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| Legal Development   | 4 Jan  | **1. Highlights of Civil Procedure 2017**  
Speaker: Executive Director Tan Boon Heng, Singapore Judicial College                                                                                                                                 |
| Bench Skills        | 10 Jan | **2. Concurrent Expert Evidence**  
Panellists:  
(a) The Honourable Justice Quentin Loh, Judge, Supreme Court of Singapore  
(b) The Honourable Justice Patricia Bergin, International Judge, Singapore International Commercial Court  
(c) Professor Jeffrey Pinsler SC, Faculty of Law, National University of Singapore |
| Social Awareness    | 11 Jan | **3. Rewriting Children’s Rights Judgments**  
Speaker: Kathryn Hollingsworth, Newcastle University, UK                                                                                                                                                   |
| Judicial Ethics     | 23 Jan | **4. An Emphatic Plea for the Empathic Judge**  
Speaker: Assistant Professor (Dr) Gary Low, School of Law, Singapore Management University                                                                                                               |
| Technology & Sciences| 25 Jan | **5. Lessons on DNA Evidence Adduced in Court**  
Speaker: Associate Professor Christopher Syn, DNA Profiling Lab and DNA Database Lab, Health Sciences Authority                                                                                           |
### Highlights of Civil Procedure 2017
Executive Director Tan Boon Heng, Singapore Judicial College

**Synopsis:**
This session seeks to highlight the key judgments, especially those from the Court of Appeal, delivered in 2017 relating to civil procedure. These judgments cover a broad range of areas including: (a) When Is A Representative Action Valid; (b) Stay Of Proceedings; (c) Res Judicata; (d) When Is A Rejoinder Necessitated; (e) Plight Of Auto-Discontinued Actions; (f) Is This A “Step Or Proceeding” [O 21 R 2(6)]; (g) Amending Pleadings To Avoid Striking Out; (h) Litigation Privilege – Waiver; (i) Legal Professional Privilege; (j) Application To Intervene; (k) Pre-Action Interrogatories; (l) For Leave To File Further Supporting Affidavit; (m) Principles Pertaining To A Summary Judgment Application; (n) Discovery Against Other Person; (o) Failure To Disclose Assets Under A Mareva Injunction; (p) Pre-Mature Extraction Of Engrossed Order; (q) Power To Vary Consent Judgment; (r) Grounds For Leave To Appeal To Court of Appeal; (s) Whether WSS A Country Club Membership; (t) Costs

**Learning Objective:**
At the end of this session, participants would have benefitted from a quick digest of a range of decisions made in 2017 on matters relating to civil procedure. [Back to January programmes]

### Concurrent Expert Evidence
The Honourable Justice Quentin Loh, Judge, Supreme Court of Singapore; The Honourable Justice Patricia Bergin, International Judge, Singapore International Commercial Court; Professor Jeffrey Pinsler SC, Faculty of Law, National University of Singapore

**Synopsis:**
In conjunction with the Singapore International Commercial Court (SICC) Conference 2018, this judicial training session organised for the Supreme Court Bench (including International Judges from the SICC) focuses on expert evidence as well as the use of concurrent expert evidence.

**Learning Objective:**
At the end of this session, participants would have gained a better understanding of concurrent expert evidence, its advantages and the ways to overcome practical challenges. [Back to January programmes]
Professorial Series
Rewriting Children’s Rights Judgments
Kathryn Hollingsworth, Newcastle University, UK

Synopsis:
This session examines the aims, methodology and results of Children’s Rights Judgments, a UK project funded by the Arts and Humanities Research Council and directed by Professor Kathryn Hollingsworth (Newcastle University, UK) and Professor Helen Stalford (Liverpool University, UK). The project, which culminated in a major edited collection Rewriting Children’s Rights Judgments: From Academic Vision to New Practice, (Hart Publishing, 2017), with a foreword by Lady Hale of the UK Supreme Court, takes 28 existing legal judgments relating to children and considers how they might have been drafted if adjudicated from a children’s rights perspective. An innovative and highly effective legal methodology – judgment re-writing – has thus been extended to children’s rights.
The Children’s Rights Judgments Project is distinctive and innovative in several ways. First, it is the only rewriting judgments project so far to have focused exclusively on children and to attempt to bring children’s rights theories, law, principles, and methods to bear on the rewritten versions. Second, it has a wide jurisdictional scope, engaging with 28 judgments spanning seven domestic jurisdictions and four supra-national courts. Finally, it seeks to compare and contrast how children’s rights can be interpreted and applied across different substantive areas of law, thereby avoiding the common tendency to locate children’s rights’ discussions within a single legal context (typically family law and medical decision-making). The session will also explore the justifications for the original project (why a children’s rights approach?).

Learning Objectives:
At the end of this session, participants will be able to identify the five ‘markers’ of a children’s rights judgment:
(a) The utilisation of formal legal tools including the UNCRC in domestic proceedings and the supranational courts;
(b) The use of scholarship to inform key concepts and tensions;
(c) The endorsement of child friendly procedures to maximise children’s participation in legal processes;
(d) The centralisation of the child’s voice and experience in the narrative of the judgment; and
(e) The communication of the judgment in a child-friendly way.
The session will also provide opportunities for discussion and the sharing of ideas and experiences about the value of adopting a children’s rights approach to judgment writing, the constraints that are faced by judges in the ‘real world’, and how those constraints might be navigated.

[Back to January programmes]

Professorial Series
An Emphatic Plea for the Empathic Judge
Assistant Professor (Dr) Gary Low, School of Law, Singapore Management University

Synopsis:
It is oft quipped that justice must not only be done, it must be seen to be done. Thus the contemporary orthodoxy is that the dispensation of justice must be dispassionate and blind, for to do otherwise is to risk accusations of subjectivity and bias. This session adopts the contrarian position: that judges ought in their decision-making to take full account of the different perspectives
of the parties involved, and can only properly do so if they possess and exercise empathy. The prejudice-related risks involved in embracing empathy are acknowledged, and strategies for dealing with these excesses are explored. With that in mind, this session posits field work to identify a judge’s propensity towards empathy, and also the development of a professional programme aimed at raising awareness and enabling judges to apply and control empathic perspective taking in their adjudicatory duties.

**Learning Objectives:**
At the end of this session, the participants’ attention will be drawn to the role and importance of judicial empathy, and what the Judiciary can do to develop this quality amongst judges.

[Back to January programmes]

**Practitioners’ Series**
**Lessons on DNA Evidence Adduced in Court**
Associate Professor Christopher Syn, DNA Profiling Lab and DNA Database Lab, Health Sciences Authority

**Synopsis:**
In this session, the areas to be broadly covered include:
(a) The role of DNA profiling in crime and mass fatality incidents
(b) Examination of biological material
(c) Generation of a DNA profile and comparison to a reference
(d) Emerging technologies in DNA testing

**Learning Objectives:**
At the end of this session, participants would have acquired a better understanding of:
(a) The use of DNA evidence and how it can assist the Court in crime investigation
(b) The different tests (and their limitations) used in forensic DNA profiling
(c) The significance of a DNA match (or non-match)
(d) Future developments in the field of forensic DNA testing

[Back to January programmes]

**Practitioner’s Series**
**Noteworthy Legal Developments in Building & Construction Contracts**
Mr Edwin Lee, Founding Partner, Eldan Law LLP

**Synopsis:**
End 2016 saw the introduction of a new suite of SIA Standard Form building contracts, including an international version. As a major standard form contract for the private sector, this new version has introduced some concepts and practices that will surely be tested in the courts in time to come. The Court of Appeal has also recently, in several decisions, discussed the certification of claims by architects. The grounds for challenging an architect’s certificate have been elaborated upon. These decisions by the Court of Appeal have been applied by the construction industry in areas wider than just those relating to certifications.
For construction adjudication, there has been a flurry of new cases touching on a wide range of issues. Some of them have attracted much controversy, and await further development and judicial pronouncement.
This session will broadly cover the above areas, and will highlight some of the developing issues that will likely be canvassed in the courts over the next few years.
Learning objectives:
At the end of the session, the participants will be updated on some of the more significant contemporary issues in building and construction law. They will also be introduced to some of the live issues that are still developing, and which may see their way to the courts in the foreseeable future. [Back to January programmes]
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| Legal Development | 6 Feb | 1. **Fundamentals of Enforcement of Intellectual Property Rights**<sup>#</sup>  
Instructors:  
(a) Mr Mark Lim, Chief Legal Counsel/ Director (Hearings and Mediation), Intellectual Property Office of Singapore (IPOS)  
(b) Ms See Tho Sok Yee, Principal Legal Counsel (Hearings and Mediation), IPOS  
(c) Mr Gabriel Ong, Legal Counsel (Hearings and Mediation), IPOS  
(For ASEAN judges only) |
| Legal Development | 8 Feb | 2. **Review of the Recent Changes to the Practice of Bankruptcy Law in Singapore** organised by the Supreme Court Registry under the auspices of the Singapore Judicial College  
Speakers: Officers from the Individual Insolvency & Debt Repayment Scheme Division, Insolvency and Public Trustee’s Office |
| Social Awareness | 13 Feb | 3. **Do Better Paid and/or Qualified Lawyers Win More Often in Court?**  
Speaker: Professor Simon Chesterman, Dean, Faculty of Law, National University of Singapore |
| Legal Development | 20 Feb | 4. **Introduction to Cryptocurrency and the Legal Issues Arising**  
Speaker: Mr Nizam Ismail, Partner, RHTLaw Taylor Wessing |
| Legal Development | 22 Feb | 5. **Family Justice Rules: A Departure from the Rules of Civil Procedure – the “Judge-led” Approach and Robust Case Management**  
Speakers:  
(a) District Judge Yarni Loi, Family Justice Courts  
(b) District Judge Tan Shin Yi, Family Justice Courts |

