

# 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.

# THE NEW RULES OF COURT

## Marking a Milestone in Our Journey of Improving Civil Justice

2021 was the year in which, after a root-and-branch review of our civil procedural rules, the new and finalised Rules of Court 2021 (ROC 2021) were published and gazetted, marking a major milestone in Singapore's journey towards enhancing our civil justice system and modernising our litigation process.

The ROC 2021 seeks to enhance the civil justice system by simplifying rules, modernising the language, streamlining procedural steps and enabling greater judicial control of the entire litigation process. The ROC 2021 is underpinned by five ideals, namely:



(i) fair access to justice;



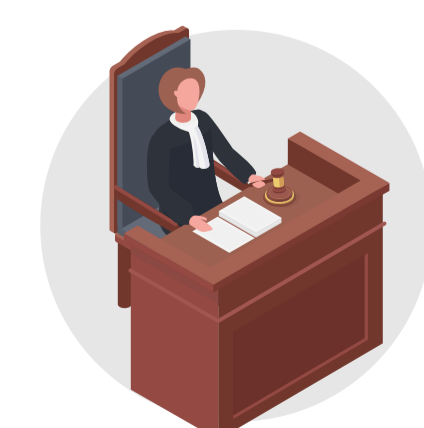
(ii) expeditious proceedings;



(iii) cost-effective and proportionate processes;



(iv) efficient use of court resources; and



(v) fair and practical results suited to the needs of the parties.

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The ROC 2021 aims to create a clearer, faster, more cost-efficient and more accessible civil justice process.

It represents a new vision for the civil justice process that is clearer, faster, more cost-efficient and more accessible by those who seek justice in the Courts.

Salient new features of the ROC 2021 include:

- the Single Application Pending Trial mechanism, which allows all pre-trial applications that are necessary to prepare a case for trial to be dealt with in a holistic and disciplined fashion;
- the option for the Court to order affidavits of evidence-in-chief before document production; and
- the use of expert evidence only in situations where such evidence would contribute materially to the determination of an issue in the case which cannot be resolved through other specified means.

Leading up to the implementation of the ROC 2021, the Singapore Judicial College conducted a series of familiarisation sessions featuring general overviews for both judges and court administrators on the new rules, and 'nuts-and-bolts' walk-through exercises. Justice Chua Lee Ming and Justice Ang Cheng Hock, who chair the new Rules of Court

Implementation Team, were the faculty for these sessions, which focused on new features of the civil procedural rules and the main changes they bring to the civil litigation process.

To assist practitioners and court users in navigating the ROC 2021, various collaterals such as short informative digests, a primer video and infographics were published on the SG Courts website.

The standalone Singapore International Commercial Court Rules 2021 (SICC Rules 2021) were also published in 2021. It presents a game-changing set of customised processes for international commercial litigation that incorporates international best practices and facilitates international dispute resolution.

The work of reviewing and refining the ROC 2021 and the SICC Rules 2021 will continue as the Courts, practitioners and users gain experience from their implementation. This represents our commitment in our journey of developing and improving our civil justice system.

## THE NEW RULES OF COURT – MARKING A MILESTONE IN OUR JOURNEY OF IMPROVING CIVIL JUSTICE

### Ship Arrests Without Leaving Shore

In early January 2021, dark clouds were gathering on the horizon regarding the service of admiralty writs and warrants of arrest on ships. Concerns were raised by the shipping Bar on the potential exposure of lawyers and process servers to COVID-19 through in-person service of documents on board ships. The Maritime and Port Authority of Singapore had also introduced enhanced regulations on COVID-19 for personnel boarding ships, which made it costly and more inconvenient to effect service.

On 22 January 2021, the Rules of Court and Supreme Court Practice Directions were amended to enable the service of warrants of arrest and admiralty writs on the ship agent while prevailing COVID-19 control measures were in force. With these changes, ship arrests and service of admiralty writs could be made without lawyers and process servers leaving shore.

