendant who, after years of massaging the claimant's unhappiness, has finally decided to stand up to his threats rather than cower and give in to his demands".

Community Courts and Tribunals

Tan Min Jih v ClearSK Medi-Aesthetics Clinique Pte Ltd

This case is noteworthy for the Small Claims Tribunals (SCT) as it discussed the date of accrual of cause of action for the purposes of the SCT's temporal jurisdiction under Section 5(3)(b) of the Small Claims Tribunals Act 1984.

The respondent was a clinic providing aesthetic services. The claimant had purchased a package of treatment sessions from the respondent in 2012 and 2013. Sometime in 2013, the claimant suffered certain symptoms while undergoing treatment. The parties agreed to suspend the remaining sessions until such time when the symptoms subsided.

SIGNIFICANT CASES FROM THE STATE COURTS

In 2018, the claimant was cautioned by his doctor to avoid the treatment. According to the claimant, the respondent agreed to continue suspending the contract and offered a conversion of the claimant's outstanding sessions under the package to other treatments. Subsequently, the claimant approached the respondent in 2020 again, seeking to either convert the outstanding sessions to other treatments, or terminate the package due to frustration. The respondent did not agree.

While many arguments were raised, the noteworthy issue was whether the claimant's cause of action originated in his purported discovery of the respondent's alleged misrepresentation, false claims under the Consumer Protection (Fair Trading) Act, and/or defective performance of the contract from 2020 to 2022, such that they were brought within the SCT's two-year temporal jurisdiction. The claimant also suggested that the respondent had committed fraud such that the temporal jurisdiction could be extended under Section 29 of the Limitation Act 1959.

The SCT reviewed the legislative history of the Small Claims Tribunals Act 1984 and concluded that the meaning of the phrase "date on which the cause of action accrued" under Section 5(3)(b) of the Act did not include the notion of discoverability. It distinguished the concept of limitation periods from the SCT's temporal jurisdiction, and held that the concept of discoverability under the Limitation Act could not be imported into the Small Claims Tribunals Act. The SCT therefore discontinued the claimant's claims based on acts and/or representations alleged to have been committed in 2012 or 2013.

Koh Beng Kiok Anthony v Oxpay Financial Ltd and Sam Choy Meng v Oxpay SG Pte Ltd

These decisions are related matters, which received media attention, involving claims for wrongful dismissal brought by the former founder/Chief Executive Officer (C1) and the former Chief Financial Officer (C2) against different business units of a publicly listed company specialising in online payments.

The circumstances relating to the dismissals of both claimants were fairly unique in that they had both already resigned and were serving six-month notice periods. Both claimants were dismissed without notice on the grounds of gross misconduct when they each had just one month's notice left to serve. In brief, the allegations against them were that they were obstructing new work processes and initiatives.

The Employment Claims Tribunals (ECT) allowed both claims and awarded substantial damages at or close to their jurisdictional limit. The ECT found that the allegations of gross misconduct against C1 were not supported by the evidence. Accordingly, there was a significant degree of overreach in C1's termination letter to the extent that the allegations against him were extensively set out as justifications for his termination. The ECT similarly found that the allegations of gross misconduct against C2 were not sufficiently proven.

In any event, the respondents did not conduct any due inquiry before dismissing C1 and C2, which would have been a standalone ground to find that their dismissals were wrongful.

Chia Shu Jing Francesca v Peggy Heng

This case is unique as it involved the breach of an expedited protection order (EPO), which the respondent sought to justify as being necessary to serve legal documents.

The respondent was a social media influencer. The claimant had left a negative review on her own InstaStory of some salmon sashimi she purchased from one of the respondent's business entities, before reaching out to the respondent for an explanation as to why the sashimi looked and tasted peculiar.

The respondent retaliated by sending direct messages to the claimant and made various posts about the latter in several tranches. In particular, the respondent reproduced a screenshot of the claimant's Instagram account (with the claimant's young daughter visible in the photo) and repeatedly used insulting language in her communications with the claimant.

Despite the claimant obtaining an EPO, which made clear that the respondent should only contact the claimant through the latter's lawyers, the respondent turned up at the claimant's apartment with two associates to serve her papers relating to the commencement of a defamation claim (which was subsequently withdrawn). Instead of a conventional envelope, the papers were served in a food chiller bag bearing a logo associated with the respondent's business. Contrary to her claim that she intended to avoid being seen by the claimant, the respondent was caught on CCTV camera right outside the apartment engaging in celebratory high-fives with her associates after serving the papers on the claimant.

Among other considerations, the Protection from Harassment Court judge found the respondent's conduct of contravening the EPO as indicative that the respondent was likely to continue contravening the relevant provisions under the Protection from Harassment Act in respect of the claimant. A protection order was granted in terms largely similar to the EPO.

[The Small Claims Tribunals] held that the concept of discoverability under the Limitation Act could not be imported into the Small Claims Tribunals Act.

SIGNIFICANT CASES FROM THE FAMILY JUSTICE COURTS

Therapeutic Justice

Therapeutic justice is a lens of care through which we can look at the extent to which substantive rules, laws, legal procedures and practices, as well as the roles of legal participants, produce helpful or harmful consequences. It discourages a combative and strictly adversarial approach, and recognises the reality that litigants in family proceedings must find a way to heal and move forward. However, the concept of therapeutic justice is sometimes misunderstood. Against this backdrop, the High Court offered some clarity in **VVB v VVA [2022] SGHCF 1**.

That case involved a donee of a lasting power of attorney (LPA), whose appointment came to be challenged by the donor’s son. The donee aggressively contested the application for revocation of the LPA up until right before the final hearing. The Family Court ordered the donee to bear the son’s costs, a decision which the High Court affirmed.

Justice Debbie Ong emphasised that therapeutic justice “is not about parties feeling happy and satisfied that they got whatever they sought in their ... dispute”. On the contrary, a non-adversarial, problem-solving approach to a dispute requires sacrifices and compromises. Crucially, the Court further clarified that “[t]he notion of therapeutic justice operates within the framework of the law and does not prevail over the law”.

The Court found that the donee’s aggressive contestation of the application, until the very last moment, “did not look like a problem-solving stance but an adversarial one—one that undermines therapeutic justice”. Best efforts were not made throughout the process to reach an early and amicable resolution. Consequently, a costs order against the donee was justified to signal that “adversarial stances are not acceptable in a family justice system that adopts therapeutic justice”.

