



PRACTICE GUIDE ON PERSONAL INJURY CLAIMS

22 April 2026

Contents

PERSONAL INJURY CLAIMS	3
A. PURPOSE OF THE GUIDE	3
B. PERSONAL INJURY CLAIMS	3
C. MANAGING PERSONAL INJURY CLAIMS	4
(i) <i>Setting up the JDR process</i>	4
(ii) <i>The initial case conference</i>	6
(iii) <i>Types of case conference</i>	7
<i>Physical Case Conferences</i>	7
<i>Asynchronous Case Conferences</i>	8
<i>Video conferencing</i>	8
<i>Choosing the best method of case conference</i>	9
(iv) <i>Alternative dispute resolution (“ADR”) modalities for personal injury claims</i>	10
<i>Early neutral evaluation</i>	10
<i>Expert conclaves</i>	12
<i>Mediation</i>	13
<i>Education about ADR modalities</i>	14
(v) <i>Preparing for Trial</i>	14
D. PROVIDING INFORMATION TO MANAGE EXPECTATIONS	15
(i) <i>Publishing guidelines</i>	16
(ii) <i>Using technology such as simulators and AI</i>	16

PRACTICE GUIDE ON ACCESS TO JUSTICE - PERSONAL INJURY CLAIMS

A. PURPOSE OF THE GUIDE

1. The purpose of this Practice Guide is to provide guidance on, and examples of, the use of the Judicial Dispute Resolution (JDR) process to promote the fair, efficient, compassionate and timely resolution of personal injury claims.
2. This guide is not intended to be applied inflexibly. Personal injury claims arise in many contexts. Local factors can have a particularly significant impact on the appropriate JDR procedures to use in personal injury claims. The processes described in this Practice Guide should be implemented and adapted in each jurisdiction as appropriate, taking into account the legal requirements and procedures of that jurisdiction.

B. PERSONAL INJURY CLAIMS

3. The term “personal injury claims” is used to refer to all claims for mental or physical injuries that a claimant alleges arise from the fault of a defendant (ie: negligence). These claims can be broadly divided into three categories: i) injuries arising from motor accidents; ii) injuries arising from workplace incidents; and iii) injuries arising from other types of negligence, for example medical negligence cases.
4. Personal injury disputes, by definition, concern the bodily integrity or mental health of a claimant. As a result, a claimant may have a deep emotional response to the dispute. It may also be their only experience of the Court system. They may feel alienated by an adversarial and legalistic adjudicative system and have unrealistic expectations of the outcome of the Court process.
5. A defendant to a personal injury claim, on the other hand, is more likely (but not always) to be an experienced litigator, with access to expert legal advice and insurance. They are likely to be concerned to ensure that the process is as cost-effective and efficient as possible, but may sometimes seek to delay the timely resolution of the dispute. A personal injury claim may also involve complex medical and other expert evidence which can make resolution more difficult.

6. These factors favour the use of a robust and effective JDR process that promotes the agreed resolution of disputes. However, Courts must also be mindful not to unnecessarily increase the legal costs of personal injury claims through over-zealous case management, as this may increase the burden on Court resources and reduce the funds available to the parties to resolve the dispute.
7. Being a highly urbanised society, personal injuries arising from motor accidents form a very large proportion of civil claims in Singapore. If all such claims proceeded to trial, this would either require an unsustainable use of judicial resources or parties would have to endure long delays before their case came up for adjudication.
8. The County Court of Victoria manages thousands of claims for personal injuries arising from motor accidents and workplace injuries each year. It also has an increasing number of cases arising from sexual abuse in institutions. It must carefully balance the use of judicial resources for JDR to facilitate the just, efficient, timely and cost-effective resolution of the real issues in dispute.
9. In Jamaica, a large majority of the claims filed in the Supreme Court, Civil Division are negligence claims. Early contact with counsel and the parties has proved to be important in managing claims, as during the initial case management conference, the judicial officer will usually identify issues on each party's statement of case and engage counsel, who often continue these discussions after the hearing. Further, the establishment of the docket system for negligence cases has also resulted in improvements in the management and early disposition of claims without a trial. The implementation of JDR will likely see more claims being disposed of very early and without the need for a trial.
10. In all jurisdictions, the tailored and flexible use of the JDR process enables a Court to effectively manage this large category of cases and encourage amicable resolution. This reduces the use of limited judicial resources on costly trials, while providing claimants the opportunity to obtain just compensation for their injuries without undue delay and defendants a fair, cost-effective and timely resolution of claims against them.

