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The Past is Another Country

“Progress is impossible without change, and those who cannot change their minds cannot change anything.”
— George Bernard Shaw

What a difference 50 years makes.

In 1965, Lee Kuan Yew was our leader. In 2015, we mourned his passing. In 2015, we discuss his legacy. In 1965, he discussed our survival.

The world has changed, and Singapore, even more so. The legal sector has been no exception.

In 1965, Singapore had 235 practising lawyers. To put that into perspective, at least three of our largest domestic firms today have significantly more than 235 lawyers, and our fourth and fifth largest firms are close to or may even exceed that figure by the time this issue of the Law Gazette is published. In 2015, there are over 5,000 domestic practising lawyers in 850 law firms, 1,200 registered foreign lawyers, and many more in-house counsel.

It’s a different world. In 1965, the practice of law was local, almost parochial. Today, our lawyers serve a wide spectrum of interests, local, regional, and international. In 1965, we were a legal backwater. There were no international firms. Come SG50, we are en route to becoming a global hub for legal services. There are about 140 foreign law firms and some of our domestic firms have regional and international aspirations. Mr Lee’s experience with legal practice was such that he felt able to opine, in a speech to the Law Society in 1977, that “the dimmest dullest wit can make a living at the Bar and did so comfortably”. Whether that was or was not true then, I’d hazard that no one could say that today with any shred of credibility.

The growth in financial services in the late 1970s also saw the quality and quantity of the Bar advance with it. Financial services and economic activity generated the need for legal services, and with that, more complex dispute resolution. Firms, and the Courts grew in sophistication. Judges started to be drawn from the private sector, and today, we have a domestic bench with Judges drawn from the legal service, private practice, academia and the in-house corporate world. And there’s more. With the launch of the Singapore International Commercial Court this year, we now have a stellar lineup of International Judges. 1965, with eight High Court Judges, appeals to the Privy Council, some jury trials, and handwritten notes of evidence, feels like many lifetimes ago. Lawyers then lived a kinder, gentler life, with many working relatively sane hours and practising as generalists across all areas of the law. Today, many of us identify ourselves as corporate finance lawyers, commercial litigators, trust practitioners, IP lawyers, TMT lawyers, regulatory lawyers, or even more esoteric sub-specialisations of practice.

What does it all mean? Winston Churchill said that “It is always wise to look ahead, but difficult to look further than you can see”. With that caveat, I venture to say that Mr Lee, and the Singapore model of the last 50 years, point in one direction. A continued commitment to advancement. Like it or not, the practice of law has accelerated over the last 50 years. First the fax and photocopier, then the PC and word processor, then the handphone, then e-mail, then online research and the internet, then BlackBerries. Every one of these disruptors was considered a labour saver at first. They are not. They are labour intensifiers. They have changed, sped up and disrupted the way we practise. The next obvious disrupter will be artificial intelligence (which I hope to write about in the next issue of the Law Gazette).

In answer to the question above, it means this – continuous adaptation, continuous learning. Standing still is to be left behind. The law is no longer an unchanging monolith. It develops as society, the economy and technology develop, and even in the law, the pace of change is accelerating.

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Like it or not, we need paradigmatic shifts in our thinking. Some major themes are identified below.

Once upon a time, you got your law degree, got called to the Bar, and then started practising, learning experientially, incrementally and on the job. There was no such thing as Continuing Professional Development ("CPD"), let alone mandatory CPD. Today, as a lawyer, just to keep pace with the changes even in a narrow field, one needs continuing lifelong legal education. Learning has to be targeted, purposeful, and continuing. The likely commencement of universal mandatory CPD is a good thing as it imposes on all of us the discipline of taking time out to focus on educating ourselves. It will only become more structured and sophisticated in the next 50 years.

In 1965, the practice of law was old school. Snail mail was the standard, and the most high tech innovation then was the conference call, which had been developed for public use the year before at the New York World’s Fair. It wasn’t something lawyers needed then. Today, practising without a handphone (there are still a few out there!), e-mail, PDF scanners, document and workflow management software, is almost unthinkable. Research is mostly online, unlike the heavy lifting literally required in the not so distant past. In England, some litigation is going online. We’ll also need to learn to harness big data and machine intelligence. This will change the way we work and advise clients. Technology is leverage. Those that adapt will thrive.

Back in 1965, lawyers barely marketed themselves. Advertising was not only taboo, it was a breach of professional ethics. Fast forward to 2015. Print advertisements have already become passé. The website is so five minutes ago. Now it’s Facebook, LinkedIn or even Twitter. While that seems radical for lawyers, we are admittedly late adopters, and that is old hat in the rest of the business world. For the last 50 years, networking was physical and face to face. Moving forward, we must recognise the power that social media and virtual networks have to leverage one’s presence, visibility and brand — they are the new marketplace.