Welfare of Children

Disputes over child custody, care and control, and access are often misperceived as an adversarial contest with winners and losers. When parents adopt such a combative attitude, the wellbeing of the children who are caught up in such disputes may suffer.

In **WAY v WAZ and another appeal [2022] SGHCF 14**, an appeal on the issue of access, Justice Choo Han Teck reminded parties that “[t]he award of care and control is no more a prize than an access order is a consolation prize”, and that it was “important that the child is encouraged to build a healthy parent-child relationship with both parents after their divorce”. This would not be possible if access were not meaningful.

The High Court also observed that the acrimonious relationship between the parents rendered handovers very difficult, to the detriment of their child, for “when the parents knowingly or unknowingly show hostility during the handover, the child will perceive the hostility and have a psychological fear reaction, and over time, repeated experiences of failure during the handover can become a trigger for negative reactions in the child”.

Similar observations were made in **CLB v CLC [2022] SGHCF 3**, where one of the issues was whether the High Court should order the parents not to photograph, document, or record videos and/or audio recordings of the children for the purposes of use or reference in court. The Court decided that such an order was appropriate. It reminded parties that such evidence, which only captures specific moments, may not be fully reliable, and that such conduct of taking photographs and recordings “may also constitute a persistent reminder to the children of their parents’ conflict, which will have an adverse impact on their wellbeing”. This is especially when the children realise that their past behaviour was used by one parent against the other.

Parents who are in the midst of family proceedings will do well to heed the sensible advice of the Court in these two cases.

[Therapeutic justice] discourages a combative and strictly adversarial approach, and recognises the reality that litigants in family proceedings must find a way to heal and move forward.



SIGNIFICANT CASES FROM THE FAMILY JUSTICE COURTS

Dividing Gifts

In dividing matrimonial assets, the Court will generally first determine the assets that constitute the pool of assets. It will then determine the ratios of parties' direct financial contributions and indirect contributions. Following from that, it will divide the assets in accordance with the average of the two ratios, subject to adjustments that can be made in some circumstances. However, interesting issues may arise when gifts are involved.

In ***VOD v VOC and another appeal [2022] SGHC(A) 6***, the husband's father handed a cheque of \$1 million to the husband at the tea ceremony for the parties' marriage. The issue was whether this was a gift to both parties or to the husband only. If it was a gift to the husband only, the \$1 million would be excluded from the pool of assets. However, if it was a gift to both parties, it would be included in the pool of assets.

The Appellate Division of the High Court, disagreeing with the lower court, found that the \$1 million gift was for both parties. The Court observed that the tea ceremony is "a significant occasion where the parties pay their respects to senior members of the family. The overt act of presenting a gift during such a ceremony would be viewed objectively as a gift to the couple in the absence of evidence to the contrary, and unless the nature of the gift suggested otherwise".

While ***VOD v VOC*** involved a gift from a third party, ***VYQ v VYP and another appeal [2022] SGHC(A) 31*** concerned a gift from one spouse to another. In that case, the wife gave the husband \$200,000, of which he used \$160,000 to purchase shares. The issues were whether the sum, the shares, and the dividends from the shares formed part of the pool of assets, and if so, to whom these should be attributed for the purpose of determining the ratio of direct financial contributions.

The Appellate Division of the High Court took the view that "even if the sum was an inter-spousal gift, it ought to remain as part of the pool of matrimonial assets because ... the initial effort expended by the donor spouse in the acquisition of the gift should be acknowledged and recognised". The Court also made it clear that the ratio of direct contributions had to be "reset based on the actual direct contribution of the parties for each asset". Thus, the shares, the balance of \$40,000 and even the dividends from these shares were attributed to the wife when calculating direct financial contributions.

Cross-Border Disputes

Cross-border family disputes have become more common in an increasingly globalised world. In some cases, parties obtain a divorce in a court of one jurisdiction, and then apply for further financial relief in the court of another jurisdiction. In Singapore, Chapter 4A of Part 10 of the Women's Charter 1961 allows an applicant who obtained a divorce in a foreign court to apply for a further order on the division of assets or maintenance, subject to certain requirements. Chapter 4A is modelled after Part III of the United Kingdom's Matrimonial and Family Proceedings Act 1984, which similarly enables former spouses who obtained a divorce order in a non-English court to apply for additional financial relief in the English courts in certain circumstances.

The public policy behind such legislation is to relieve financial hardship that results despite the fact that a matrimonial order has been handed down in a foreign jurisdiction (***VEW v VEV [2022] 2 SLR 380***). Nevertheless, ***VEW v VEV*** shows the challenge in balancing the policy embodied in such legislation with the policy of ensuring finality in litigation.

In that case, the Singapore Family Court had found that a London flat in the husband's name was not a matrimonial asset to be divided between the parties. The wife, citing Part III, then sought a division of that London flat before the English courts. The husband then sought and obtained from the Singapore Family Court an anti-suit injunction (ASI) to prohibit the wife from pursuing these claims, on the basis that the London flat had been found to be not a matrimonial asset in the Singapore proceedings.

The Singapore Court of Appeal set aside the ASI. It observed that since Chapter 4A is modelled after Part III, the Court "must consider whether allowing Part III proceedings to continue would offend the public policy undermining Chapter 4A". It also noted that Singapore's interpretation of Part III "may also affect other courts' interpretation of Chapter 4A, and their willingness to grant an ASI (or similar relief) against the commencement of Chapter 4A proceedings in Singapore".

Thus, while, in a typical application for an ASI, the Court would ordinarily consider whether Singapore is the natural forum for the resolution of the dispute, this inquiry would not be helpful in the context of Part III/Chapter 4A proceedings. This is because these regimes confer "a statutory right on a certain class of litigant which envisions that ancillary relief may be granted by more than one jurisdiction".

Instead, the Court of Appeal held that the "heart of the analysis" was whether the Part III proceedings would be "vexatious" or "oppressive". Examples would be "where the foreign proceedings were instituted in bad faith; will cause extreme inconvenience; amount to an unlawful attack on the respondent's legal rights; or are duplicative of Singapore proceedings" or attempts to "oppress or blackmail a former spouse". None of these factors was present in this case, and the ASI was accordingly set aside.



STRENGTHENING PARTNERSHIPS

By forging relationships with judiciaries and other stakeholders near and far, we expand our reach to further enhance the administration and delivery of justice.