C. MANAGING PERSONAL INJURY CLAIMS

(i) Setting up the JDR process

11. The first step in setting up a JDR process for personal injury claims is to select a group of experienced civil judges. Ideally, they should have extensive trial experience, particularly, in hearing personal injury cases. This experience will stand them in good stead when they make decisions about case management and conduct early neutral evaluations or judicial mediations.

12. While it is important for the judicial officer conducting JDR to have trial experience, particularly in negligence claims, case management skills and training in mediation are also relevant and important. In addition to early neutral evaluation (ENE) and any assessment that the judicial officers may be called upon to make, they must also be able to engage the parties and guide them in their discussions with a view to resolving the claim without a trial. Training in mediation will therefore greatly aid this process.
13. In Singapore, each judge is placed in charge of managing a docket of cases. The cases may be allocated in any manner but once allocated, the judge oversees the case from inception until either settlement or when parties are ready for trial. This facilitates case management and ensures consistency in the directions made.
14. In the County Court of Victoria, a judge is appointed as the judge-in-charge of each list, with responsibility for determining the procedures applied to cases in the list, but the day-to-day case management and judicial mediation is conducted by a judicial officer. Judicial officers provide consistent case management for cases, while freeing up judges to hear trials.
15. In Jamaica, negligence claims filed in 2023 and onwards have been assigned to a docket system. The files are randomly assigned to judicial officers to ensure equity in the assignment of claims. These claims are assigned to each docket using a randomizer software.
16. The random assignment of claims to dockets not only promotes equity in the distribution of work, but also promotes judicial impartiality, reduces the perception of bias, builds public trust in the judicial system, and also promotes accountability - which are all important to a successful JDR process, and to the administration of justice generally.
17. With the existing docket system for negligence cases, the judicial officer assigned to the docket will make all decisions in relation to judicial mediation, including the management of the judicial mediation timetable and also the judicial mediation process.
18. For those negligence claims that are not assigned to a docket and have not yet been scheduled for trial, the Registrar of the Supreme Court will assign these claims to judicial officers, who will make all decisions related to judicial mediation, including managing the claim throughout the JDR process and the JDR timetable. This judicial officer will also conduct the mediation session.

(ii) The initial case conference

19. In Singapore, a case conference is held as soon as the defendant files an appearance or a Notice of Intention to Contest the claim or otherwise indicates that the claim is disputed.
20. The purpose of the case conference is for the judge to ascertain: -
 - a. First, if parties are ready for the early neutral evaluation and if not, what directions need to be given to ensure that they are and to set the necessary timelines;
 - b. Second, if the early neutral evaluation has been rendered, to ensure that the negotiations are proceeding in a timely fashion, or if they are not, to ascertain the reasons why and make the necessary directions to rectify the same; or
 - c. Third, if negotiations have failed and where the matter cannot be resolved, to give the necessary directions, to ensure that parties are ready for trial.
21. In the County Court of Victoria, after the defendant files a notice of appearance, the parties are expected to agree on standard directions to trial and email their proposed timetable to the Court. The timetable must include a private mediation. A judicial officer reviews the proposed timetable and if it is satisfactory, it is approved. It is only if the parties cannot agree or if there is some other special consideration (such as one party not having a lawyer) that a case conference will be listed.
22. In Jamaica, 14 days after the filing of a defence, the parties through their counsel will indicate their willingness to participate in JDR by completing a standard digital form which they will email to each docket's administrator, who is the Judicial Counsel assigned to the docket judge.
23. Where both parties agree to participate in JDR, the judicial officer for each docket (or a judicial officer assigned by the Registrar for negligence claims that are not in a docket) will assess the claim and determine whether JDR should commence in simple claims (for example, rear end collisions). This occurs before the parties comply with case management orders, or for the more complex cases, after disclosure has been made and witness statements have been filed and served.
24. Counsel will be notified by email of the date and time scheduled for the JDR hearing. The judicial officer will also give standard directions/orders with timelines for compliance and also a timeline for the filing and service of any documentation in preparation for this first JDR session.
25. All orders/directions will be sent by electronic mail.

