

Feedback by a Group of Small Professional Practices
Re: Public Consultation on Recommendations from
Committee to Review and Enhance Reforms in Family Justice System (“the Committee”)

Preamble

1. We are a group of small professional practices¹ that are: (a) members of a ‘best-friends’ network of law practices, accountants, private investigators and counsellors known as PracticeForte Advisory and (b) members of SAL FLIP. The Family Law Practitioners in this group comprise of lawyers in all categories of seniority ranging from less than 1 PQE to 32 PQE. We also have amongst us, Parenting Coordinators, Child Representatives, Family Mediators, Financial Counsellors, Social Workers and Family Counsellors and Therapists.
2. We welcome the opportunity to give feedback on the Recommendations by the Committee.
3. Broadly, we share the following 3 aspirations with the Committee:
 - a. The aims of giving access to quality legal advice and services.
 - b. A wholehearted support of the peace approach advocated and advanced in many of the proposed initiatives. Importantly, to minimise litigation or prolong proceedings.
 - c. The resonance, as a network of multi-disciplinary professionals, *“that a robust multi-disciplinary, cross functional approach is required to help parties address and work through their issues holistically”*.
4. On measures to enhance its efficiency and simplify family justice procedures while ensuring fairness and justice to all parties, we caution that speed and convenience should not supplant the preserving of parties’ rights or proper and adequate advice.
5. Finally, much of the reform proposals are understandably, not completely drilled down. It is thus very difficult to foresee all ‘on-the-ground’ consequences of the proposals. Rather than a one-time transformational change, we believe that incremental changes or pilot programmes would be better ways forward. This will also give rise to better certainty in Singapore’s family justice process and give confidence to the Family Justice System.

¹ The names of the professional practices and individuals are listed in Annex A.

ANNEX A : Groups of professionals involved from PracticeForte Advisory

- **Family Law Practitioners**
 - Susan Tay, OTP Law Corporation
 - Ong Ying Ping, Ong Ying Ping Esquire
 - Rajan Chettiar, Rajan Chettiar LLC
 - Amy Lim, Amy Lim Law Corporation
 - Dharma Jayaram, Dharma Law Corporation
 - Isabel Chew-Lau, OTP Law Corporation
 - Cheryl Lim, OTP Law Corporation
 - Emelia Kwa OTP Law Corporation
 - Kenneth Chua, Ong Ying Ping Esquire
- **Counsellors/ Social Worker/ Therapist**
 - Lai Mun Loon, Amicus Consulting
- **Forensic Accountants / Financial Counsellors**
 - Wan Yew Fai, Strix Strategies Pte Ltd
 - Shirley Tay, 10.10 Consultants Pte Ltd
 - Edward Ta, Strix Strategies Pte Ltd
- **Mediators**
 - Rajan Chettiar, Rajan Chettiar LLC
 - Dr. Peter Loke, Resolvers Pte Ltd
 - Lai Mun Loon, Amicus Consulting
 - Amy Lim, Amy Lim Law Corporation
 - Dharma Jayaram, Dharma Law Corporation
 - Susan Tay, OTP Law Corporation
- **Legal Professionals**
 - Lim Seng Siew, OTP Law Corporation
 - Sabrina Cazorla Reverre, Registered Foreign Lawyer, Rajan Chettiar LLC
- **Parenting Coordinators**
 - Susan Tay, OTP Law Corporation
 - Dharma Jayaram, Dharma Law Corporation
- **Child Representative**
 - Rajan Chettiar, Rajan Chettiar LLC

Comments from Family Law Practitioners/ Legal Professionals on Broad Reforms

Regarding the changes to the Mandatory Parenting Programme (“MPP”):

- It is unclear what this new programme will entail.
- Suggestions would be that it must cover
 - basic legal information on divorce, child custody, child maintenance and division of matrimonial assets
 - detailed information on dealing with the HDB flat during divorce, the different options and implications, future housing needs of the spouse who does not have housing accommodation and how to go about securing such accommodation. This is vital and ought to be provided to the couple.
 - The CPF rules and regulations which affect couples during the sale, transfer and part-sale should also be explained to the couple during the MPP.

Regarding the Judge-led Approach:

- Though initiated in 2014, the scope of the Judge-led approach is not clearly defined in the statute (e.g. Family Justice Act) or subsidiary legislation (e.g. Family Justice Rules). To be effective, the Judge-led approach must be clearly defined and the powers of the Judge in this approach must be expressly set out in the FJR for proper exercise of such an approach. In this way, it will also be clear how the Judge-led approach is enhanced after 2014.