# International programme customised for the Council of ASEAN Chief Justices as part of its judicial education and training programme for ASEAN judges in 2018.
Fundamentals of Enforcement of Intellectual Property Rights
Mr Mark Lim, Chief Legal Counsel and Director (Hearings and Mediation); Ms See Tho Sok Yee, Principal Legal Counsel (Hearings and Mediation); Mr Gabriel Ong, Legal Counsel (Hearings and Mediation)
Intellectual Property Office of Singapore

Synopsis:
The Workshop will introduce judges hearing intellectual property disputes to or provide a refresher to these judges on the enforcement of intellectual property rights in Singapore and within the International Intellectual Property Framework. Areas to be covered include:
(a) Fundamentals of Criminal Enforcement: Copyright and Trade Marks
(b) Intellectual Property Enforcement within the International Intellectual Property Framework
(c) Fundamentals of Civil Proceedings for Infringement of Copyright, Trade Marks, and Patents and Registered Designs
(d) Case Studies on each of the above

Learning Objective:
At the end of this Workshop, participants would benefit from a broad overview on the fundamentals of enforcement of intellectual property rights in Singapore as well as within the International Intellectual Property Framework. [Back to February programmes]

Review of the Recent Changes to the Practice of Bankruptcy Law in Singapore
Officers from the Individual Insolvency & Debt Repayment Scheme Division, Insolvency and Public Trustee’s Office

Synopsis:
This session examines the recent changes to the practice of bankruptcy law in Singapore since the coming into force of the amendments to the Bankruptcy Act in August 2016. There will be general discussion on issues including the following:
(a) The workflow that ensues after a matter is adjourned for assessment of a debtor’s suitability to qualify for the debt repayment scheme (“DRS”);
(b) The appointment of person(s) other than the Official Assignee as trustee(s) in bankruptcy (“PTIBs”) as well as supervision of PTIBs by the Official Assignee;
(c) The administration of bankruptcies under the differentiated discharge framework, including the current average duration of bankruptcies; and
(d) Recent trends in the types of bankruptcy applications filed.
There will also be a Q&A session where the speakers will field questions that participants may have on any other aspects of the practice of bankruptcy law.

Learning Objectives:
Participants will gain a better appreciation of the processes that follow upon the making of a bankruptcy order, particularly in light of the recent changes to the Bankruptcy Act requiring a creditor applying for a bankruptcy order to apply to the court for the appointment of PTIB(s) if the creditor is an institutional creditor or a subsidiary of an institutional creditor, or where the debt when incurred was payable to a person who is an institutional creditor or a subsidiary of an institutional creditor. This session will be particularly useful to Judicial Officers who hear bankruptcy applications as it will provide an excellent opportunity for discussion and sharing of experiences in the management of
bankruptcy matters from the point of filing of bankruptcy applications to the eventual discharge from bankruptcy. [Back to February programmes]

Professorial Series
**Do Better Paid and/or Qualified Lawyers Win More Often in Court?**
Professor Simon Chesterman, Dean, Faculty of Law, National University of Singapore

**Synopsis:**
In this session, the speaker will discuss preliminary findings from an empirical study exploring the correlation between various measures of lawyer “quality” (education, experience, law firm, size of team, professional status, hourly rate, etc) and actual success in court in Singapore. A fundamental precept of the rule of law is equality before that law. In theory, at least, a lawyer’s first duty is to the court and a judge should reach a just outcome regardless of the quality of the arguments put before him or her. In practice, of course, there is a war for talent based on the assumption that the party with more resources often obtains more “justice”. This study hopes to answer the question of whether the money spent on lawyers correlates with success.

**Learning Objectives:**
At the end of this session, participants will acquire a better understanding of the possibilities and limitations of legal analytics and empirical legal research. More generally, the session will include reflections on the role of the lawyer as zealous advocate and servant of the court, and how the market for and marketing of legal services can affect respect for the rule of law.

[Back to February programmes]

Practitioner’s Series
**Introduction to Cryptocurrency and the Legal Issues Arising**
Mr Nizam Ismail, Partner, RHTLaw Taylor Wessing

**Synopsis:**
In this session, the speaker will touch on the typical legal issues arising from transactions involving bitcoins, distributed ledger technology, blockchain, smart contracts, Decentralised Autonomous Organisation (DAO), initial coin or token offerings, and how they inter-relate with securities regulations.

**Learning Objective:**
At the end of this session, participants will benefit from an introduction to the common terms and usages that we may see from time-to-time in court documents involving the use of cryptocurrency.

[Back to February programmes]

**Family Justice Rules: A Departure from the Rules of Civil Procedure – the “Judge-led” Approach and Robust Case Management**
District Judge Yarni Loi; District Judge Tan Shin Yi
Family Justice Courts

**Synopsis:**
This session focuses on developments in the “Judge-Led” approach introduced by the Family Justice Rules (“FJR”), and the importance of applying robust case management techniques (eg. limiting of evidence and calling of expert witnesses) to lead to more sustainable and efficient outcomes for litigants.
Learning Objective:
At the end of this session, through a mixture of didactic and experiential learning, participants would have gained greater clarity into how the “judge-led” approach has evolved since its introduction into the FJR and how it can be applied in practice in a constructive and problem-solving model of adjudication, through robust yet empathetic case management techniques.
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<td>Legal Development</td>
<td>8 Mar</td>
<td>1. <strong>Tax Policies During SG50 and the Fiscal Challenges to SG100</strong>&lt;br&gt;Speaker: Associate Professor Stephen Phua, Faculty of Law, National University of Singapore</td>
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<td>Judicial Ethics</td>
<td>13 Mar</td>
<td>2. <strong>Judicial Modesty: A Value that Informs One’s Judicial Philosophy</strong>&lt;br&gt;Speaker: The Honourable the Chief Justice Sundaresh Menon&lt;br&gt;Panellists:&lt;br&gt;(a) The Honourable Justice Tay Yong Kwang, Judge of Appeal, Supreme Court&lt;br&gt;(b) The Honourable Justice Vinodh Coomaraswamy, Judge, Supreme Court&lt;br&gt;(c) The Honourable Judicial Commissioner Audrey Lim, Supreme Court</td>
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<td>Legal Development</td>
<td>20 Mar</td>
<td>3. <strong>Talking Points from Magistrates’ Appeals (MAs) Cases of 2017</strong>&lt;br&gt;Speakers:&lt;br&gt;(a) District Judge John Ng, State Courts&lt;br&gt;(b) District Judge Shawn Ho, State Courts</td>
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<td>Technology &amp; Sciences</td>
<td>27 Mar</td>
<td>4. <strong>Inflicting Bodily Injury Sufficient in the Ordinary Course of Nature to Cause Death</strong>&lt;br&gt;Speaker: Clinical Professor Gilbert Lau, Senior Consultant Forensic Pathologist &amp; Branch Director (Professional Practice), Forensic Medical Division, Health Sciences Authority</td>
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**Professorial Series**

**Tax Policies During SG50 and the Fiscal Challenges to SG100**<br>Associate Professor Stephen Phua, Faculty of Law, National University of Singapore

**Synopsis:**
The role of the tax system in the phenomenal economic development of Singapore since independence is a subject of some interest to many countries. The pragmatism in policy design and superior execution were pivotal in shaping tax policy as a tool of economic competitiveness. Building
on this firm foundation to construct a future economy that remains significant in a global market place that eschews rules for technological prowess may require more than grit and efficiency. The largest global tax reform that was triggered by events in 911 will not end with the ambitious G20/OECD Base Erosion and Profit Shifting 2015 project (BEPS). The adverse impact of unrelenting global tax convergence and a rapid deterioration in domestic demographics portend a treacherous journey ahead for Singapore's fiscal policy.