INTERNATIONAL JUDICIAL DISPUTE RESOLUTION NETWORK

The International Judicial Dispute Resolution Network (JDRN) is composed of judiciaries from Australia, Canada, China, Germany, Malaysia, the Philippines, Singapore, the United Kingdom and the United States. Its mission is to advance the adoption of the judicial dispute resolution (JDR) process in judicial systems around the world to enhance the administration and delivery of justice. This is achieved by promoting the early, amicable, cost-effective and fair resolution of court disputes, without the need for a trial, through proactive, judge-led management of cases and the employment of alternative dispute resolution modalities.

To that end, the JDRN seeks to, amongst others:

- Develop and promote a set of best practice standards on the JDR process to serve as the benchmark for judiciaries.
- Support capacity-building efforts and the development of judicial competencies in the JDR process.

The Singapore Judiciary hosted the inaugural meeting of the JDRN over Zoom on 18 and 19 May 2022. At the meeting, the JDRN was formally established, with members agreeing that all decisions were to be taken by consensus and that the Singapore Judiciary would serve as the Secretariat. Members also approved that the Singapore Judiciary would be co-chair of the JDRN with the United States District Court for the Southern District of New York, which would host the second JDRN meeting in New York City on 22 and 23 May 2023.



Chief Justice Sundaresh Menon (top row, centre) opened the inaugural meeting of the JDRN, which took place over two evenings (Singapore time) in May 2022.

ADMIRALTY COURT USERS' COMMITTEE

Headed by specialist shipping judges of the Supreme Court and assisted by the Supreme Court Registry, the Admiralty Court Users' Committee (ACUC) brings together a diverse range of government agencies, academics, lawyers, and other key players and stakeholders involved in Singapore's maritime and shipping industry. Its biannual meetings serve as useful forums to gather feedback and suggestions to improve the Admiralty Court's processes, for the benefit of the industry as a whole.

In 2022, the ACUC met in May and November, with the latter being conducted in person for the first time since the outbreak of COVID-19. Both meetings yielded fruitful discussions on transforming existing practices to meet the industry's evolving needs in Singapore. For example, members contributed to various initiatives introduced by the Admiralty Court in the wake of the pandemic. Such initiatives included amendments to the Supreme Court Practice Directions to implement a default dispensation of the requirement that security guards be deployed on board arrested vessels, and an explanatory note to ship agents regarding the effects of changes to the Rules of Court that enabled parties to serve court documents on them instead of vessels.

However, the ACUC's work goes far beyond managing the fallout from COVID-19. A key enduring concern is the gathering of input from various stakeholders to improve and ensure the continued effectiveness of the Admiralty Court's procedures, given the changing times and needs. One example is the ongoing discussion with members regarding an initiative to reduce the time and costs of litigating collision claims by introducing fast-track procedures adapted from the best practices in other jurisdictions and arbitration institutions. Another initiative being discussed is a review of the new Rules of Court 2021 insofar as they relate to Admiralty Court procedures. Through these means, the ACUC seeks to continually review and improve the workings of the Admiralty Court, so as to fortify Singapore's position as a leading maritime law dispute resolution centre and thereby secure her position as a leading maritime hub.

10TH COUNCIL OF ASEAN CHIEF JUSTICES MEETING

For the first time since the onset of the pandemic, and in commemoration of its 10th anniversary, the Council of ASEAN Chief Justices (CACJ) met in person in Kuala Lumpur, Malaysia, on 4 and 5 November 2022.

The chief justices, heads of delegation, and senior judicial officers of the ASEAN judiciaries held wide-ranging discussions on core areas of judicial collaboration. These included:

- Establishing a social media taskforce based on an approved constitution and terms of reference to consider the use of social media as an additional platform for public engagement.
- Adopting a common set of values and principles for ASEAN judiciaries in cases involving cross-border child disputes within the ASEAN region.
- Working towards developing a new online learning management system for ASEAN judges.
- Continuing to engage the judiciaries of the People’s Republic of China, Japan and the Republic of Korea to explore further areas of collaboration, and to explore opportunities with other jurisdictions for more ASEAN+ groupings.

The CACJ also adopted key documents such as the Model Rule on the Taking of Evidence for Foreign Proceedings in Civil or Commercial Matters, and the AI Governance Framework on the Use of Artificial Intelligence for the ASEAN Judiciaries. At the close of the meeting, all attending chief justices and heads of delegation signed the *Kuala Lumpur Declaration*.

The Malaysian Judiciary also hosted the inaugural ASEAN+3 Meeting, where the ASEAN chief justices and representatives of the People’s Republic of China, Japan and the Republic of Korea discussed areas of technological development and the use of technology to facilitate access to justice.



All 10 ASEAN judiciaries were represented at the in-person 10th CACJ Meeting.

2ND JOINT CASE FORUM WITH THE JUDICIAL CASE ACADEMY OF THE SUPREME PEOPLE’S COURT OF CHINA AND CHINA NATIONAL JUDGES COLLEGE

Following the success of the inaugural special edition of the Case Forum of the Judicial Case Academy of the Supreme People’s Court of China (SPC) in 2021, the Singapore Judicial College was invited by the SPC to co-host a second edition on 25 October 2022 with the SPC Judicial Case Academy and the China National Judges College. Over 100 participants from Singapore and China participated in another erudite discussion of selected cases from *A Compendium of Chinese and Singapore International Commercial Cases Curated for Their Relevance to the Belt and Road Initiative*, jointly published by the Supreme Court of Singapore and the SPC.

3RD CHINA-ASEAN JUSTICE FORUM

Held on 20 July 2022, the Third China-ASEAN Justice Forum was themed ‘Establishing a High-Level Judicial Cooperation Platform to Jointly Build the 21st-Century Maritime Silk Road’. It was hosted by the SPC in a hybrid format, with participants attending in person in Nanning, China, as well as via online means.

Chief Justice Sundaresh Menon delivered the opening remarks at the forum. The Presiding Judge of the State Courts, Justice Vincent Hoong, also delivered a speech titled ‘Promoting Cross-Border Online Litigation to Provide Judicial Assistance for Pandemic Prevention and Control and Economic Recovery’, which highlighted the positive effects of online litigation to offset restrictions incurred by the COVID-19 pandemic.

ROUNDTABLE DISCUSSION WITH THE MALAYSIAN JUDICIARY

On 23 August 2022, representatives of the Singapore Family Justice Courts (FJC) and the Malaysian Judiciary met in Kuala Lumpur for a roundtable discussion on family and probate matters.

