

**INTERNATIONAL ASSOCIATION FOR COURT ADMINISTRATION  
CONFERENCE 2024**

**Keynote Address**

**“Judicial Excellence in a Challenging World: The Centrality of Trust”**

Tuesday, 12 November 2024

The Honourable the Chief Justice Sundaresh Menon\*

Supreme Court of Singapore

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Honourable Chief Justices, Justices and delegates

Distinguished guests

Ladies and gentlemen

**I. Introduction**

1. A very good morning. Let me first add my words of welcome to those of Professor Palma, as I extend an especially warm welcome to all of you who have travelled from abroad to join us in Singapore.

2. The IACA celebrates its 20th anniversary this year, and the theme that has been chosen for this year’s Conference – “Building Trust in the Judiciary” – is particularly apt for these times. For some years now, the world has witnessed

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\* I am deeply grateful to my colleagues, Assistant Registrars Wee Yen Jean and Bryan Ching, for all their assistance in the research for and preparation of this address.

declining trust in public institutions.<sup>1</sup> Indeed, a few years ago, distrust was said to have become “society’s default emotion”.<sup>2</sup> And this sits alongside other dramatic challenges confronting our societies, such as the transformative impact of technological advancements; the proliferation of disinformation in public discourse; and the global access to justice crisis. As these challenges sweep through our societies, it is critical that our courts continue to serve as trusted and respected institutions for delivering justice and for upholding the rule of law. This means that now – perhaps more than ever – inspiring and sustaining trust in our justice systems must be the *central* and *overarching* mission for our judiciaries.

3. And when we speak of trust in our justice systems, we need to bear in mind how the role of the judiciary has evolved. The traditional role of the courts was largely limited to adjudicating on disputes and interpreting and applying the law in each case in a fair and principled manner. It goes without saying that the trustworthy dispensation of justice in individual cases remains a core and fundamental element of securing public trust in our judiciaries. But, in recent times, our broader *systemic* role has assumed increasing importance. By this, I mean our institutional responsibility to develop and operate *systems for the administration and delivery of justice to all*. This systemic responsibility

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<sup>1</sup> See, for example, Sundaresh Menon CJ, “The Role of the Courts in Our Society – Safeguarding Society”, opening address at the Singapore Courts’ Conversations with the Community (21 September 2023) (“**Role of the Courts**”) at para 35; and Sundaresh Menon CJ, “Judicial Responsibility in the Age of Artificial Intelligence”, keynote speech at the inaugural Singapore-India Conference on Technology (13 April 2024) (“**Judicial Responsibility in the Age of AI**”) at para 23. See also the Edelman Trust Barometers for 2024, 2023 and 2022.

<sup>2</sup> See 2022 Edelman Trust Barometer: The Trust 10: [https://www.edelman.com/sites/g/files/aatuss191/files/2022-01/Trust%202022\\_Top10.pdf](https://www.edelman.com/sites/g/files/aatuss191/files/2022-01/Trust%202022_Top10.pdf).

illuminates the importance of the non-adjudicative work that our judiciaries do, which supports, complements and indeed strengthens our adjudicative work. It is by performing *both* our adjudicative and systemic roles with excellence that our courts can secure public trust in our justice systems.<sup>3</sup> And crucially, this is a mission that unites *each and every one* of us in the judiciary, not just judges and judicial officers. *All* of us have a part to play in enabling our judiciaries to discharge their systemic role.

4. With this in mind, I will structure my address today in two broad parts:
  - (a) First, I will outline why, although trust is of course important to all public institutions, trust in the *judiciary* is particularly important; and
  - (b) Second, I will then develop my principal thesis, which is that *judicial excellence* today should be measured by our ability to secure and strengthen trust in three distinct aspects of our judiciaries:
    - i. trust in our *people*;
    - ii. trust in our *processes*; and
    - iii. trust in our *systems*.

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<sup>3</sup> See Role of the Courts at paras 2–3, 29–30 and 47; Judicial Responsibility in the Age of AI at para 21; and Sundaresh Menon CJ, “Reimagining the Rule of Law: A Renewed Conception”, address at the final session of the Singapore Courts’ Conversations with the Community (20 September 2024) (“**Reimagining the Rule of Law**”) at para 2.