Learning Objective:
At the end of this session, participants will acquire a better understanding of the delicate balance that Singapore has to maintain when making sound fiscal policy decisions to enhance her economic competitiveness and also deal with challenges posed by an unprecedented convergence in global tax compliance. [Back to March programmes]

Supreme Court Bench Series
Judicial Modesty: A Value that Informs One’s Judicial Philosophy
Speaker: Chief Justice Sundaresh Menon
Panel: Justice Tay Yong Kwang, Justice Vinodh Coomaraswamy and Judicial Commissioner Audrey Lim

Synopsis:
Following the fruitful panel discussion on “Unpacking Judicial Arrogance” led by Chief Justice Menon (with Judges of Appeal Justice Chao and Justice Prakash as panellists) on 20 July 2017, this is a sequel featuring a lecture by Chief Justice Menon on “Judicial Modesty: A Value that Informs One’s Judicial Philosophy”. In this lecture, the Chief Justice will consider its application in a number of areas such as Public and Constitutional Law, Judicial Review, Statutory Interpretation and the interaction of law and policy and in particular Public Policy. A panel will then comment on aspects of CJ’s lecture followed by a question-and-answer session

Learning Objective:
At the end of this session, participants will benefit from the helpful observations of, and the advice from, the panellists on displaying judicial modesty instead of judicial arrogance. This training will help to strengthen our judicial temperament. [Back to March programmes]

Talking Points from Magistrates’ Appeal Cases of 2017
District Judge John Ng and District Judge Shawn Ho, State Courts

Synopsis:
Several key Magistrates’ Appeal (MA) decisions heard in 2017 will be the subject of discussion, including a Criminal Reference arising therefrom. Significant cases include the 3-Judge MA panels for (a) the offence of defaulting on National Service liabilities under the Enlistment Act (PP v Sakthikanesh s/o Chidambaram and other appeals [2017] SGHC 178) and (b) whether to enhance the imprisonment sentence in lieu of caning when the offender is exempted from caning (PP v Amin Bin Abdullah [2017] SGHC 215).

In addition, the use of sentencing frameworks was a common theme in several of the MA decisions. The session will examine the analytical framework (viz. interplay of 3 principal factors: (i) Harm, (ii) Culpability, and (iii) Aggravating/ Mitigating factors) for the offence of dangerous driving (PP v Koh Thiam Huat [2017] SGHC 123) and drink driving cases where injury and/or harm is caused (Stansilas Fabian Kester v PP [2017] SGHC 185).
Learning objective:
At the end of this session, participants would have a better understanding of several key MA decisions heard in 2017. This will be an interactive session, and participants will be encouraged to share their own perspectives and experiences on the MA decisions so as to facilitate collective learning. [Back to March programmes]

Inflicting Bodily Injury Sufficient in the Ordinary Cause of Nature to Cause Death
Clinical Professor Gilbert Lau, Senior Consultant Forensic Pathologist & Branch Director (Professional Practice), Forensic Medical Division, Health Sciences Authority

Synopsis:
In this session, the intrinsic lethality of injuries which could (individually or collectively) result in death due to the pathophysiological consequences of the physical damage inflicted upon one or more vital organs (or anatomical structures) will be examined with the aid of relevant case illustrations. This would include the plausible effect(s) of underlying (pre-existing or concurrent) natural disease processes (i.e. significant medical conditions, especially various forms of heart disease) which might contribute to death independently, or arguably compromise the ability of the victim to survive the injury or injuries sustained.
Where time is of the essence, the adequacy of medical intervention is yet another factor which might require due consideration, although this factor is potentially highly contentious except when the injury in question is unquestionably incompatible with life (e.g. ante-mortem decapitation). In this context, a particular person might occasionally survive an injury usually deemed to be lethal (e.g. a stab wound to the heart), while another person dies as a result of an injury which is appreciably less lethal (e.g. a stab wound through the chest which had incised the surface of a lung in a relatively young, healthy adult).
It will be worthwhile to undertake a comprehensive forensic evaluation of these matters in the context of the circumstances in which lethal and potentially lethal injuries could have been inflicted.

Learning objectives:
At the end of this session, it is envisaged that participants (who are not unduly disturbed by the graphic photographs of actual lethal injuries encountered in forensic casework that will inevitably accompany a presentation of this nature) would have acquired a better understanding of the nature of such injuries and the manner in which they interact with underlying natural disease processes. It will also introduce or clarify certain obscure medical terms (e.g. pathophysiology, nosology, thanatology and iatrogenic injury) which may assist participants to use them with precision in their grounds of decision. [Back to March programmes]
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| SCP-IAI Programme | 3 – 6 Apr | **1. Strategies of Case Management: Challenges, Solutions and Innovation**
Instructor: Executive Director Paul Quan, Singapore Judicial College |
| Legal Development | 17 Apr | **2. Environmental Law: Overview and Challenges in the ASEAN Region**
Instructors:
(a) Emeritus Professor Koh Kheng-Lian, Asia-Pacific Centre for Environmental Law (APCEL), Faculty of Law, National University of Singapore (NUS)
(b) Professor Lye Lin Heng, APCEL, Faculty of Law, NUS
(c) Associate Professor Jolene Lin, APCEL, Faculty of Law, NUS
*(For ASEAN judges only)* |
| Social Awareness | 24 Apr | **3. Crime Trends Briefing** organised by the State Courts under the auspices of the Singapore Judicial College
Speakers:
(a) Ms Liang Suet Lay, Assistant Director, Strategic Research, Research and Statistics Division, Ministry of Home Affairs
(b) Ms Simna Teo, Staff Officer (Programme Management), Rehabilitation & Reintegration Division, Singapore Prison Service |
| Court Leadership | 26 Apr | **4. Balancing Judicial Work and Managerial Functions**
Panellists:
(a) Senior Assistant Registrar Edwin San, Supreme Court
(b) District Judge Tan May Tee, Group Manager (Civil Registry), Civil Justice Division, State Courts
(c) District Judge Eddy Tham, Group Manager (Community Courts), State Courts
(d) District Judge Toh Wee San, Group Manager, Family Justice Courts |

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* Conducted in Cambodia under the auspices of the Ministry of Foreign Affairs' Singapore Cooperation Programme – Initiative for ASEAN Integration framework.
* International programme customised for the Council of ASEAN Chief Justices as part of its judicial education and training programme for ASEAN judges in 2018.
Strategies of Case Management: Challenges, Solutions and Innovation
Executive Director Paul Quan, Singapore Judicial College

Synopsis:
“Justice delayed is justice denied” – A backlog of cases is the bane to effective and timely delivery of justice for any modern-day judiciary. Against the backdrop of Singapore’s experience in dealing with backlog in her courts head-on in the early 1990s, this programme focuses on various case management strategies to address the challenges faced by judiciaries today. It explores the continued relevance and applicability of past strategies, their refinements and innovations to meet current and future demands on the judiciary. The programme centres around:
(a) Eliminating backlog in the Supreme Court and State Courts: Singapore’s strategy and its relevance today
(b) Challenges faced by the judiciary: Past, present and future
(c) Strategies: (i) Leadership; (ii) Supporting legislative framework; (iii) Refinements to and innovations in case management; (iv) Docket system; (v) Differentiated case management system; (vi) Judge-led approach to case management
(d) Appropriate use of technology: (i) e-Discovery in civil litigation; (ii) Introduction to electronic case management systems
(e) Kick-starting an assessment of the state of the judicial system: An introduction to the International Framework for Court Excellence
(f) Innovating for the future: Solutions for the challenges ahead

Learning Objectives:
At the end of the programme, participants will be able to:
(a) Identify and analyse the particular challenges of managing the case-loads in their courts;
(b) Apply various tried-and-tested strategies to better manage case-load and alleviate any instances of backlog of cases; and
(c) Explore innovating approaches towards case management that is tailored to the specific needs of their courts. [Back to April programmes]
Environmental Law: Overview and Challenges in the ASEAN Region
Emeritus Professor Koh Kheng-Lian; Professor Lye Lin Heng; Associate Professor Jolene Lin
Asia-Pacific Centre for Environmental Law (APCEL), Faculty of Law, National University of Singapore (NUS)

Synopsis:
This is a 1-day judicial training workshop customised for ASEAN Judges. Areas to be covered include:
(a) Overview of Environmental Law: Pollution Laws and Laws relating to Conservation of the Natural and Built Environment
(b) An Introduction to ASEAN Environmental Law
(c) Developments in Substantive and Procedural Environmental Laws
(d) Introduction to Climate Change Law

Learning objective:
At the end of this Workshop, participants would benefit from a broad overview of the fundamentals and current issues of environmental law for Singapore and in the context of ASEAN.
[Back to April programmes]

Crime Trends Briefing
Ms Liang Suet Lay, Assistant Director, Strategic Research, Research and Statistics Division
Ministry of Home Affairs

Changes to Community Based Sentencing Eligibility Criteria and Reformatory Training Regime
Ms Simna Teo, Staff Officer (Programme Management), Rehabilitation & Reintegration Division, Singapore Prison Service

Synopsis:
The first session provides an overview of the crime situation in 2017, as compared to that in 2016. It also highlights possible trends over the last decade.
On 19 March 2018, Ministry of Law tabled the Criminal Justice Reform Bill for a Second Reading in Parliament to amend the Criminal Procedural Code (CPC). Among the amendments include changes to the eligibility criteria for CBS and the review of the minimum detention period in Reformatory Training Centre (RTC) from 18 months to 6 or 12 months. The second session aims to inform participants about Singapore Prison Services’ Community Based Sentencing (CBS) programmes (Day Reporting Order and Short Detention Order) and how the expanded eligibility criteria of CBS might impact the number of offenders eligible for CBS. It will also cover the features of the revised Reformatory Training (RT) regime.