The hybrid meeting was chaired by Justice S.M. Komathy Suppiah, High Court Judge of Shah Alam, and attended by Justice Evrol Mariette Peters, High Court Judge of Kuala Lumpur; Mdm Zaharah binti Hussain, Registrar of the High Court of Malaya; and Mr Nixon Kennedy Kumbong, Registrar of the High Court of Sabah and Sarawak. The FJC delegation was led by its Presiding Judge, Justice Debbie Ong, and its Deputy Presiding Judge, Mr Chia Wee Kiat, with attendance in person by Registrar Mr Kenneth Yap, District Judge Darryl Soh and Assistant Registrar Mr Tan Zhi Xiang.

The delegations briefed each other on their respective judicial structures, updated one another on recent developments in their respective jurisdictions, and explored potential areas of deepening judicial cooperation between the two judiciaries.



The roundtable discussion saw a mix of in-person attendees (above left) and others who joined remotely, including Justice Debbie Ong.

The [Singaporean and Malaysian] delegations ... explored potential areas of deepening judicial cooperation between the two judiciaries.

MEMORANDA WITH THE RWANDAN JUDICIARY

Relations between the Supreme Courts of Singapore and Rwanda have deepened since they signed the Memorandum of Understanding for Judicial Cooperation and the Memorandum of Guidance as to the Enforcement of Money Judgments in April 2021. The two judiciaries embarked on a series of collaborative activities that covered court technology, held bilateral meetings, and attended a speech by Chief Justice Sundaresh Menon on judicial leadership.

On 14 March 2022, the Supreme Court of Singapore hosted a virtual bilateral meeting between Chief Justice Menon and his Rwandan counterpart, Chief Justice Dr Faustin Ntezilyayo. In addition to exchanging experiences in their respective courts' pursuit of judicial excellence, the two chief justices also expressed mutual commitment to expand the scope of judicial cooperation in areas such as court digitalisation, alternative dispute resolution and court excellence.

On 13 October 2022, a virtual meeting was convened among the Supreme Court of Singapore, the Singapore Mediation Centre, and the Rwanda Bureau of Court-Annexed Mediation Advisory Committee. The meeting was held in the spirit of mutual learning and cooperation, with the Rwandan Judiciary expressing an interest to learn more about Singapore's experience in court-annexed mediation and alternative dispute resolution.



The Singapore-Rwanda bilateral meeting on 14 March 2022 was co-chaired by the chief justices of both countries.

DEVELOPMENTS AT THE SINGAPORE INTERNATIONAL COMMERCIAL COURT

Singapore International Commercial Court Conference 2022

The Supreme Court Bench and International Judges of the Singapore International Commercial Court (SICC) came together virtually on 11 and 12 January 2022 for the annual SICC Conference. In line with the theme, 'Charting a Path Beyond the Pandemic', they discussed and assessed legal developments and charted the course for the year ahead.



At the SICC Conference 2022, the Supreme Court Bench and International Judges discussed trending commercial issues and challenges.

Unpacking Best Practices in International Commercial Dispute Resolution

As part of the Singapore Convention Week 2022, the SICC organised a hybrid conference on 'Best Practices in International Commercial Dispute Resolution' on 31 August 2022, with the 'live' component held at Maxwell Chambers. Thought leaders from the legal industry formed an esteemed panel of speakers. They discussed aspects of international best practices which straddle international litigation and international arbitration. They also gave their take on the SICC's innovative and flexible rules and procedural features, and recounted their experiences with the SICC.

CONDITIONAL FEE AGREEMENT FRAMEWORK

A new framework for conditional fee agreements, which applies to certain proceedings relating to the SICC, came into force on 4 May 2022. It was established through Part 8A of the Legal Profession Act and the Legal Profession (Conditional Fee Agreement) Regulations 2022. By extending conditional fee agreements to SICC proceedings, the SICC seeks to enhance its attractiveness as a dispute resolution hub, and provide international commercial claims with additional financing and risk management options.



(left to right) Mr Scott Atkins, Ms Corinne Ball, Justice Christopher Sontchi, Justice Kannan Ramesh, Mr Patrick Ang and Dr Tai-Heng Cheng shared their views during the SICC-INSOL conference.

Understanding the Asia-Pacific's Changing Insolvency and Restructuring Landscape

The SICC and INSOL International's Asia Hub jointly organised a conference titled 'Debt Restructuring in the Asia-Pacific: Successes, Challenges and the Expanded Role of the SICC' on 22 September 2022, in preparation for the launch of the new SICC Insolvency Rules. With the SICC's jurisdiction being extended to hear cross-border corporate restructuring and insolvency proceedings, the event covered current perspectives and insights on the insolvency and restructuring landscape in the Asia-Pacific. It was held at the Supreme Court auditorium and attracted both face-to-face and Zoom participants.

On the lineup were eminent local and international speakers and panellists, including the Minister for Culture, Community and Youth and Second Minister for Law, Mr Edwin Tong, SC; Justice Kannan Ramesh; SICC International Judge, Justice Christopher Sontchi; and the President of INSOL International, Mr Scott Atkins. Together with leading lawyers Ms Corinne Ball (Jones Day), Mr Patrick Ang (Rajah & Tann Asia) and Dr Tai-Heng Cheng (Sidley Austin LLP), they exchanged in-depth views on the international debt restructuring landscape in the Asia-Pacific, the role of the SICC, and the future for nodal jurisdictions such as Singapore.

DEVELOPMENTS AT THE SINGAPORE INTERNATIONAL COMMERCIAL COURT

Ushering in the Era of International Commercial Courts

India was the location for a special SICC Asia Conference titled ‘The Era of International Commercial Courts’ on 8 October 2022. The event was hosted by Nishith Desai Associates and held in the coastal town of Alibag, just south of Mumbai. Panellists including SICC International Judge, Justice A.K. Sikri, and Senior Director (Business Development) for the SICC, Mr Laurence Wong, discussed the advent of international commercial courts and how they offer a unique forum for the resolution of international disputes.



A stellar panel of experts from Singapore and India, including Justice A.K. Sikri (fourth from left) and Mr Laurence Wong (third from left), gathered at the event in Alibag.

Fireside Chat on the Latest Trends and Litigation Funding Options

On 28 October 2022, a ‘Fireside Chat on Trends and Developments in the SICC and Third-Party Funding’ took place at the Supreme Court’s viewing gallery. The SICC, Clifford Chance, Cavenagh Law LLP and the United Kingdom-based Hereford Litigation jointly presented the event. It focused on recent developments in the SICC, including the new procedural rules in commencing claims before the SICC, as well as how third-party funding and conditional fee arrangements can help corporates manage litigation risk from commencement of claims to enforcement of judgments.