Unlike 50 years ago, we now live in a globalised marketplace, with national boundaries getting more and more blurred. Professional standards and norms, once localised, and idiosyncratic, are converging towards an international norm. What worked then may not work now, and much less in 50 years. Law firm structures will change — be it by reason of economics, technology or regulation. We already see the rise of multi-disciplinary practices, the unbundling of legal services, or even the public listing of law firms in other jurisdictions. These, in tandem with technology, will allow law firms to reduce dependence on large teams of junior lawyers, yet maintain leverage and scalability. We also see, often in response to client demand, a diversity of more flexible and innovative fee structures being explored, considered and implemented in various jurisdictions. Singapore is inextricably plugged in to the global marketplace, and cannot remain isolated or insulated from these influences and developments. They will, in one way or another, over the long term, impact us, as best practices and global business norms converge. We need to figure out what we can adopt, adapt or reject, considering our need to remain competitive and relevant. This is a continuing and long-term conversation.

Like it or not, what worked in the last 50 years is not going to work in the next 50 years. The future is uncharted territory, but as the American scientist Alan Kay observed, "the best way to predict the future is to invent it".

► Thio Shen Yi, Senior Counsel
President
The Law Society of Singapore

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Members are required to submit a Notice of Change of Particulars through eLitigation (https://www.elitigation.sg/home.aspx) whenever there is any change in the particulars relating to your practice, eg if you move from one law practice to another, if there is a change in your designation, or if you cease to practise.

The Notice of Change of Particulars can only be submitted through the eLitigation account of the individual lawyer. If you do not have an eLitigation account, you may approach the Service Bureau for assistance, subject to payment of applicable fees and charges.

Go Gentle into That Good Night

In this specially curated National Day edition of the Singapore Law Gazette, we pay tribute to honorary member of the Law Society of Singapore and founding father of Singapore, Mr Lee Kuan Yew.

Singapore had a tumultuous beginning and continues to seek its equilibrium in a world increasingly challenged by diversity, technology and reality. Mr Lee’s passing on our Golden Jubilee saw our nation galvanised together in a newfound respect for the achievements of our forefathers and mothers. It also signals the beginning of a new era in Singapore.

We hope that in remembering Mr Lee’s various contributions to Singapore, we honour his legacy best for future generations of Singaporeans and members of the legal profession.

I thank our past and present members of the Publications Committee: Dr William Wan, Cameron Ford, Debby Lim and Rajan Chettiar for their ideas and contributions to this commemorative issue as well as other Honorary Members and members of the Law Society who graciously gave us their permission to republish their quotes and messages from the condolence book to Mr Lee’s family. We have also reprinted the 2006 interview of Mr Lee by Rajan Chettiar, a feat which was considered quite a scoop back then. Re-reading it will hopefully give younger readers from the Bar greater insight into the thought leadership of our founding father, himself a statistic who left the legal profession early to pursue another calling.

I also thank Lee Kow Fong, for granting us permission to use his water colour of Mr Lee entitled “Into the Garden, He Built” for our cover.

In the many tributes that flowed in for Mr Lee Kuan Yew, one memorable one recalled the Latin phrase found on the epitaph of Sir Christopher Wren, architect of St Paul’s Cathedral “Lector, Si Monumentum Requiris, Circumspice” which translates to mean “Reader, if you seek his monument, look around you”.

It seems fitting that any monument to Mr Lee is not one made of brick and mortar, but rather of a living garden, forever flourishing and symbolic of growth and renewal.

In this issue, we also feature a photo spread of the former Supreme Court building and a sneak peek into the National Gallery Singapore (with thanks to Jerome Lim of The Long and Winding Road blog).

I am proud to present to you - A Present of the Past for the Future.

Happy 50th Birthday and Majulah Singapura!

Malathi Das
Chairperson
Publications Committee
The Law Society of Singapore
Dear Member,

Singapore celebrates her 50th year of independence in August 2015. I am grateful for the work of our pioneers in building up Singapore into the unique place which we call home. Being born and bred in Singapore, I am personally thankful for the opportunities which have presented themselves due to Singapore’s system of meritocracy.

As you may have noticed from our front cover, this month’s edition of the SLG is the Law Society’s humble tribute to a great man, Mr Lee Kuan Yew. I will leave the articles in this edition to speak for themselves.

Singapore has changed much over the years, and Information Technology (“IT”) has drastically changed the way lawyers do their work, how businesses function and how life in general is conducted. Unfortunately, with automation often comes the assumption that everyone will keep up with the latest technology, in order to work the system. These have been challenging times for many, and the Law Society continues to partner with members to enable the profession to get up to speed with technology.