Regarding Child Access Orders:

- Judges have been empowered but do not really exercise their powers sufficiently. It is commonly observed that mothers tend to alienate fathers. If committal is too draconian, social support agencies should be empowered by judges to take temporary custody, care and control of children caught in the tug of war. Both parents have to seek access from the social welfare agency and in the process, learn to share custody, care and control to the agency’s satisfaction. These can be reflected in confidential reports to the court.

Regarding Pre-Court Mediation:

- The success of this scheme depends in the manner in which it is implemented. There must be convenient access to the mediators especially private mediators who can devote the time to take parties through a mediation process. Public funding for this scheme should be considered for qualified parties so that the costs of the mediation is not prohibitive to couples.

Regarding Committal:

- Judges have been empowered but do not exercise their powers sufficiently. Commonly observed that mothers tend to alienate fathers. If committal is too draconian, social support agencies may be empowered by judges to take temporary custody, care and control of children caught in the tug of war - both parents have to seek access from the social welfare agency. In the process, they will learn to share custody, care and control to the agency's satisfaction. These can be reflected in confidential reports to the court.

Regarding Personal Protection Order Summons

- Filing for personal protection is often a pre-cursor to divorce. The current alternative dispute resolution model is counselling conducted by the Family Court Specialists. Mediation could be a useful tool for effective disposal of applications when the alleged acts is one off or if there is no imminent danger.

Regarding the Appointment of Family Court Judges

- Family judicial system is different from other civil proceedings. Family Court Judges are required to display suitable temperament and possess the appropriate demeanour in handling individuals with high conflict and emotions. Thus, the appointment of family court judges must be done carefully with this in mind. Special training should be undergone before appointment.

Regarding Deputyship:

- It is risky to speed up the ease and process at which users can become deputies because
 - most deputies have no idea of the onerous duties and responsibilities involved;
 - the potential conflict between family members in this matter
 - vulnerable parties e.g. adults with special needs and aged with dementia

Regarding Accreditation and Certification before Family Lawyers can appear in court:

- Accreditation and certification should not be a bar to appearing in court because
 - Many junior lawyers who have yet to decide on their areas of focus assist the senior family lawyer by attending to summonses and hearing without supervision;
 - On appeal, there are common law issues e.g, issues like domicile, which are not specific to Family Law and can be argued by lawyers not trained in Family Law.
 - Probate or letters of administration is now under FJC's jurisdiction and there are lawyers practising in estate matters who are not family lawyers

Specific Comments

Recommendation	Comment
RECOMMENDATION 1: Strengthening pre-filing intervention for positive family outcomes	
<p><u>Recommendation 1.1</u></p> <p>To enhance the MPP to strengthen the focus on co-parenting, and enhance access to personalized information that indicate impact on the children post-divorce</p>	<p><u>Feedback from Family Law Practitioners:</u></p> <ul style="list-style-type: none"> a) Agree with the general focus of strengthening focus on children’s welfare in respect of co-parenting. b) There should also be encouragement to seek professional help such as counselling as parties are not always the best judge of issues like child/ personal safety. Risky cases should be flagged out and parties told that their situations are precarious (e.g. where domestic violence or psychotic issues involved) and that they should contact a helpline immediately. c) Several questions/ problems on how increased access to personalised financial information will work: <ul style="list-style-type: none"> a. Unclear if these self-help functions are also meant to be mandatory fields to be filled up before filing for divorce. b. Litigants-in-person may not know how to fill in certain information fields e.g. which assets should fall under “matrimonial assets”, or assets involving third parties, c. Parties may not be forthcoming if they think it may affect their standing in divorce. d. Parties may treat the information as weapons against the other

party.

- e. Users may also not know their rights in family law, which may render these assessments less useful
 - f. Counsellors may not be qualified in helping parties make the assessment, especially if they are not well-versed in the law. Will legally-trained persons be involved at the MPP stage?
 - g. More clarity needed on how it would work since MPP is currently initiated by one party, with only one person attending. How would the other party be brought in at the pre-filing stage?
 - h. These calculators may also not be able to quantify indirect contributions or parties' conduct, their absence and/or participation in the family or the marriage.
- d) Financial information should not be disclosed unless it's reciprocal, and both parties must be encouraged to be forthcoming.
 - e) Financial information should be restricted to income per Income Tax Returns, CPF, agreed valuation of HDB matrimonial home . This is since too much disclosure may otherwise happen at this pre-action juncture.
 - f) May be useful if HDB-related queries can be sieved out and directed to HDB personnel as they would be better placed to answer them, as opposed to lawyers.

