

THE ADMINISTRATION OF JUSTICE

“The Subordinate Courts have in place a set of core values: accessibility; expedition and timeliness; equality, fairness and integrity; independence and accountability; and public trust and confidence. Work processes may change over time, but these values must endure.”

The Honourable the Chief Justice Yong Pung How, Keynote Address at the Subordinate Courts 12th Annual Workplan 2003/2004 on 17 May 2003.

THE CONSTITUTION AND GOVERNANCE OF THE COURTS

1. THE CONSTITUTION OF THE COURTS

The Subordinate Courts are constituted by the Subordinate Courts Act (Cap 321) and derive their judicial powers from Article 93 of the Constitution. They comprise the District Courts, the Magistrates’ Courts, the Coroner’s Court, the Juvenile Court and the Small Claims Tribunals, and deal with more than 95 percent of all judicial matters in Singapore.

Certain District Courts and Magistrates’ Courts are designated as specialist courts, such as the Criminal Mentions Courts, the Commercial Civil and Criminal Courts, the Family Mentions Court, the Family Court, the Traffic Court, the Centralised Sentencing Court, the Special Sentencing Court, the Filter Court and the Night Courts. The e@dr Centre and the Multi-Door Courthouse are also integral parts of the Subordinate Courts. As at 31 December 2003, there are a total of 45 District and Magistrates’ Courts, 29 hearing chambers in the Civil, Crime and Family Registries as well as five settlement chambers in the e@dr Centre.

The Senior District Judge has immediate supervision of all the District Judges, Magistrates and staff of the Subordinate Courts. With effect from 1 August 2002, the Singapore Legal Service has recognised five leadership positions in the Subordinate Courts as Head of Department positions. They comprise four Principal District Judges and the Registrar; and assist the Senior District Judge in the management and administration of the Family and Juvenile Justice Division, the Criminal Trial Courts Division, the Civil Justice Division, the Criminal Mentions, Night Courts and Commercial Courts Division and the Registry of the Subordinate Courts.

The President of the Republic of Singapore appoints the Senior District Judge, District Judges, Magistrates, Coroners and Referees of the Small Claims Tribunals on the recommendation of The Honourable the Chief Justice. The Registrar and the Deputy Registrars are appointed by The Honourable the Chief Justice and oversee the running of the Civil, Crime and Family Registries of the Subordinate Courts. Each District Judge and Magistrate of the Subordinate Courts is also concurrently appointed as Deputy Registrar, Coroner and Referee of the Small Claims Tribunals. Before exercising the functions of their respective offices, they are required to take and subscribe to an oath of office and allegiance, in which they pledge to faithfully discharge all judicial duties, without fear or favour, affection or ill will to the best of their abilities to all manner of people after the laws and usages of the Republic of Singapore.

Under the Group Management of Cases (GMC) scheme, the various courts are divided into groups. Each group is overseen by a Group Manager, who is a District Judge of seniority. As at 31 December 2003, there are nine GMC Groups. They consist of six groups of Criminal Courts, the Civil Trial Courts group and the Family and Juvenile Courts group. The e@dr Centre forms one GMC Group. All the Principal District Judges, Group Managers, the Registrar and the Senior Referees of the Small Claims Tribunals report to the Senior District Judge. The Senior District Judge in turn is directly accountable to The Honourable the Chief Justice.

2. THE JURISDICTION OF THE COURTS

CRIMINAL JUSTICE

The District Courts

The criminal jurisdiction of the Subordinate Courts is defined in the Criminal Procedure Code (Cap 68). In criminal cases, a District Court can hear and try