Learning Objectives:
At the end of this session, participants will acquire knowledge of:
(a) The most recent crime trends in Singapore and possible trends over the last decade
(b) Impact of the expanded eligibility criteria for CBS
(c) The features of the revised RT regime [Back to April programmes]
Balancing Judicial Work and Managerial Functions
Senior Assistant Registrar Edwin San, Supreme Court; District Judge Tan May Tee, Group Manager (Civil Registry), Civil Justice Division, State Courts; District Judge Eddy Tham, Group Manager (Community Courts), Criminal Justice Division, State Courts; District Judge Toh Wee San, Group Manager, Family Justice Courts

Synopsis:
In this session, each of the panellists will share their personal insights on how they balance the demands of judicial work and managerial functions, including:
(a) Balancing their time between hearings and meetings
(b) Balancing their judicial, administrative and managerial roles
(c) Juggling between commitments at home and at the office
(d) Spending quality time with colleagues
(e) Finding time for other important things in life

Learning objective:
Through this session, participants may gain fresh insights and inspiration as they aspire to balance their judicial, administrative and managerial roles (whether now or to come), as well as work and life commitments. [Back to April programmes]

An Overview of Family Systemic Theory and Experiencing the Family Genogram
Ms Esther Tzer Wong, Senior Lecturer, TCA College

Synopsis:
Judges in the Family Justice Courts regularly make decisions that have a far-reaching impact on children and families, requiring them to rise above the fray of conflicting loyalties, coalitions and triangulations routinely experienced by various participants in the family drama as they navigate a family/ marital dissolution due to infidelity, divorce, desertion or domestic violence. Children and young persons are very much the vulnerable members caught up in marital conflict and/ or child abuse. Hence it is helpful for judges to experience constructing a Family Genogram from a child-centric perspective, so as to enhance their self-awareness as to how their own transferential material can colour and affect their assessment of family dynamics and their judicial decisions.
This is a 2-part session, the first on Friday 27 April 2018 and the second on 4 May 2018.

Learning Objectives:
At the end of this 6 hour training session, participants will have acquired the ability to adopt a Systemic Family Framework and Developmental perspective characterised by the following:
(a) The family is viewed as a sustained social system replete with ascribed roles for individuals.
(b) The family is an organized power structure with overt and covert forms of communication for elaborate ways of problem-solving and for the negotiation of tasks.
(c) The family as tied together by multigenerational emotional attachments and loyalties.
(d) The family as a system, is embedded in the larger community and moulded by its location in a particular socio-historical time and place. Hence, individuals navigating family structural changes are impacted by a diversity of spiritual, psychological, social, cultural and political factors.
At the end of the training, participants would have experienced and participated in the social construction of their own Family and Community Genograms, and develop greater empathy for
families and individual members navigating the Family Life Cycle from a grounded perspective.  
[Back to April programmes]
### Judgment Writing and Oral Judgment

**Dean Foo Chee Hock; Executive Director Paul Quan**  
**Singapore Judicial College**

**Synopsis:**  
Judgment writing and the delivery of judgments are key aspects of judicial work. When judges communicate their decisions clearly through their judgments, the parties and the public are better able to appreciate the reasons for judicial decisions. Through a distinctive pedagogy, this programme will cover:
(a) Writing an effective judgment: contextualising, content and conciseness  
(b) Practical drafting exercises and case studies  
(c)Preparing and delivering an effective oral judgment  
(d) 360° feedback on the delivery of an oral judgment by individual participants

**Learning Objectives:**  
At the end of the programme, participants will be equipped with a practical framework that can be applied when writing judgments, as well as develop a consciousness of the best practices and gain overall confidence in judgment writing and in delivering oral judgments. 

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<th>Area of Focus</th>
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| **Bench Skills**    | 10 – 11 May| 1. **Judgment Writing and Oral Judgment**  
Instructors: Dean Foo Chee Hock; Executive Director Paul Quan  
Singapore Judicial College |
| **Personal Development & Resilience** | 16 May | 2. **Sleep, Productivity and Judging**  
Speaker: Dr Toh Song Tar, Unit Director, Sleep Disorder Unit,  
Singapore General Hospital |
| **Legal Development** | 22 May | 3. **Noteworthy Legal Developments in Trade Mark Law**  
Speaker: Professor David Llewelyn, Deputy Dean, School of Law,  
Singapore Management University |

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[Back to May programmes]
**Sleep, Productivity and Judging**
Dr Toh Song Tar, Unit Director, Sleep Disorder Unit, Singapore General Hospital

**Synopsis:**
In this session, the speaker will address the demanding nature of the work of judges and lawyers thus putting them at greater risk of psychological stress and developing depression compared to the normal population. Psychological stress and high workload can lead to sleep loss, which puts them more vulnerable to stress, setting up a vicious cycle. Chronic loss of sleep not only lead to personal health, family and work relationships deterioration but can also lead to reduce productivity and affect judging capacity.

**Learning Objective:**
At the end of this session, the participants’ attention will be drawn to some of the red-flags that may prompt judges to seek early medical intervention to improve their sleep pattern. Addressing the lack of or poor sleep has a direct impact on judicial productivity. [Back to May programmes]

**Professorial Series**
**Noteworthy Legal Developments in Trade Mark Law**
Professor David Llewelyn, Deputy Dean, School of Law, Singapore Management University

**Synopsis:**
In this session, the speaker will explain and analyse recent trade mark and passing off cases in Singapore, together with important developments in the UK and EU that may be relevant to Singapore law.

**Learning objectives:**
At the end of this session, participants will acquire a better understanding of the application in practice of the law of trade marks; its interaction with the action for passing off and other legal protection for business names; the differences between the application of the Trade Marks Act in opposition and invalidity proceedings and in infringement actions; and developments in the UK and the EU that may have an impact on Singapore law in the field. [Back to May programmes]
End-to-End Court Technology
Executive Director Paul Quan, Singapore Judicial College

Synopsis:
This programme will take participants through the past, present and future technological road-maps for the Singapore courts. Participants will be introduced to the use of technology in the Singapore courts, with the attendant challenges involved in conceptualising, developing and implementing information technology (IT) solutions for the judiciary, as well as the operating environment that is conducive to support such solutions. This will culminate in an envisioning exercise to tailor feasible strategies to implement IT solutions for the courts of the future. The programme centres around:
(a) Singapore’s technological roadmap for her courts
(b) Identifying the challenges in implementing court technology
(c) Introduction to and demonstration of specific court IT systems
(d) Challenges in conceptualisation, development and implementation of such IT systems
(e) Features of a conducive operating environment to support the use of IT in the courts
(f) Envisioning and strategising the implementation of IT solutions for the courts of the future

Learning objectives:
At the end of the programme, participants will be able to:
(a) Gain an appreciation of Singapore’s experience in adopting the use of technology in her courts
(b) Gain exposure to specific court technologies and IT systems
(c) Identify the challenges in conceptualising, developing and implementing IT solutions for the courts
(d) Assess the feasibility and applicability of court technology solutions in the current operating environment
(e) Envision and tailor strategies to implement IT solutions for the courts of the future

2 Conducted in Myanmar under the auspices of the Ministry of Foreign Affairs’ Singapore Cooperation Programme – Initiative for ASEAN Integration framework.
Synopsis:
Singapore abolished ring-fencing in s 377 and enacted the UNCITRAL Model Law on Cross-Border Insolvency (“Model Law”) last year as part of the package of reforms to develop Singapore into an international centre for debt restructuring. These measures showed that Parliament has endorsed modified universalism as Singapore’s guiding philosophy towards cross-border insolvency, and brought Singapore’s cross-border insolvency law in line with major global trends. Being the only global model for cross-border insolvency, there is much interest in the Model Law and substantial hope in its ability to foster fair, effective and efficient solutions to cross-border insolvencies. It will however be argued that the logic of the Model Law sets the parameters and limits of its development. As a law which may be adopted by any legal system without requiring major changes of domestic law, its effectiveness are dependent on the extent of universalism of the pre-enactment domestic laws of the jurisdictions concerned, and their subsequent developments. This is illustrated vividly by the UK experience, which ironically retreated from modified universalism in recent years after the enactment of the Model Law in 2006. The Model Law thus requires other initiatives to realise its full potential. At the doctrinal level, it should be accepted that cross-border insolvency law is not the same as most other subjects in the conflicts family and new approaches, guided much more by insolvency law principles, should be developed. Practical measures should also be taken to improve the workings of cross-border insolvency cases on the ground. The judicial insolvency framework is one such measure and the Singapore judiciary is, with respect, to be lauded for actively promoting it and developing guidelines for future cases. The enactment of the Model Law is an important step in Singapore’s quest to become an international centre for debt restructuring, but more work remains to be done.