26. In giving directions for the parties to file documents relating to their respective claim/defence, it will also be helpful for counsel to provide skeleton submissions on damages at an early stage of JDR and to also be required to discuss the issue of any possible costs up to trial, with their clients before the first JDR hearing. It will also be important for any likely costs to form a part of the discussions at JDR.
27. This will assist the judicial officer in managing the expectations of both parties as there can be an early indication of a possible award of general damages for the particular injury if the claimant is successful, even if the judicial officer is not asked to provide an assessment on possible damages.
28. Where an offer of settlement is made during the JDR process, a claimant will be able to make an informed decision as to whether it is feasible to accept the offer and avoid the impact of inflation on any future award that may be made after trial, or to wait and proceed to trial with the hope of receiving an award which is larger than the settlement offer.
29. So too the defendants can decide whether they wish to make an offer with/without accepting liability, while reducing the amount of costs that may be awarded against them after trial.

(iii) Types of case conference

30. A case conference can be held either physically, asynchronously or over video conferencing.

Physical Case Conferences

31. A physical case conference requires the representatives of the parties to attend Court and is held in a courtroom or judges' chambers. Holding a physical case conference has the advantage of direct interaction with counsel. This allows the judge to raise questions that occur to them during the case conference or that might arise as a result of responses made by counsel. This enables the judge to ascertain quickly what is needed in order for parties to:
 - a. be ready for alternative dispute resolution processes, such as early neutral evaluation or mediation;
 - b. proceed with negotiations; or
 - c. be ready for trial.
32. A drawback of requiring physical attendance before the court is that the parties' representatives may waste time travelling to the Court and waiting for their

turn to see the judge. While this can be ameliorated by scheduling each case conference at a specific time and not allowing the case conference to overrun, this may not always be possible as there will always be cases where more attention and time is required.

33. In addition, if a case conference ends early, the judge would not be able to deal with the next case until the scheduled time, which may waste judicial resources.
34. Another possible disadvantage is that the legal representative who appears at the case conference may not be fully familiar with the case and might not be in a position to answer all the judge's queries. In Singapore, the need to have both lead counsel available together can result in delaying the case conference to find suitable dates to accommodate their respective schedules.

Asynchronous Case Conferences

35. An alternative that eliminates the disadvantages of a physical case conference is to hold the case conference asynchronously, i.e., the parties' representatives, instead of attending physically to explain their positions before the judge, submit an email setting out their respective positions and the directions they need and any proposed timelines.
36. Upon receipt of these emails, the judge can consider the submissions made and issue the necessary directions to parties by return email.
37. This system ensures that no time is wasted in waiting, either by counsel for the judge, or by the judge for counsel. However, it lacks the immediacy of an oral hearing. If the judge has questions about the submissions made, they would not be able to receive answers until the next case conference. The delay, however, can be minimised by scheduling the next asynchronous case conference as soon as possible, for example, within a few days.

