

CHIEF'S JUSTICE RESPONSE
OPENING OF THE LEGAL YEAR 2000

MONDAY, 10 JANUARY 2000

Mr Attorney-General and Mr Palakrishnan,

On behalf of the Judiciary, I wish to express my sincerest gratitude for the support which the Attorney-General's Chambers and the Law Society have given to us over the past decade since I took office as the Chief Justice in September 1990. We are grateful for your renewed commitment as we begin our journey together into this new millennium, steering our administration of justice and the legal fraternity to achieve greater heights of excellence in quality and a deeper sense of public service.

2. We have held the Opening of Legal Year Ceremony at the Victoria Concert Hall for many years now. In a break from tradition, this is the first time that we are holding the Ceremony in the City Hall Chamber. The neoclassical City Hall Building, formerly known as the Municipal Building, has, since its erection in 1930, played host to the defining moments in Singapore's history. It was in this Chamber that Admiral Lord Louis Mountbatten accepted the Japanese Surrender in 1945. It is very fitting that we open our first Legal Year in this 21st century in this historical and noble setting as we look towards the challenges which lie ahead of us and, at the same time, not forget the roots of our nation's success, which this monumental building has come to symbolise.

3. 1999 has been yet another year of sterling achievement as we continue to gain international recognition as a world class judicial and legal system. At the Opening of each Legal Year, the Chief Justice has, by way of custom, delivered a detailed report on the Judiciary's state of affairs of the year gone by. This year, in another break from tradition, we have today made available to all of you the Annual Reports of both the Supreme Court and the Subordinate Courts. These two reports comprehensively chronicle the achievements and milestones of the Singapore Judiciary in 1999; as such, I shall not be rehashing what is set out there. This morning, I just wish to give insight into some of the initiatives undertaken by the Judiciary as we ready ourselves to remain a relevant and integral part of public service, and to be in sync with a rapidly evolving society in which technology plays an increasingly crucial role in our lives, affecting many aspects of our personal and professional well-being.

4. To this end, I am pleased to announce that Phase 1.2 of the Electronic Filing System will be launched in March of this year. This phase, which sees the mandatory electronic filing of a broad range of documents in actions commenced by a writ of summons, will be introduced in both the Supreme Court and the Subordinate Courts. The EFS presents a novel method of filing documents. I must admit that the change from manual filing of paper documents to electronic filing will not be an easy one, especially since we have all been brought up in an environment where paper is an essential. Be that as it may, the electronic filing of documents is a big and definite step which we must take

to keep abreast of this technology-driven world. I believe that, with time, everyone will get used to this new working style. A battery of training sessions on the EFS has been conducted since October last year. Over the next two months, the Judiciary, in conjunction with the Singapore Academy of Law and with the assistance of the Law Society, will intensify the number of training sessions in order that as many lawyers as possible can be accustomed to electronic filing and the conduct of hearings in an electronic environment. This period of time will also allow us to fine-tune and iron out all the issues leading to the implementation of the system. The Judiciary, from the Judges and Judicial Commissioners to all the court staff, is giving its total commitment to ensure the smooth running of the EFS. We are confident that with the active support from the legal profession, the success of the EFS will be assured and our vision towards a paperless litigation system will be realised.

5. At this juncture, I wish to make some mention of a separate but related technological initiative undertaken by the Judiciary which will have an impact on the whole legal profession. This is the e-filing of applications for practising certificates which will be implemented on a compulsory basis from the 1st of March 2000. Available over the Internet, you will be able to renew your practising certificates instantaneously from the convenience of your home or office.

6. Another major initiative to take our justice system into the 21st century is the construction of the New Supreme Court Building. The building was initially slated to be ready by 2002. However, after careful deliberation and consultation, we were of the opinion that the original design recommended to us did not sufficiently bring out the stature of our superior court as the landmark of justice par excellence. We have since embarked on a very stringent selection process for a building design which befits our status as a world-renowned and well-distinguished Judiciary. We have hence decided to extend the completion date to the year 2004 to ensure that there is no compromise in the nobility of its façade and in the quality of the services which the building is equipped to contain. Most importantly, the New Supreme Court Building will stand as a monumental symbol of the pillars of justice.

7. Speaking of the pillars of justice, for the man on the street, for the majority of our citizens, the rule of law holds its strongest influence in the Subordinate Courts. In the 1990s, the framework of the court system has gone through a rapid evolution in which the jurisdiction of the District Courts and Magistrates' Courts has increased manifold. Today, the large bulk of the volume of criminal and civil cases is handled by the Subordinate Courts, from traffic offences to family and matrimonial matters. It is thus heartening for us to note that these courts have entered the new millennium enjoying high public trust and confidence in our local community.

8. On the international front, the World Bank has rated the Subordinate Courts world class, and has recommended them as a model of modernisation for other jurisdictions. They have also been invited by the US National Centre for State Courts to be a member of an international think tank on global court technology.