Learning Objectives:
At the end of the session, the participants will have:
(a) Knowledge of Singapore’s recent reforms of cross-border insolvency law
(b) Better appreciation of the interaction between the Model Law and domestic insolvency law
(c) Knowledge of recent common law developments of UK’s cross-border insolvency law
(d) Reflections on future developments of cross-border insolvency law

[Back to June programmes]
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| SCP-IAI Programme                | 3 – 6 Jul | 1. Strategies of Case Management: Challenges, Solutions and Innovation<sup>3</sup>  
Instructor: Executive Director Paul Quan, Singapore Judicial College |
| Personal Development & Resilience| 6 Jul     | 2. Creativity Sampler*  
Instructor: Dean Foo Chee Hock, Singapore Judicial College |
| Bench Skills                     | 19 – 20 Jul | 3. Judicial Educators Programme*  
Instructors: Dean Foo Chee Hock; Executive Director Paul Quan  
Singapore Judicial College |
| Legal Development                | 24 Jul    | 4. Cross-Border Insolvency Laws#  
Instructors: Judicial Officers from the Companies, Insolvency and Trusts Cluster, Supreme Court  
(For ASEAN judges only) |
| Technology & Sciences            | 25 Jul    | 5. Policing in New Zealand; Genetics and Neuroscience in Criminal Justice; and the Forensic Brainwave Project  
Speakers:  
(a) Professor Robert Palmer, Director of Clinical Legal Studies  
(b) Professor Richard Jones, Director, Christchurch Neurotechnology Research Programme, New Zealand Brain Research Institute  
(c) Associate Professor Dr Debra Wilson, School of Law  
University of Canterbury |

<sup>3</sup> Conducted in Vietnam under the auspices of the Ministry of Foreign Affairs’ Singapore Cooperation Programme – Initiative for ASEAN Integration framework.  
* International Signature Programme.  
# International programme customised for the Council of ASEAN Chief Justices as part of its judicial education and training programme for ASEAN judges in 2018.
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<tr>
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<tr>
<td>Bench Skills</td>
<td>30 – 31 Jul; 1 Aug</td>
<td>6. <strong>Case Management</strong>&lt;br&gt;Instructors: Dean Foo Chee Hock; Executive Director Paul Quan Singapore Judicial College</td>
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</table>
Creativity Sampler
Dean Foo Chee Hock, Singapore Judicial College

Synopsis:
This 1-day programme is a primer on the nature and practice of creativity. Participants will be introduced to the field of creativity studies and some practical techniques (through learning activities) to be more creative. Examples will include innovative experiences with products, services and concepts. The programme will end with a tentative attempt to integrate creativity techniques with the practice of law.

Learning objectives:
The learning objectives are:
(a) To discuss what creativity is and know some techniques to access the creative mode of our minds
(b) To recognise the creative mode and creative moments
(c) To practise being creative
(d) To explore being “creative” with the law [Back to July programmes]

Judicial Educators Programme
Dean Foo Chee Hock; Executive Director Paul Quan
Singapore Judicial College

Synopsis:
This 2-day programme is intended for participants who aspire to be or who are judicial educators responsible for training and delivering instruction to judges. The programme will focus on:
(a) Understanding Pedagogy in Judicial Education
(b) Distinctive Pedagogy of the Singapore Judicial College
(c) Pedagogical Methods and Techniques in Judicial Education
(d) Practical Application of Pedagogical Methods and Techniques

Learning objectives:
At the end of the programme, participants will be equipped with relevant skills, methods and techniques to conduct effective judicial education programmes that will optimise learning objectives. They will also have an opportunity to apply what they learn in a practice class and receive constructive critique through a 360° review. [Back to July programmes]

Cross-Border Insolvency Laws
Judicial Officers from the Companies, Insolvency and Trusts Cluster, Supreme Court

Synopsis:
This is a 1-day judicial training workshop customised for ASEAN Judges. Areas to be covered include:
(a) Introduction to Insolvency Law
(b) Singapore Domestic Insolvency Law
(c) Introduction to Cross-Border Insolvency
(d) Singapore Cross-Border Insolvency and the role of the Singapore Courts
Learning objective:
At the end of this workshop, participants would have benefitted from broad overview on the fundamentals and current issues of insolvency law and in particular, cross-border insolvency. A basic understanding of this area of the law will enhance judicial competence when hearing matters, whether directly or indirectly, touching on issues of insolvency. [Back to July programmes]

Professorial Series
Policing in New Zealand; Genetics and Neuroscience in Criminal Justice; and the Forensic Brainwave Project
Professor Robert Palmer, Director of Clinical Legal Studies; Professor Richard Jones, Director, Christchurch Neurotechnology Research Programme, New Zealand Brain Research Institute; Associate Professor Dr Debra Wilson, School of Law
University of Canterbury

Synopsis:
In this session, the speakers will:
(a) Give a general overview of New Zealand’s policing strategies and plans with references to Singapore;
(b) Discuss the ethical and legal impacts of the increasing use of genetics and neuroscience in criminal justice systems worldwide; and
(c) Introduce the University of Canterbury/ New Zealand Law Foundation Forensic Brainwave Project (“FBA Project”) as a particular example of the potential application of a new forensic technology in the criminal justice system.
This will be followed by an interactive Q&A session with the panel of speakers.

Learning objectives:
At the end of this session, the participants will be able to:
(a) Identify New Zealand’s approach to policing and compare them to that of Singapore;
(b) Identify the impact of the increasing use of genetics and neuroscience in the criminal justice system; and
(c) Appreciate the FBA project by describing its methodology, objectives, insights, future plans and challenges. [Back to July programmes]

Case Management
Dean Foo Chee Hock; Executive Director Paul Quan
Singapore Judicial College

Synopsis:
This 3-day programme is intended for judges responsible for managing cases at the pre-trial and trial stages. During the first half of the programme, foreign judge participants will:
(a) Be introduced to Singapore’s experience in dealing with case backlog in her courts in the early 1990s.
(b) Explore the challenges that foreign jurisdictions face and the relevance of the various strategies adopted by Singapore in terms of the legislative framework, case management framework and philosophy and the use of technology in this process.
During the later half of the programme, local participants from the Singapore courts will join the foreign participants in sessions on how to conduct effective pre-trial conferences, as well as how to prepare and conduct trials and hearings.
Learning objectives:
At the end of the programme, participants will be able to:
(a) Identify particular challenges of managing the case-loads in their courts
(b) Analyse the effectiveness of applying various case management strategies to meet the challenges identified
(c) Practise the judge-led approach to case management as well as develop skills and techniques as a pro-active case manager in practice sessions with constructive critique through a 360° review
[Back to July programmes]
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<th>Area of Focus</th>
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| **Legal Development** | 2 Aug | 1. Harmonising ASEAN Commercial Laws#  
Instructors:  
(a) Professor Hsu Locknie, School of Law, Singapore Management University (SMU)  
(b) Associate Professor Hsieh L. Pasha, School of Law, SMU  
(For ASEAN judges only) |
| **Bench Skills**    | 7 – 8 Aug | 2. Judgment Writing: Construction of Contract*  
Instructor: Dean Foo Chee Hock, Singapore Judicial College |
| **Bench Skills**    | 14 – 17 Aug | 3. Judge-led Dispute Resolution: Workshop on Judicial Mediation*  
Instructors from the State Courts Centre for Dispute Resolution, the Singapore Judicial College and the Singapore Mediation Centre |
| **Technology & Sciences** | 20 Aug | 4. Document Dating for Criminal and Civil Cases  
Speaker: Ms Nellie Cheng, Senior Forensic Scientist, Applied Sciences Group, Health Sciences Authority |
| **Technology & Sciences** | 28 Aug | 5. Understanding the Psychology of Sexual Assault Victims  
Instructors:  
(a) Ms Tan Li Jen, Senior Deputy Director and Senior Principal Clinical Psychologist, Ministry of Social and Family Development  
(b) Ms Jennifer Teoh, Director and Senior Principal Forensic Psychologist, Clinical and Forensic Psychology Service, Ministry of Social and Family Development |

# International programme customised for the Council of ASEAN Chief Justices as part of its judicial education and training programme for ASEAN judges in 2018.  
* International Signature/Flagship Programme.
### Area of Focus | Date | Description
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Social Awareness | 29 Aug | **6. What Judges Need to Know About the Future of the Market for Legal Services in the New Global Age of More for Less**
Speaker: Professor David B. Wilkins, Lester Kissel Professor of Law, Vice Dean for Global Initiatives on the Legal Profession, Faculty Director of the Center on the Legal Profession, Harvard Law School

Bench Skills | 30-31 Aug | **7. Assessing Credibility of Witnesses**
Instructors: Dean Foo Chee Hock; Executive Director Paul Quan
Singapore Judicial College

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**Harmonising ASEAN Commercial Laws**
Professor Hsu Locknie; Associate Professor Hsieh L. Pasha
School of Law, Singapore Management University

**Synopsis:**
This is a 1-day judicial training workshop customised for ASEAN Judges. Areas to be covered include:
(a) Harmonising ASEAN Commercial Laws: Reasons and Methods
(b) ASEAN Commercial Law in the ASEAN Economic Community: Issues of Enforcement and Compliance
(c) Cross-Border Legal Services and Commercial Laws: Harmonising the Regulations of ASEAN and Foreign Lawyers

**Learning objective:**
At the end of this session, participants would have benefitted from a much needed broad overview on the importance of harmonising ASEAN Commercial Laws especially in the light of China’s “One Belt One Road Initiative”. An awareness of the legal implications will enhance our judicial competence when hearing matters, whether directly or indirectly, impacting on the efforts to harmonise ASEAN commercial laws. [Back to August programmes]

* International Signature Programme.
Judgment Writing: Construction of Contract
Dean Foo Chee Hock, Singapore Judicial College