## II. The centrality of trust in the judiciary

5. Let me first outline why trust in the judiciary is so important – and indeed, why it is central to the wellbeing of our societies. There are several reasons that underlie this.

6. First, trust in the judiciary underpins our *legitimacy*, and this forms the bedrock of our relationship with the communities that we serve. Alexander Hamilton, one of the American Founding Fathers, famously described the judiciary as, in his words, “the least dangerous” of the three branches of government, because it has “neither force nor will, but merely judgment”.<sup>4</sup> But it is right and wise judgment, more than force or will, that endures in holding a society together over the long term. And the public’s acceptance of our judgments rests in large part on the belief that they are the product of a fair and impartial system that is designed to deliver justice. Trust in the judiciary therefore encourages members of the public to approach the legal process with a cooperative and constructive mindset, to accept judicial authority, and to comply with judicial decisions and orders – even, and perhaps especially, when those decisions go against their personal interests.

7. More fundamentally, trust in the judiciary is a critical component of society’s belief in the *rule of law*. While securing adherence to the rule of law is an endeavour shared by all three branches of government, the judiciary has a

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<sup>4</sup> See Alexander Hamilton, “The Judiciary Department”, *The Federalist Papers: No 78* (1788): <https://guides.loc.gov/federalist-papers/text-71-80#s-lg-box-wrapper-25493470>.

particular responsibility for administering a justice system that gives practical expression and life to the rule of law.<sup>5</sup> In this way, the judiciary serves as a key stabilising force, maintaining public confidence in the rule of law and thus securing peace and order in our societies.<sup>6</sup>

8. But there is a third reason that trust in the judiciary is so important. At the start of my address, I mentioned the proliferation of disinformation in public discourse as one of the most significant challenges confronting our societies today. This phenomenon of “truth decay” has been characterised by a set of four related trends: first, an increasing tendency to disagree over facts; second, a blurring of the line between opinion and fact; third, an increase in the relative volume and influence of opinion and personal experience over fact; and finally, lowered trust in formerly respected sources of factual information.<sup>7</sup> Truth decay poses a particularly pernicious threat to the courts, whose work is built upon the pursuit of truth. But, by working to build trust in the courts, we are doing our part to *combat* the crisis associated with truth decay. The court process and the judicial method exemplify reasoned decision-making, where findings of fact are based on an impartial assessment of the available evidence, and conclusions are

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<sup>5</sup> See Sundaresh Menon CJ, “The Role of an Effective and Efficient Judiciary in Promoting Economic Development – The Singapore Perspective”, speech to the Brunei Judiciary (4 July 2024) (“**Speech to the Brunei Judiciary**”) at para 4.

<sup>6</sup> See Role of the Courts at para 28.

<sup>7</sup> See Jennifer Kavanagh & Michael D Rich, RAND Corporation, “Truth Decay: An Initial Exploration of the Diminishing Role of Facts and Analysis in American Public Life”: [https://www.rand.org/pubs/research\\_reports/RR2314.html](https://www.rand.org/pubs/research_reports/RR2314.html). See also Sundaresh Menon CJ, “After the Fall of Babel: The Courts in a Post-Truth World”, address at the Supreme and Federal Courts’ Judges Conference 2023 (23 January 2023) (“**After the Fall of Babel**”); and Role of the Courts at paras 33–34.

arrived at based on the transparent application of principles and legal frameworks.<sup>8</sup> Trust in the courts therefore goes hand in hand with a *commitment to reason and rationality*, and this can be a powerful tool in counteracting the corrosive effects of truth decay.

9. In Singapore, the courts have enjoyed high levels of public trust.<sup>9</sup> But this state of affairs is not taken for granted. Trust in the judiciary is a privilege that needs to be earned and safeguarded, and we must continue to prove on a daily basis that we are worthy of the trust that has been reposed in us. This is why I have said that the central goal of judicial leadership in our times must be to *secure trust* in our justice systems.<sup>10</sup> This is not a simple or straightforward task, especially amid the various challenges that our judiciaries and our societies must grapple with today. But it is an *essential* undertaking that all of us, as custodians and operators of our justice systems, should be fully committed to.