SENIOR DISTRICT JUDGE WITH
PRINCIPAL DISTRICT JUDGES

(from left to right)
 PRINCIPAL DISTRICT JUDGE WONG KEEN ONN
 SENIOR DEPUTY REGISTRAR JAMES LEONG
 PRINCIPAL DISTRICT JUDGE KOH JUAT JONG
 SENIOR DISTRICT JUDGE RICHARD MAGNUS
 PRINCIPAL DISTRICT JUDGE FRANCIS G REMEDIOS
 PRINCIPAL DISTRICT JUDGE FOO TUAT YIEN
 Not in picture: Registrar Lau Wing Yum (on course)

offences where the maximum term of imprisonment provided by law does not exceed 10 years or which are punishable with a fine only. It has the power to pass a sentence of imprisonment not exceeding seven years, a fine not exceeding \$10,000, caning up to 12 strokes and in appropriate cases, reformatory training, corrective training and preventive detention. Where the law expressly provides, the District Court has the jurisdiction to try offences and impose the full punishment even where the maximum sentence exceeds the limits defined by the Criminal Procedure Code.

The Magistrates' Courts

A Magistrates' Court has the authority to hear and try offences for which the maximum term of imprisonment does not exceed three years or which are punishable with a fine only. It has the power to sentence a person to a term of up to two years' imprisonment, a fine of \$2,000 and up to six strokes of the cane. Where the law expressly provides, the Magistrates' Court has the jurisdiction to try offences and impose sentences which exceed the above limits.

CIVIL JUSTICE

The Civil Trial Courts

The civil jurisdiction and powers of the Subordinate Courts are defined in the Subordinate Courts Act (Cap 321). A District Court can deal with civil claims not exceeding \$250,000 in value. It also has the power to deal with probate matters not exceeding \$3 million, grant equitable remedies, and execute and enforce trusts. In contrast, the civil jurisdiction of the Magistrates' Courts is limited to contract and tortious claims where the amounts in dispute do not exceed \$60,000.

The Small Claims Tribunals

The jurisdiction and powers of the Small Claims Tribunals are governed by the Small Claims Tribunals Act (Cap 308). The Small Claims Tribunals hear disputes arising from contracts for the sale of goods

or the provision of services and any claim in tort in respect of damage caused to any property, where the amount in dispute does not exceed \$10,000. The jurisdiction does not extend to a claim in respect of damage caused to any property by an accident arising out of or in connection with the use of a motor vehicle. Where the amount in dispute exceeds \$10,000 but not \$20,000, the parties to the dispute can agree in writing to have the case heard by the Small Claims Tribunals.

FAMILY AND JUVENILE JUSTICE

The Family Court

The Family Court hears matters such as divorce, division of matrimonial assets, custody, maintenance, adoption of children and guardianship of infants. With effect from 1 August 1999, where there is a marriage under Muslim law or a marriage between Muslim parties, the Family Court has concurrent jurisdiction with the Syariah Court to deal with matters relating to maintenance, custody and the division of property upon the dissolution of the marriage. The Family Court also hears applications for personal protection orders, expedited personal protection orders as well as domestic exclusion orders. In addition, orders for maintenance made by the High Court and the Tribunal for the Maintenance of Parents are also dealt with by the Family Court.

The Juvenile Court

The jurisdiction and the powers of the Juvenile Court is conferred by the Children and Young Persons Act (Cap 38). The Juvenile Court hears and tries all offences committed by a child or a young person under the age of 16 years, save where the child or young person has committed an offence that is only triable by the High Court or where he has been jointly charged with another person who has attained the age of 16 years. The Juvenile Court also has powers to deal with children who are beyond parental control and those who need care and protection.

3. SPECIALISED COURTS

The Commercial Courts Cluster

The Commercial Courts Cluster deals with complex civil and criminal litigation. Civil disputes involving emerging areas such as technology, intellectual property and life sciences, for example, are handled by this Cluster. The Cluster hears offences relating to commercial crime, financial fraud, money laundering, computer crimes, intellectual property, foreign commercial crime related assistance and the confiscation of assets; as well as cases of corruption, special drug offences, outraging of modesty and rape offences. The Cluster also deals with all interlocutory matters relating to financial fraud, money laundering and confiscation of assets.