4TH MEETING OF THE STANDING INTERNATIONAL FORUM OF COMMERCIAL COURTS

The Fourth Meeting of the Standing International Forum of Commercial Courts (SIFoCC) was hosted by the Federal Court of Australia and the Supreme Court of New South Wales in Sydney on 20 and 21 October 2022. Over 100 judges met physically during the meeting, which was also live-streamed for participants who were unable to attend in person.

In his keynote address, Chief Justice Sundaresh Menon discussed the part played by the SIFoCC as a cornerstone of a transnational system of commercial justice.

The meeting considered four main work themes:

- 1 Theme 1 was ‘Towards an Integrated System of Dispute Resolution: Commercial Courts, Arbitration and Mediation’. Chief Justice Menon co-chaired the judicial roundtable for this theme.
- 2 Theme 2 was ‘Managing Complexity, and the ‘Complexification’ of Disputes’.
- 3 Theme 3 was ‘The Future for Corporate Legal Responsibility, Purpose and Governance with a Focused Lens on Climate Change’. Justice Philip Jeyaretnam delivered closing observations for the judicial roundtable for this theme.
- 4 Theme 4 was ‘Jurisdictional Conflicts Internationally’. Justice Kannan Ramesh delivered closing observations for the judicial roundtable for this theme.



Judges from the SIFoCC member countries, including Chief Justice Menon (right, delivering his keynote address), met in Sydney for its fourth full meeting in October 2022.



7TH JUDICIAL SEMINAR ON COMMERCIAL LITIGATION

The Supreme Court of Singapore hosted the Seventh Judicial Seminar on Commercial Litigation on 24 and 25 February 2022. Convened by the judiciaries of the Hong Kong Special Administrative Region, New South Wales and Singapore, the seminar also featured representatives from Australia, Brunei Darussalam, China, India, Japan, Malaysia, New Zealand and South Korea. Close to 70 participants attended this closed-door event, which was conducted virtually for the first time.

Over the two days, chief justices, judges and senior judicial representatives from the participating judiciaries discussed various aspects of commercial litigation, and shared their legal expertise and experiences. The seminar opened with remarks by Chief Justice Sundaresh Menon, after which there was an active exchange of in-depth views and best practices to enhance international commercial dispute resolution and strengthen cooperation between courts in cross-border matters.

The judges and senior judicial representatives contributed many useful insights during the seven sessions that covered topics relating to:

SUBSTANTIVE COMMERCIAL LAW

- 1 Recent developments relating to penalty clauses and restraint of trade in common law jurisdictions.
- 2 How the doctrine of transnational issue estoppel may usefully minimise the re-litigation of issues across different courts.
- 3 Current issues and developments in the law concerning challenges brought to arbitral awards.

CASE AND COURT MANAGEMENT ISSUES

- 4 Recent civil procedural innovations, and lessons and experiences in the use of technology for trials during the pandemic.
- 5 The pressing problem of complexification in commercial disputes, particularly in construction disputes.
- 6 The establishment and leveraging of court-to-court communication protocols in transnational commercial litigation.
- 7 Possible uses of artificial intelligence and other technology enablers to enhance judicial decision-making and the administration of justice.



The virtual seminar covered topics of critical importance to the future of commercial dispute resolution.

TRIBUNALS CONFERENCE 2022

In collaboration with the Singapore Academy of Law, the State Courts hosted Singapore’s inaugural Tribunals Conference on 26 and 27 April 2022.

The theme of the conference was ‘Advancing Access to Justice Through a Quality Tribunals System’. It provided a platform for distinguished local and international speakers from leading jurisdictions with established tribunals practices—including Australia, Canada, New Zealand, Singapore and the United Kingdom—to share and discuss experiences, learning points, and initiatives on the law and practice of tribunals.

More than 100 local and foreign participants attended the event. Feedback was very positive, with many participants stating that they found the conference useful and would recommend it to others. The Tribunals Conference was also featured in Edition 3 of 2022 of the *Tribunals Journal*, a publication by the Judicial College in the United Kingdom.



HACKATHON FOR A BETTER WORLD 2022

In July 2022, DBS Bank, the SG Courts and the National Crime Prevention Council (NCPC) jointly launched the annual Hackathon for a Better World competition. The focus of this instalment was on generating ground-up solutions to combat scams, amid a worrying rise in cases. According to reports, the number of scam cases in Singapore had soared by more than 50 per cent, resulting in victims losing more than \$600 million to scammers in 2021.

A total of 27 teams took part in the community hackathon. They engaged in two months of intense research and solutioning, before submitting their best solutions for tackling scams. From these entries, six finalists were selected to pitch their ideas before a judging panel on 29 September 2022.

Eventually, four winners were announced in the following categories:

- 1 Most Innovative Idea.
- 2 Most Life-Changing Idea.
- 3 Most Human-Centred Idea.
- 4 Most Feasible Idea.



At the presentation ceremony, Justice Aedit Abdullah mingled with the hackathon winners and commended them for their creative, tech-driven solutions.



The winners were recognised in a presentation ceremony on 21 October 2022. Justice Aedit Abdullah, High Court Judge, and Mr Tan Puay Kern, Vice Chairman of the NCPC, graced the event as Guests-of-Honour. The event also saw the launch of a resource package containing all the submitted entries, which would be shared with community partners for their consideration in view of possible implementation to foster a scam-resilient society.

VULNERABLE WITNESS SUPPORT PROGRAMME

The Supreme Court officially launched the Vulnerable Witness Support Programme (VWSP) on 7 October 2022, with the aim of providing support to vulnerable witnesses (VWs) involved in criminal proceedings in the High Court. This came after the programme's earlier implementation in the State Courts and the Family Justice Courts.

The VWSP serves to familiarise VWs with the court environment and procedures, as well as assign volunteers to accompany VWs in court and provide them with emotional support throughout their respective trials. It is run in collaboration with the Singapore Children's Society (SCS) and the Community Justice Centre.

On 4 October 2022, an exchange of letters was made between Ms Juthika Ramanathan, Chief Executive of the Supreme Court, and Ms Ang Boon Min, Chief Executive Officer of the SCS, to mark the SG Courts' longstanding partnership with the SCS through the VWSP.



SCS representatives were also given a tour of the Supreme Court on 19 December 2022.