Our IT Director conducted a seminar on “Software Solutions That You Should Not Be Without” during the Small Law Firms luncheon in March 2015. He shared with members about various freeware, open-source and low-cost software solutions for office use, as well as on programmes and initiatives which subsidise IT projects for law firms. Response to the IT seminar was good, and we hope to weave more of such seminars into our regular State Courts luncheons organised by Council and our Committees.

Council has approved the development of an online voting platform for the annual Council elections, to provide members the convenience of casting your votes remotely in the future. We will be commencing work on this project in Q4/2015, and we hope to have our online voting portal up and running in time for the Council elections next year in October 2016. We will continue to make open the alternative of coming to our premises to cast your vote, should you prefer to do so.

In tandem with Phase 2 of the mandatory Continuing Professional Development (“CPD”) scheme rolling out to more of the profession this year, our IT team has also been instrumental in automating our CPD event processes from cradle-to-grave. We have developed conference portals and events registration websites in-house, to automate the sign-up process through a user-friendly interface for members. In addition, all our on-site registrations are fully automated with the use of scanners and laptops, and all registration and attendance information is seamlessly transmitted to the Singapore Institute of Legal Education (“SILE”) in order for members to accumulate your CPD points.

The Law Society is also pleased to offer online applications for the following services: rental of meeting rooms at the Law Society, e-classifieds for the recruitment of lawyers and staff, dissemination of notices of office/holiday closures to third party organisations and information on wills. We have also launched our own Twitter and LinkedIn pages, to provide alternate avenues of communication with members.

Free wi-fi has also been made available in both bar rooms for members’ convenience. We look forward to providing more value-added services to members by leveraging on IT.

► Tan Su-Yin
Chief Executive Officer
The Law Society of Singapore
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Making Numbers Make Sense
Goodbye, Mr Lee

Dear Mr Lee,

Words cannot describe how I feel over your leaving us, although five months have now passed. If you could have seen the love, support and prayers of all Singaporeans and foreigners outside the block and elsewhere while you were receiving treatment at the Singapore General Hospital, you would have seen how we, the children of Singapore, love you. We probably never told you how much you are part of our lives. My practical and stoic Wife cried when she heard you were very ill.

There was an outpouring of tributes on social media while you were battling pneumonia. I felt as if you were slowly leaving us whilst reading the rather too early tributes. Many of us were very hopeful that you will fight this battle and arise just like you have done over the last 50 years. We wanted you to be there with us when we celebrate SG50.

When news of you having left us reached us that very early morning on 23 March, I was not shocked. The Wife quickly turned on the television to watch the news. We did not shed tears but felt a very deep sadness. Something in me shifted that morning and for a long time after.

I did not agree with some of your speeches and actions. However, finally, it all started to make some sense to me. On the day you left, I decided to walk from my office in Robinson Road, through Raffles Place, Boat Quay, Parliament House and finally to my destination, the Supreme Court. I wanted to reflect on your life’s work. It was a very quiet morning. Everything I passed by reminded of you. I looked at the various buildings. They were testament to all that you have done. A feeling of deep sadness enveloped me which never went away until days after your funeral. You did it for all of us. Like you said, you loved Singapore.

On the morning that you were brought to lie in state at Parliament House, my colleagues and I queued up to bid our last farewell to you. Although we could not see your face for the last time, it did not stop us from queuing up for hours through the day and in extreme weather. What we went through was nothing compared to what you did for us.

It was an emotional and draining week. We just went through the motions that week with heavy hearts, watching and reading your life story. A friend shared that she could not focus much in the office. As the days went by, the heaviness in my heart increased.
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On the day of your funeral, the heavens cried with us. The cries of the people chanting “Lee Kuan Yew” echoed throughout Singapore. I felt as if I had lost a close family member.

Sir, I am very honoured to have been born and to grow up during your premiership. Your words and actions were part of my upbringing. I used to wonder why you kept on repeating your messages in your speeches. You wanted them to be heard and ingrained in us.

Like many, I may not agree with all your policies and governance of Singapore. However, I have always been clear about my love for you.

My parents who were migrants and now part of the Pioneer Generation inculcated in my brothers and I a deep love and respect for you from young. To them, you gave all of us a good life and bright future. My 66-year-old mother arrived in our land 50 years ago. She has seen Singapore then and today. She describes your premiership as the “the golden era of Singapore”. When we were boarding a flight from Yangon to Singapore last December, she turned to me and said how lucky my brothers and I were to be born and to live in Singapore. “I am also lucky to live in Singapore,” she said wistfully.

Former Foreign Minister George Yeo said in an interview that your mind was often on Singapore’s progress even during your meals and exercise sessions. You dedicated your entire life to Singapore. You cared till it hurt. You must have had many unhappy and frustrated moments when you felt that Singapore was not going the way you would have liked or when we did not understand you and your seemingly harsh words. Your selflessness, dedication and toiling for Singapore till ill health stopped you is beyond human understanding in this modern day.