The Criminal Mentions Courts

The Criminal Mentions Courts are the first courts in which accused persons formally appear and they mark the beginning of the criminal trial process. An accused person is produced at a Criminal Mentions Court when the prosecution is ready to formally charge him, and in any event, not longer than 48 hours after his arrest and remand. There are two Criminal Mentions Courts, one to deal with District Arrest Cases (DACs) and the other with Magistrates' Arrest Cases (MACs).

At the Criminal Mentions Court, the charges are read and explained to the accused persons. The presiding judge can sentence accused persons who plead guilty. Where an accused person intends to plead guilty to certain specified categories of offences, the presiding judge will transfer these cases for sentencing either to the Centralised Sentencing Court, the Special Sentencing Court or to the Senior District Judge's Court. The presiding judge can also grant appropriate applications by the prosecution or the accused persons, including bail applications, applications to detain the accused persons for further investigations,

referrals to the Institute of Mental Health and applications to engage defence counsel. Where an accused person claims trial, the presiding judge fixes the case for a pre-trial conference before a Group Manager Judge under the GMC scheme.

The Centralised Sentencing Court

The Centralised Sentencing Court sentences accused persons who plead guilty to certain specified categories of offences.

The Special Sentencing Court

The Special Sentencing Court was established on 12 April 2002 to deal specifically with repeat and persistent offenders. These recalcitrant offenders have serious re-offending records and are persons whom the court considers it necessary to impose a substantial deterrent sentence, or a sentence that is expedient for the protection of the public and the prevention of crime or for the offender's own reformation and rehabilitation. Senior and experienced District Judges preside in this Court on designated days.

The Night Courts

The Night Courts were established in April 1992 to deal with the high volume of regulatory and traffic offences. There are two Night Courts, each with its own profile of cases. Court 26N deals with summonses and notices issued by the various governmental departments such as the Housing and Development Board, the Urban Redevelopment Authority, the Central Provident Fund Board, the Registry of Companies and Businesses and the Inland Revenue Authority. Court 25N deals with road traffic offences prosecuted by the Traffic Police and regulatory offences prosecuted by the Land Transport Authority.

These courts function for the convenience of the working public who would otherwise have to take time off from work in order to attend court. At the Night

Court, the charge is read and explained to the accused person. The presiding judge can sentence an accused person who pleads guilty. If an accused person claims trial, the presiding judge will transfer the case to the Filter Court.

The Filter Court

The Filter Court generally deals with Night Court cases where the accused person has claimed trial, and other simple criminal cases which require up to a day's trial. It is also a holding court which filters cases to other trial courts.

The Traffic Court

The Traffic Court hears and tries traffic offences. It deals with all fresh traffic arrest cases, Traffic Police and Land Transport Authority summonses and notices where there are no offers of composition. It also operates as a mentions court for traffic cases and deals with a wide variety of applications including applications for bail, remand and adjournments.

The Coroner's Court

The State Coroner presides over the Coroner's Court and deals with cases that are classified by the Police as Coroner's cases. The Coroner will investigate and conduct a Coroner's Inquiry in cases where a person dies in a sudden, violent or unnatural manner, or when the cause of death is unknown, as well as in other situations where the law so requires.

4. SPECIALISED CENTRES

The e@dr Centre

The e@dr Centre is headed by a Director who is an experienced District Judge. It provides court-based alternative dispute resolution (ADR) services for parties who have already filed originating processes in the Subordinate Courts, to explore settlement options with a view to the resolution of their disputes without trial.

These services are provided at no cost to the parties involved and allow them the opportunity to seek an early resolution of conflicts resulting in savings of time and costs. The e@dr Centre handles the mediation of primarily civil matters. It also provides training for staff and volunteer mediators.

The Multi-Door Courthouse (MDC)

The MDC is an innovation of the Subordinate Courts and is the first of its kind in the Commonwealth and Asia-Pacific region. The MDC provides a broad range of services to the public. In particular, it assists parties in pairing disputes within the jurisdiction of the Subordinate Courts with the most appropriate dispute resolution methods. It also provides information on other services of the Subordinate Courts.