Synopsis:
A companion to the “Judgment Writing and Oral Judgment” programme, this 2-day programme will focus on judgment writing in the context of construction of contracts and will cover:
(a) A refresher on recent developments in the construction of contracts
(b) Group discussion and analysis of a hypothetical exercise
(c) Practice on writing a judgment and group presentation
(d) Analysis of written judgments related to the construction of contracts

Learning objectives:
At the end of the programme, participants will:
(a) Be updated on the relevant developments in contract law
(b) Learn how to engage in practical “issue-spotting” in a contract interpretation scenario
(c) Gain familiarity in analysing and writing judgments relating to construction of contracts

Judge-led Dispute Resolution: Workshop on Judicial Mediation
Instructors from the State Courts Centre for Dispute Resolution, the Singapore Judicial College and the Singapore Mediation Centre

Synopsis:
Jointly organised by the State Courts Centre for Dispute Resolution, the Singapore Judicial College and the Singapore Mediation Centre, this 4-day workshop equips Senior Judges and Judicial Officers from both common law and civil law jurisdictions who are active or have an interest in judge-led dispute resolution and judicial mediation with the principles and techniques. The workshop will be conducted by experienced District Judges who are at the forefront of court dispute resolution and judicial mediation in Singapore. The programme comprises an intensive series of lectures, discussions and role-plays. Areas to be covered include:
(a) The role and principles of judge-led dispute resolution and judicial mediation
(b) Understanding the (i) Mind Set of Disputants; and (ii) Traits of a Good Judicial Mediator
(c) Communication and Communication Management Techniques
(d) Facilitative Principles and Methods
(e) Evaluative mediation
(f) Dealing with Emotions
(g) Dealing with Cultural Differences
(h) Settlement Agreements
The programme includes an optional learning journey to the State Courts Centre for Dispute Resolution where participants can expect to see how access to justice is achieved in a non-confrontational setting through judge-led dispute resolution.

Learning objectives:
At the end of this workshop, participants who are currently practising judicial mediation in their jurisdictions will attain a broad and deep understanding of the ethos, key principles and best practices of judge-led dispute resolution. As for participants who are keen to serve in judicial mediation, this workshop will equip them with the knowledge, skills and hear from the experiences of Judicial Officers who have done judicial mediation in a gamut of cases from civil to criminal to
community disputes, which will be relevant to judges presiding over disputes of a similar nature in all jurisdictions. [Back to August programmes]

Practitioners' Series

Document Dating for Criminal and Civil Cases
Ms Nellie Cheng, Senior Forensic Scientist, Applied Sciences Group, Health Sciences Authority

Synopsis:
Determining the date on which a document was made is often the point of contention in both criminal and civil cases. Forensic Document Examiners usually use three approaches in conducting examination of this type: (a) Static Approach: to prove a document is forged if the material or technology used is unavailable at the purported date; (b) Dynamic Approach: to examine certain features that varies over time; and (c) Sequencing Approach: to determine the chronology of events in the production of the document. All three approaches entail examinations spanning across the entire spectrum of questioned document examination: paper, toners, printing ink, embedded code on laser-printed document, undesirable features on stamp impression, trash marks in photocopiers, indented impressions or design of signature etc.

Learning objective:
At the end of this session, participants would have acquired a better understanding as to how forensic document examiners handle document dating for criminal and civil cases. [Back to August programmes]

Understanding the Psychology of Sexual Assault Victims
Ms Tan Li Jen, Senior Deputy Director and Senior Principal Clinical Psychologist; Ms Jennifer Teoh, Director and Senior Principal Forensic Psychologist, Clinical and Forensic Psychology Service, Ministry of Social and Family Development

Synopsis:
Sexual assault can have a significant impact on victims’ emotional and mental health. There is an established body of empirical research pertaining to the psychology of sexual assault victims. This 1/2-day programme aims to introduce participants to the relevant social science research so as to understand common sexual assault misconceptions, as well as relevant empirical findings from trauma and victim psychology which aid in making more informed judicial decisions.

Learning Objectives:
At the end of this session, participants will be able to:
(a) Identify how and to what extent the opinion of an expert, who has not examined a victim, may be used in sexual assault cases
(b) State the reasons for victims delaying or failing to report a sexual assault
(c) Identify the different psychological and behavioural responses to sexual assault
(d) Identify the different forms of victims’ responses to sexual assaults and the factors affecting such responses
(e) Identify the factors affecting victims’ recollection of details of sexual assaults
[Back to August programmes]
**Professorial Series**

**What Judges Need to Know About the Future of the Market for Legal Services in the New Global Age of More for Less**

Professor David B. Wilkins, Lester Kissel Professor of Law, Vice Dean for Global Initiatives on the Legal Profession, Faculty Director of the Center on the Legal Profession, Harvard Law School

**Synopsis:**

In this lecture, Professor Wilkins will discuss the large scale forces that are transforming the market for legal services around the world, and what this means for the critical role that judges play in resolving disputes, providing access to justice, and preserving the rule of law. Summarising extensive research by the Center on the Legal Profession he directs, Professor Wilkins will underscore that globalisation, technology, generational change, and the blurring of the boundaries that traditionally separated key legal concepts such as “public” and “private” – or “law” and “business” – are already reshaping the character of the disputes courts are being asked to resolve, and the practices of the lawyers and judges who must resolve them. At the same time, stability and predictability remain essential to preserving the kind of legal system that supports democratic institutions, protects individual rights, ensures access to justice, and provides the foundation for vibrant economic growth. Judges will increasingly be called upon to navigate between these forces of continuity and change. It is therefore imperative that they be a part of a conversation among all affected stakeholders about how to strike this balance in a way that promotes important innovation but that also preserves the law’s core values.

**Learning Objectives:**

This session has three primary learning objectives:

(a) Summarise the important changes taking place in the global market for legal services;
(b) Discuss how these changes are likely to affect the judiciary; and
(c) Examine the role that judges can play in both promoting innovation and protecting the legal system’s core values and the rule of law. [Back to August programmes]

**Assessing Credibility of Witnesses**

Dean Foo Chee Hock; Executive Director Paul Quan

Singapore Judicial College

**Synopsis:**

Deploying a distinctive pedagogy, this 2-day programme first identifies the challenges in assessing the credibility of witnesses and introduces to participants a defensible and principled approach to undertake such assessments. It will cover:

(a) Identifying traps and pitfalls, including reliance on mental heuristics and sources of unreliability, such as inattentional blindness and confabulation
(b) Practice class on assessing credibility of witnesses through a cross-examination role-play
(c) Law on assessing credibility of witnesses
(d) Analysis and Presentation: Case Study

**Learning objectives:**

At the end of the programme, participants will be made aware of the shortcomings of the processes commonly deployed to assess the credibility of witnesses and through practice and positive reinforcement, gain confidence to undertake such assessments using a defensible and principled approach. [Back to August programmes]
### SEPTEMBER 2018 PROGRAMMES [Back to Top]

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| SCP Programme                 | 3 – 7 Sep | **1. Singapore’s Experience: Protection, Rights and Obligations under the Women’s Charter**<sup>4</sup>  
Instructors: Judicial Officers from the Family Justice Courts; Dean Foo Chee Hock and Executive Director Paul Quan, Singapore Judicial College |
| SCP-IAI Programme             | 11 – 14 Sep | **2. End-to-End Court Technology**<sup>5</sup>  
Instructor: Executive Director Paul Quan, Singapore Judicial College |
| Personal Development & Resilience | 14 Sep | **3. Positive Psychology Sampler**<sup>*</sup>  
Instructor: Dean Foo Chee Hock, Singapore Judicial College |
| Technology & Sciences         | 18 Sep    | **4. Probability and Statistics**  
Speakers:  
(a) Associate Professor Choi Kwok-Pui, Department of Statistics and Applied Probability  
(b) Associate Professor Tan Wei Ling Stella, Department of Biological Sciences  
Faculty of Science, National University of Singapore |
| Bench Skills                  | 27 – 28 Sep | **5. Effective Engagement of Litigants-in-Person**<sup>*</sup>  
Instructors:  
(a) The Honourable Justice Woo Bih Li, Judge, Supreme Court of Singapore  
(b) Dean Foo Chee Hock, Singapore Judicial College  
(c) Dr George Joseph Fernandez, Senior Consultant, General Psychiatry/Psychotherapy, Institute of Mental Health  
(d) Dr Derrick Yeo, Consultant, Forensic Psychiatry, Institute of Mental Health  
(e) District Judge Adam Nakhoda, State Courts  
(f) District Judge Kevin Ng, Family Justice Courts |

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<sup>4</sup> Conducted in Singapore under the auspices of the Ministry of Foreign Affairs’ Singapore Cooperation Programme.

<sup>5</sup> Conducted in Cambodia under the auspices of the Ministry of Foreign Affairs’ Singapore Cooperation Programme – Initiative for ASEAN Integration framework.