Feedback from Accountants/ Financial Counsellors

- a) The idea of a calculator is good in theory, but may create difficulties for users who are unfamiliar with the meaning and use of the data involved.

	<p>Some people are also not good with numbers and this may lead to unclear data.</p> <p>b) May also prejudice parties later in proceedings, especially if what is indicated in the AOM is different from what was said in this session. Parties may not be able to identify what assets should be included, especially in the case of pre-marriage assets or inheritance or gifts, and how they are to be valued.</p> <p><u>Feedback from Counsellors</u></p> <p>a) The calculator will be more helpful for parties who cannot afford legal advice, also because their asset pool will be simpler.</p>
<p><u>Recommendation 1.2</u></p> <p>To facilitate pre-action counselling for a couple's emotional needs to be better addressed from the outset, with a view also to marital recovery where possible</p>	<p><u>Feedback from Counsellors</u></p> <p>a) This recommendation presupposes that lawyers act as gatekeepers to family relations- why counselling only when you are seeking divorce? Instead, the focus should be on building community infrastructure and encouraging couples to go for counselling way before seeking a divorce.</p> <p>b) The purpose of such counselling should also be made clear: is it to help couples work through their grief/anger/denial that the marriage is over and then to work out relationship post divorce? Or to help them reconcile?</p> <p>c) The focus on such counselling should not just be on co-parenting, but in helping parties cope with the end of their relationship. The emotional needs of parties need to be better addressed as they come to the end of their relationship before they can think about how to be better co-parents. The acrimony surrounding divorce would be greatly reduced this way as well.</p>

- d) To be effective, such counselling would typically require 5-8 sessions that can be spread out over a period of time.

Feedback from Family Law Practitioners:

- a) Is this recommendation going to work similarly to how counselling sessions are used in the Syariah Courts, such that counselling is a mandatory attempt to get parties to reconcile?
- b) If reconciliation is one of the objectives, it may not be good to pair it with the MPP or divorce framework. This is since most parties at the MPP stage would have made their minds up about divorce.
- c) Reconciliation counselling should come way before divorce. Will be helpful to create another environment just for resolving marriage disputes so that parties would be in a more appropriate mindset to reconcile.
- d) Private counselling should be encouraged to prevent DSSA free counsellors from being taxed. Once the public understands the need and importance of counselling, more quality counsellors will be willing to enter the profession and facilitate these solutions.

Feedback from Family Mediators

- a) It is also unclear how many mandatory sessions are prescribed before the filing process. The idea that increasingly, couples will attempt ADR prior to filing for the divorce does not necessarily reflect reality: one spouse will usually desire divorce more than the other, and this will make the ADR process more complicated.

	<p>b) In general, having counsellors facilitate ADR settlement may not be best as parties may not know their legal rights.</p> <p><u>Feedback from Accountants / Financial Counsellors</u></p> <p>a) If counselling is meant to be compulsory, the onus on whether to continue with the counselling after the first session should be on the couple. It should not be imposed on them to continue.</p>
<p><u>Recommendation 1.3</u></p> <p>To encourage the take up of mediation services at the pre-action stage and facilitate earlier resolution of family disputes</p>	<p><u>Feedback from Family Law Practitioners / Family Mediators</u></p> <p>a) Recommendation is agreed with, but mediators should include those from other Family focused mediation practices/ organisations eg Law Society Family Mediation Scheme and not just those at SMC.</p> <p>b) It should also be made clear whether this mediation will happen without lawyers. Direct confrontation between parties in an emotionally charged proceedings with the absence of mediation advocates should not be encouraged as parties may not understand what is happening. Mediation advocates should be encouraged to participate so that parties attend mediation with the benefit of assistance, protection and legal advice.</p> <p>c) Alternatively, parties should be encouraged to seek collaborative family practice professionals or multi-disciplinary professionals advocating peace approaches toward resolving disputes including not just lawyers but counsellors/mental health professionals and financial counsellors.</p> <p>d) In fact, instead of just mediation, the peace approach could be used instead.</p> <p>e) Importantly, the lines between “encouragement” and “mandatory” should be made clear. Parties should be encouraged to use mediation but it</p>