5. JUDICIAL DUTIES IN OTHER ADMINISTRATIVE TRIBUNALS

In addition to their judicial duties at the Subordinate Courts, District Judges also preside in various Administrative Tribunals, such as the Military Court of Appeal, Copyright Tribunal, Industrial Arbitration Court, Liquor Licensing Board, Anti-Dumping Tribunal, Income Tax Board of Review, Tenants' Compensation Board, Hotels Licensing Board, Requisition Resources Board, GST (Goods and Services Tax) Board of Review, Valuation Board of Review, and the Inquiry Committee of the Law Society (for disciplinary proceedings involving advocates and solicitors). Some District Judges of the Muslim faith also preside in the Syariah Court as ad hoc Presidents during night court hearing sessions, on a monthly basis, while others sit as appellate judges for Syariah Court appeals.

COURT ADMINISTRATION

The Subordinate Courts are committed to the fair, just and swift delivery of justice in Singapore. In order to achieve these objectives, the Subordinate Courts are constantly striving to improve, strengthen and streamline our court processes and court administration. Over the last 13 years, the Subordinate Courts have been transformed by an intensive, extensive and comprehensive programme of reforms and changes to become one of the leading judiciaries in the world. Our motto, Dignus Honore, or Worthy of Honour, is a succinct distillation of our pledge to deliver quality justice.

1. OUR COURT GOVERNANCE

The Senior District Judge heads the administration of justice in the Subordinate Courts. He oversees the formulation and execution of strategic policies and operational workplans and is directly accountable to The Honourable the Chief Justice. To achieve these objectives, the Senior District Judge is assisted by a core team that includes the Principal District Judges, Group Managers, the Registrar, Principal Director (Corporate Services), Senior Directors and Directors.

Other court administrators provide essential para-legal services and corporate support services to enable the effective functioning of the Subordinate Courts. Para-legal services are provided in the various registries dealing with civil, criminal, family, juvenile, small claims and other matters. Corporate support services are provided in matters such as personnel, infrastructure development, public affairs, human resource development, finance, research and statistics, information technology and court services.

2. THE TRILOGY OF COURT GOVERNANCE

In managing change, the Subordinate Courts formulated the Trilogy of Court Governance to strengthen the fundamentals and infrastructure of the administration of justice. The Trilogy of Court Governance comprises the Strategic Framework, the Justice Statement and a set of Core Competencies. They collectively provide the values, ideals and benchmarks which have made the Subordinate Courts world-class.

The Strategic Framework

The Subordinate Courts have a strategic framework setting out eight main elements which provide a reference or benchmark against which the activities of the courts are constantly assessed. These elements are essential to establish a firm foundation for the justice system. They cover the desired public perception of the Singapore justice system, the need to maintain human dignity and the rule of law, enhance access to justice, and areas such as the nature of the judicial process, applicable court governance principles, strategic and effective use of technology, scenario and strategic planning, talent management and continuing education.

The Justice Statement

The Justice Statement encapsulates and defines the mission, objectives and goals of all the judges and staff of the Subordinate Courts. It is our corporate statement that codifies the principles to which we ascribe and subscribe. The Justice Statement sets out the four Justice Models and their underlying philosophies and embodies the oath of office and allegiance which every judge of the Subordinate Courts pledges to live by.