**The new procedure providing for the temporary alternative mode of service has been well received by the shipping Bar.**

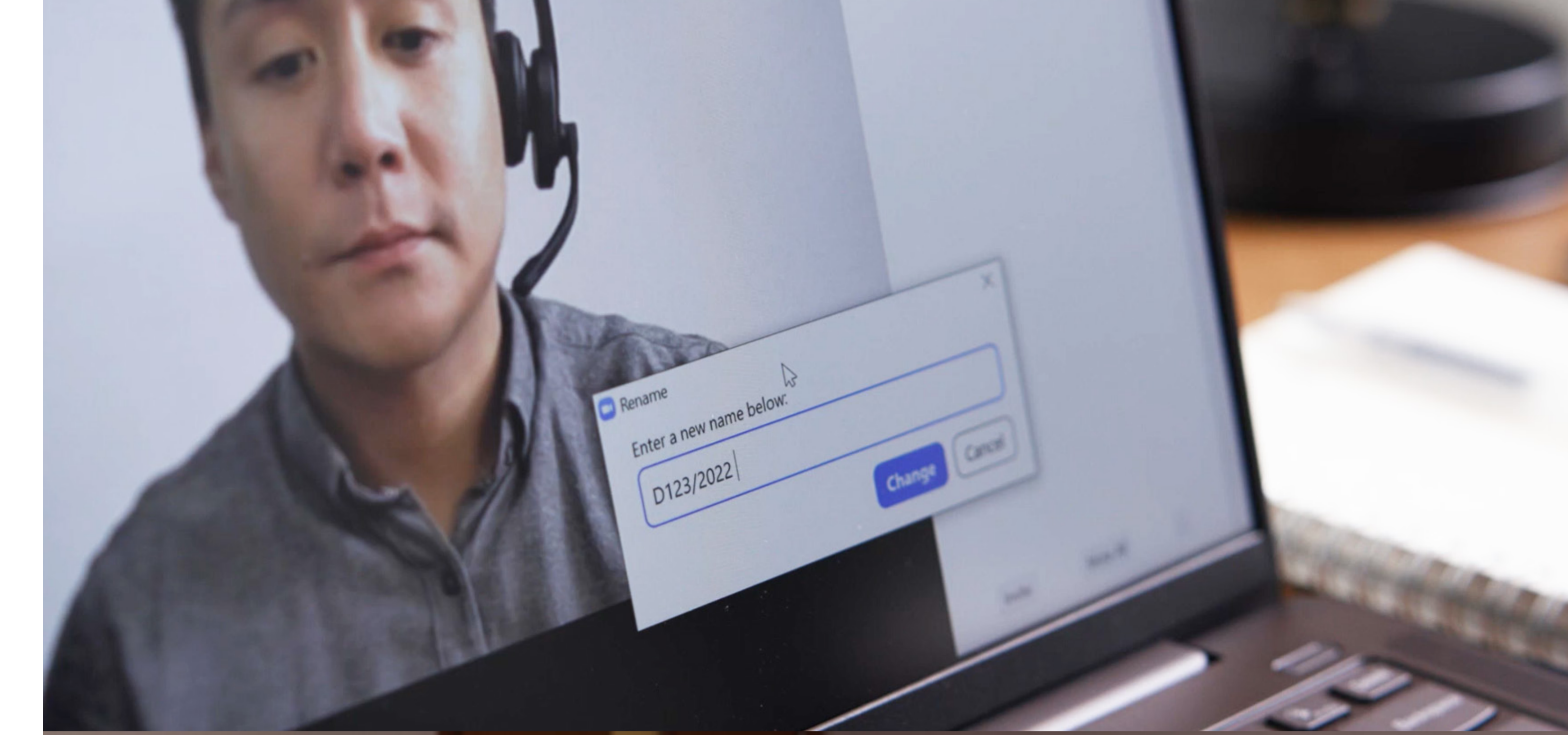
The new procedure providing for the temporary alternative mode of service has been well received by the shipping Bar. It demonstrates the ability of the SG Courts and relevant stakeholders to proactively respond to the needs of the maritime and shipping industry, particularly during extraordinary and challenging times.

### Facilitating the Use of Video-Link Testimony

The travel-related COVID-19 restrictions brought to the fore the need for video-link testimony for witnesses who were unable to travel to Singapore to give evidence, so as to ensure continued access to and administration of justice. Multiple initiatives were therefore undertaken throughout 2021 to facilitate such video-link testimonies.

For instance, the Rules of Court (as in force immediately before 1 April 2022) were amended to:

- (a) refine the procedure for applying for the issue of a letter of request to a foreign jurisdiction for evidence to be taken by deposition from a witness located in that jurisdiction; and
- (b) set out a procedure for applying for the issue of a letter of request to a foreign jurisdiction for evidence to be taken by live video or live television link from a witness located in that jurisdiction.



Through video-link testimony, witnesses residing overseas can still give evidence in trials and hearings.