	<p>should not be made mandatory.</p> <p>f) Different mediation structure and processes can affect parties' perception of the effectiveness of mediation. E.g. mandatory mediation in Family Justice Courts vs voluntary private mediation.</p> <p>g) Would be helpful if the charges for low-income groups can be clarified as well.</p> <p><u>Feedback from Counsellors</u></p> <p>a) May be worth teaching collaborative family practice in schools as part of their syllabus. For foreign law students, they could be taught this during Part A/ Part B.</p> <p>b) It is also important to teach disputants that their children's interests are at the core of mediation.</p> <p>c) Encouraging mediation in such situations is not a silver bullet to resolving disputes. Mediation needs more groundwork to be laid out before the public is ready to mediate. Mindsets have to be changed, and the public educated on the process of mediation, as well as the importance of conciliatory settlement.</p>
<p><u>Recommendation 1.4:</u></p> <p>To develop a consolidated online platform that offers pre-filing services, including online counselling, with relevant information that enable couples to pause and reflect, contemplate the impact of divorce on their children, as well as to be referred to</p>	<p><u>On online counselling</u></p> <p><u>Feedback from Family Law Practitioners</u></p> <p>a) This recommendation raises a few questions:</p> <ol style="list-style-type: none"> a. How does this online platform look like? How do we use it? Skype/type? Call? b. What does it entail?

<p>appropriate support services offline.</p>	<ul style="list-style-type: none"> c. Who provide these services? d. Exactly what is the support service? e. How will these supporting agencies be selected? f. Would it be compulsory for pre-filing services? g. Would legal advice be available at this stage? h. Should lawyers also be able to give online sessions? <ul style="list-style-type: none"> b) If it functions just like a checklist or is run by a bot, then would be rather pointless. c) If there is also only one session, then it would be difficult to achieve anything substantive. d) If it is mandatory, it may also be possible to “game” the online platform, in the sense that parties simply go through the motion without actually reflecting or achieving the objectives of the platform. <p><u>Feedback from Counsellors</u></p> <ul style="list-style-type: none"> a) Online counselling is risky because you don’t know who you’re talking to - whether they’re trained or qualified or not.
<p>RECOMMENDATION 2: Simplifying the Family Justice Rules</p>	
<p><u>Recommendation 2.1</u></p> <p>To enhance the accessibility of the Family Justice Rules for users</p>	<p><u>Feedback from Family Law Practitioners / Legal Professionals/ Accountants</u></p> <ul style="list-style-type: none"> a) Agree that application process and the FJR should be simplified. Having a roadmap is also a good idea, but it cannot be a rigid one. b) It is suggested that probate matters should be treated outside Family

	<p>Justice Courts as quite a lot of probate cases deal with bequests to non-family members such as charities. Probate should thus be a civil matter and dealt with in the civil courts.</p> <p>c) However, there is a danger of trivialising abuse/ over-simplification or misleading perception of the discovery process: one party may seek to withhold information of means and assets, abusive behaviour, etc. Respect for the system of adjudication may be eroded.</p>
<p><u>Recommendation 2.2:</u></p> <p>To streamline court processes to achieve greater efficiency</p>	<p><u>Feedback from Family Law Practitioners</u></p> <p>a) Agree that the discovery/ interrogatories process can be further simplified. However, justice should not be compromised for efficiency.</p> <p>b) Already, the huge discrepancies between the limits for debt claims for High Court jurisdiction (S\$250,000) and matrimonial pool (S\$5m) is too wide. Procedures for discovery must be aligned with that of the High Court as there should not be a different standard for dealing with assets between couples and that for claims between contractual parties.</p> <p>c) On the topic of judge-led discovery: Guidelines should be given on how discretion should be exercised. There should also be clarifications on whether disclosure by affidavit is required.</p> <p>d) If that is in place, some practitioners also expressed preference for greater roles for judge-led discovery processes.</p> <p>e) At present, there are too many documents required for instituting divorce proceedings and this should be simplified. For example, the writ of summons, statement of claim and statement of particulars can be combined into one. The current Proposed Parenting Plan and the Proposed Matrimonial Property Plan are never referred to during proceedings and thus redundant.</p>