Video conferencing

38. An alternative to a physical case conference is to hold the case conference by way of video conferencing. Video conferencing via applications such as Zoom is now commonplace. These applications have facilities for document sharing, breakout rooms, recording of hearings and text messages. Given this, there is usually no reason why the parties' representatives need to physically attend case conferences in straightforward matters.
39. This has the benefit of saving time for counsel who no longer need to travel to court for the case conference. However, it requires all participants in the case conference to have an appropriate device and a reliable internet connection. Some advance planning is also required to ensure the Court has access to all

documents in electronic format. This may require guidelines to be published about the required format of any documents (for example that they be paginated, indexed and editable for easy viewing and annotation in electronic format). The disadvantage of waiting in queue for their turn also remains, although the parties' representatives may be able to use the time waiting for their case to be called more productively as they will be in their office.

Choosing the best method of case conference

40. Ideally, a Court should have the capacity to use all three types of case conferences, switching to the one that best addresses the immediate need. For example, it can be useful to start with physical or video conferencing and then move to asynchronous case conferences and call for a physical or video case conference only when circumstances warrant it. Once the parties' representatives are used to the JDR process and understand what is needed, the initial case conference could be conducted asynchronously and physical or video case conferences need only be held when necessary.
41. It has been Singapore's experience that moving to an almost fully asynchronous model allows each judge to manage a larger docket.
42. In the County Court of Victoria, parties are provided standard timetabling orders which only require dates to be inserted. They are expected to use these standard timetabling orders to agree on a timetable for the resolution of the dispute and email it to the Court. It is only if the parties cannot agree that a case conference is listed. These case conferences are conducted over Zoom (video conferencing) unless there is a reason for them to be heard in person.
43. In Jamaica, JDR hearings will be conducted by video conference. Since 2020, 90% of all chamber hearings in the Supreme Court, except the criminal division, are conducted by video conference on a digital platform. The judicial officers, parties and their Attorneys-at-Law are all online for these hearings. This medium has been found to be most efficient and cost effective. Video conferencing allows JDR hearings to be easily scheduled with multiple parties and/or Attorneys-at-Law. As many parties and some Attorneys-at-law reside outside of the capital city Kingston, where the Supreme Court is situated, they will not have to travel into Kingston for JDR. As many parties also reside outside of the jurisdiction, video conference hearings eliminate the costs associated with travelling from overseas to this jurisdiction for the JDR hearing.

(iv) Alternative dispute resolution (“ADR”) modalities for personal injury claims

44. As part of the initial timetable, the Court may prescribe one or more ADR modalities to assist the parties to resolve their dispute:
 - a. Early neutral evaluation
 - b. Expert conclaves
 - c. Mediation

Early neutral evaluation (“ENE”)

45. ENE is a process by which a judge or other neutral third party provides an early and non-binding assessment of the strengths and weaknesses of each party’s case.¹ In Singapore, ENE is routinely used in motor vehicle accident cases.
46. When parties are ready for the ENE, they should be directed to send in their submissions together with all supporting evidence.
 - a. For motor accidents, this would typically take the form of police reports, reports filed with the parties’ respective insurers, scene photos and videos taken from in-car cameras and, occasionally, CCTV videos mounted on nearby buildings.
 - b. For workplace accidents, this would include official reports, witness statements from co-workers (if available), videos (where available), scene and site photos as well as site safety procedures.
 - c. For other types of personal injuries, these would typically include scene and site photos, witness statements (if any) and CCTV videos (where available).
47. The judge should provide parties with their reasoned evaluation of how liability/responsibility for the accident should be apportioned between the parties. Thereafter, timelines for counsel to take instructions and for negotiations to take place should be set.
48. In some cases, parties are unable to agree on the apportionment of liability/responsibility and opt to attempt to reach a settlement on a global basis. In such cases, counsel frequently request for an ENE of the quantum that would likely be awarded for the injuries suffered, which would assist to facilitate negotiations between parties thereafter.
49. An alternative approach is for the ENE on quantum to be conducted together with the ENE on liability/responsibility. However, given that injuries take time

¹ See JDRN Practice Guide on Early Neutral Evaluation (ENE), 1 June 2024

to stabilise and medical reports also require a considerable time to be prepared, this may inadvertently result in delaying the conduct of the ENE on liability/responsibility.