The amendments to the Rules of Court were further coupled with amendments to the Supreme Court Practice Directions to set out the timelines for the making of an application for the issue of a letter of request for the direct taking of evidence. To assist parties, a guide on preparing letters of request for the direct taking of evidence was also produced.

In addition, the Supreme Court Registry collaborated with relevant agencies to obtain, collate and publish information based on official responses from foreign authorities in relation to the taking of evidence by live video or live television link from witnesses in their respective jurisdictions. Discussions were also held with the Law Society of Singapore to explore how the use of video-link testimony could be facilitated and simplified.

Taken together, these efforts ensured that trials and hearings could proceed smoothly even when witnesses were unable to travel to Singapore.

A temporary alternative mode of service was formulated for the shipping Bar in response to the pandemic.



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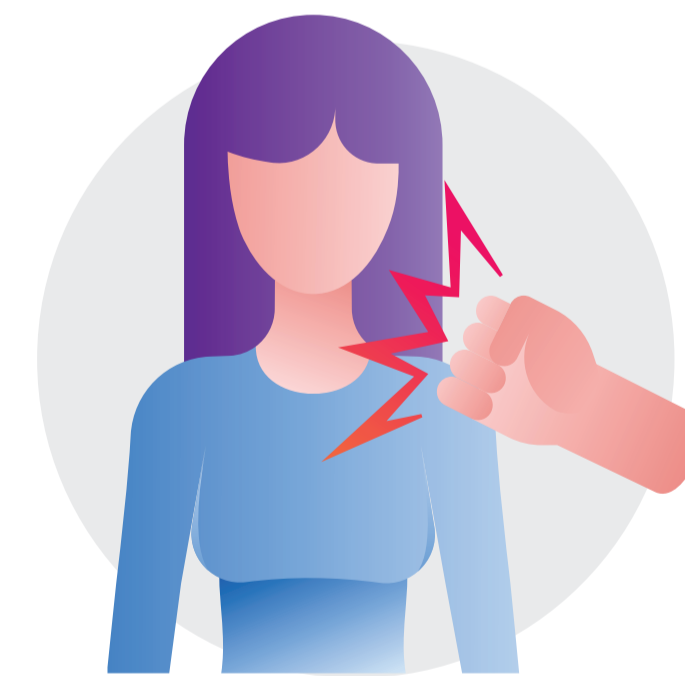
# PROTECTION FROM HARASSMENT COURT

## Putting victims first for more effective redress

The Protection from Harassment Court (PHC) was established on 1 June 2021 as a specialised Court dedicated to dealing with harassment matters. It has oversight of all criminal and civil cases under the Protection from Harassment Act (POHA) and provides victims of harassment with more effective and holistic recourse.

The establishment of the PHC, along with synergistic amendments to the POHA, brought about several improvements to our judicial regime to provide more effective redress against acts of harassment. Chief among these was the adoption of simplified processes for applications for Protection Orders (POs) and orders relating to falsehoods. Under the simplified track, litigants can file claims online through the State Courts' Community Justice and Tribunals System without having to travel to filing bureaux.

Other improvements to enhance protection for victims were also made through amendments to the POHA on 1 June 2021:



- (a) Where a respondent has been convicted of any POHA- or hurt-related offence against the victim, the requirement for the victim to show that a POHA provision has been contravened before his or her application for a PO is granted will be deemed satisfied. This simplifies the PO application process for the victim.



- (b) PHC judges who grant Expedited Protection Orders (EPOs) are required to consider whether a criminal investigation is warranted and if so, to refer the case to the police for investigation. This removes the need for the victim to separately file a Magistrate's Complaint to seek the Court's directions for the police to investigate into the alleged harassment act.



- (c) Where a PO is made, the PHC may make a Mandatory Treatment Order (MTO) requiring the respondent to undergo psychiatric treatment. As the MTO would be made where the PHC has reasonable grounds to believe that the respondent's psychiatric condition was a contributing factor to the contravention which led to the PO, the MTO would address the issue at source.
- (d) The seriousness of breaching a PO or EPO has been underscored through making such breaches arrestable offences in certain scenarios, such as where hurt is caused.
- (e) The protection that POs and EPOs could give to persons related to the victim has been extended. To better protect victims residing in the same residence as the harasser, it has also been made clear that domestic exclusion orders can be granted as part of a PO.



Using the State Courts' Community Justice and Tribunals System, victims of harassment can simply file their claims online instead of having to file documents in person.