You were very clear about what you wanted to do for Singapore. You formed the People’s Action Party in 1956 and led Singapore for several decades. The odds were stacked against you but you never gave up. You persevered. You worked non-stop till the wee hours of the morning and continued your work day after just a short rest. Education Minister Heng Swee Keat described how you worked out of your red box and its importance in your everyday life right until the day you were hospitalised. Modern day concepts like stress, burn out, fatigue and work life balance never existed in your vocabulary.

As a politician, you stood firm and did not mince your words. You spoke out and did what you thought was right. You were a fiery orator. You did what you strongly believed was right for the country. Your demise made me realise that your actions, no matter how unpalatable to some, had produced the right outcome for Singapore. Nothing else mattered. Your critics may not have liked your actions and words. They were not entirely right, just like you. The difference is they do not have your kind of results to show for their work.

You had endless energy, discipline and unwavering focus on your goals. You were hard-nosed, made difficult choices and never looked back. You achieved your mission and passed the baton to your younger colleagues in 1990. You mentioned once that leaders are born. I think they are made as well. You are not only our leader but an internationally well respected one as well. When I mention that I am a Singaporean during my travels overseas, the first response from people is often “Lee Kuan Yew”. Your name is synonymous with Singapore and rightly so.

You taught every one what leadership is about. Leadership is selfless dedication and perseverance towards a single goal. Focus is never lost. It is a display of hard love and placing one’s personal feelings aside. Leaders may not be understood or even liked. It is all about sheer hard work. Being a leader is not an easy job. Leaders have deep awareness and foresight. Your life is an excellent study on leadership. Not only us, but the world at large.

You cared a lot about your family and friends. Family was an important part of your life. You cared for and loved your family in the traditional Asian way of not showing it. Family and work featured equally in your life. You did not neglect either and yet managed admirably the work-life conundrum which we hear a lot about nowadays. You made time for the important things. After your wife Madam Kwa Geok Choo passed away, we saw the personal and softer side of you. We watched in tears as you bid a final farewell to your wife—gently planting a kiss on her cheek. You described the void in your life after her departure. I was humbled to see the softer side of you. Leaders are human too. You made many sacrifices, the biggest being your personal life. You put Singapore first over your family. We hear of how you would read to your wife every night when she was bedridden. You showed us what true love was about.

Singaporeans were a larger extension of your family. We have shown through our public outpouring of emotions, and queuing up for hours to pay our respects what you meant to us. There is so much being shared about you now that we did not know.

Whilst the rest of Singapore was immersed in materialism, you were very thirsty. You washed your own clothes during your official trips. You mended your clothes to extend
their lifespan and reproached your colleagues over food wastage. Law Minister Mr K Shanmugam shared how you admonished him for not finishing his ice cream during an official dinner in the United States.

Everyone is wondering what is going to happen to Singapore and the future. Although you were not in active politics since 2001, we did not worry as we knew you were there and we could depend on you. It was cold comfort, but some assurance nonetheless. Your colleagues have different challenges compared to the 1960s. We live in a world dominated by social media and a generation who are enjoying the fruits of what you and your colleagues sowed. They have not much inkling of how we got here. A 35-year-old colleague mentioned that there is a disconnect between his generation and yours. His generation does not have a good understanding of your achievements. This is something we need to consider carefully and ensure that the crucial past is not overlooked in the glory of modern Singapore. The last four years have shown us the many challenges your colleagues have to face. We live in the “modern 1960s”, a crucial period where we have to be careful how we chart our journey to ensure a good future in the 21st century and beyond. How and whether we will get there is anyone’s guess. Do we need another Lee Kuan Yew to help us? Yes but it is unlikely to happen.

You have left us many lessons to learn that will guide us as individuals and citizens. Your legacy is everywhere. We do not need specific reminders of you. You and Singapore are one and the same.

I count myself fortunate to have met, interviewed and written about you in this publication nine years ago. I still remember that day very well. I was in awe throughout our meeting at the Istana. As nervous as I was, I took a gamble and asked to take a photograph with you. After all, that was going to be my one and only opportunity. You smiled and obliged. As your press secretary struggled with my camera, you laughed. Meeting you was an emotional high point in my life, a memory I will carry with me for the rest of my life.

We are this month commemorating Singapore’s 50th year of independence by celebrating you and your life. After all, SG50 is really about you.

There is not much I could say about you that has not already been said or written. Today, I wish to honour the person and leader that you are. I regret that I only understood you better after you had gone. I have no tears left to shed, only a heavy heart and a sense of gratitude which no words can aptly describe.

Thank you, Mr Lee. Thank you for giving my family, my brothers and I the lives we have today in Singapore. There are a lot of imperfections about Singapore. It takes many years including a loss to appreciate the perfection in all the imperfections.

With all my love and respect.