	<p>f) Simplifying forms will involve redesigning terms/ nomenclature to simplify the words used to minimise difficulty faced by users. For example, the term “ancillary issues” would have to be explained or the term changed.</p> <p><u>Feedback from Accountants</u></p> <p>a) Simplification of the discovery process will play to the advantage of the party with more assets.</p> <p><u>Feedback from Counsellors</u></p> <p>a) Should simplify the process only for couples below a certain amount of matrimonial assets.</p>
<p>RECOMMENDATION 3: ENHANCING THE JUDGE-LED APPROACH</p>	
<p><u>Recommendation 3.1:</u></p> <p>To disallow the filing of further applications unless leave is first obtained</p>	<p><u>Feedback from Family Law Practitioners</u></p> <p>a) Difficult for a judge to decide whether to allow for filing if the judge isn’t docketed. Only judges who are docketed who know the facts better can be in a position to decide. Judges also don’t have the benefit of parties’ affidavits to decide and only hear from lawyers.</p> <p>b) Case conferences at times may also become intense as both parties will want to advance their case on why certain applications should/ can be filed.</p> <p>c) Instead, this (i.e. disallowing filing unless leave is granted) should be restricted to a limited number of scenarios to ensure that parties’ rights to bring applications are not curtailed.</p>

	<p>d) Can consider using stronger costs measures or the ability to strike out to penalise superfluous applications.</p>
<p><u>Recommendation 3.2:</u></p> <p>To allow for hearings without physical attendance to facilitate expeditious and economical disposal of applications</p>	<p><u>Feedback from Family Law Practitioners</u></p> <p>a) Agree, but parties should also be given the option to request for audience. The default position can also be made clear.</p>
<p><u>Recommendation 3.3:</u></p> <p>To allow the courts to make substantive orders on its own motion</p>	<p><u>Feedback from Family Law Practitioners</u></p> <p>a) Court's discretion must be exercised with caution and only under certain circumstances and strictly with an appeal mechanism for all such orders</p> <p>b) The court should also be slow to exercise their discretion where there is no party asking for substantive orders.</p>
<p><u>Recommendation 3.4:</u></p> <p>To make it clear that judicial interviewing of children is part of the judge-led approach</p>	<p><u>Feedback from Counsellors</u></p> <p>a) Child Representatives should be sufficient. The purpose behind having Child Representatives is to prevent children from going to court. Should think about strengthening the process and system for Child Representatives instead of increasingly turning to judicial interviews.</p> <p>b) Ways to enhance the Child Representative system include better training and pairing the Child Representative with a lawyer or counsellor so there's a multi-disciplinary team that can provide a more credible report. Court should also examine the Child Representative's report in accordance with rules of evidence, including allowing the Child Representative to be examined and cross examined so as to test the evidence provided.</p>

	<p>c) Also difficult to determine when exactly are children of sufficient maturity to be interviewed. Who will make such a determination? Will this require expert's advice? This only exposes the child unnecessarily to all the issues this raises.</p> <p><u>Feedback from Family Law Practitioners</u></p> <p>a) Interviewing children directly should be a last stop after making use of Child Representatives. Even where children are interviewed directly, there should be at least a minimum age set.</p> <p>b) It would also be helpful to have clarification on what difference this would make from the existing powers in the existing rules. Notably, even though this rule is currently available as it is, many judges are not willing to exercise this discretion.</p> <p><u>Feedback from Family Mediators</u></p> <p>a) Mediators are trained to work with another specialist mediator if we want to introduce the voice of the child into the mediation. This specialist mediator is trained in using "maturity" appropriate language / manner to effectively communicate with the child. It is also important that a different mediator from the mediator mediating between the parties is used for the child in order to avoid influence and bias that will taint your understanding of the child's voice.</p>
<p><u>Recommendation 3.5:</u></p> <p>To empower the courts to restrict cross-examination where:</p> <p>a. A party is facing criminal proceedings or has been convicted of any offence</p>	<p><u>Feedback from Family Law Practitioners</u></p> <p>a) Practice directions can be issued to clarify judge's power.</p> <p>b) It may not be advisable to extend this to <u>all</u> PPO proceedings.</p>