A group of specialist judicial officers and court administrators hears and deals with cases filed in the PHC, to facilitate efficient and fair resolution of such disputes.

The establishment of the PHC has improved access to justice for litigants. This can be seen from an increase of over 300% in the average number of POHA applications per month from June to December 2021, compared with the average from January to May 2021 before the PHC was set up.

With the experience and knowledge gained from the first year of the PHC's operations, the State Courts will continue working with relevant stakeholders to enhance the regime for protection for victims of harassment.

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# REMOTE HEARINGS

## As a Bridge to Justice

Despite the challenges and uncertainty brought about by the COVID-19 pandemic, about 90% of all criminal and civil non-trial matters, as well as more than 60% of civil trials, were heard (either fully or partially) through video conferencing technology in 2021. This ensured continued access to justice through remote hearings.

The Courts have used the Zoom platform since the Circuit Breaker in 2020, and no additional fees were charged for lawyers or litigants using it. Each hearing was preceded by a video conference notice issued to the lawyers or self-represented litigants, which provided them with details on how to join the Zoom hearing. The notice also offered instructions on how to use Zoom as well as links to online resources about the technology. Written guides and answers to frequently asked questions (FAQs) continued to be made available on the Courts' website, which provided litigants with information and assistance regarding technical and operational matters.

**90% of criminal and civil non-trial matters, and more than 60% of civil trials, were heard through video conferencing technology in 2021.**

In some cases, litigants were able to use video conferencing facilities at the Supreme Court building to attend a remote hearing. This ensured that users without suitable devices could access remote hearings.

Self-represented litigants and witnesses who were unable to come to Singapore owing to travel limitations, or who could not physically attend court due to pandemic-related movement restrictions, were accommodated through the use of video conferencing for their hearings. Interpretation services were also provided remotely to ensure that non-English speakers could participate.

Remote hearings of interlocutory applications and other procedural matters resulted in improved case management efficiency. This reduced the cost of litigation because lawyers and litigants did not need to physically attend court for shorter hearings, which would otherwise have incurred additional time and expense of travelling to court.

## Civil Trials

Following a successful pilot in 2020, where a motor accident claim was brought before the Civil Trial Courts and conducted entirely by video conference with all the parties involved, 68 civil trials were conducted remotely in 2021, of which eight were entirely via video conference.



Increased reliance on remote hearings has allowed trials to continue uninterrupted and helped bridge the justice gap.

This initiative allowed civil trials to proceed uninterrupted when parties were unable to attend a physical hearing for pandemic-related reasons, which might have otherwise resulted in the postponement of trial dates or prevented trial dates from being fixed altogether. Remote hearings proved to be particularly useful for industrial accident trials, as many of the plaintiffs were residing overseas and unable to travel to Singapore due to travel restrictions. Remote hearings were also useful for parties who could not attend court physically because they were under quarantine.

The State Courts have received positive feedback on the use of video conferencing for the conduct of civil trials. In line with the principle of open justice, these remote trials are broadcast in the courtroom.



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# FAMILY JUSTICE @ HEARTLANDS

The Family Justice @ Heartlands initiative is aimed at developing a comprehensive strategic programme to enhance access to justice through a sustainable outreach model that informs interested members of the public about their rights and responsibilities.

In December 2021, the Family Justice Courts (FJC) in partnership with the Ministry of Social and Family Development and the Law Society of Singapore conducted its inaugural Family Justice @ Heartlands Pilot Webinar. The Registrar of the FJC, Mr Kenneth Yap, chaired the session. It was attended by 85 grassroots leaders, who were educated on family law issues, court processes and available support resources.

Looking ahead, the FJC will be organising similar webinars involving members of the public in 2022.



JOIN US AT THE 1ST WEBINAR FOR  
**FAMILY JUSTICE  
@ HEARTLANDS**  
TO LEARN MORE ABOUT DIVORCE,  
GUARDIANSHIP & MAINTENANCE MATTERS

Date: Sat, 11 Dec 2021  
Time: 10am to 12pm  
Venue: Zoom  
(Link will be sent nearer to date)

