

PRACTITIONERS LIBRARY: FAMILY COURT PRACTICE [Butterworths Asia and the Subordinate Courts Singapore, 2000; xlvii + 551 pp (including index). Hardcover: S\$275].

THIS book is a logical progression in the heightened development of the family justice system occurring in Singapore in recent years. The Family Court was first established in March 1995 as one of the divisions in the Subordinate Courts of Singapore. It started out as a court handling cases relating to maintenance, family violence and adoption. In 1996, by the Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to the District Court) Order 1996, Section 110/96, jurisdiction to hear matters relating to guardianship, custody, nullity, divorce and ancillary matters was transferred from the High Court to the Family Court. The Women's Charter underwent extensive amendments in 1997, by virtue of the Women's Charter (Amendment) Act 1996 which came into operation on 1 May 1997. The establishment of a customized court set apart to dispense family justice and the employment of the processes of non-judicial adjudication, such as in-house mediation and counselling led in no small part to many refinements in the procedures in family practice. This book captures the essential aspects of the practice and procedures involved in the practice of family law. It brings users to date with the fast-paced developments since the late nineteen-nineties. Further, as the Family Court is a division of the Subordinate Courts of Singapore, the grounds of decision of cases heard by the Family Court District Judges were not reported and were, until recently when the Academy Digest Database included them, not accessible to lawyers. This book includes some of the more important subordinate court family cases.

The book is divided into three parts. Part A states the law and practice relating to the validity of marriages, property disputes between spouses, family violence, maintenance, guardianship, custody and adoption of children, and family matters involving Muslim parties. Part B states the law and practice relating to matrimonial proceedings, such as matters arising from a divorce, and the ancillary matters consequent on divorce. Part C contains a consolidation of forms and precedents relevant to the different aspects of family practice.

In Part A, the general structure used in each chapter is as follows. First, the statutory provisions relevant to the Chapter are stated. In the second section, the relevant procedures involved are given. In the third section, a concise statement of the law in that topic is set out. Here, extracts of judgments of instructive or illustrative cases are reproduced. The Subordinate Court decisions are also included in this brief survey of the law. This section is probably aimed at introducing or stating the current law on the topic. It does not give an academic analysis or critique of the law. This structure is used for most of the topics in Part A, with a slight variation in the chapters on Maintenance of Wife and Children During Marriage and Family Proceedings Involving Muslims Heard at the Family Court. The chapter

on Maintenance includes legislation on applications under the Maintenance Orders (Facilities for Enforcement) Act and the Maintenance Orders (Reciprocal Enforcement) Act. The chapter on proceedings involving Muslim parties inevitably focuses on the jurisdiction and procedural aspects of such proceedings rather than on substantive aspects of the law.

Part B begins with Chapter 8 which sets out the relevant provisions in matrimonial proceedings contained in the Women's Charter, Supreme Court of Judicature Act and the related Rules. Chapter 9 is devoted to explanations of the processes at the Family Court. It sets out the applicable rules, the divorce case process, the objectives and frameworks of the Parenting Plan and the Matrimonial Property Plan, the mediation and counselling processes as well as the programmes available for the safeguard of children's interests. The rest of the chapters in Part B follow a similar approach as that employed in Part A, which is to set out the procedures and law relating to the respective topics in the chapters. In contrast to the chapters in Part A where more is devoted to statutes and procedures, including the reproduction of extracts of the provisions, these chapters tend to be more focused on substantive aspects of the law, with brief references to statutes and procedures. This is presumably to avoid repetition of the lengthy reproductions of provisions in Chapter 8.

Part C contains a List of Appendices of forms and precedents including Complaint Forms for Protection and Maintenance orders, Precedents for Divorce Petition, Parenting Plan, Notices of Proceedings and various other useful precedents.

This book is helpful to a legal practitioner in his or her first years of family law practice. It forms a one-stop manual which compiles relevant statutory provisions, rules, forms and precedents for family practice. While the more experienced family lawyer may previously have found the grounds of decisions of the Subordinate Court family cases reproduced in the book useful, the very recent accessibility to these grounds of decisions in the Academy Digest Database may have diminished its usefulness. Nevertheless, the summary of the state of the current law serves as quick reference to the various areas of family law. Finally, one comment may be made about the organization of the various topics in the book. Chapter 8 seems somewhat out of place in Part B as it contains no commentary and is wholly comprised of reproductions of selected provisions from statutes, practice directions, and rules. It may be more logical to make these available in Part C entitled "Appendices".

The Foreword by the Honourable Chief Justice Yong Pung How states the most useful feature of *Family Court Practice*: "it ... sets out clearly, for the first time, the procedures and process for each of the different proceedings in the Family Court".

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