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<sup>8</sup> See Jacqueline Gleeson, Justice of the High Court of Australia, “Advancing Judicial Legitimacy: The Stakes and the Means”, speech for the commencement of the National Judicial Orientation Program (April 2022) at para 31.

<sup>9</sup> See, for example, Mr K Shanmugam, Minister for Home Affairs and Minister for Law, oral answer to Parliamentary Question on attracting legal talent to the Singapore Judiciary (21 March 2018) at para 10 (citing a 2015 Ministry of Law survey where 92% of Singaporeans surveyed said they had trust and confidence in our legal system, and a State Courts user survey in 2015 that showed that 95% of court user respondents had confidence in the fair and effective administration of justice by the State Courts): <https://www.mlaw.gov.sg/news/parliamentary-speeches/oral-response-by-minister-k-shanmugam-on-attracting-legal-talent-to-the-singapore-judiciary>; and Grace Ho, “Singaporeans have high level of confidence in Government but politically uninterested: IPS study”, *The Straits Times* (24 March 2021) (citing a study by the Institute of Policy Studies Social Lab which found that 82% of respondents had either “a great deal” or “quite a lot” of confidence in the courts).

<sup>10</sup> See Sundaresh Menon CJ, “Securing Trust: The Project of Judicial Leadership”, welcome address at the opening of the Court Week of the Judicial Executive Programme (21 November 2022) (“**Securing Trust**”) at paras 2 and 3.

10. This brings me to the principal thesis of my address, which is that judicial excellence in these times should therefore be measured by our ability to secure and strengthen trust in three distinct aspects of our judiciaries: our *people*, our *processes*, and our *systems*.

### **III. Trust in our people – competence, character and conduct**

11. Let me turn first to trust in our *people* – by which I am referring not only to our judges and judicial officers, but also to our court administrators. Each of these groups of individuals plays an important role in securing and maintaining trust in our judiciaries.

#### **A. Judges and judicial officers**

12. I begin with judges and judicial officers, because they are the human face of the justice system to the people who come before our courts. Judges have the tremendous responsibility and the immense privilege of administering the law and dispensing justice in each case. In this capacity, we are entrusted with considerable power, which must be exercised with the greatest humility and a vivid consciousness of the extraordinary fact that we have been allowed to sit in judgment of our fellow citizens.<sup>11</sup> This approach to the exercise of judicial power

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<sup>11</sup> See, in this connection, Helen Winkelmann, Chief Justice of New Zealand, “What Right Do We Have? Securing Judicial Legitimacy in Changing Times”, The Dame Silvia Cartwright Address (17 October 2019) at p 1 (framing the full question relating to judicial legitimacy as “what right do we have to sit in judgment on our fellow citizens”).

is the first step towards securing public trust and confidence that we *will* discharge our duties with the utmost diligence, devotion and integrity.

13. Part of this is about *competence*. Our judges must be skilled in their core work of adjudication and must be adept at dealing with both existing and emerging areas of the law. But competence today also increasingly requires multi-disciplinary knowledge in adjacent fields – such as technology and forensic science – which are themselves growing in scale and complexity. Our judges must be equipped to navigate these diverse bodies of knowledge effectively while maintaining their strong fundamentals in the law.<sup>12</sup> And the rapidly evolving nature of these fields means this must be a *continuing* endeavour. This is why we have invested significantly in continuing judicial education and training through the Singapore Judicial College, and why we have emphasised the importance – indeed, the *necessity* – of developing our judges as “learning judges”, with a mindset of lifelong and self-directed learning.<sup>13</sup>

14. But competence must be coupled with *character and conduct*, which are perhaps even more important in maintaining trust. Our courts recently had occasion to emphasise that the admission of *lawyers* to the Bar is about character first before competence, because of their role in assisting in the administration of

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<sup>12</sup> See Sundaresh Menon CJ, opening remarks at the inaugural Singapore Judicial College – National Judicial College of Australia – New Zealand Institute of Judicial Studies Judicial Education Roundtable (18 September 2023) (“**Judicial Education Roundtable Remarks**”) at para 10.