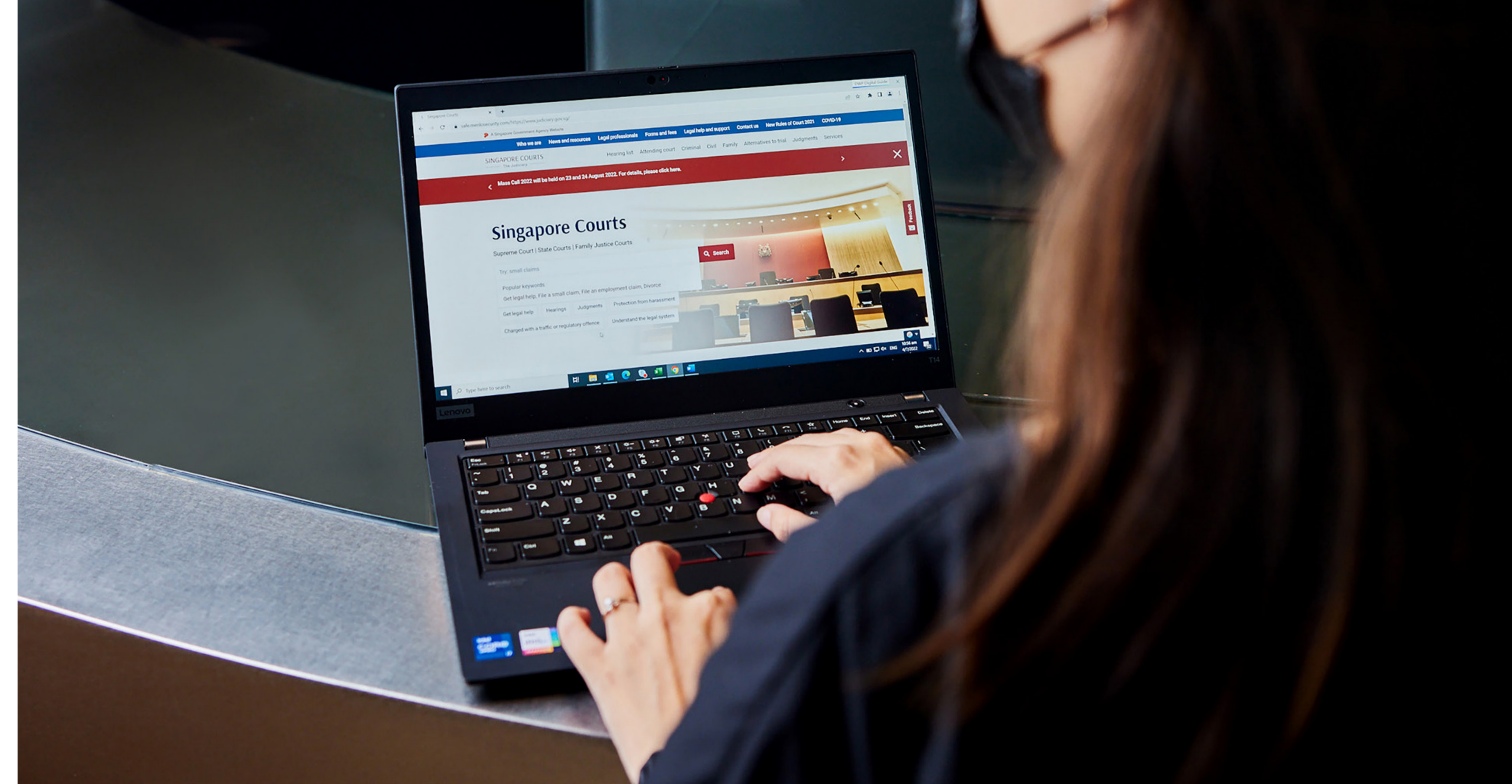
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To register, scan the QR code  
or visit <https://go.gov.sg/fjh1>  
Limited vacancies available!



In collaboration with:  
Family Justice Courts



The SG Courts website was launched in November 2021, after months of beta testing and user feedback.

## LAUNCH OF THE SG COURTS WEBSITE

The new SG Courts website ([www.judiciary.gov.sg](http://www.judiciary.gov.sg)) is now the official website of the Singapore Judiciary. It replaces the individual websites of the Supreme Court, State Courts and Family Justice Courts, and provides a single online point of entry to the Judiciary so that users no longer have to identify the particular court they wish to interact with.

Using simplified English and a user-friendly interface, the website provides a consolidated gateway to information on the Judiciary. This includes an explanation of the differences between criminal, civil and family law; access to court forms and e-services such as verifying the authenticity of court orders; daily hearing lists and guidelines on attending court; and other useful resources to help litigants prepare for court matters and seek legal aid or advice.

