

Family Justice Practice Forum: *Family Justice 2020*

Presiding Judge's Welcome

14 July 2017

The Honourable the Chief Justice

Minister Tan Chuan-Jin

Deputy AG

Fellow Judges

President, The Law Society of Singapore

Distinguished Guests

1. It is my privilege to welcome you to our Family Justice Practice Forum. I would like to extend my warm appreciation to our co-organisers, the Ministry of Social and Family Development and the Law Society of Singapore.

2. The Family Justice Courts was established on 1 October 2014 upon a recognition that family justice requires a specialised approach. For example, dysfunctional families often need wider assistance, in mental health and other areas, in the context of their dispute. And familial relationships, such as that between parent and child, remain important, even after litigation. The Committee for Family Justice, which recommended the setting up of the FJC, asked for the establishment of a problem-solving family justice system. This mandate carried with it two essential objectives. The first is to ensure distressed

families experience access to justice in a way that addresses the multi-faceted issues that they face. The second is the importance of the child, who is deeply impacted by the acrimony and the outcome of the dispute; and yet, upon whose well-being it may be said the future of our society rests. These two objectives have led us to redesign our work in three broad strands: first, the reduction of conflict throughout the court process, second, the need for multi-disciplinary elements and professionals, and third, the importance of the wider family justice eco-system.

3. The theme for today's Forum, "Through the Right Doors", recognises these various concepts that are present in any family dispute. Family breakdown is not a single end state, but rather, a continuum of emergent events. Every family, too, is different. Each has a story to be told and problems to be solved. The courts are a point of intervention for families in distress. Within the unique context of family disputes, the application of the law is not, as in many other kinds of legal cases, merely a forensic determination of evidence, rights and remedies. Rather, it is one that deeply impacts, and may transform, the dynamic of the family, and the lives of the individuals, within it. Going through the right door is crucial to the family finding a way forward.

4. The role of lawyers within this process, the subject of the Chief Justice's Opening Address, is important. Practitioners know their clients' needs best and

they are the advocates of their clients' interests. At the same time, as officers of the court, they are also fundamental to FJC's evolving approach. We have been honoured to have worked closely with various Presidents of the Law Society and the legal fraternity in many of our endeavours, and we thank them for their generous time and effort.

5. Employing social science expertise and deepening our partnership with the wider community are the other planks of our approach. In this respect we have been privileged to have a deep working relationship with community partners, and in particular, the Ministry of Social and Family Development. I thank our Minister for Social and Family Development for his strong support. The launch today of iFAMS shows the potential of this partnership. Since Monday, iFAMS has been available at six community touch-points, in tandem with other kinds of specialist care that the particular agencies provide. More community touch-points and wider categories of cases are in the pipeline. This is a first step in larger vision, where the linkage of IT systems and community assistance would ensure earlier and at the same time, more structured access to justice.

6. The introduction of iFams and our redesigned Family Protection Centre are the result of many months of work on the part of court staff, vendors and

partners. I thank all court staff and stakeholders for their dedication, cooperation, and wonderful work.

7. Our efforts to improve family justice in Singapore have led us on a continuous search for forms and ideas that best suit the needs of our society. We look forward to discussion today with our speakers and panels on various aspects of family justice, family violence and ethics. In our local jurisprudence, our Judge of Appeal Justice Andrew Phang has famously written about the aspiration of an autochthonous legal system. Our family law is part of that aspiration. It may be likened to an evergreen tree, which grows in a manner unique to our social and legal clime, bearing fruit which best serves our needs. Its roots are of course in English law. But principles from other sources have also been grafted on. Thus, s 46(1) of the Women's Charter, which exhorts marriage as a cooperative effort by spouses towards the union and care of the children, was adapted from the Swiss Civil Code. Laws are a social construct. Our search for that which meets our needs has been a collaborative effort, in which conversations such as those today are crucial to our inclusive and consultative approach. We thank the many who have nourished our family justice tree.

8. This search is of immense value to us as a community. This is because in dealing with issues of family breakdown, we set the standards and shape the

values for social institutions and practices, including marriage, the care of children and the protection of the vulnerable. How we deal with family assets upon divorce, for example, reflect and serve to instil the concept that marriage is a joint partnership of co-operative efforts. The welfare principle, and how we give effect to the best interests of the child, guards our future generations. How we protect our elderly reflects the values of compassion and humanity to which we aspire. Our work strengthens the resilience of the family unit and our society as a whole. This is the bedrock of a sound community. And it is upon this bedrock that economic progress and the wider ambitions of a free society may be pursued.

9. On this note, may I thank the Chief Justice, who has guided and supported our journey, and may I welcome him to deliver the Opening Address.