ATTACHMENT OF OFFICERS FROM THE CRIMINAL INVESTIGATION DEPARTMENT OF THE SINGAPORE POLICE FORCE

The Language Resources Department of the State Courts organised a short-term attachment programme for seven interpreters/translators from the Criminal Investigation Department (CID) of the Singapore Police Force from October to December 2022. Given the nature of cases handled by the CID, the focus of the attachment was on criminal proceedings heard in the State Courts.

During their attachment, CID interpreters/translators observed various proceedings under the guidance of their assigned buddies and various court interpreters. The attachment benefitted the staff of both organisations as they exchanged information on their respective procedures and processes, and shared knowledge, work experiences and linguistic nuances relating to interpretation/translation.

DELIVERING JUDICIAL EDUCATION TO A GLOBAL AUDIENCE

Technology and Courts of the Future

A total of 25 participants from 18 jurisdictions converged in Singapore from 4 to 8 July 2022 to attend the Singapore Cooperation Programme (SCP) on 'Technology and Courts of the Future', conducted by the Singapore Judicial College (SJC). Adopting a unique 'show-tell-experience' pedagogy, the programme co-created a space to tap on the collective wisdom of the participants in envisioning and strategising for the courts of the future with technology as an enabler.

Judicial Executive Programme

The inaugural run of the SJC's Judicial Executive Programme (JEP) for current and future judicial leaders was held in Singapore from 14 November to 2 December 2022. A rigorous, high-level leadership development programme, it was attended by 12 international participants from nine countries. In the first week, participants received expert instruction from faculty at the Singapore Management University in five focus areas, which was contextualised in the second week by judge and industry faculty, with an optional judicial attachment for the third week.



Chief Justice Sundaresh Menon (front row, fourth from right) held a fireside chat with the inaugural batch of JEP participants.



The SJC conducted the first physical programme after in-person SCP programmes resumed, targeting mid- to senior-level court and government officials from all over the world.

International Organization for Judicial Training Conference 2022

Hosted by the National Judicial Institute of Canada, the International Organization for Judicial Training (IOJT) Conference took place in Ottawa from 30 October to 3 November 2022. The SJC's Executive Director, District Judge Paul Quan, who is also a member of the IOJT Board of Executives, was invited to showcase the SJC's unique use of judicial education technology for the delivery of online instruction.

WEBINAR ON THE SMALL CLAIMS TRIBUNALS

In collaboration with the Singapore Academy of Law, the State Courts conducted a virtual webinar titled 'An Overview of the Law and Practice of the Small Claims Tribunals' for legal practitioners on 5 October 2022. This was part of the Community Courts and Tribunals Cluster's public education efforts to demystify the law, processes and practices of judicial tribunals, thereby enhancing access to tribunal justice.

The objective of the webinar was to equip legal practitioners with information and know-how on the legal framework, civil procedures and practices of the Small Claims Tribunals (SCT). With this knowledge, lawyers would then be able to effectively advise clients and members of the public who seek legal assistance at pro bono legal clinics about alternative dispute resolution processes, and whether their claims fall within the SCT's jurisdiction.

Topics covered included how the SCT's legislative framework and processes are designed to facilitate speedy and cost-efficient resolution of small-value disputes. The webinar also highlighted the nature of disputes commonly heard in the SCT, as well as common legal issues faced by litigants in the SCT, where legal representation is not permitted. Feedback from the participants was very positive.



Experienced adjudicators from the SCT spoke at the webinar.



DEVELOPING OUR CAPABILITIES

An organisational culture that values continuous workplace learning and improvement enables our people to serve court users better.

STRENGTHENING AND MAINTAINING THE JUDICIAL KNOWLEDGE BASE

To continue ensuring quality and consistency in the SG Courts’ judicial decisions, the Knowledge Management Office (KMO) has embarked on a series of initiatives to strengthen and maintain a rich judicial knowledge database. Examples include the publication and maintenance of bench guides for the High Court, as well as the codification of processes to regularly review and update these resources.

The KMO also aims to better harness the knowledge residing in the Judiciary and prevent knowledge loss. To that end, it rolled out a series of engagement initiatives in 2022 to encourage good knowledge management (KM) habits and cultivate a culture of knowledge-sharing. For example, a biannual KM newsletter was launched to highlight recent KM initiatives. The KMO also held its inaugural KM Festival 2022, where physical roadshows were organised in all three courts to promote future KM plans and seek feedback.



Physical roadshows were conducted across the three courts during the inaugural KM Festival 2022.

SINGAPORE JUDICIAL COLLEGE AS AN INSTITUTE FOR HIGHER JUDICIAL LEARNING

To support a new Judicial Service, the Singapore Judicial College (SJC) embarked on its journey to be professionally restructured as an institute for higher judicial learning. As a judge university for career judges, it aspires to not only successfully impart the necessary skills and competencies that judges require today, but also empower judges to fulfil the Judiciary’s vision and operate a justice system that delivers on all its ideals to court users.

Approvals were given for 18 recommendations to enhance training programmes, strengthen the quality of instruction, enable judicial service officers to take ownership of their learning and development, enhance collaborations with the tri-courts and the Judicial Service Commission, as well as strengthen the SJC’s capabilities.

‘JUDICIAL PERSPECTIVES’: REDESIGNING THE JUDICIARY-WIDE INDUCTION PROGRAMME

In September 2022, the SJC’s signature annual induction programme for newly-appointed judges was redesigned to contextualise the application of judgecraft and bench skills through a deeper appreciation of the judicial role, the work that judges do, and the values shaping judicial philosophies.

With a judge faculty led by the Chief Justice, the programme offers judicial perspectives on:

- Judges as Humans.
- Judges as Professionals.
- Judges as Fact-Finders.
- Judges as Writers.
- Judges as Problem-Solvers.
- Judges and Self-Represented Parties.
- Judges and Risk Management.
- Judges and Judge-Led Processes.

INAUGURAL JUSTICES' LAW CLERK-DESIGNATE TRAINING PROGRAMME

Investing in building capabilities for our future officers, the Singapore Judicial College (SJC) collaborated with the tri-courts to conduct a four-month training programme from September to December 2022 for the inaugural batch of Justices' Law Clerks-Designate. It featured specially-curated craft-and-skills programmes by the SJC, experiential postings at the Supreme Court and State Courts, cross-court attachments, and an externship at the Attorney-General's Chambers.