<sup>13</sup> See Judicial Education Roundtable Remarks at para 13 and Speech to the Brunei Judiciary at para 10.



justice.<sup>14</sup> This applies with even greater force to *judges and judicial officers*, who are entrusted with the actual dispensation of justice. And this applies at every level of the judiciary, including the lower courts, where ordinary members of the public are most likely to encounter the justice system.<sup>15</sup>

15. We see this emphasis on character and conduct in many versions of the judicial oath around the world, which require judges to strive to do right to all manner of people “without fear or favour, affection or ill-will”, or some variation of this.<sup>16</sup> This captures the integrity and moral courage that is demanded of judicial officeholders. The public must be able to trust that judges are driven by the earnest desire to do the right thing and to achieve justice in each case. Individual judges might not always arrive at the right answers, and at least one party will typically be dissatisfied with whatever decision the judge makes. But all parties should minimally leave with the confidence that the judge arrived at that decision honestly, diligently, fairly and impartially.<sup>17</sup> Judges should also conduct

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<sup>14</sup> See *Re Tay Quan Li Leon* [2022] 5 SLR 896 at [1] and [46]; and Sundaresh Menon CJ, “The Legal Profession as an Honourable Profession”, Mass Call Address 2022 (23 August 2022) at para 4.

<sup>15</sup> See Sundaresh Menon CJ, “Judicial Leadership: From Adjudication to the Administration of Justice”, speech to the Judiciary of the Republic of Rwanda (14 March 2022) (“**Speech to the Rwanda Judiciary**”) at para 24. By way of illustration, the Supreme Court disposed of 12,266 cases in 2023, while the State Courts disposed of 173,454 cases in the same period (over 14 times the caseload): Singapore Courts Annual Report 2023 at pp 32–33.

<sup>16</sup> See the Oaths and Declarations Act 2000, Second Schedule, Part 3 (Singapore); Courts and Tribunals Judiciary, “Oaths” (UK): <https://www.judiciary.uk/about-the-judiciary/our-justice-system/oaths/> (accessed 4 November 2024); Justice S C Derrington, “Without Fear or Favour”, opening keynote address at the Piddington Society 2022 Walyaup (Fremantle) Law Conference (18 February 2022) (Australia) at para 3.

<sup>17</sup> See, in this connection, Murray Gleeson AC, Chief Justice of Australia, “Public Confidence in the Judiciary”, speech delivered at the Judicial Conference of Australia, Launceston (27 April 2002) (“Confidence in the judiciary does not require a belief that all judicial decisions are wise, or all judicial behaviour impeccable, any more than confidence in representative democracy

themselves with composure, empathy and courtesy, in a way that respects the humanity of the people standing before justice<sup>18</sup> and that upholds the dignity of the judicial office.

## **B. Court administrators**

16. But the people who make up our judiciaries are not limited to judges and judicial officers. Court administrators are a key constituency of our judiciaries and they play a vital role in the delivery of quality justice to our users. The direct and indirect contributions of court administrators, to all the dimensions of the work of the courts which I will discuss in this address, go *hand in hand* with the work of our judges and judicial officers.<sup>19</sup>

17. The competence, character and conduct of our court administrators are therefore equally essential to uphold trust in our judiciaries. We must therefore continue to invest in the professionalisation of our court administrators through training and development.<sup>20</sup> At the same time, all our court administrators – who, alongside our judges and judicial officers, are representatives of our judiciaries –

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requires a belief that all politicians are enlightened and concerned for the public welfare. What it requires, however, is a satisfaction that the justice system is based upon values of independence, impartiality, integrity, and professionalism, and that, within the limits of ordinary human frailty, the system pursues those values faithfully”).

<sup>18</sup> See Judicial Responsibility in the Age of AI at para 8(c).