50. The approach to an ENE on quantum is identical. The judge should determine whether parties are ready for the ENE and if not, what directions need to be given to ensure that they are and to set the necessary timelines for the same.
51. Once parties are ready, they should be directed to send in their submissions together with all their supporting evidence. In the case of an ENE on quantum, this would primarily be medical reports and medical certificates.
52. The judge would thereafter provide parties with their reasoned evaluation of the quantum that the plaintiff/claimant would likely be awarded for their injuries and again set timelines for counsel to take instructions and for negotiations to be conducted.
53. The above process created for personal injury claims is a simplified version of the ENE modality as set out in detail in the Early Neutral Evaluation Practice Guide, which is available in the JDRN website.
54. Where the assessment is non-binding, parties and counsel should appreciate that the assessment is made without the benefit of evidence which has been tested with cross examination. It is therefore possible that if the claim is not settled and proceeds to trial, the trial judge may arrive at a different decision to that provided in the assessment.
55. Following ENE or mediation, parties should be granted time to take instructions and to commence negotiations.
56. At this juncture, the judge's task is to ensure that negotiations are proceeding and, in the event that they stall, to ascertain the reasons facilitate the continuation of the process and to give appropriate directions to facilitate the continuation of the process..
57. In Jamaica, a similar approach will be taken where the judicial officer conducting JDR will meet with the parties at the earliest possible date to identify the issues in dispute through ENE. If necessary they will meet privately with each party and their respective Attorneys-at-law. They will also allow the parties to meet with their counsel outside of the JDR session to allow them to engage in negotiations or further discussions.
58. Given the prescribed timelines to dispose of claims in Jamaica, it is important that, at the start of the JDR hearing, the judicial officer set a timeline for the JDR process to be completed and that this timeline is communicated to all parties and counsel.

59. Further, the permissible time for the parties to engage in negotiations and then return to JDR and advise the judicial officer of the outcome of their discussions (namely, whether further time is needed, whether further assistance from the judicial officer is needed in the form of an assessment or otherwise, or whether the claim has been settled) should also be communicated to the parties at the initial JDR session. This will enable the parties and counsel to engage in and manage their negotiations within these timelines.
60. Should negotiations reach an impasse and parties are unable to negotiate further to reach a settlement, the judge must thereafter proceed to prepare parties for trial.

Expert conclaves

61. Personal injury cases often involve complex medical issues which require expert medical evidence. Non-medical expert evidence may also be required, for example in relation to engineering or occupational health and safety matters. Where each party has retained their own expert, differences between expert opinions may be a barrier to resolution.
62. In such cases, the Court can consider techniques to resolve or narrow disagreement between the experts, such as an expert conclave. The County Court of Victoria has found the expert conclave to be useful, particularly where a dispute has multiple defendants and raises complex scientific issues about the cause of an incident.
63. Before an expert conclave occurs, a decision must be made on:
 - a. the experts to attend;
 - b. the material to be provided to the experts;
 - c. any assumptions they are to make; and
 - d. the questions they are to answer.
64. The parties should be required to agree on each of these matters. If they do not, a decision by the Court may be required.
65. The conclave must be facilitated by a person independent to the dispute. This could be a judge, judicial officer or member of Court staff. Otherwise, the parties may agree on the appointment of a private facilitator. Regardless, the parties and their lawyers are not permitted to attend the conclave.
66. The experts in attendance should be reminded of their overriding duty to the Court. With this in mind, they should be instructed to discuss their answers to each of the questions with each other, seeking to reach consensus.

67. At the end of the conclave, the experts (with the assistance of the facilitator) produce a joint report which states their joint answers to the questions and any remaining areas of disagreement.
68. After receipt of this report, parties may engage in private negotiation, or it may be timely for a formal mediation to be conducted.