Rajan Chettiar
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Photo courtesy of Douglas Lee
In August 2006, the *Singapore Law Gazette* carried an exclusive interview with then Minister Mentor Lee Kuan Yew, conducted by Rajan Chettiar at the Istana. With the passing of Mr Lee on 23 March this year, we publish again the interview from nine years ago in this special edition of the *Singapore Law Gazette*. The views and wisdom espoused by Mr Lee nearly a decade ago are still relevant to us today.

**Reflections of Minister Mentor Lee Kuan Yew**

*Everyone knows Minister Mentor Lee Kuan Yew or MM as Singaporeans fondly call him. An icon of Singapore, there is a lot of literature about MM’s life, his magnificent achievements and his views. Frankly, there is little about MM that we do not know or which can still be written about. This interview focuses on MM – the lawyer, his values and principles, his frank views about the legal profession, leadership, and communication. Of course, no story about MM is complete without mention of his two favourite topics – Singapore and China.*

“I do what is right and I do it to the best of my capability. If that is inadequate, that’s all I can do,” says MM of his guiding principle. What is right, to him, is based on integrity and realism.

In the 1950s, MM had been unsure of Singapore’s future. “I did not know how the world economy will perform or the dominance of technology then. My colleagues and I did the best we could under the circumstances then.”

When asked whether he liked the state of Singapore today, he replied that “like” was a difficult and inadequate word to describe modern Singapore. “We have become a valuable red dot. We are highly organised, at our optimum and well connected. Our forte came from adopting the English language.”

A keen spectator of international developments, MM gave insights on the new super power in Asia – China. When he visited Shanghai in 1976, it was dark, overcrowded and full of pre-world and dilapidated buildings. MM predicts that Shanghai, with a growing population of about 1,300 million, will take over Hong Kong and become “the major centre of the Far East” in the future. Before that, they need to go through the transition of mastering the English language and developing the rule of law, he says.

MM has always been very interested in the growth and workings of China. A friend of China, it is not surprising that the world leader who has left the greatest impact on
him is the late Chinese communist party chairman, Deng Xiaopeng. “He is an outstanding leader. He has a decisive quality and a sense of realism. He goes to the heart of the matter. When we meet, he would speak in Szechuan Mandarin and I would communicate in English. He is the man who saved China. His visit to third world countries Bangkok, Kuala Lumpur and Singapore must have made him realise that China was on the wrong track. In December 1978, he opened up China.”

According to MM, Singapore will serve as the platform for Shanghainese businesses to operate and go regional. He acknowledges that the Singaporean Chinese are very different from the mainland Chinese. “Although we may speak the same language, we are very different from the mainland Chinese. Our beliefs and value systems are different. Our culture is different and will continue to be. Nothing is static.”

Singaporeans have to brace themselves for change, he cautioned. “We must never forget that we are living in a fast changing world. We have to continuously keep changing. That’s the only way to remain relevant. The strategy for Singapore’s continuous successful future is to move ahead and pre-position ourselves. Think beyond tomorrow,” he reiterated.

Emphasising the importance of intellectual quotient (“IQ”), MM acknowledges that the current method of selecting Singaporeans, be it into the Public Service Commission or into the NUS law faculty, is not perfect. “Certificate, character references, psychometric tests and National Service records are useful aids but insufficient to pick the best man or woman.”

Do leaders need emotional intelligence? “A person with high IQ but no EQ is at a great disadvantage. EQ is essential.” He illustrates this by referring to the Japanese. “Their body language and physical movements help them to communicate beyond words with the other person. Our Judges in the Courts, for example, may not be able to make good judgments if they do not feel for the people who appear before them.”

Good communication and connecting with people are qualities important to MM. To him, a good leader is a person who is able to connect with others. “When this happens, the people believe, have confidence in him and follow. He must lead by example and not by force.”

With many lawyers who are Members of Parliament (“MPs”), can one naturally conclude that they make better politicians? MM disagrees. “It is true that lawyers, the litigation ones, communicate effectively in English. However, this does not make them better politicians.” He explains that after the General Elections held in 2001, five new MPs, of which three were doctors, became Ministers. It was the doctor who was the better communicator, pointed out MM. A good politician has to speak the people’s language, connect with them and then communicate it in Parliament.

He traces the beginnings of politicians being lawyers to the old English political system. British MPs were poorly paid and needed a profession to supplement their incomes. They turned to law.

About 47 years have passed since MM practised law. His mother told him that he must have a profession, unlike his father who was a rich man's son and a storekeeper. MM had three choices then – law, medicine or dentistry. All three would have helped him to be self-employed and not work for the British. He chose law.

In 1946, he boarded the Britannic for England. He spent the first year of his legal education in the London School of Economics. Not liking the life in hectic London, he moved to the Cambridge town and finished his legal education in its renowned university. In law school, he preferred the practical subjects of contract and property to Roman law or the English legal system. His Cambridge education was not just about learning the law. It shaped his life as a future politician.