<sup>19</sup> See Sundaresh Menon CJ, “Pursuing Court Excellence in Challenging Times”, keynote address at the 2022 International Consortium for Court Excellence Conference (15 March 2022) (“**ICCE Address**”) at para 6.

<sup>20</sup> See ICCE Address at para 6; and Sundaresh Menon CJ, opening address at the Conference of Court Administrators 2021 (7 December 2021) (“**CCA Address**”) at para 2.

should hold themselves to the highest standards of ethics and integrity, and strive to achieve excellence.

18. All this makes it critical that our judiciaries attract, select and retain the right people, and clearly communicate and reinforce our expectations of all our people through appropriate codes of conduct that are swiftly and robustly applied and upheld. Judicial leaders should also lead by example, holding ourselves to the highest of standards and seeking to inspire our younger colleagues to do the same.

#### **IV. Trust in our processes – truth and transparency**

19. Trust in our people, however, is part of a larger picture. This leads me to the second aspect of trust in the judiciary, which is trust in our *processes*. I want to highlight two particular dimensions of this: truth and transparency.

##### **A. Truth**

20. First, the public should trust that the court process is based on the fair, honest and proportionate quest for *truth*, and that judicial decisions are based on and reflective of the truth.<sup>21</sup> The speed at which falsehoods can gain widespread traction in the modern world has exacerbated the proliferation of disinformation that has affected many of our societies. This has been further aggravated by the

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<sup>21</sup> See Role of the Courts at paras 33–34 and After the Fall of Babel at paras 5–7.

growing capabilities of generative artificial intelligence (or “AI”) to create and amplify misleading or inaccurate information.<sup>22</sup>

21. If we are to safeguard the actual *and perceived* integrity of the judicial process amid this maelstrom, it will be imperative for judiciaries to ensure that the sanctity of truth within the courtroom is maintained, and is also *seen* to be maintained. Of course, the work of judges and judicial officers plays a key part in upholding public confidence that our courts continue to be reliable truth-seekers and truth-finders.<sup>23</sup> But there are also other important steps we can take to address at least some of the emerging challenges, such as by developing robust governance frameworks and guidelines to oversee or regulate the use of AI in litigation and adjudication.<sup>24</sup> The New Zealand judiciary was among the first to publish guidelines for the use of generative AI in courts and tribunals,<sup>25</sup> and the Singapore Courts have similarly issued a Guide for this purpose, which came into

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<sup>22</sup> See, for example: Tiffany Hsu and Stuart A Thompson, “Disinformation Researchers Raise Alarms About A.I. Chatbots”, *The New York Times* (8 February 2023): <https://www.nytimes.com/2023/02/08/technology/ai-chatbots-disinformation.html> (quoting Gordon Crovitz, a co-chief executive of NewsGuard, a company that tracks online misinformation, as observing that ChatGPT could be “the most powerful tool for spreading misinformation that has ever been on the internet”, as new false narratives can now be crafted at dramatic scale and much more frequently); Michael Meyer-Resende, Austin Davis, Ognjan Denkovski and Duncan Allen, Democracy Reporting International, “Are Chatbots Misinforming Us About the European Elections? Yes.” (11 April 2024); and Jeremy White, “See How Easily A.I. Chatbots Can Be Taught to Spew Disinformation”, *The New York Times* (19 May 2024): <https://www.nytimes.com/interactive/2024/05/19/technology/biased-ai-chatbots.html>.

<sup>23</sup> See Sundaresh Menon CJ, “The Role of the Judiciary in a Changing World”, Supreme Court of India Day Lecture Series 1<sup>st</sup> Annual Lecture (4 February 2023) (“**Role of the Judiciary in a Changing World**”) at para 25; and Judicial Education Roundtable Remarks at para 10.

<sup>24</sup> See Judicial Responsibility in the Age of AI at para 19.

<sup>25</sup> See Courts of New Zealand, “Guidelines for Use of Generative Artificial Intelligence in Courts and Tribunals” (7 December 2023) at pp 4–6.

effect just last month.<sup>26</sup> As the capabilities of AI continue to grow rapidly,<sup>27</sup> we will need to be agile, forward-looking and proactive to ensure that our judiciaries continue to be equipped to meet the challenges that will be thrown up by these developments.