<sup>*</sup> International Signature Programme.
Singapore’s Experience: Protection, Rights and Obligations under the Women’s Charter
Judicial Officers from the Family Justice Courts; Dean Foo Chee Hock and Executive Director Paul Quan, Singapore Judicial College

Synopsis:
This programme provides an overview of the protection, rights and obligations afforded under the Women’s Charter in Singapore, specifically in relation to the institution of marriage and in relation to offences against women and girls. It also introduces the role of civil society organisations. There will also be opportunity to participate in fieldwork at the Family Justice Courts, Ministry of Social and Family Development, and the Singapore Council of Women’s Organisations.

Learning objectives:
At the end of the course, participants will be able to:
(a) State the rights and duties under the institution of marriage
(b) Identify the process of dissolving a marriage and managing ancillary matters such as custody and access, division of matrimonial properties and maintenance
(c) Identify the protection of and offences against women and girls in Singapore
(d) State the role of civil society organisations
(e) Describe the day-to-day work of the Family Justice Courts, the Ministry of Social and Family Development and the Singapore Council of Women’s Organisations

Positive Psychology Sampler
Dean Foo Chee Hock, Singapore Judicial College

Synopsis:
An introduction to the subject of “positive psychology”, this programme discusses and examines the attitudes, values and behaviours of participants in their work. Using video instruction, group sharing and journaling, we investigate whether there is a more superior and sustainable mindset than what we are employing, as we strive to deliver excellent performance in our workplace. We will tap on groundbreaking ideas backed by empirical experience, including from Carol Dweck’s “Mindset”, Angela Duckworth’s “Grit” and Rick Hanson’s “Resilient”.

Learning objectives:
At the end of this session, the participants will be able to:
(a) To know and carry about in their minds some of the current ideas and research related to positive psychology
(b) To evaluate their mindsets in relation to their work
(c) To integrate some of the attitudes, values and behaviours, where appropriate and useful, into their own repertoire.
Probability and Statistics
Associate Professor Choi Kwok-Pui, Department of Statistics and Applied Probability;
Associate Professor Tan Wei Ling Stella, Department of Biological Sciences
Faculty of Science, National University of Singapore

Synopsis:
Probability and statistics provide powerful tools for quantifying the weight of forensic evidence. These quantities often come along with associated assumptions; an awareness and understanding of the assumptions made is crucial when interpreting data and/or results. This session will explain the differences between probability and statistics, and introduce the different approaches in deriving probability. Simulations will be carried out to aid in the understanding of concepts covered. A case study exercise will also examine assumptions that were made, as well as fallacies and errors that occurred in the interpretation of results.

Learning Objectives:
At the end of this session, the participants will be able to:
(a) Explain the difference between probability and statistics
(b) Identify the different approaches in deriving probability
(c) Identify assumptions as well as fallacies and errors made in a case study
(d) Identify some pitfalls and fallacies in probability arguments

Effective Engagement of Litigants-in-Person
The Honourable Justice Woo Bih Li, Judge, Supreme Court of Singapore; Dean Foo Chee Hock, Singapore Judicial College; Dr George Joseph Fernandez, Senior Consultant, General Psychiatry/ Psychotherapy, Institute of Mental Health; Dr Derrick Yeo, Consultant, Forensic Psychiatry, Institute of Mental Health; District Judge Adam Nakhoda, State Courts; District Judge Kevin Ng, Family Justice Courts

Synopsis:
The percentage of Litigants-In-Person (LIPs) having matters with our courts has been steadily rising not only in the Family Justice Courts and State Courts but also the Supreme Court. This phenomenon is not peculiar to Singapore. Many jurisdictions are encountering the same trend. It is here to stay and set to increase. Judges and Judicial Officers (JOs) therefore need to be better equipped to manage LIPs, especially the challenging ones. In this 2-day programme, a specific focus is on the handling of LIPs with personality disorders. Though not prevalent, they are not uncommon.

Learning objective:
At the end of this session, participants would have acquired skills, techniques and best practices in handling LIPs (including those with personality disorders) giving Judges and JOs greater effectiveness in engaging / disengaging LIPs.
## OCTOBER 2018 PROGRAMMES

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| SCP-IAI Programme   | 9–12 Oct      | 1. **Strategies of Case Management: Challenges, Solutions and Innovation**<sup>6</sup>  
Instructor: Executive Director Paul Quan, Singapore Judicial College |
| Legal Development   | 10 Oct        | 2. **Trends in Civil Litigation** organised by the State Courts under the auspices of the Singapore Judicial College  
Speaker: Mr Tan Chuan Thye SC, Partner, Rajah & Tann Singapore LLP |
| Masterclasses       | 15 Oct        | 3. **Arbitration Masterclass**<sup>*</sup>  
Instructors: The Honourable Justice Judith Prakash, Judge of Appeal; The Honourable Justice Bernard Eder, International Judge Supreme Court of Singapore |
| Social Awareness    | 24 Oct        | 4. **Access to Justice in a Digital Age**  
Speaker: Mr Mark A Cohen, LIFTED Catalyst-in-Residence @ Singapore Academy of Law; Chief Executive Officer, Legal Mosaic; Chairman of the Board of Advisors and Chief Strategic Officer, Elevate Services; Distinguished Fellow, Northwestern University Pritzker School of Law |
| SCP-IAI Programme   | 30 Oct – 2 Nov| 5. **Ease of Doing Business: Dispute Resolution Mechanisms**<sup>7</sup>  
Executive Director Paul Quan, Singapore Judicial College |

### Practitioners’ Series
**Trends in Civil Litigation**  
Mr Tan Chuan Thye SC, Partner, Rajah & Tann Singapore LLP

**Synopsis:**  
The increased relevance of arbitration as a means of dispute resolution has resulted in a rapid evolution of the processes utilised in such proceedings. The evolution has brought about a much greater uniformity. This session will examine whether there are any lessons to be adopted from that evolution for the civil litigation process.

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<sup>6</sup> Conducted in Myanmar under the auspices of the Ministry of Foreign Affairs’ Singapore Cooperation Programme – Initiative for ASEAN Integration framework.

<sup>*</sup> International Signature Programme.

<sup>7</sup> Conducted in Myanmar under the auspices of the Ministry of Foreign Affairs’ Singapore Cooperation Programme – Initiative for ASEAN Integration framework.
Learning objectives:
At the end of this session, participants will be able to:
1. Identify the processes used in contemporary arbitration proceedings
2. Explain how those arbitration processes have evolved over time
3. Identify practical challenges and issues that arise for litigants and legal practitioners in the civil litigation process
4. Explain how practical challenges and issues arising from the civil litigation process might possibly be addressed by considering the adoption of developments and innovations in arbitration processes

Arbitration Masterclass
The Honourable Justice Judith Prakash, Judge of Appeal;
The Honourable Justice Bernard Eder, International Judge
Supreme Court of Singapore

Synopsis:
This one-day Masterclass will focus on the Court’s role in supervising and assisting arbitration proceedings and implementing arbitration agreements, with specific discussions on a number of “hot topics” in the following areas:
(a) Jurisdiction and stay of legal proceedings
(b) Assistance to arbitration proceedings
(c) Enforcement of arbitral awards annulled/ set aside at the seat of arbitration
(d) Issue Estoppel under the New York Convention
Issues that will be explored in some detail include:
(a) Questions arising in relation to the arbitration agreement itself including: (a) what standard of review the court should apply when deciding whether an arbitration agreement exists (the discussion will include comparison of the Singapore and UK approaches); (b) the approach to interpretation of arbitration clauses; and (c) determination of the law governing an arbitration agreement.
(b) Questions relating to the stay of court proceedings in favour of arbitration in particular in relation to the arbitrability of disputes. In this connection there will be a discussion of the Singapore Court of Appeal decision in Tomolugen Holdings Ltd and anor v Silica Investors Ltd [2016] 1 SLR 373.
(c) Court assistance to arbitration proceedings - the Maldives Airport case [2013] 2 SLR 449 and English cases dealing with the court’s role in relation to the tribunal.
(d) Whether an arbitral award that has been annulled/ set aside at the seat can be enforced abroad. This topic raises a number of controversial issues. The Masterclass will consider the underlying principles by reference to various cases in different jurisdictions including France (Putrabali (2007)), England (Yukos (2012, 2014), Malicorp (2014)), Netherlands (Yukos, (2009)) and the USA/Luxembourg (Pemex (2016, 2018)).
(e) Where an arbitral award is published in Country A and is refused enforcement in a judgment on specific grounds by the local Court in Country B, whether such judgment will give rise to an issue estoppel under the New York Convention in Country C. This Masterclass will be an exercise in self-criticism with the main focus on Eder IJ’s own decision in the High Court in England (Diag (2014)) and the developing jurisprudence in other jurisdictions (including Singapore, Australia and Hong Kong).
Learning Objectives:
At the end of the Masterclass, participants will be able to:
(a) Identify the issues relating to the standard of review that the court ought to apply to determine the existence of an arbitration agreement, interpreting arbitration clauses and determining the governing law of an arbitration agreement
(b) Identify the issues concerning the stay of court proceedings in favour of arbitration, particularly in relation to the arbitrability of disputes.
(c) Identify the court’s role in providing assistance to the arbitration proceedings vis-à-vis the arbitration tribunal.
(d) Identify the issues with enforcing an arbitral award abroad when it has been annulled/ set aside at the seat.
(e) State the implications of a judgment, which refuses enforcement on specific grounds of an arbitral award published in another country, on the question of issue estoppel under the New York Convention in a different country. [Back to October programmes]

Access to Justice in a Digital Age
LIFTED Catalyst-in-Residence @ Singapore Academy of Law; Chief Executive Officer, Legal Mosaic; Chairman of the Board of Advisors and Chief Strategic Officer, Elevate Services; Distinguished Fellow, Northwestern University Pritzker School of Law

Synopsis:
This session will explore how technology is changing the way legal services are delivered and consumed, the evolving concept of the practice of law both as a profession and a business, and the implications this has for access to justice. Mark Cohen will provide an overview of the changes in legal services delivery happening in key legal jurisdictions and discuss how legal services is facing unprecedented ‘democratisation’. Mark will then explore with the participants the implications of such democratisation on access to justice issues of affordability, user-friendliness, quality and efficiency, the risks of such democratisation as well as the role of the judiciary in responding to these changes.