Mediation

69. Mediation is a non-binding dispute resolution procedure in which a neutral third party (the mediator) facilitates discussions between the parties with a view to reaching an agreed resolution to the dispute.
70. In the County Court, parties are required to pay for and arrange a private mediator, which must be completed a set period before the trial. However, in special circumstances, for example where one party does not have a lawyer; where private mediation has failed to lead to a resolution, or where there is unusual complexity to the dispute, the parties may be listed for a mediation conducted by a judge or judicial officer (judicial mediation). The County Court uses both facilitative and evaluative approaches in judicial mediation.
71. The County Court of Victoria has found that judicial mediation is most suited to a proceeding in which there is:
 - a. one or more parties with limited resources;
 - b. one or more parties who are not represented by a lawyer;
 - c. a substantial risk that the costs and time of a trial would be disproportionately high compared to the amount in dispute or the subject matter of the dispute;
 - d. an estimated trial length that would occupy substantial judicial and other court resources;
 - e. an unusually high level of conflict between the parties;
 - f. allegations of abuse; mental health issues; or safety concerns requiring the presence of security; or
 - g. a previous unsuccessful private mediation.
72. By limiting access to judicial mediation in this way, the Court seeks to allocate limited judicial resources to cases where JDR will be most beneficial. In the County Court's experience, the vast majority of personal injury cases resolve without requiring judicial mediation.

73. The County Court has also had some success offering court-annexed mediation in the week prior to the trial. These are usually conducted by a Court staff member who is an accredited mediator and has specialist expertise in personal injury disputes.
74. In Jamaica, mediation is optional. However, the Court encourages all parties to attend mediation before the first case management conference. Mediation can be helpful in family claims (custody and property disputes), land claims, estates, and also negligence claims.
75. Mediation in Jamaica is facilitated by trained mediators who are not in any way affiliated with the judicial system. Mediators are private individuals paid by each party, and mediation sessions take place at the Dispute Resolution Foundation. Mediation is also facilitated by video conference although there are still a few mediation sessions which take place in person.
76. All discussions that take place at mediation are confidential and can never be disclosed to the Court unless all parties consent. Mediation agreements are reduced to Consent Orders which are enforceable under the Enforcement Proceedings in the Civil Procedure Rules.
77. There has not been much success with private mediation in Jamaica. It is hoped that with the introduction of JDR, particularly with ENE, and the opportunity which JDR provides to parties and their counsel to meet with judicial officers to engage in mediation, that there will be an increase in the number of claims that are disposed of after JDR. This should result in a reduction in the number of the claims scheduled for trial and will give judges more time to concentrate on those claims that must be determined by a trial.

Education about ADR modalities

78. Regardless of the ADR modality used, the Court has an important educative role to play in reminding parties that they are expected to use all reasonable endeavours to seek to resolve their dispute. Legislation, Court rules, published practice notes and other guidelines can all assist with this. Practitioners may be anxious about unfamiliar ADR modalities such as ENE` and expert conclaves. Presenting seminars to the profession and at conferences can also assist to normalise JDR and novel ADR modalities. It can also be useful to identify senior members of the legal profession who are prepared to be “champions” for JDR and novel ADR modalities.

(v) Preparing for Trial

79. If JDR is not successful, the judge or judicial officer's role becomes primarily that of a case manager. Their task is to ensure that all the requirements necessary for parties to be ready for trial are carried out in good time.
80. In Singapore, the managing judge will give directions and set timelines relating to the filing of affidavits of evidence and where applicable, discovery. Once parties are ready, the case is transferred to the trial courts where another judge would preside over the trial.
81. In the County Court of Victoria, the first timetabling orders set the dates for all interlocutory steps and provide a date for the trial. However, the managing judicial officer must deal with any applications for extension of time or adjournment and decide any other disputes (for example, disputes about discovery of documents).
82. In Jamaica, where there is no settlement following JDR, the judicial officer managing the JDR process will make the necessary case management orders (disclosure, inspection and witness statements) to prepare the claim for trial. Any pre-trial applications (appointment of experts, relief from sanctions etc.) will also be heard by this judicial officer.
83. Once the judicial officers are satisfied that the claim is ready to be scheduled for trial, they will transfer the claim to the trial judge in another negligence docket for a Pre Trial Review. Negligence claims that are not assigned to the docket will be assigned to a trial judge for a Pre Trial Review by the Registrar of the Supreme Court.
84. At the Pre Trial Review the trial judge will review the file with the Attorneys-at-Law to ensure trial readiness and schedule a trial date. Orders will also be made for the filing and service of core bundles, any agreed bundle of documents and skeleton submissions on liability and damages.