## **B. Transparency**

22. The second dimension of trust in our processes that I want to touch on centres on *transparency*. Justice must not only be done, but also be *seen* to be done;<sup>28</sup> and public knowledge about the courts has long been closely linked to public trust in judicial institutions and processes.<sup>29</sup> Hence, the traditional view that the courts should hold themselves aloof from the public, and simply let their proceedings and judgments speak for themselves, needs refinement and updating for today's world.<sup>30</sup> I suggest that judiciaries should develop effective

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<sup>26</sup> See the Supreme Court of the Republic of Singapore, Registrar's Circular No. 1 of 2024, "Guide on the Use of Generative Artificial Intelligence Tools by Court Users" (23 September 2024), which came into effect on 1 October 2024.

<sup>27</sup> For instance, OpenAI recently launched a new series of AI models that it claims are capable of 'reasoning' through complex tasks and solving difficult problems in science, coding and mathematics: see Katie Paul and Anna Tong, "OpenAI launches new series of AI models with 'reasoning' abilities", *Reuters* (13 September 2024): <https://www.reuters.com/technology/artificial-intelligence/openai-launches-new-series-ai-models-solve-hard-problems-2024-09-12>; and Madhumita Murgia, "OpenAI launches AI models it says are capable of reasoning", *Financial Times* (13 September 2024): <https://www.ft.com/content/af6b293c-113d-4aac-b9d8-d4f65596f645>.

<sup>28</sup> See *The King v Sussex Justices, ex p McCarthy* [1924] 1 KB 256 at 259.

<sup>29</sup> See *Scott v Scott* [1913] AC 417 at 463 (the public trial offers the "best security for the pure, impartial and efficient administration of justice [and] the best means for winning it public confidence and respect"). See also Role of the Judiciary in a Changing World at para 41, citing Richard L Fruin, "Judicial Outreach in the Twenty-First Century: The Reasons Why" (2009) 48(2) *Judges' Journal* 27 at 27 and Stephan Grimmelikhuisen and Albert Klijn, "The Effects of Judicial Transparency on Public Trust: Evidence from a Field Experiment" (2015) 93(4) *Public Administration* 995.

<sup>30</sup> See Role of the Judiciary in a Changing World at paras 29–30.

strategies for *public communications and outreach*, and promote public understanding of the work of the courts.<sup>31</sup> This includes raising awareness of how the courts generally approach the task of deciding cases, as well as an appreciation of the limits of what the courts can do, especially in cases that involve socially polarising issues.<sup>32</sup>

23. To this end, our Supreme Court publishes summaries of significant judgments on its website<sup>33</sup> and social media channels, including the Singapore Judiciary’s official WhatsApp channel. We have also sought proactively to engage with a wider audience through a series of “Conversations with the Community”, where our judges led sessions exploring specific aspects of our work, ranging from family justice<sup>34</sup> to environmental law and climate change litigation.<sup>35</sup>

24. Efforts like these foster a deeper understanding of *what* the courts do, which provides a foundation on which trust in our processes can be built and sustained. They also help to dispel myths and correct misconceptions, and can thus be powerful tools for combating disinformation. But of course, effective

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<sup>31</sup> See Justice Steven Chong, “The Importance of Developing an Effective Public Communications and Outreach Strategy for Courts and What This Might Consist of”, speech at the Asia Pacific Judicial Colloquium 2023 (27 March 2023) (“**APJC Speech**”) at paras 4–5 and 18–30.

<sup>32</sup> See Role of the Courts at paras 38 and 44 and the APJC Speech at para 5 and 13.

<sup>33</sup> Accessible at <https://www.judiciary.gov.sg/judgments/judgments-case-summaries>. These are useful in helping the internet-savvy public to quickly gain an accurate understanding of the case at hand, and also facilitate the media’s efforts to accurately report judicial decisions under time pressure: see the APJC Speech at para 38.