Back in Singapore, he practised litigation in the areas of contract, criminal and arbitration in Laycock & Ong. He was called to the Malayan bar and practised law in the then Malayan states as well. He did not enjoy his nine years of law practice. “I was selling my skills for a living. Whether my client was in the right or wrong did not matter. I did not think highly of the adversarial system.”

“If I had remained a lawyer, it would have been a meaningless existence. I have been a participant and as Prime Minister, I studied the system. I found it an unfulfilling profession,” he stated vehemently. One of the stakeholders of the early legal system was the jury. During the Select Committee hearing for the abolition of the jury, MM questioned famous criminal lawyer David Marshall on how many of his clients in more than 100 of his murder cases were convicted. “He said only one. I then asked him whether any of his clients were guilty. He said that this had never occurred to him and that it was not for him to decide.”

MM, who was then Singapore’s Prime Minister, felt that his role was to ensure that the legal system brought justice, which should not be circumvented by skilful advocacy. Jury trial was abolished in Singapore in 1970.
When asked about his views on the legal profession as it stands today, he replied that the legal profession has come a long way since the 1960s. The NUS law faculty has developed to the extent that the top three to five per cent of its graduates are equal to their international counterparts.

MM appreciates the reasons why it is difficult for the Singapore legal profession to retain its lawyers. “Young lawyers often do not realise the competitive nature of the profession they are entering. This is not a problem peculiar to Singapore.” On litigation lawyers, he commented that “litigation lawyers are a special group of lawyers. They are prepared to work very hard, do the getting up and articulate their points well in Court. If you do not enjoy this, find it tiresome, then don’t do litigation. Be a solicitor or a company secretary,” he advised.

“Small law firms will always be there.” Why? “There will always be those who do not prefer to work in larger firms.” He felt that clients’ monies must always be safeguarded. “The Law Society has to implement the safeguards such as having two signatories, another person or the client.”

In his political career, MM acknowledges that his legal education helped him to understand the constitutional process and the legislative system. MM, his wife, and Eddie Barker were responsible for drafting the Singapore Constitution.

MM Lee’s foray into politics and his highly impressive political career are evidenced by the status enjoyed by Singapore in its short history of 41 years. The son that the legal profession lost was the gain for Singapore politics. His secondary school teacher’s prediction – “He is likely to attain a high position in life” – has come true indeed.

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Lee Kuan Yew’s Legal Legacy

Introduction

Lee Kuan Yew joined Laycock & Ong in 1950 as a pupil. After getting called to the Bar in 1951, he became a general litigator practising in the areas of contract, criminal and land law. Also as a new young lawyer with Laycock & Ong, Lee attended to UCB’s (United Chinese Bank) simpler work. Making a name for himself as a skilled advocate and negotiator, Lee remained at Laycock & Ong for five years before setting up his own firm, Lee & Lee, with his wife and brother Dennis in 1955. His practice covered not only Singapore but also the Federation of Malaya and British Borneo.

When Lee Kuan Yew and his wife were called to the Bar in Singapore in 1951, the entire Bar had 140 members with only 10 new members being admitted each year. Asians were a minority within the bar and part of a professional and judicial hierarchy almost exclusively British. There was a gradual localisation of the legal profession and by 1960 no Caucasian lawyers were added to the rolls.

Lee also had his first experience in politics when he served as an election agent in the 1951 Legislative Council elections for his boss, John Laycock, who ran under the banner of the pro-British Singapore Progressive Party (“SPP”). After losing his Katong seat in the 1955 elections, Mr Laycock decided to leave politics.

Post-war Singapore witnessed nascent nationalism and the formation of local political parties. Given their ease in public speaking and powers of reasoning, lawyers were active in political campaigning and the formation of political parties. Other famous lawyer politicians included John Laycock, CC Tan, NA Mallal and David Marshall.

It was as legal adviser to unions that Lee Kuan Yew cut his political teeth. He was legal adviser to more than 100 unions and associations by the time the People’s Action Party was formed in 1954, ahead of a legislative assembly election the following year, the first election that saw elected members outnumbering those appointed by the British. This did not go unnoticed by the bosses of Laycock & Ong. A 1953 letter from the law firm’s boss, John Laycock, was addressed to Lee Kuan Yew, saying that he should let the firm “have full information” before he accepted more “lengthy” cases of wage disputes.

Rent Control Cases

The cases that Lee Kuan Yew took on reflected the social and historical milieu, for instance, there were a few cases on the Control of Rent Ordinance. The 1953 Control of Rent Ordinance was passed against a background of accommodation shortage caused by damage to property during the Second World War, the return of people who left Singapore during the Japanese Occupation and the rising birth rate. As a result, rent restriction was introduced to address the pressure on rents.