CUSTOMISED WORKSHOP ON FAMILIAL AND PARTNER VIOLENCE

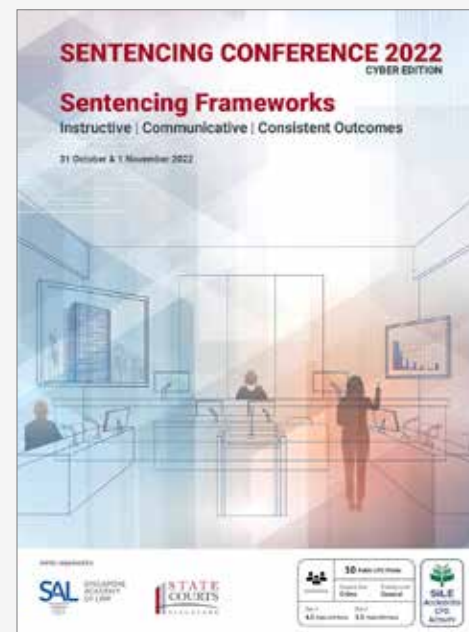


The SJC's Executive Director, District Judge Paul Quan (right), hosted a conversation with the Presiding Judge of the State Courts, Justice Vincent Hoong, at the end of the SJC-PAVE programme.

In March 2022, the SJC collaborated with PAVE, Singapore's leading organisation in providing and developing integrated services against interpersonal violence, to enhance the capabilities of State Courts judges encountering parties who are subject to familial and partner violence.

Adopting a unique 'knowledge-skills-experience' pedagogy, this cross-disciplinary programme first equipped participants with foundational knowledge through asynchronous online modules, followed by skills-based coaching sessions. To cap off the programme, the participants shared their experiences on how sociological insights into familial and partner violence can enrich their perspectives on the bench.

SENTENCING CONFERENCE 2022



A total of 286 participants attended the third edition of the Sentencing Conference, which was held on 31 October and 1 November 2022. Themed 'Sentencing Frameworks', discussions centred on the past, present and future of the exercise of sentencing discretion by the SG Courts. Other discussion topics included the sentencing of special classes of offenders, such as youths and those afflicted with mental health issues; the use of artificial intelligence (AI) as a tool in sentencing; and the extent to which AI can or should interact with the exercise of judicial discretion.

Jointly organised by the State Courts and the Singapore Academy of Law, the Sentencing Conference 2022 promoted the development of standards and best practices in sentencing.

FAMILY JUDGES LEARNING WEEK 2022

The Family Justice Courts (FJC) held its third Family Judges Learning Week in 2022. Over a four-day period, a slate of international and local experts was invited to dispense valuable insights in the fields of therapeutic justice and interdisciplinary knowledge. Vigorous participation was observed during these virtual sessions, embodying the SG Courts' spirit of continual learning.

On Day 5, FJC judges gathered in person at an onsite workshop. Fun team-bonding activities were organised, such as an art jamming session that allowed participants to connect with their inner selves and express their reflections on canvas. There was also a team-building drumming session, where participants synergised with one another to produce impressive performances.



Team-bonding opportunities, such as an art jamming session, were incorporated into the FJC Family Judges Learning Week.

FAMILY CONFERENCE AND FAMILY JUSTICE PRACTICE FORUM 2022

Held virtually on 13 and 14 September 2022, the Family Conference and Family Justice Practice Forum 2022 were combined for the first time to allow all stakeholders of the family justice ecosystem to come together and share their insights on the latest developments.

Co-organised by the Law Society of Singapore, the Ministry of Social and Family Development (MSF) and the Family Justice Courts (FJC), the event was aptly themed ‘Essentials for the Journey into New Frontiers’. Participants delved into the family litigation process against the backdrop of recent procedural and substantive law changes.

Justice Choo Han Teck delivered the CJ Koh Lecture on Day 1. He outlined how family law has changed through the ages and reiterated that, ultimately, family law needs to speak to the public “in clear unequivocal language, in a tone that is empathetic and conciliatory”. The Presiding Judge of the FJC, Justice Debbie Ong, delivered the introductory remarks on the next day, setting the stage for two plenary sessions on ‘IT and Other Enablers for Access to Family Justice’ and ‘New Collaborative Projects in the Family Space’.

The combined event was well-attended with more than 400 participants. It drew speakers from the FJC, MSF, Legal Aid Bureau and Community Justice Centre.



More than 400 participants across the family justice ecosystem tuned in to hear from the likes of Justice Debbie Ong (above).

INAUGURAL THERAPEUTIC JUSTICE ANNUAL MEET

A Networking Platform for Champions of Non-Adversarial Family Law

The Law Society of Singapore and the FJC jointly organised the inaugural Therapeutic Justice Annual Meet (TJAM) on the evening of 14 September 2022. Held after the lifting of COVID-19 restrictions, this physical networking event provided an opportunity for the first batch of graduates from the Family Therapeutic Justice (TJ) Certification Programme, members of the Family Conference 2022 organising committee and family judges, as well as colleagues from the Singapore Academy of Law and MSF to catch up with each other. About 60 participants attended this lively event at the Supreme Court.

In her opening remarks, Justice Debbie Ong, Presiding Judge of the FJC, called all who were gathered “precious TJ champions”. They had answered the call made back in her FJC Workplan 2020 speech for a renewed vision of family justice informed by TJ principles. By building strong TJ software, they had equipped judges, the family bar and ecosystem partners with the mindset and tools to more effectively help litigants focus on problem-solving and moving on to a more hopeful future for themselves.

On the part of the family bar, it was heartening that the first batch of graduates from the Family TJ Certification Programme comprised a spectrum of seasoned as well as relatively younger practitioners. Interactions during the course sessions had reportedly been rich and engaging. While there was a shared consensus among programme participants that TJ outcomes are desirable, they grappled with how TJ principles can be practised in the context of client engagement and various court processes from mediation to hearings.

As noted by the Presiding Judge, TJ is not about ensuring everyone feels good and has their way. TJ does not replace principles of law and due process. Rather, it is about how the law and processes are administered to achieve TJ outcomes for the whole family. In addition, Justice Ong reminded those present to remember the importance of self-care as they work together on this challenging journey.

The aim of the TJAM is to provide a helpful platform for TJ champions to gather, exchange insights and war stories, and encourage one another. This will hopefully spark a core group of passionate TJ practitioners who can influence other family practitioners to join in this non-adversarial way of approaching family cases. The inaugural TJAM was certainly a first step towards co-creating a unique family justice system in Singapore that truly meets the needs of our community.



CONNECTING WITH THE COMMUNITY

The Singapore Judiciary advocates for inclusive justice by giving back to the community, and addressing residents' legal and broader societal needs.