9. It is with much pride that I add that, despite the tremendous amount of cases which go through the Subordinate Courts every year, they have been disposed of efficiently and judiciously. There is no backlog to speak of. The challenge for the Subordinate Courts is the ability to sustain their pole position in all aspects in the provision of justice. This, they will set out to do by “Investing in Justice” – to review their investment in their staff, the organisational structure, the constituents in the community and their international strategic partnerships. Toward this end, a few plans merit mention.

10. To maintain an international standard, the Subordinate Courts must be led, managed and run by judicial officers of the highest calibre. Accordingly, I have posted some of the best and brightest legal officers with a keen legal mind to serve as Magistrates and District Judges. The task of fostering expertise and skills in judicial officers, while always a priority, will be given fresh impetus. I have given approval for the Subordinate Courts to award a limited number of scholarships each year to judicial officers to pursue relevant courses at distinguished institutions. From this month onwards, their judicial officers will be put on an attachment programme with the High Court Bench. This will give them the invaluable opportunity to gain an insight to the workings of and learn from the vast experience of the Judges and Judicial Commissioners of the Supreme Court.

11. A worrying global trend is the increase of cross-border financial crimes committed by syndicates, some of which have international operations, using very sophisticated methods which are difficult to trace. Singapore, as a thriving financial centre, will be a prime target of such crimes. I envisage that there will be a rise in the number of complex criminal and civil actions which come to the courts for adjudication as Singapore becomes a key player in the global market. To prepare ourselves for this eventuality, a group of courts, to be named the Commercial Criminal and Civil (District) Courts, will be established. Presided by specially selected and trained judicial officers, we will be ready to meet the new demands on the judicial system which the new world economic climate will bring forth.

12. As I mentioned earlier, the Subordinate Courts have successfully pegged on the wealth of knowledge and experience in the international arena. One example of this was the introduction of the Court Dispute Resolution – International (CDR-I) Regime last April to deal with complex civil cases. This is a form of co-mediation conducted by our judicial officers with judges from other common law jurisdictions via video-conferencing. The scheme has allowed us to tap on foreign expertise and has given us a broader judicial perspective. This fledgling court dispute resolution regime has enjoyed a 100% success in cases which have been co-mediated with American, Australian and Norwegian judges. The scheme will be further expanded to bring on board judges from other advanced judicial systems.

13. We should not lose sight of the fact that, at the end of the day, the Subordinate

Courts represent the “People’s Court”. The Subordinate Courts have actively encouraged the community to shape the growth of the process of justice. We call this the citizenship of the justice process. To enhance their relationship with the people whom they serve and to benefit from the wealth of ideas, creativity and the spirit of the community, I have agreed to the setting up of the “Chief Justice’s Award for Judicial eNovation”, which will be administered by the Subordinate Courts. This award aims to seek the public’s contribution on novel initiatives which will first, improve the administration of justice and secondly, enhance the access to justice. It is hoped that in this way, our justice system is brought closer to the people as it gives them a constructive role in building up a court for the people.

14. In the past fifteen minutes or so, I have sought to give an outline of the Judiciary’s strategy to be at the forefront of a new era. At this juncture, it is opportune for me to introduce to the congregation this morning two outstanding lawyers who, together with all the members of the Bar, are integral players in our goal to maintain well into this century the achievements of the Judiciary thus far. It is my pleasure to announce the appointments of Senior Counsel for this year. The new Senior Counsel will join the other 25 Senior Counsel who have been appointed since 1997 to lead the legal profession in the 21st century. In order of precedence, they are Mr Leslie Chew Kwee Hoe & Mr Alvin Yeo Khirn Hai.

15. Today marks the dawn of a new chapter in Singapore’s legal and judicial history as we enter the third millennium. As we look back at our local jurisprudence and legal framework in the century just passed, we discover the richness and strength of our common law roots which have served as a firm foundation on which the rule of law in Singapore has developed. From the primary laws which provided peace and order in the old colonial days to the legislation of today governing electronic transactions and e-commerce, the fundamental concept of the rule of law remains, as always, the underlying premise on which all our laws are based.

16. Our lives are made meaningful by the experiences and trials which we go through, by the occasional episodes of happiness and anguish which we feel. Similarly, the life of the law is not logic; it is experience which breathes life into the concept of the rule of law. All of us who have been through law school know very well the never-ending debate on the definition of the rule of law. When I think of the rule of law (and I dare say that I speak for most people), the basic notions of truth, justice and fair play come to mind. We have all grown up in a society which has placed faith and confidence in the judicial and legal system as the guardians of what the rule of law has come to represent.

17. Our greatest challenge ahead of us is to continue to steadfastly uphold the rule of law which we hold very dear to our hearts, learning from the experiences of the past. The rule of law is fundamental to the fabric of today’s society, and perhaps even more importantly, to our children’s future, in a world whose social, moral and economic landscape and influences are changing ever faster.

18. Whether we succeed or fail depends on each and everyone of us. However, as our past record bears testimony, I am confident that, with our collective commitment to excellence, the judiciary and the legal fraternity will rise to the challenge. On this note, I now declare open the New and First Legal Year of the millennium. My colleagues and I wish you all the very best for the year ahead.