D. PROVIDING INFORMATION TO MANAGE EXPECTATIONS

85. A key to the success of the JDR process in personal injury claims is in managing the expectations of the parties, particularly, the claimant.
86. Claimants who come to court with inflated expectations of the amounts that they will receive in damages will be unlikely to agree to a settlement for a reasonable sum. It is therefore imperative that the public should be educated, or at least made aware, of what the typical awards for common injuries are.
87. While published decisions on awards are available both online and in law libraries, these are frequently couched in legalese and medical terminology which are not easily understood by the average layperson.

(i) Publishing guidelines

88. To bridge this gap, the Judiciary of Singapore in 2005 issued a publication, *“Assessment of Damages: Personal Injuries and Fatal Accidents”*, which highlights personal injury cases heard in Singapore from 1995-2005. A second publication in 2010, *“Guidelines for the Assessment of General Damages in Personal Injury Cases”*, provides ranges of awards for pain and suffering for a comprehensive list of different types and severities of personal injuries. The ranges were derived from actual awards given in decided cases, including those heard in the High Court. Intended for general consumption, this publication would provide prospective plaintiffs/claimants with a reality check on how much they could realistically expect to be awarded.
89. To manage expectations of parties with regard to liability/responsibility for motor accident claims, the Singapore Courts also published a Motor Accident Guide in 2014 with a second edition in 2017. These publications set out some of the common types of traffic accidents that occur and suggest the usual apportionments of liability/responsibility for those accidents with brief reasons cited for the same. Some of these suggested apportionments are based on decided cases in the High Court and the Court of Appeal. Additional apportionments were extrapolated from the facts of those cases and based on principles gleaned from case precedents as well as broad agreement from the civil judges at the time.
90. To increase the reach of these publications, it was decided that the guidelines for both liability/responsibility and quantum would be moved online. This would have the benefit of allowing the general public access to the guidelines without having to purchase the publication and would also allow the guidelines to be updated when necessary.

(ii) Using technology such as simulators and AI

91. In 2020, the State Courts of Singapore and the Singapore Academy of Law jointly launched the Motor Accident Claims Online (“MACO¹”) system. In the interest of encouraging the general public as well as persons who might have been involved in accidents to understand what their likely legal position might be, MACO is a freely accessible online motor accident claims simulator that allows users to obtain a quick, non-binding assessment of who might be responsible for a motor accident and the amount of compensation that might be awarded for personal injuries sustained.

¹ MACO can be accessed at <https://motoraccidents.lawnet.sg/>

92. MACO comprises two modules: a responsibility simulator and a quantum simulator. Both modules feature step-by-step questionnaires that have been programmed in accordance with current laws and case precedents. The responsibility simulator provides an assessment of who might be responsible for a motor accident, and likely apportionment of liability/responsibility that a party is likely to bear. The quantum simulator, on the other hand, provides an assessment of the likely amount of compensation that might be awarded for an injury.
93. Since its inception, MACO has been widely used by users and legal practitioners alike. This has provided parties with a reality check on their expectations and has thus succeeded in facilitating settlements between parties without them having to proceed to trial, thereby saving time and money.
94. As an online tool unlike print publications, MACO can and will be updated to include more scenarios to expand its repository of traffic accident scenarios, to ensure that it will continue to stay relevant, and provide a useful platform for which road users, insurers and legal practitioners can refer to, in their negotiations.