In Chew Khai and Ors v Poh Tai Company (Sued As A Firm) [1957] MLJ 43, Lee Kuan Yew obtained an order for possession for the landlord. The Court did not agree with his argument that the demolition of the building was necessary in the interests of public health. However, his fallback argument succeeded and the Court found that there was clear and compelling evidence that its demolition was necessary in the interests of town improvement.

In Toh Whye Teck v The Happy World Ltd [1953] MLJ 171, Lee Kuan Yew appeared for the appellant in an appeal from the District Judge’s decision in favour of the respondent for recovery of possession under s 14(1)(j) of the Control of Rent Ordinance. On appeal, the issue was “on whom does the burden lie to show what sums came within the section and what payments are saved by this provision relating to Municipal services”. Even though the appeal was dismissed, Lee’s advocacy drew praise from the Court:

Mr Lee Kuan Yew has argued with great ability that some evidence at least should have been produced by the plaintiff as to the payments made for Municipal services. If that evidence was forthcoming he would concede that the burden is then shifted to the defence. This argument is not to be dismissed lightly, but on reflection I consider it is sufficient for the plaintiff, if, as in this case, he establishes prima facie that the rents received by the tenant exceeded in the aggregate 75% of the rent paid to himself.
Lee Kuan Yew appeared for the Respondent/Plaintiff in Lum See On v Chan Kit Yong (f) [1956] 1 MLJ 40, a complex matter that involved an interplay between probate law and the Control of Rent Ordinance. The Court held that the relevant date for determining the rights of a landlord and tenant of rent-controlled premises is the date of the hearing. As the Defendant/Appellant ceased to be the legal personal representative of the original tenant when the action was heard, she was not entitled to rely upon the provisions of the Control of Rent Ordinance as at that date to defeat the plaintiff's claim for possession at common law. The Court noted that during the course of the hearing of the appeal, “counsel on both sides ranged over a wide field, raised numerous points of law and modified their submissions with unusual dexterity and celerity”.

He also appeared as counsel for the successful appellant in Cherian Varughese v Aminah Radin Osman [1958] 1 MLJ 221. At first instance before the District Judge, Lee Kuan Yew submitted a plea of no case to answer that was rejected. On appeal, the key legal issue was the meaning of “demand” in s 15(1)(a) of the Control of Rent Ordinance. It was held that the words of that statute which requires a “notice of demand in writing” meant that “demand” should be construed in its popular sense as opposed to, meaning a formal demand made in accordance with the strict rules of common law. In that case, as the trial Judge based his finding on the question of reasonableness purely on the fact of irregularity as payment of rent and failed to direct his mind to the facts that led to such irregularity, a new trial was ordered.

Criminal Matters

One of his first cases after getting called to the Bar was a criminal matter. He defended four men among 13 charged with having committed murder by causing the death of Charles Joseph Ryan, a non-commissioned officer in the Royal Air Force. This was committed during the Maria Hertogh riots in December 1950, where white men and women were killed indiscriminately. The trial lasted nearly two weeks and was conducted before a Judge and a jury of seven. Three of Lee’s clients were acquitted and the fourth was sentenced to seven. Three of Lee's clients were acquitted and the fourth two weeks and was conducted before a Judge and a jury of women were killed indiscriminately. The trial lasted nearly Hertogh riots in December 1950, where white men and

Lee Kuan Yew appeared as amicus curiae in the case of R v Tan Ah Inn & Ors [1953] MLJ 65, where the key issue was the meaning of the word “frequent” in s 10(2)(b) of the Dangerous Drugs Ordinance. Lee highlighted to the Court a number of English cases where the word “frequent” had been extended to mean being in a place long enough for the purpose or intent in hand. The Court held that in respect of s 10(2)(b), it was not necessary to prove intent or purpose. It distinguished the English cases cited because in those cases, the wrongful purpose or intent was an essential ingredient of the charge. As such, the Court was of the view that the word “frequent” could only be given its ordinary meaning of “visiting often”, so that a person committed an offence under this section if he visited one set of premises often, or if he visited a number of similar premises on one occasion each. It was conceded by the crown counsel that one casual visit would not be “frequenting”.

In Goh Leng Sai v R [1959] 1 MLJ 121, Lee appeared for the appellant who was convicted in the District Court of the following Charge:

That he, on or about 16 February 1957, at about 8.00 pm at Singapore, having a contract with the Singapore City Council, did corruptly give to an agent, namely, GM Richards, the acting Chief Engineer (Construction) of the Sewerage Department of the City Council, the sum of one thousand dollars as an inducement or reward for showing favour to himself in relation to his principal’s affairs, and thereby committed an offence under s 3(b) and punishable under s 4 of the Prevention of Corruption Ordinance (Ch 121).