<sup>34</sup> See Justice Debbie Ong, “Therapeutic Justice – A Fresh Approach to Family Justice” (16 November 2023).

<sup>35</sup> See Justice Philip Jeyaretnam, “Advancing the Environmental Rule of Law – Roles and Responsibilities of the Community” (26 July 2024).

communication is never a one-way exercise, of delivering *our* messages to the public; instead, it requires a two-way *dialogue* or *conversation*. We should therefore also be listening actively to the feedback and concerns of our users,<sup>36</sup> as we consider how our processes might be further refined and improved.

## **V. Trust in our systems – efficiency, effectiveness and inclusivity**

25. I turn to the third and final aspect of trust in the judiciary that I want to touch on today, and that is trust in our *systems*. I suggest that this requires us to pursue several key priorities: first, efficiency and effectiveness, which I will deal with together; and second, inclusivity.

### **A. Efficiency and effectiveness**

26. Beginning with efficiency and effectiveness, the public should be able to conduct its affairs with the confidence that the court system will provide a robust mechanism for the timely and orderly resolution of any legal disputes that they may become embroiled in. This is particularly important, perhaps, for commercial parties, who look to an efficient and effective court system to provide stability and predictability in their dealings through the assurance that any failure to comply with one's legal obligations will be met by the swift and robust response of the law.<sup>37</sup>

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<sup>36</sup> See *After the Fall of Babel* at para 32.

<sup>37</sup> See *Speech to the Brunei Judiciary* at para 4.

27. Maintaining our efficiency and effectiveness in an increasingly fast-paced world is an ongoing effort that requires our judiciaries actively to consider how we can streamline and improve our systems in new and innovative ways. Just as an example, we recently launched the “Express Track” scheme in our High Court, to facilitate the more expeditious and effective resolution of certain civil matters that are capable of being resolved within four days of trial.<sup>38</sup> And while the efficiency and effectiveness of our courts depends in large part on the industry and diligence of our judges and judicial officers, the work and perspectives of our court administrators are instrumental in keeping our processes running smoothly, and in identifying areas for refinement.<sup>39</sup> For instance, our court administrators help maintain a system-wide view of our timeliness in disposing of cases and our compliance with case management targets for different types of proceedings, and they often spearhead the adoption of new technologies to advance these goals.<sup>40</sup> We should therefore encourage a culture of innovation at all levels of our judiciaries, and equip judges and administrators alike with the skills and resolve to continually pursue enhancement and reform.<sup>41</sup>

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<sup>38</sup> See Order 46A of the Rules of Court 2021; SG Courts, “Introduction of Express Track in the General Division of the High Court” (27 June 2024): <https://www.judiciary.gov.sg/news-and-resources/news/news-details/introduction-of-express-track-in-the-general-division-of-the-high-court>; and Speech to the Brunei Judiciary at para 13.

<sup>39</sup> See Speech to the Rwanda Judiciary at para 30 and Securing Trust at para 16.

<sup>40</sup> See the Singapore Courts Annual Report 2023 at pp 31–34.

<sup>41</sup> See Securing Trust at paras 2, 6, 20–22 and 24 and the CCA Address.



## **B. Inklusivity**

28. The public should also trust that our judiciaries operate a system for the administration of justice that upholds the precept that *all are equal before the law*. One aspect of this is the need to ensure that judicial systems operate independently and impartially, and do not produce outcomes based on judicial bias against or in favour of any social groups, political affiliations, or personal agendas. Even the perception of this would be deeply damaging to trust in any judiciary.

29. But another aspect of the idea that all are equal before the law involves ensuring that court systems are *accessible* to all whom they are meant to serve. I will refer to this as the need for *inclusivity*, and this is a critical component of our work in discharging the systemic role of our judiciaries in administering a system that *delivers* justice for all. If we are to safeguard public trust in our justice systems, we must ensure that they do not come to be perceived as the preserve of a privileged few, beyond the reach of ordinary people.<sup>42</sup> And the need to address this concern has become particularly pressing in recent times because of rising socio-economic inequality in many parts of the world, which is said to have created diverging “trust realities” for those in the top and bottom quartiles of income.<sup>43</sup>

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<sup>42</sup> See Role of the Judiciary in a Changing World at para 19 and Role of the Courts at para 3.

