

**CHIEF JUSTICE'S RESPONSE**  
**OPENING OF THE LEGAL YEAR 2001**

SATURDAY, 6 JANUARY 2001

Mr Attorney-General and Mr Palakrishnan,

On behalf of the Judiciary, I thank both of you for the help and support which we have received from the Attorney-General's Chambers and the Law Society over the past year. We appreciate your good wishes and your renewed pledges of continuing support as we continue to chart our way towards achieving even greater heights of excellence in the administration of justice in the 21st century.

2. This morning, in keeping with the new practice laid down at the Opening of the Legal Year last year, I shall give only a brief review of the achievements and developments of the Judiciary in 2000. A detailed report on these matters is set out in the Annual Reports of the Supreme Court and the Subordinate Courts, which have been made available to you today.

3. The rapid technological advances of the past decade, especially in the field of info-communications technology, have resulted in the world becoming more reliant on and dominated by technology. In recognition of this phenomenon, the Judiciary has been actively harnessing new technology to enhance the administration of justice. To this end, we introduced two bold measures last year which have had, and will continue to have, a profound impact on the practice of law.

4. The first of these is the launch of Phase 1.2 of the Electronic Filing System (EFS). This phase made electronic filing compulsory for a broad range of documents in actions commenced by way of writ of summons. Notwithstanding the teething problems encountered by the courts and the legal profession alike in adapting to this novel method of filing documents and to the conduct of hearings in an electronic environment, we are heartened by the legal community's response to the EFS thus far. To date, approximately 35,000 writ actions have been commenced and more than 200,000 documents have been filed electronically in the Supreme Court and the Subordinate Courts. Some 50 electronic trials have been heard and disposed of in the High Court. More than 220 law firms have also acquired the EFS front-end system, with another 100 law firms qualifying for the prestigious EFS certification.

5. We are confident that with the continued active support of the legal profession, we will be able to realise our vision of implementing a streamlined, paperless litigation system. In furtherance of this vision, we are pressing ahead with the development of the subsequent phases of the EFS. This year will see the launch of Phases 2 and 3. Phase 2 will introduce a full text search facility, an electronic extract service, and an electronic service of documents module to the system; whilst Phase 3 will cover a range of proceedings including taxation, District Courts appeals, and civil appeals to the Court of

Appeal. We will also be migrating the front-end component of the system to the Internet, thereby making electronic filing even more accessible to and convenient for law firms.

6. The second of the two measures which I highlighted earlier is the launch of the Practising Certificate Electronic Filing system (PCEF) on 1 March 2000. Using this system, lawyers are now able to apply for and obtain their practising certificates almost instantaneously via the Internet. Again, we are greatly encouraged by the legal community's response to this new scheme. Almost half of the total number of applications for practising certificates for the practice year ending 31 March 2001 were made electronically. I applaud the determination evinced by the members of the Bar in embracing novel working methods such as these so as to keep abreast of developments in today's technology-driven world.

7. Apart from the launch of Phase 1.2 of the EFS and the PCEF, I would draw your attention to two other technology-related initiatives undertaken by the Supreme Court last year. These were, first, the commissioning of our second technology court, which will provide advocates and solicitors with new and better ways of presenting their cases; and second, the implementation of an electronic payment scheme for court fees, which will save time and manpower for both the Court and law firms alike. These measures will help to improve our internal administrative operations as well as the quality of our services to external parties.

8. Harnessing new technologies, however, is only one of the steps which the Judiciary needs to take in order to adapt to the rapidly changing transactional environment in which we operate. Technology alone does not improve the justice system. We also need the physical infrastructure capable of supporting our new technological facilities, and, more importantly in today's knowledge-based economy, a well-trained, well-informed workforce who can tap on emerging new ideas, products, and services. In recognition of this, the Supreme Court has over the past year consolidated its investment in infrastructure and in building up a framework for organisational excellence.

9. Where physical infrastructure is concerned, I am pleased to inform you that the construction of the new Supreme Court building is proceeding apace. We are confident that with the assistance of the world-renowned architectural firm, Foster & Partners, as our design consultants, the new building, when completed, will not only equip us with the facilities needed for the operation of a paperless court system under the EFS, but also fully reflect the Supreme Court's status as a landmark of justice par excellence.

10. As for investing in organisational excellence, the Supreme Court has for some time now been steadily nurturing a culture of continuing professional development and service excellence amongst our staff. Our efforts in this regard led to our attaining the People Developer Standard, a benchmark for excellence in human resource management, in 1999, and our qualification for the Singapore Quality Class, which comprises organisations with outstanding records in productivity and quality service, in 2000. At the same time, to ensure that our officers are attuned to the latest emergent trends and ideas,

we have expanded the range of staff training and development courses offered to include, for instance, an introduction to the life sciences.

11. I urge all members of the legal profession to follow the Supreme Court's lead in this regard and engage in a similar programme of continuing professional education, for it is the management of knowledge resources which will increasingly determine the performance of an organisation in today's knowledge economy. Knowledge is unlike other kinds of resources. It constantly makes itself obsolete, with the result that today's cutting-edge knowledge becomes tomorrow's ignorance. As such, we must not shirk from the new and unfamiliar. Instead, we should embark on a continuous process of training and professional upgrading so that we can master the challenges and maximise the opportunities facing us in the 21st century.

12. I turn now to the developments at the Subordinate Courts. These Courts carry a prodigious load of criminal, civil, family and small claims cases. I should like to comment broadly on three critical aspects of their work. These relate to the quality of justice and their judges, the standing of the Subordinate Courts locally and internationally, and what lies ahead in the near future.

