



A NEW CHAPTER IN FAMILY JUSTICE FAMILY JUSTICE ACT 2014

A note from Indranee Rajah S.C., Senior Minister of State for Law

In July 2014, I had outlined the recommendations of the Committee for Family Justice. The recommendations were accepted and the Government has acted to implement them. One major new move is the establishment of the Family Justice Courts (FJC).

The Family Justice Act (the Act) was passed in Parliament on 4 August 2014, to bring the FJC into being. A copy of the Act can be found [here](#). The Act covers the constitution, jurisdiction and powers of the FJC and the administration of justice in the FJC. The second reading speech by Minister for Law, Mr K Shanmugam S.C., can be found [here](#).

The Act will allow the court to adjudicate and resolve family disputes more effectively to reduce the trauma and acrimony involved. Court processes will be streamlined to reduce unnecessary legal costs and delay. The FJC will play a central role in the Government's and the courts' efforts to fundamentally improve the family justice system in Singapore.

FAMILY JUSTICE ACT 2014

The key features of the Act are as follow:

- The new FJC will **hear all family-related proceedings**.
 - This includes matters relating to the Women's Charter, Children and Young Persons Act, Probate and Administration Act, the Intestate Succession Act and the Mental Capacity Act.
- The FJC comprises **three courts** as follow:
 - The **Family Courts**
 - The Family Courts will hear all family proceedings, except cases under the Children and Young Persons Act.
 - The parties may agree that the judgment or order of the Family Courts shall be final.
 - Such agreement shall be in writing and signed by the parties or their solicitors.
 - If there is such an agreement, no appeal shall lie against any such judgment or order.

- The **Youth Courts**
 - The Youth Courts, previously known as the Juvenile Court, will hear cases relating to children and young persons under the Children and Young Persons Act.
- The **Family Division of the High Court**
 - This division of the High Court:
 - will have appellate jurisdiction to hear civil and criminal appeals against decisions of the Family Courts and the Youth Courts; and
 - may hear any class or description of family proceedings as directed by the Chief Justice (by order published in the Gazette), in exercise of its original jurisdiction.
- The FJC will be headed by the **Presiding Judge of the Family Justice Courts** (Presiding Judge).
 - The Presiding Judge will be a Judge or Judicial Commissioner of the Supreme Court
- The Chief Justice will designate **District Judges and Magistrates** to hear cases before the Family Courts and/or the Youth Courts.
- The FJC will have a **central Registry** to receive, assign and manage all cases for hearing.
 - The Registry will be supervised by the Registrar of the FJC, who will be assisted by a Deputy Registrar and Assistant Registrars.
 - The FJC may employ counsellors, social workers and psychologists in addition to other court officers, to provide a full suite of services to support its operations.
 - Filing of documents in the FJC, including those for filing in the Family Division of the High Court, should be done using the e-Litigation system for the FJC.
- The FJC will have the **power** to:
 - order any party or any child who is a subject of such proceedings to:
 - undergo mediation;
 - undergo counseling; or
 - participate in a family support programme or activity; and
 - where the proceedings involve the custody or welfare of a child:
 - appoint a registered medical practitioner, psychologist, counsellor, social worker or mental health professional to examine and assess the child or person for the purposes of preparing expert evidence for use in those proceedings.
- A **Family Justice Rules Committee** will be established to make Family Justice Rules regulating and prescribing the procedure and practice of the FJC.

LAUNCH OF FJC

The FJC will be launched on 1 October 2014. The launch of the FJC will mark a new beginning in family justice in Singapore.

The Act and the new court structure are, however, only the framework against which family justice is set. It will be for us – the lawyers (practitioners and academics alike), the judges, the social workers, counsellors and all the others whose work falls within the ambit of family justice – to make the family justice reforms a reality for all the families, spouses and children who seek help at the doors of the FJC.