<p>involving violence perpetrated against the other party; or</p> <p>b. Where a party has obtained a personal protection order against the other party</p>	
<p>RECOMMENDATION 4: Simplifying enforcement of child access orders</p>	
<p><u>Recommendation 4.1:</u></p> <p>To provide for a simpler mode of commencing enforcement proceedings where a child access order has been breached</p>	<p><u>Feedback from Family Law Practitioners</u></p> <ul style="list-style-type: none"> a) Instead of committal, parties could be sent to compulsory parenting schools, which is already happening in other countries. b) Committal may also backfire and make parties even more resistant to facilitate access with each other after committal. c) Watching a parent go to jail may alienate the child from the other parent, the one whom the child feels is responsible for sending the parent to jail d) Another proposal is that the child can be handed over to social service agencies like Child Protection for temporary care in extreme cases and both parents will have to gain access through the agency. This may help “force” more co-operative parenting. On top of compulsory parenting school. And they must PASS the training. e) On the lawyer’s part, they can warn their client of the consequences of disobeying court orders. <p><u>Feedback from Parenting Coordinators</u></p> <ul style="list-style-type: none"> a) Appointment of a parenting coordinator should be adopted early and a “first pass” before any enforcement proceedings are required

	<p>b) It is thus important for the PC to have more influence on the court's decision to reverse care or access orders for parents who block access</p> <p><u>Feedback from Counsellors</u></p> <p>a) Counselling in such situations would not be the answer. It will take a lot of education to teach parents to change their mindsets regarding blocking access and to reinforce that the outcomes of access will be beneficial.</p>
<p><u>Recommendation 4.2:</u></p> <p>To empower courts with a slew of measures which will encourage compliance with child access orders</p>	<p><u>Feedback from Parenting Coordinators</u></p> <p>a) Better use should be made of parenting coordinators ("PC") by imposing the requirement of a PC between high conflict parents</p> <p>b) Parenting Coordinators should be given more teeth when it comes to making sure parties observe the orders without the parties' skewed interpretations of the orders</p> <p>c) In order to encourage parties to try to work things out with the PC, there should be a moratorium against fresh summonses during the tenure of the PC. It is difficult to engage parties effectively when they are in litigation mode.</p> <p><u>Feedback from Family Law Practitioners</u></p> <p>a) Introducing a specific regime of compensation of time and expense is administratively unworkable.</p> <p>b) Performance bond, security and pledge can be considered, although less likely to be effective as compared to social agencies taking custody, care and control of children caught in the tussle between the divorcing parents. For performance bond, security and pledge, it should be explained who the</p>

	<p>bond monies will go to.</p> <p>c) Imprisonment is far too draconian.</p> <p>d) For counselling, children should be allowed to attend. There may also be a need to prepare for long term therapy.</p> <p>e) For co-mediation, it should be made clear if the judge-mediator will be making orders to ensure compliance.</p> <p>f) For compensation of time and expense, the child's schedule and time for them to adjust must also be taken into consideration.</p>
<p><u>Recommendation 4.3:</u></p> <p>For the courts to be empowered with the discretion to order either imprisonment or a fine for failure to comply with orders</p>	<p><u>Feedback from Family Law Practitioners</u></p> <p>a) Imprisonment is draconian for the reasons already explained above.</p>
<p>RECOMMENDATION 5: Facilitating accessibility of legal process through low bono legal assistance</p>	
<p><u>Recommendation 5.1</u></p> <p>For the Law Society or Law Society Pro Bono Services to make more affordable legal services available to certain litigants</p>	<p><u>Feedback from Family Law Practitioners</u></p> <p>a) There are already quite a few of these schemes e.g. legal aid, law society pro bono services with Project LEAF, primary justice panel, community justice , NGOs like AWARE offering free legal counselling services, PAVE etc etc.</p> <p>b) Worth noting that legal aid schemes may be abused by parties. For example, legally aided parties may be more litigious as they are not paying (if at all) for their legal advice and feel that they have “nothing to</p>

	<p>lose”.</p> <ul style="list-style-type: none"> c) What may help would be to teach mediation in schools as a method of resolving disputes. This may encourage children to view mediation as a legitimate form of resolving disputes, even if their parents do not. d) “Pro bono” hopping (from 1 pro bono lawyer to the next) is common amongst certain group of trailing wives. e) “Sandwich class” should also be defined.
<p>RECOMMENDATION 6: Enhancing the mental capacity ecosystem</p>	
<p><u>Recommendation 6.1</u></p> <p>For more appointed and prospective deputies to undergo training conducted by the Office of the Public Guardian</p>	<p><u>Feedback from Family Law Practitioners</u></p> <ul style="list-style-type: none"> a) Agree b) Training should be affordable c) Should consider it as pre-requisite to appointment for financial of assets exceeding a certain amount
<p><u>Recommendation 6.2</u></p> <p>To facilitate the use of counselling and mediation for dispute resolution and caregiver support</p>	<p><u>Feedback from Family Law Practitioners</u></p> <ul style="list-style-type: none"> a) Unclear how accessible such counselling is to applicants. Have also heard comments from judicial officers which suggests a negative perception of applicants