<sup>43</sup> See the 2023 Edelman Trust Barometer: “Navigating a Polarized World – Global Report” (18 January 2023) at pp 4 and 12: <https://edl.mn/3X0QXQE>.

30. This is why *access to justice* should be a key priority for judiciaries today seeking to secure trust. In the “new normal” that our courts are operating in, a significant component of actual and potential court users are self-represented persons.<sup>44</sup> We must ensure that, as far as possible, these would-be litigants are not shut out of our justice systems on account of the resource or legal literacy gaps that may stand in their way. Access to justice must therefore be understood as an essential dimension of our efforts to achieve *judicial excellence*. Even the best justice system, with the best people and resources, would be absolutely worthless if it were inaccessible to those who need to turn to the courts to resolve their legal problems,<sup>45</sup> or if those who do try to seek recourse through the courts are not given a fair chance to have their voices heard. But the reality facing the world today is that there *is* an access to justice crisis.

31. With this in mind, the Singapore Courts have made significant efforts to provide legal information and practical assistance to help self-represented persons navigate our justice system.<sup>46</sup> These efforts have included exploring the potential of technology to improve the accessibility of our systems and processes.<sup>47</sup> For instance, our Office of Transformation and Innovation is collaborating with Harvey, the AI start-up behind the eponymous tool, and our goal is to assist self-represented persons in the Small Claims Tribunals with

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<sup>44</sup> See Reimagining the Rule of Law at para 24.

<sup>45</sup> See Role of the Courts at para 32.

<sup>46</sup> See Role of the Courts at paras 41–42.

<sup>47</sup> See Speech to the Brunei Judiciary at para 32 and Judicial Responsibility in the Age of AI at paras 25–31.

assembling their evidence, preparing their claims and submissions, and understanding the material put forward by the other party. We hope to formally launch this sometime next year, and as I mentioned to Professor Palma, we welcome you to come and see how it might help to address the access to justice needs of your society. And our Access to Justice (or “A2J”) Programme Office has been central in driving our judiciary’s transformation into an ever more outward-looking and user-centric institution. It has already completed 14 projects since it was established less than two years ago, and many more are in the pipeline. The A2J Programme Office has also brought together a Workgroup of volunteer officers from across our judiciary who have stepped forward to take on various projects on top of their other work commitments.<sup>48</sup> This is perhaps the best demonstration of their commitment to the mission to secure justice, and an excellent example of how all of us – judicial officers and court administrators alike – can contribute directly to the work of our judiciaries in advancing access to justice.

## **VI. Conclusion**

32. I close by returning to the point with which I began. Trust in our judiciaries is not only built on the courts’ adjudicative work in individual cases, but it increasingly rests on our ability to discharge our broader systemic role, which is assuming ever greater importance. This mission involves *all parts* and *all levels*

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<sup>48</sup> See Sundaresh Menon CJ, speech at the inaugural Access to Justice Day (2 October 2024) at paras 7 and 9.

of a modern judiciary. From judicial education and judicial policy, to communications and outreach, to technology and innovation, to access to justice – to name just a few of the areas I have touched on – court administrators and court administration are an indispensable part of our people, processes and systems for administering and delivering justice.

33. Pursuing this mission will no doubt require a substantial investment of time and resources. But it is an immensely worthwhile endeavour, not only because it enables our judiciaries to better discharge their twin roles, but also because it contributes to securing the central and trusted *place* of our judiciaries in societies founded on the rule of law. While the terrain around us may not be easy to navigate, we become stronger with the benefit of one another's experiences, perspectives and insights.

34. I am therefore delighted to welcome so many of you who have joined us from so many countries. I was told just before we started that we have representatives from 53 countries here today, and that is fabulous. I wish you all a fulfilling Conference in the coming days, as we discuss these important issues and strive together to achieve and maintain judicial excellence in this challenging world.

35. Thank you so very much.