COURT VOLUNTEERS RECOGNISED FOR THEIR CONTRIBUTIONS

More than 200 court volunteers were recognised for their dedication in supporting the work of the SG Courts at the Judiciary Volunteers Appreciation Lunch on 29 November 2022. Among them, 15 were honoured for their exemplary commitment to pro bono work and the administration of justice.

With the easing of COVID-19 restrictions, the annual event was reinstated to a physical format. Chief Justice Sundaresh Menon expressed his heartfelt appreciation towards all volunteers for dedicating their time to the important cause of enhancing access to justice in Singapore.



Chief Justice Menon thanked court volunteers and congratulated award winners in person.

AWARD RECIPIENTS

OUTSTANDING COURT VOLUNTEER AWARDS

Ms Deborah Koh Leng Hoon
Advocate and Solicitor category

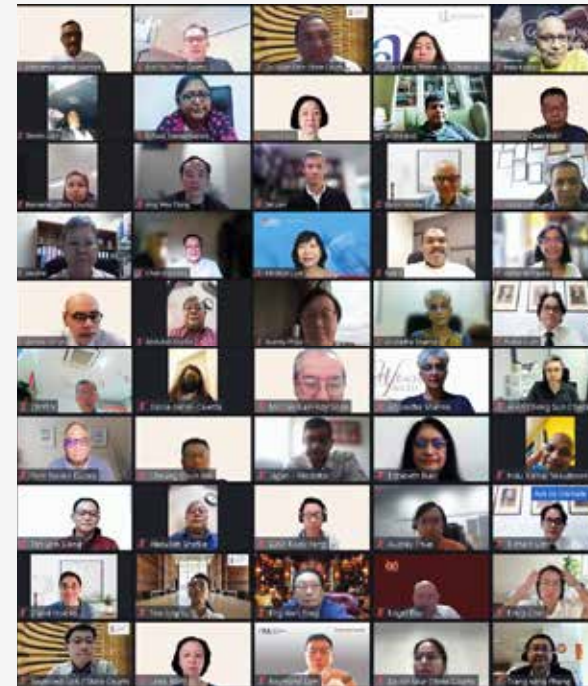
Dr Ong Geok Quee
Open category

Ms Miranda Tan
Student category

LONG SERVICE AWARDS

- Mr Moiz Tyebally
- Ms Cheryl Lim Li
- Mr Cheong Khim Teck
- Mr Chia Ah Sah
- Mrs Chia Swee Tin
- Mr Chng Beng Guan
- Mr Choo Si Sen
- Mr Jamshid K. Medora
- Mr Koh Lian Huat
- Mr Kong Mun Kwong
- Professor Low Cheng Hock
- Mr Shriniwas Rai

ANNUAL TRAINING FOR COURT VOLUNTEER MEDIATORS



Every year, the State Courts' Court Dispute Resolution cluster conducts training sessions for Court Volunteer Mediators to ensure their knowledge and skill sets remain relevant and up to date. Two sessions were held virtually in 2022, on 10 June and 11 November.

There were 113 participants at the first session, wherein notable court dispute resolution cases involving psychological and social aspects were presented. The trainer also covered topics such as the various resources available in the community as well as the importance of self-care and self-awareness in transference and counter-transference issues. At the second session, close to 100 participants learned ways in which a mediator can help parties prepare for and engage in more constructive and effective negotiations to reach an amicable settlement.

A DAY IN COURT 2022

After a hiatus of a few years, the annual student seminar, 'A Day in Court', returned in 2022 in a new virtual format and with new content. Close to 300 students from 60 secondary schools participated in this event that was held on 18 May. It set out to provide a better understanding of the State Courts' role in the Singapore Judiciary, as well as develop student leaders as champions against harassment and bullying.

The seminar covered an overview of the criminal justice process, including sentencing considerations, harassment and cyberbullying. Students experienced a virtual courtroom tour; cross-school interactions reviewing a cyberbullying role-play enactment; a fireside chat with District Judge Wong Su Ann; and a candid Q&A segment with the Deputy Presiding Judge and Registrar of the State Courts, Mr Christopher Tan.



CORPORATE SOCIAL RESPONSIBILITY

With Singapore transitioning to an endemic COVID-19 “new normal” in 2022, the SG Courts strengthened their corporate social responsibility (CSR) efforts and continued to reach out to the community. Here are some key CSR events that took place.

FEBRUARY

LUNAR NEW YEAR CELEBRATIONS WITH YONG-EN CARE CENTRE

The State Courts brought festive cheer to seniors at the Yong-en Active Hub with special virtual performances and games. Staff prepared festive packs containing oranges, Lunar New Year goodies and red packets, and distributed these to the beneficiaries. The State Courts also donated an additional 40 festive packs to Yong-en Care Centre’s Dementia Day Care cluster.



JUNE



BEACH CLEAN-UP AT EAST COAST PARK

In support of the annual World Environment Day, staff from the State Courts took part in a beach clean-up project at East Coast Park. This event made a return following a three-year hiatus due to the COVID-19 pandemic.

AUGUST

‘READ FOR BOOKS’ CHARITY DRIVE

All three courts contributed to the National Library Board’s annual charity book drive, which aims to raise awareness and share the gift of reading with the less privileged. In addition to physical read-together sessions that were held throughout the month, 138 staff attended a mass reading session via Zoom to raise more books for the two beneficiaries, WondeRead and the Migrant Worker Library. The charity book drive raised a total of 57 books through the participation of 163 staff.



DECEMBER

MESSAGE SERVICES BY THE SINGAPORE ASSOCIATION OF THE VISUALLY HANDICAPPED

To show their support for the Singapore Association of the Visually Handicapped (SAVH), the State Courts engaged the SAVH’s Mobile Massage Team (MMT) and arranged for a group of qualified, visually handicapped masseurs to provide massage services at the State Courts premises. The MMT initiative allows blind masseurs to put into practice the acquired skills to remain employable, earn their living, and gain self-reliance and independence. A total of \$480 was raised for the SAVH through the massage services, with another \$550 pledged through donations.



VISIT TO DIALOGUE IN THE DARK SINGAPORE

The State Courts organised a tour to Dialogue in the Dark Singapore to raise awareness of visual and other impairments, as well as promote social inclusion of the disabled and disadvantaged. Led by vision-impaired individuals as guides, the participants experienced the challenges of navigating everyday life in complete darkness. At the end of the tour, they discussed the importance of empathy and creating a more inclusive society.



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