The beta version of the website was launched on 1 February 2021. Feedback from stakeholders and users, including lawyers and members of the public, was incorporated to further improve the functionality and features of the website, which was officially launched in November 2021.

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# TRANSITIONING TO ONLINE COURT SERVICES

## Launch of the Motor Accident Claims Online

The Motor Accident Claims Online (MACO) is a freely accessible online motor accident claims simulator that allows anyone to get a quick, non-binding assessment of who is liable and how much compensation is payable for any personal injuries suffered in a motor accident. Jointly developed by the State Courts and the Singapore Academy of Law, MACO comprises two modules: a liability simulator and a quantum simulator that were launched in October 2020 and April 2021, respectively.

Both modules feature step-by-step questionnaires that have been programmed in accordance with current laws and case precedents. The liability simulator assesses who might be “at fault” for a motor accident, and the percentage of liability that a party is likely to bear. The quantum simulator, on the other hand, assesses what compensation might be awarded for injuries resulting from the motor accident. These assessments, which are only estimates and have no legal effect, would ideally facilitate settlements between parties without having to resort to legal proceedings, saving them both time and money. Significant court resources would also be freed up, given that motor accident claims make up a sizeable proportion of all cases heard in the State Courts.

MACO usage statistics have been extremely encouraging. From launch up till 31 May 2022, the liability simulator recorded 6,654 individual simulations while the quantum simulator recorded 7,080 individual simulations, for a total of 13,734 individual simulations.

To ensure that the information provided by MACO remains up to date, a team in the State Courts is charged with overseeing the platform. This includes carrying out regular reviews in response to developments in the law and feedback, and exploring potential updates to improve MACO.

**From launch up till 31 May 2022,  
MACO recorded 13,734  
individual simulations.**

MACO users can avail themselves of the liability simulator and/or the quantum simulator.

## Divorce eService

The Divorce eService is an online portal designed to facilitate the preparation and filing of court papers for divorces filed on the simplified track. It aims to alleviate the pain of form filing, reduce the time needed, as well as minimise delays and unnecessary expenses in the preparation of divorce court papers.

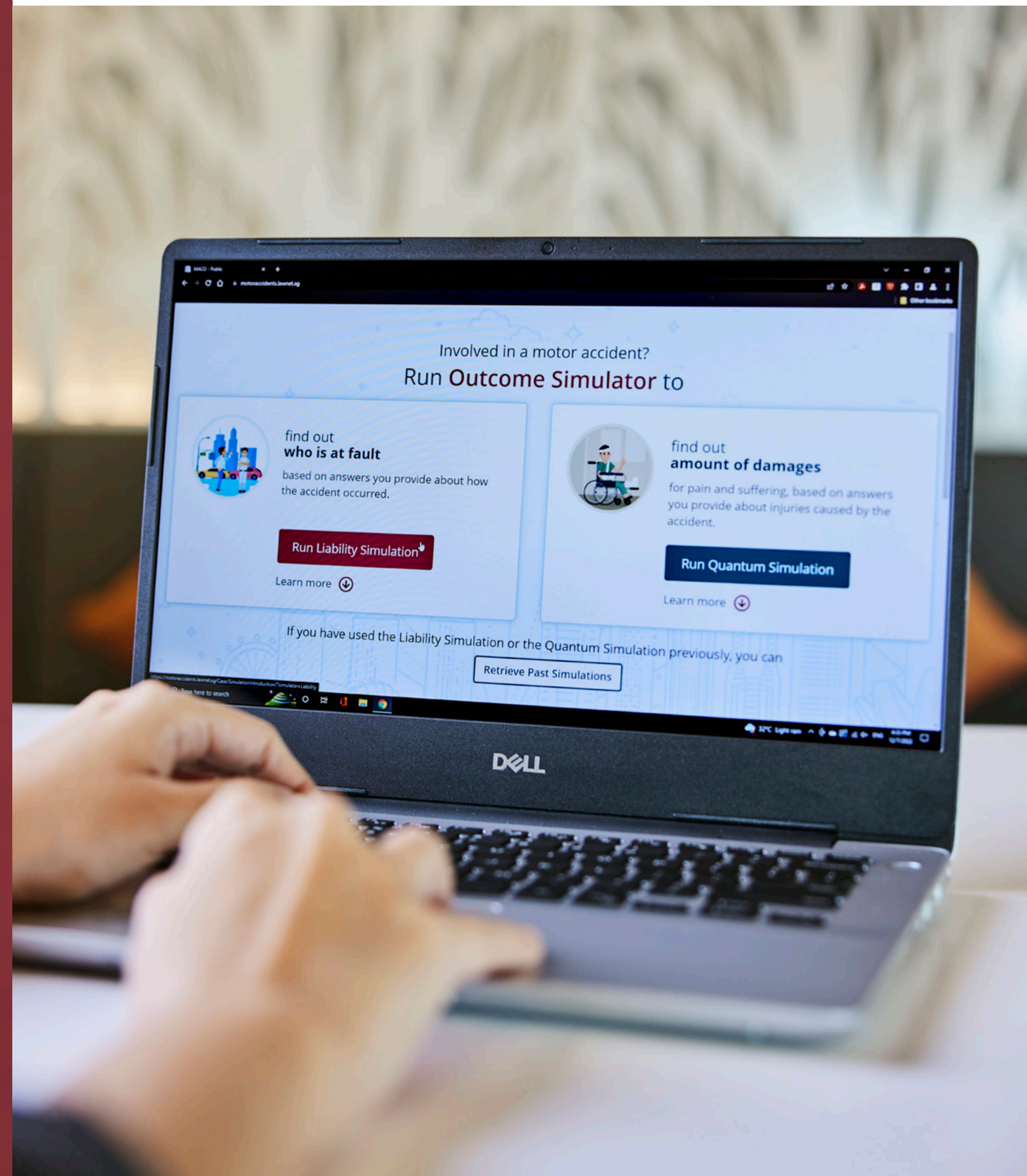
The portal features an option for applicants to automatically populate court forms with available data from Myinfo. Users are guided step-by-step through the form-filling process, with templates for commonly used court orders, digital signing of applicable court papers with Singpass, and facilitation of online payment of court fees. The portal also encourages dispute resolution by facilitating discussions and negotiations between spouses on the terms of the divorce before the commencement of proceedings. If unrepresented litigants decide to engage a lawyer, the eService allows for a seamless handover of editable court forms to the lawyer.

