

## **MEDIA RELEASE**

### **OPENING OF FAMILY JUSTICE COURTS**

1 The Honourable the Chief Justice Sundaresh Menon officiated the opening of the Family Justice Courts (FJC) this morning.

2 The FJC are established pursuant to the Family Justice Act, which comes into operation today. The Family Justice Act was enacted because of the recommendations of the Committee for Family Justice<sup>1</sup> (“the Committee”), formed in 2013 to review how Singapore’s family justice system may be reformed to address the needs of youth and families in distress.

3 Family justice is a specialist discipline that requires specific focus and jurisprudential development. The FJC are a restructure of the court system to better serve litigants. By bringing together all family-related work<sup>2</sup> under a specialised body of courts, the courts would be able to frame disputes from the perspective of families and the individuals within.

4 The FJC are made up of the Family Division of the High Court, the Family Courts and the Youth Courts. A centralised registry is set up to receive, assign and manage all cases that come before the FJC. Please refer to the enclosed brochure “The Family Justice Courts” on the new court structure and key changes.

5 Following the recommendations of the Committee, the FJC aim to empower families to resolve their disputes holistically, focusing on the future and, as far as possible, with less acrimony and stress. From 1 October 2014, the following changes will be implemented:

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<sup>1</sup> The Committee for Family Justice is helmed by Senior Minister of State for Law and Education, Ms Indranee Rajah, SC, Attorney-General V K Rajah (till 24 June 2014), and Justice Andrew Phang (from 25 June 2014), with representation from the legal fraternity, social service agencies, academia, Ministry of Law, Ministry of Social and Family Development, Supreme Court and State Courts.

<sup>2</sup> The FJC will deal with matters filed pursuant to the following legislation: any civil proceedings under section 53 of the Administration of Muslim Law Act (Cap. 3); any civil proceedings under the Adoption of Children Act (Cap. 4); any civil proceedings under the Guardianship of Infants Act (Cap. 122); any civil proceedings under the Inheritance (Family Provision) Act (Cap. 138); any civil proceedings under the International Child Abduction Act (Cap. 143C); any civil proceedings for the distribution of an intestate estate in accordance with the Intestate Succession Act (Cap. 146); any civil proceedings under the Legitimacy Act (Cap. 162); any civil proceedings under section 10 of the Maintenance of Parents Act (Cap. 167B); any civil proceedings under the Maintenance Orders (Facilities for Enforcement) Act (Cap. 168); any civil proceedings under the Maintenance Orders (Reciprocal Enforcement) Act (Cap. 169); any civil proceedings under the Mental Capacity Act (Cap. 177A); any civil proceedings under the Mental Health (Care and Treatment) Act (Cap. 178A); any civil proceedings under the Status of Children (Assisted Reproduction Technology) Act 2013 (Act 16 of 2013); any civil proceedings under section 17A(2) of the Supreme Court of Judicature Act (Cap. 322); any civil proceedings under the Voluntary Sterilization Act (Cap. 347); any civil or quasi-criminal proceedings under the Women’s Charter (Cap. 353); on or after the date specified under section 47(7) of the FJ Bill, any civil proceedings under the Probate and Administration Act (Cap. 251); and juvenile and care and protection related proceedings under the Children and Young Persons Act (Cap.38).

- (a) Judges will take a more pro-active role in directing the pace and conduct of court proceedings.
- (b) Cases will be managed with different timelines depending on their complexity and urgency.
- (c) Court procedures will be streamlined and filing of documents simplified to help litigants-in-person navigate the system more easily.
- (d) The Court may, where necessary, appoint a Court Friend to assist the litigant-in-person.
- (e) The Court would have power to direct parties to attend counselling and/or mediation to resolve their disputes for all cases that are brought before the Court.

6 In any family proceedings involving children, the best interest of the child is paramount. From 1 October 2014, the following initiatives will help bring this to the fore:

- (a) Parties undergoing divorce proceedings with at least one child below 21 years of age must attend counselling and/or mediation. The change is in line with the amendment of the Women's Charter in 2011 to make counseling and/or mediation mandatory for all parties with at least one child below 21 years of age, when they commence divorce proceedings<sup>3</sup>.
- (b) Apart from divorce cases, the Court may direct parties to attend counselling and mediation sessions in all other cases involving children, e.g. guardianship and child custody, child protection, children beyond parental control, and other cases handled by the Youth Courts.
- (c) When a case has to be adjudicated, the Court can appoint a Child Representative to provide a voice for the child and an additional perspective for consideration.

7 Implementation of the reforms will be in phases. The probate jurisdiction will commence for FJC on 1 January 2015. The Family Justice Rules, a comprehensive set of Rules to govern proceedings within the FJC, will be introduced on 1 January 2015 as well.

8 The opening of the FJC was attended by the Supreme Court, the FJC and State Courts Bench, members of the Committee for Family Justice, family law practitioners and academia, and invited guests.

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<sup>3</sup> The counselling and mediation is implemented in a phased approach through the Courts' Child Focused Resolution Centre (CFRC) which was set up in 2011. The first phase, which commenced on 26 September 2011, was for divorcing parties with at least one child below 8 years of age. The second phase commenced on 1 July 2013 for divorcing parties with at least one child below 14 years of age. With effect from 1 October 2014, the mandatory process is extended to divorcing parties with at least one child below 21 years of age.

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For further information or clarification, please contact:

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Enclosed:

(i) Translation of key terms

## TRANSLATION OF KEY TERMS

Term	Chinese	Malay	Tamil
Committee for Family Justice	家事司法改革跨部门小组	Jawatankuasa Keadilan Keluarga	குடும்ப நீதிக் குழு
Family Justice Act	家事司法法令	Akta Keadilan Keluarga	குடும்ப நீதிச் சட்டம்
Family Justice Rules	家事司法法规	Kaedah-Kaedah Keadilan Keluarga	குடும்ப நீதி விதிமுறைகள்
Family Justice Courts	家事司法法院	Mahkamah Keadilan Keluarga	குடும்ப நீதிமன்றங்கள்
Family Division of the High Court	高等法庭家事处	Bahagian Keluarga Mahkamah Tinggi	உயர்நீதிமன்றத்தின் குடும்ப நீதிப்பிரிவு
Family Courts	家事法庭	Mahkamah Keluarga	குடும்ப வழக்குமன்றங்கள்
Youth Courts	青年法庭	Mahkamah Belia	இளையர் நீதிமன்றங்கள்
Child Focused Resolution Centre	孩子为主调解中心	Pusat Huraian Khusus Untuk Kanak-Kanak	பிள்ளைகளை மையமாகக் கொண்ட தீர்வு நிலையம்
Child Representative	孩童代表	Wakil Kanak-Kanak	சிறுவர் பிரதிநிதி
Court Friend	法庭之友	Sahabat Mahkamah	நீதிமன்ற நண்பர்