Learning objectives:
At the end of this session, participants will be able to:
(a) Describe important ways in which technology is changing legal services delivery
(b) Explain how such changes may affect the affordability, user-friendliness, quality and efficiency of access to justice
(c) Identify the lawyer’s evolving role as an entrepreneur and how this sits with his duty as an officer of the court in the legal profession
(d) Identify the role of the judiciary in responding to these key changes taking place in legal services delivery [Back to October programmes]

Ease of Doing Business: Dispute Resolution Mechanisms
Executive Director Paul Quan, Singapore Judicial College

Synopsis:
This programme gives an insight to participants into how commercial cases and disputes are managed and adjudicated in Singapore, including her pro-business legal framework and court processes, dispute resolution mechanisms other than litigation, and the use of technology in case management and adjudication. It also introduces the participants to international commercial courts and will culminate in a discussion to envision strategies to establish business-friendly courts of the future.
The programme centres around:
(a) Understanding what makes a jurisdiction attractive for businesses and foreign investment
(b) Introduction to the legal framework and court processes relating to the management and adjudication of commercial cases in Singapore
(c) Introduction to the use of IT in the management and adjudication of commercial cases in Singapore
(d) Globalisation and the advent of international commercial courts
(e) Introduction to dispute resolution mechanisms other than litigation
(f) Envisioning and strategising to enhance business-friendly courts of the future

Learning objectives:
At the end of the programme, participants will be able to:
(a) Gain an appreciation of Singapore’s experience in managing and adjudicating commercial cases in the court system
(b) Gain exposure to pro-business legal frameworks and court processes
(c) Understand the role of technology in case management and adjudication of commercial cases
(d) Gain exposure to dispute resolution mechanisms other than litigation
(e) Increase their awareness of international commercial courts
(f) Envision and tailor strategies to enhance business-friendly courts of the future

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### NOVEMBER 2018 PROGRAMMES

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<td></td>
<td>12 –16 Nov</td>
<td>1. <strong>Judiciary-wide Induction Programme for Newly Appointed Judges and Judicial Officers</strong>&lt;sup&gt;*&lt;/sup&gt; Instructors: The Honourable Chief Justice Sundaresh Menon, Judges and Judicial Officers of the Supreme Court; Judicial Officers of the State Courts and Family Justice Courts; Dean Foo Chee Hock and Executive Director Paul Quan, Singapore Judicial College</td>
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<td>Masterclasses</td>
<td>20 Nov</td>
<td>2. <strong>Intellectual Property Masterclass</strong>&lt;sup&gt;*&lt;/sup&gt; Instructors: The Honourable Judicial Commissioner Dedar Singh Gill; The Honourable Justice Simon Thorley, International Judge Supreme Court of Singapore</td>
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<td>Technology &amp; Sciences</td>
<td>22 Nov</td>
<td>3. <strong>Probability &amp; Statistics and DNA in relation to Paternity Tests for Family Cases</strong>&lt;br&gt;Speakers: (a) Associate Professor Choi Kwok-Pui, Department of Statistics and Applied Probability&lt;br&gt;(b) Associate Professor Tan Wei Ling Stella, Department of Biological Sciences&lt;br&gt;Faculty of Science, National University of Singapore</td>
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**Judiciary-Wide Induction Programme**  
The Honourable the Chief Justice Sundaresh Menon; Judges and Judicial Officers of the Supreme Court; Judicial Officers from the State Courts and Family Justice Courts; Dean Foo Chee Hock and Executive Paul Quan, Singapore Judicial College

**Synopsis:**
This annual 5-day programme is the induction programme for all newly-appointed judges and judicial officers of the Singapore judiciary. It also includes an optional fieldtrip programme for foreign participants consisting of learning journeys to the Supreme Court, the State Courts and the Family Justice Courts. The programme consists of 7 modules on the following areas:<br>(a) Bench Skills<br>(b) Judicial Ethics and Conduct<br>(c) Judicial Resilience<br>(d) Legal Development  
It is an immersive experience with an opportunity to gain insight into the judicial philosophy and workings of the Singapore judiciary, as well as train and interact with the Chief Justice, members of the Singapore Bench and new appointees to the Singapore judiciary, culminating in a dinner hosted by the Chief Justice and the Supreme Court Bench.

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<sup>*</sup> International Signature/ Flagship Programme.
Learning objectives:
At the end of the programme, the participants will be able to:
(a) Explain how judicial modesty as a value shapes one’s judicial philosophy
(b) Identify the elements of good judgment writing and how to deliver effective oral judgments
(c) Identify ways to manage cases as well as how to prepare and conduct trials effectively
(d) Demonstrate how to assess witness credibility in a defensible and principled manner
(e) Demonstrate techniques to engage litigants-in-person effectively
(f) Identify ways to maintain judicial authority in the courtroom
(g) Explain the elements of proper judicial conduct both in and out of court
(h) Identify ways to optimise time and resources
(i) Identify stressors of judicial office, the importance of sleep and how it affects judicial productivity and decision-making, as well as ways to balance professional duties and private obligations
(j) State current developments in Singapore’s civil, criminal and family procedural laws

[Back to November programmes]

Intellectual Property Masterclass
The Honourable Judicial Commissioner Dedar Singh Gill;
The Honourable Justice Simon Thorley, International Judge
Supreme Court of Singapore

Synopsis:
This one-day Masterclass will engage the participants in the following areas of intellectual property:
(a) Protection of Shape Marks under the Law of Trade Marks
(b) Patent Infringement and the Doctrine of Equivalents
(c) Goodwill in the Tort of Passing Off
(d) Groundless Threats of Infringement Proceedings
(e) Selected Issues of Procedure and Practice in IP Law

Issues that will be explored in some detail include:
(a) The contrasting views of protection of shape marks under the law of trade marks in Singapore, UK and the European Court and a discussion of Kit Kat [2016] SCGA 64; [2017] EWCA 358 and C-84/17P (CJEU 25th July 2018); London Taxis [2017] EWCA 1729
(e) Groundless threats of infringement proceedings: Factors to consider in granting the discretionary relief in a fact-sensitive inquiry.

Learning Objectives:
At the end of the Masterclass, participants will be able to:
(a) Identify the Singapore, UK and European approaches to conferring protection under the law of trademarks for shape marks and why the approaches differ.
(b) Identify the differences in the Singapore and the UK approaches to the applicability of the doctrine of equivalents in patent infringement and why the approaches differ.
(c) Explain the concept of goodwill in the tort of passing off.
(d) Identify the factors to consider in granting relief for groundless threats of infringement proceedings.
(e) Identify the procedural and practical issues in relation to expert evidence, damages in lieu of injunction, issue estoppel, use of prosecution history and confidentiality

[Back to November programmes]

**Professorial Series**

**Probability & Statistics and DNA in relation to Paternity Tests for Family Cases**

Associate Professor Choi Kwok-Pui, Department of Statistics and Applied Probability;
Associate Professor Tan Wei Ling Stella, Department of Biological Sciences
Faculty of Science, National University of Singapore

**Synopsis:**
This is the first session in a series of follow-up sessions from the primer probability and statistics session conducted in September 2018. This session focuses on probability and statistics issues in DNA paternity test for family cases. Specifically, the role of combined paternity index (CPI) on the probability of paternity will be discussed. The scientific and mathematical assumptions in computing the CPI will be further examined.

**Learning objectives:**
At the end of this session, participants will be able to explain the concepts of:
(a) Conditional probability
(b) Combined Paternity Index
(c) Prior odds
(d) Posterior Odds

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## DECEMBER 2018 PROGRAMMES

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<td>SCP-IAI Programme</td>
<td>4–7 Dec</td>
<td>1. <strong>Strategies of Case Management: Challenges, Solutions and Innovation</strong>&lt;sup&gt;8&lt;/sup&gt;</td>
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<td>Instructor: Executive Director Paul Quan, Singapore Judicial College</td>
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**VISION:** To achieve excellence in judicial education and research  
**MISSION:** To provide and inspire continuing judicial learning and research to enhance the competency and professionalism of judges

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<sup>8</sup> Conducted in Laos under the auspices of the Ministry of Foreign Affairs’ Singapore Cooperation Programme – Initiative for ASEAN Integration framework.