The Core Competencies

The Subordinate Courts has a set of Core Competencies which contain the knowledge capital and catalogue of



SENIOR ADMINISTRATORS

(from left to right)

MS MARILYN LEE
Deputy Case Administrator, Multi-Door Courthouse

MS DALBIR KAUR
Senior Asst Director, Personnel

MR KRISHNA R SHARMA
Asst Director, Crime

MR STEVEN CHIANG
Service Information Manager / Asst Quality Service Manager

MR JOSEPH JOHN
Registrar, Small Claim Tribunals

MR GLENFIELD DE SOUZA
Director, Legal / Deputy Director, Civil

MR LEE CHUN YIP
Senior Director, Corporate Services / Chief Information Officer

MS PAPINDER KAUR
Deputy Director, Development

MS ANNE DURRAY
Senior Director, Legal / Director, Small Claims Tribunals

MS CHAN WAI YIN
Director, Research & Statistics Unit / Deputy Chief Information Officer

a modern and forward-looking judiciary. These Core Competencies expand the traditional role of the judge from a “Judge-Adjudicator” to include a “Judge-Administrator”, “Judge-Reformer”, “Judge-Educator” and “Judge-Mediator”. We entrench these roles and capabilities to ensure that the Judiciary remains relevant and firm in times of uncertainty and change.

3. ORGANISATIONAL BEST PRACTICES AND PERFORMANCE STANDARDS

The Subordinate Courts have been at the forefront of implementing organisational best practices such as the Justice Scorecard system, the Net Economic Value system and the Six Sigma. These mechanisms allow



INTERPRETERS
SECTION

(from left to right)
MR LASHMAN SINGH
Head Interpreter, Indian
MR TAN SWAN LIANG
Head Interpreter, Chinese
MR ZAKARIA ISMAIL
Head Interpreter, Malay

the Subordinate Courts to constantly review internal work processes and provide an objective standard against which judicial performance can be measured. Such performance review processes in turn foster a dynamic and resilient judiciary.

Justice Scorecard System

The Justice Scorecard system is implemented across all divisions in the Subordinate Courts. The system tracks the performance of the Subordinate Courts under three main perspectives – Community, Organisational and Employee. The Subordinate Courts use the Justice Scorecard both as a performance measurement and performance management tool. It helps translate the Subordinate Courts’ mission and strategies into operational goals, and enables the achievements to be measured against a balanced set of perspectives.

Net Economic Value (NEV) System

The NEV system has been fully implemented in the Subordinate Courts. Under the NEV system, which complements the Justice Scorecard system, the amount of value created by the organisation as a whole or the

different divisions, is measured by assessing the amount of resources expended in producing certain output, such as cases dealt with. The Subordinate Courts constantly increase NEV by increasing operational efficiency and productivity, reducing operational expenses, and improving the management of financial, human and material resources.

Six Sigma

Six Sigma is an organisational philosophy that strives for near perfection, or less than four defects per million opportunities. The Justice Scorecard and Six Sigma are in alignment with the Subordinate Courts’ overall performance architecture framework. The Six Sigma gels in seamlessly with the Subordinate Courts’ drive for near perfection for all the processes measured by the Justice Scorecard. The Subordinate Courts are integrating both systems, so that eventually, all processes will be Six Sigma-driven, and the targets set in the Justice Scorecard will be reviewed accordingly to reflect the expected marked improvements.

THE JUSTICE STATEMENT

ONE MISSION

To Administer Justice

TWO OBJECTIVES

**To Uphold the Rule of Law
To Enhance Access to Justice**

THREE GOALS

**To Decide and Resolve Justly
To Administer Effectively
To Preserve Public Trust and Confidence**

FOUR JUSTICE MODELS

**Criminal Justice – Protecting the Public
Juvenile Justice – Restorative Justice
Civil Justice – Effective and Fair Dispute Resolution
Family Justice – Protecting Family Obligations**

FIVE VALUES

**Accessibility
Expedition and Timeliness
Equality, Fairness and Integrity
Independence and Accountability
Public Trust and Confidence**

SIX PRINCIPLES

**To Faithfully Discharge Judicial Duties
To do Right to All Manner of People
After the Laws and Usages of the Republic of Singapore
Without Fear or Favour, Affection or Ill Will
To the Best of their Ability, and
To be Faithful and Bear True Allegiance to the
Republic of Singapore**

COURT GOVERNANCE AND ADMINISTRATION

