

Book Review

LAW AND PRACTICE OF TRIBUNALS IN SINGAPORE¹

Bala Reddy & Jill Tan eds

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1 In an article in 2004,² I provided a snapshot of certain statutory tribunals in Singapore and outlined the various mechanisms in place to ensure transparency, fairness and impartiality. My observation at that time was that, despite their advantages of speed, cost and efficiency, there were only a handful of significant tribunals in Singapore, and hence no critical mass for study, review or the creation of superstructures for uniformity in standards.

2 I am heartened to note that this has since changed. Tribunals have been steadily gaining traction as an avenue for the resolution of disputes.³ The State Courts (then known as the Subordinate Courts) created a new division, the Community Justice and Tribunals Division, to administer the three tribunals within it.⁴ As for the study of tribunals, turning to the topic of this review, we have the first local book on the law concerning tribunals, *Law and Practice of Tribunals in Singapore*,⁵ with editors and contributors from the State Courts.

3 This is a compact book intended to aid tribunal members hearing cases and those managing or in the process of creating a tribunal. Tribunals, as defined in the book, are bodies established by legislation to adjudicate upon a specific area, and which enjoy a degree of autonomy from government departments. The book explains three categories of tribunal as follows:

1 Academy Publishing, 2019.

2 Richard Magnus, "Transparent, Fair, Impartial: A Snapshot of Tribunals in Singapore" (2004) 84 *Australian Law Reform Commission Reform Journal* 33.

3 The last few years have seen the creation of the Employment Claims Tribunals and the Community Disputes Resolution Tribunals. More immediately, the Panel of Assessors for COVID-19 Temporary Relief was appointed this year.

4 The Small Claims Tribunals, Employment Claims Tribunals, and Community Disputes Resolution Tribunals.

5 Bala Reddy & Jill Tan eds (Academy Publishing, 2019).

- (a) administrative tribunals, which determine disputes between the Government and private persons or bodies under public law;
- (b) tribunals hearing civil claims between private parties which may be or have been commonly heard in the civil courts; and
- (c) tribunals involved in the regulation of the various professions, commonly termed “disciplinary tribunals”.

4 The book is organised in a logical fashion – theory in the beginning, followed by practice. Chapters 1 to 3 are more theoretical and academic, dealing with the nature of tribunals, the legal framework they operate in, and the requirements of natural justice that they must abide by. These chapters explain substantive issues in an accessible manner, with references to authorities for those minded to engage in a deeper consideration.

5 Chapters 4 to 7 deal with the entire hearing process (pre-hearing, hearings, decision-making and post-hearing) and are sure to become a harried tribunal member’s best friend. They address common issues that will come up in tribunal proceedings, ranging from the simple (but important) ones such as adjournments, to meatier ones such as the application of the rules of evidence, which tribunals typically are not strictly bound by.

6 Chapters 8, 9 and 10 address more general and often overlooked topics: communication, case management, and the standards of conduct expected of tribunal members. These explain best practices and will be a useful reference for tribunal managers in deciding matters of administration within a tribunal. Nevertheless, tribunal members should also make time to familiarise themselves with the contents of these chapters, as well as to understand the standards expected of them.

7 The book overall is a focused and concise read, in keeping with its aim of being a reference aid. The language used is simple and to the point, without being overly technical. There is, however, an impressive breadth and depth of material that the authors have managed to address within its pages. The most notable thing about this book is that the authors have distilled material from seemingly disparate areas of the law that would be most relevant to a tribunal member into a form that lends itself to quick and easy reference.

8 As we get closer to the critical mass of tribunals I was referring to in 2004, more and more often will a legal practitioner vexed with a substantive question in a tribunal case, for example, about the applicable

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legal rules relating to that tribunal's proceedings, find that the most appropriate outside comparator is another tribunal, instead of the courts. In this regard, aside from addressing common themes and issues faced by tribunals generally, this book will also facilitate comparison and reference among different tribunals – there is a list of 68 tribunals sorted by the three categories of tribunal⁶ compiled by the authors included at Appendix A of the book.

9 I want to commend Senior District Judge Bala Reddy for his contributions to this area of tribunal law when he headed the Community Justice and Tribunals Division of the State Courts. Senior District Judge Reddy is a jurist in his own right and has brought his careful thought to this book. His chosen team of six legal minds, including District Judge Jill Tan who is also the contributing editor, has ensured a high standard of scholarship for this book.

10 I highly recommend this book to tribunal members and anyone interested in the workings of tribunals. It should be on the shelves of everyone that conducts or has to take part in tribunal hearings as it will be a great assistance and companion in their tribunal work.

6 See para 3 above.