While the portal is currently unavailable for parties intending to file divorces on the normal track, they can nevertheless make use of the eService’s dispute resolution feature. Parties can also use the form generation feature, but they can only receive a copy of the court forms through a lawyer. This caveat ensures that applicants receive the requisite legal advice on the sufficiency and propriety of their court papers prior to filing.

## Digital Repository for Case Highlights

To improve parties’ access to knowledge about family law, including rights and remedies, the Family Justice Courts produced a digital repository of Case Highlights, which comprise bite-sized summaries of notable family law decisions. Accessible through the SG Courts website, the Case Highlights assist unrepresented litigants when they conduct their own cases and are also useful to Counsel in their family law work.

There are currently 70 Case Highlights on the website, and more of such decisions will be added.



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# HELPING COURT USERS UNDERSTAND JUDICIAL PROCESSES

## Guides and Videos for Court Users

To promote access to justice for all, the Family Justice Courts (FJC) produced brochures and videos on the Care and Protection Order and the Family Guidance Order, with visuals and simple language to better explain to lay persons what these are and their application processes.

The Language Services team in the FJC also produced a handbook to help court users, especially litigants in person, understand the role interpreters play in legal proceedings at the FJC and how to request for an interpreter's services. This handbook has been translated into

all three official vernacular languages. In addition, the team assisted to translate and subtitle the Mediation and Counselling brochure and video, respectively, in the three official vernacular languages.

As part of its digital and information outreach initiative, the FJC produced six bite-sized instructional videos relating to Adoption, Access, Guardianship, Maintenance, Probate and Mental Capacity Act proceedings. Hosted on the SG Courts' YouTube channel and website, and with subtitles for better comprehension, the videos provide guidance to court users on these key areas of law and their processes.



The FJC's handbook on interpretation services for court users is available in all four official languages.

This resource is useful for litigants in person who may find it difficult to navigate court processes on their own.

The State Courts published the second edition of its Guidebook for Accused-in-Persons in collaboration with the Community Justice Centre. It incorporates revisions from the recent amendments to the criminal procedure regime, and the services available in the new State Courts Towers. The book was made available online and translated into the vernacular languages.

The SG Courts also worked together to produce a Guide on Court Reporting to give journalists a good basic understanding of the Courts and their processes.

## Translation of Glossary of Court and Legal Terms

In an effort to connect with the wider community, the FJC's Language Services team compiled and consolidated a "Translation of Glossary of Terms Commonly Used in FJC" and "Regional Differences in Interpretation Terms" for sharing with stakeholders. This undertaking reflects the FJC's desire to remain an active participant of the community, striving towards a common goal. After all, as the saying goes, "No man is an island."