### **THE QUALITY OF JUSTICE AND JUDGES**

13. The performance by the Subordinate Courts impacts the practical application of the rule of law, the administration of justice and affects directly the lives of people and parties who come before these Courts. Last year alone saw some 15,000 family, child custody and matrimonial cases, 75,000 cases where parties sought resolution of their civil disputes, and 254,000 cases for breaches of the criminal law brought at the instance of the Public Prosecutor, and the disposal of 40,700 small claims. These cases met strict prescribed timelines and case management practices. The total number of appeals lodged for family, civil, small claim and serious criminal cases was only 0.11% of these cases. This was a substantial decline by 14%, relative to 1999.

14. These cases were managed and heard by a team of 69 bright judicial officers. In spite of demanding work schedules, these officers wrote four seminal books in areas practiced by the Subordinate Courts, on sentencing, family practice, family counselling and mediation, and assessment of damages in personal injuries and fatal accident claims.

15. Notwithstanding these achievements, the Subordinate Courts have sought new ways to enhance the delivery of justice. Last year they successfully implemented video linked pre-trial conferences for criminal cases. Court Appointed Counsel were introduced into the family justice process. These Counsel have assisted in the successful resolution of high conflict custody cases. In civil justice the Subordinate Courts have addressed the needs of e-commerce. Together with the Ministry of Law, the Economic Development Board, the Trade Development Board, the Attorney-General's Chambers, the Info-Communications Development Authority, the Singapore Mediation Centre and the Singapore International Arbitration Centre, they have launched the e@dr scheme. This provides a virtual dispute resolution infrastructure for e-commerce disputes. This

scheme, though in its early days has seen settlement of e-commerce disputes. This coming year they intend to enrich the delivery of civil justice through a seamless process from filing to adjudication, and are working with the Law Society on this. This process will also achieve substantial savings for litigants.

## **THE STANDING OF THE SUBORDINATE COURTS LOCALLY AND INTERNATIONALLY**

16. Four District Judges were awarded National Day Medals last year. For the first time a court administrator was similarly honoured. The Subordinate Courts enjoy very high public confidence. Internationally, their judges were the only judges invited by the United Nations Center for International Crime Prevention to share their experience with the international community. The World Intellectual Property Organisation invited the Courts to co-convene the “WIPO International Conference on Dispute Resolution In Electronic Commerce” in Geneva. This was done with the London Court of International Arbitration, the American Bar Association and the Swiss Arbitration Association. The Subordinate Courts have become a judicial learning node for foreign judges and court administrators under the Singapore Cooperation Programme administered by the Ministry of Foreign Affairs. The Asian Development Bank has requested the assistance of the Subordinate Courts in its Technical Assistance programme for developing member countries. I have been informed that the World Bank will soon publish a technical report under the title “Knowledge Sharing: Singapore’s Judicial Reforms”, which will draw lessons from the Singapore Judiciary.

## **THE NEAR FUTURE**

17. The new Family Court building should be operational by end July this year. Its renovation has been sensitive to its status as a preserved monument under the Preservation of Monuments Act. At the same time, it will house state-of-the-art facilities, such as a wireless local area network and technology courts equipped with LCD monitors, audio-visual equipment, digital audio recording and video-conferencing systems. This is in keeping with the Subordinate Courts’ culture of retaining the best traditions and being inventive. This year will see the Subordinate Courts consolidating and refining their various initiatives. Their Workplan this year will focus their new initiatives on the quality of justice.

18. Before I conclude, it is my pleasure to introduce to you the newly appointed Senior Counsel for this year. They will join the other 27 Senior Counsel who have been appointed since 1997 in recognition of their distinction in practice. In order of precedence, they are :

1. Mr R Palakrishnan
2. Miss Deborah Evaline Barker

19. The year 2000 has been a busy and eventful year for both the Judiciary and the legal community. For the courts, it has been a time of honing our justice system and consolidating our standing as a world-class judiciary. We have continued to play an

active role in promoting the dissemination of legal knowledge and the exchange of ideas through measures such as the inaugural training course for foreign judicial personnel in February 2000. The Supreme Court organised this jointly with the Ministry of Foreign Affairs under the Singapore Co-operation Programme. A similar programme was conducted by the Subordinate Courts in the second half of 2000.

20. Notwithstanding our sterling achievements thus far, we must guard against resting on our laurels. We cannot afford to be complacent, for History teaches us that the future is always uncertain. The international recognition and accolades which we have garnered to date will be but ephemeral if we do not constantly anticipate and plan for change. It is thus vital that the courts and the legal fraternity work hand in hand to devise new methods for the fair, swift, and efficacious dispensation of justice at minimum costs so as to meet the evolving needs of the community which we serve. At the same time, we must continue to forge ahead in the new knowledge areas emerging today -- in particular, the life sciences and information technology -- and familiarise ourselves with the latest trends and ideas evolving in these fields. This process of continuous learning will enable us to tackle the new legal issues arising from these developments, as well as tap on those aspects of the new knowledge areas which will assist us in improving our justice system even further.

21. As we embark on these tasks, we must continue to cherish and steadfastly uphold the rule of law. The rule of law lies at the heart of our legal heritage. It will serve as an invaluable compass as we steer our way through the morass of legal and ethical issues which will be thrown up by the ever faster transformation of the social, moral, and economic landscape facing us.

22. In view of our past record and our collective commitment to excellence in the administration of justice, I am confident that the Judiciary and the legal profession will rise to the challenge of managing change in the 21st century and of forging an even stronger justice system. On this note, I now declare open the new Legal Year. My colleagues and I wish all of you the very best for the year ahead.