<p><u>Recommendation 6.3</u></p> <p>To build a more robust process for supervision of deputies</p>	
<p><u>Recommendation 6.4</u></p> <p>To simplify the court application process</p>	
<p>RECOMMENDATION 7: Building social sector capabilities</p>	
<p><u>Recommendation 7.1</u></p> <p>To expand and build up capabilities in divorce support and mental capacity matters</p>	<p><u>Feedback from Family Law Practitioners</u></p> <ul style="list-style-type: none"> a) Agree with continuing education and deepening of counselling skills, Critical b) Family lawyers should also be encouraged to learn from other disciplines by attending similar courses and vice versa c) Reports from counsellors and other disciplines should be subject to stricter scrutiny so that standards can improve d) For mediation, the current mediators in the Family Justice Courts should be subject to a regular evaluation process. e) It should also be explained where the pool of counsellors being relied on is from. f) Expectations of free or cheap counselling services will not provide an ecosystem encouraging quality or trained counsellors

	<p><u>Feedback from Counsellors</u></p> <p>a) Not a secret that there is a shortage of trained counsellors as opposed to demand for free counselling</p>
<p>RECOMMENDATION 8: Accreditation of family law practitioners</p>	
<p><u>Recommendation 8.1</u></p> <p>For a Family Lawyer Certification and Accreditation Scheme to be conceptualised and implemented</p>	<p><u>Feedback from Family Law Practitioners</u></p> <p>a) It can be made clear if the certification/ accreditation is tagged to the individual lawyer or to their firm.</p> <p>b) There should be sufficient public consultation as regards the accepted skillsets and levels of competency. Clients' viewpoint of what it takes to be a good family lawyer must be considered.</p> <p>c) It requires consultation from the family bar instead of it being a top down initiative.</p> <p>d) Family lawyers travel abroad for training with experts or for courses not commonly found in Singapore. Some of the trainers or experts later travel to Singapore to train local lawyers. Recognition of credible training must be had when according skills set acquired for accreditation.</p> <p>e) Accreditation exercise should not become another "expensive" exercise and a hurdle to practice</p>
<p><u>Recommendation 8.2</u></p>	<p><u>Feedback from Family Law Practitioners</u></p>

<p>For a Working Committee to be established to develop the details of the Family Lawyer Certification Scheme</p>	<ul style="list-style-type: none"> a) Proposed certification does not account for younger lawyers/ junior lawyers with PQE less than 5 years who wants to practise Family Law b) Market forces will also affect the number of family law practitioners involved. c) Must also not be unduly onerous given the mandatory CPD systems in place d) The persons involved in the working committee can be clarified.
<p><u>Recommendation 8.3</u></p> <p>For the Singapore Academy of Law (Specialist Accreditation Board) to develop the details of and implement the Family Specialist Accreditation Scheme</p>	<p><u>Feedback from Family Law Practitioners</u></p> <ul style="list-style-type: none"> a) Accreditation scheme may not be that feasible as it does not account for lawyers coming from mid-career changes or whose experience falls below 5 years. b) It also works as a form of gate-keeping in that it prevents persons from appearing before the courts if they are not accredited. This aspect should be removed as it will hinder those who are unsure of practicing family law in the long term or those who wish to give family law a try. c) Instead, having an accreditation scheme may be good but it should not be pegged to the number of years. The scheme should also not be prohibitively costly. d) May have to amend the LPA if “non-accredited” lawyers are barred from practising family law.

RECOMMENDATION 9: Training of judges	
<u>Recommendation 9.1</u> For the Family Justice Courts to develop a targeted and specialised curriculum for its Family Judges and ensure that there are sufficient resources available for training	
RECOMMENDATION 10: Systematic collection of data	
<u>Recommendation 10.1</u> For courts and government agencies to collect data to track the effectiveness of initiatives and programmes implemented	<u>Feedback from Family Law Practitioners</u> a) Disputants should be allowed to provide written feedback for the mediation sessions in Family Justice Courts and the State Courts the same way they can for private mediators in SMC or other institutions.