Lay persons can pick up brochures on the Care and Protection Order and the Family Guidance Order at the FJC, or watch videos online, to learn more about them.

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# ENHANCING COURT TOOLS AND FACILITIES

## Intelligent Case Retrieval System

The Intelligent Case Retrieval System (ICRS) allows users to easily identify, locate and retrieve past cases where the Court had awarded damages for personal injuries. An intuitive user interface guides users with no prior medical knowledge to explore and retrieve relevant cases based on the nature or location of the injury. Monetary awards for various personal injuries are presented clearly through graphic visualisations and case summaries.

There are several advantages of ICRS over the hard-copy reference book, *Practitioners' Library for Assessment of Damages for Personal Injury*. For example, ICRS' advanced search engine and efficient filter functions allow users to easily retrieve relevant cases. In addition, ICRS' database is continuously updated with the most recent cases.

Currently available on LawNet, ICRS is a useful tool for legal professionals who are providing legal advice or preparing legal submissions for personal injury cases.



The new shielding in criminal courtrooms is not only functional but also saves time.

## Shielding Measures in Criminal Courtrooms in the Supreme Court Building

Most criminal trials are conducted physically, with the accused in the dock of the courtroom. Shielding is necessary to prevent the witness from seeing the accused, as per section 281A of the Criminal Procedure Code.

Shielding had previously been set up manually by maintenance workers, but many workers were quarantined during the pandemic. Inspired by the switchable glass in the windows of Light Rail Transit trains, the team explored with the supplier and architect to create this innovative and permanent solution for criminal courtrooms, as a way of overcoming the lack of manpower brought by the pandemic.

A key benefit of this measure is that court hearings can proceed without disruption. It was also found to generate time savings of about 10 minutes per hearing.

The ICRS provides graphic visualisations and concise summaries of personal injury cases.



Wireless technology allows court users to present evidence by simply scanning a QR code, or to view an exhibit either on the courtroom's large display or on their individual devices.

## Wireless Evidence Display in Courtrooms

The new courtrooms allow counsels to "Bring Your Own Device (BYOD)" to perform app-free, dongle-free evidence presentation. Counsels can BYOD and present evidence via wireless technology by a scan of QR code. The new courtrooms also allow counsels, witnesses and court staff to view an exhibit that is presented on their own devices via wireless network streaming.

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# LAUNCH OF A SPECIALISED TECHNOLOGY, INFRASTRUCTURE AND CONSTRUCTION LIST

## Resolving Complex Disputes in the Singapore International Commercial Court

In August 2021, the Singapore International Commercial Court (SICC) launched the Technology, Infrastructure and Construction List (TIC List), a specialised list for the SICC designed to cater to the resolution of complex disputes, such as technology-related disputes and disputes relating to large infrastructure and construction projects. The TIC List was established under Part XXIV of the SICC Practice Directions, and subsequently constituted under Order 28 of the SICC Rules 2021 upon the entry into force of the SICC Rules 2021 on 1 April 2022.

The TIC List offers several unique features which make it particularly well-suited to the management and resolution of complex disputes. Cases placed in the TIC List are heard by a specialised panel of local and international judges internationally renowned for their experience in the management of technically and factually complex disputes. It also offers specialised case management features specifically designed to facilitate the efficient disposal of technically complex disputes. These include unique provisions relating to the management of expert evidence, document disclosure, the presentation of cases and submissions, as well as wide and flexible powers to facilitate recourse to alternative dispute resolution mechanisms that could help contain or downsize the dispute.

Another feature of the TIC List is the availability of voluntary protocols which parties may agree to apply to cases placed in this list. For example, the Simplified Adjudication Process Protocol allows parties to carve out smaller-value claims to which a simplified process of adjudication would apply, thus streamlining the resolution of the dispute as a whole. Meanwhile, the Pre-Action Protocol facilitates frank and early exchange of information between the parties.

The establishment of the TIC List enhances the SICC's position as a forum of choice for the resolution of complex infrastructure and technology-related disputes. It represents yet another milestone in the development of the SICC as a prime destination for international commercial dispute resolution.

**The TIC List offers several unique features which make it particularly well-suited to the management and resolution of complex disputes.**

The establishment of the TIC List represents yet another milestone in the evolution of the SICC, located within the Supreme Court.



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