Lee Kuan Yew argued on behalf of the appellant that there was insufficient evidence that the appellant had a contract with the City Council, the only evidence adduced by the prosecution being oral evidence. The Court dismissed the appeal, holding that the existence of a contract or contractual relationship may be proved by oral evidence. It held that proof of the existence of a contract must be distinguished from proof of the terms of a contract. In this regard, s 92 of the Evidence Ordinance does not apply to proof of the existence of a contract. Section 64 of the Evidence Ordinance requires the production of a document only if it is desired to prove the contents of the document.

It is noteworthy that the Court in a later decision, Ng Kong Yue & Anor v Regina [1962] MLJ 67, cast doubt on Goh Leng Sai. The Court was of the view that having regard to ss 4 and 5 of the Prevention of Corruption Ordinance, it was important that the contract was proved by admissible evidence. The contract not being collateral but of the essence of the prosecution case, it could not be proved by parol evidence.
Other Significant Cases

In *K Abdul Gaffoor v Regina* [1954] MLJ 154, Lee Kuan Yew acted for the complainant in a trade mark counterfeiting matter. The material issue was the date at which the offending labels were made. The Court held that a label which is not counterfeit when made cannot become counterfeit through the subsequent registration of a trade mark by someone else.

Singapore’s bankruptcy regime started with the Bankruptcy Ordinance of 1888 which was introduced in 1888 when Singapore was part of the British Straits Settlement. The Ordinance was based on the English Bankruptcy Act 1883. For 107 years, the structure and laws established by the Ordinance remained intact. In *Koh Hor Khoon v R* [1955] MLJ 196, Lee Kuan Yew appeared as assisting counsel for the appellant. The appellant in this case was convicted by a District Judge on two charges under s 107(1) of the Bankruptcy Ordinance (Cap 45) of pledging quantities of Japanese galvanised iron sheets he had obtained on credit and had not paid for. At the trial, a certified copy of the notes of evidence taken at the public examination of the appellant in bankruptcy proceedings was admitted as evidence. One of the principal points argued on appeal was that the certified copy of the notes of evidence was wrongly admitted in evidence.

The Court did not allow the appeal, having decided that the notes of the public examination in this case were rightly admitted in evidence. Its decision was premised on the wide power given to the Court to put questions to the bankrupt and the unqualified obligation of the bankrupt to answer them. Had the legislature intended to preserve to a bankrupt in those proceedings the well established ordinary right of a witness not to incriminate himself, this would have expressly provided for. In this regard, the Court held that the specific provisions for procedure to govern the public examination of a bankrupt must overrule the general provisions of law contained in the Evidence Ordinance.

Conclusion

This article has examined some of the cases that Lee Kuan Yew had appeared in. During his nine years in practice, Lee Kuan Yew’s name appeared frequently in the law reports, recording his appearances in cases which contributed to the development of the law here and in Malaya.6

Notes

1. Speech by Senior Minister Mr Lee Kuan Yew at the Opening of the United Overseas Bank (“UOB”) Plaza on Sunday 6 August 1995.
4. Ibid.
5. *The Singapore Story: Memoirs of Lee Kuan Yew*
6. Citation by the Attorney General, Mr Tan Boon Teik (1990) 2 *SAcLJ* 152

This barrister’s wig was one of two bought by the late Mr Lee Kuan Yew and his wife, Madam Kwa Geok Choo, when they were admitted to the Bar.

Nestled in the foothills of the Great Dividing Range in northern New South Wales sits a little two-room wooden school perched on the side of a hill. Its back legs are much longer than its front legs, giving it the appearance of perpetually leaning up hill, striving since 1888 to rise higher but never quite managing. These days the school serves a village with a population of about 100, but when it was built in the height of the gold rush there were about 2,000 people and a dozen or so hotels to justify its existence.

From one of its tall sash “school windows” with the bubbled and pitted glass, my grandfather leaped truantly at age 11 after four sketchy years of schooling, never to return. In the same room from which he fled formal education, the name Lee Kuan Yew became familiar to me 50-odd years later and has remained as one of my stronger primary school memories.

Our sole teacher was Mr Flanagan, a clean, upright, crew-cut young father who came to the school in 1962 – the year of the Singapore referendum to join Malaysia – shortly after completing his teacher training, and stayed for more than 30 years. His best friend after his wife was a police constable he clearly admired and of whom he often spoke. He taught at that same little school – with student numbers fluctuating between about eight and 30 or so – for the rest of his long career. As the only teacher, he would have to move between the two rooms to teach the different year groups in each room – Upper Division in one and Lower Division in the other. He had been through National Service during the time of the Vietnam War and must have narrowly escaped being conscripted. He appreciated the value of proper discipline but never punished excessively or capriciously.

Singapore as a nation was in its infancy then, barely five years after becoming a republic. The reputation of Lee Kuan Yew had, even at that early stage, clearly reached Mr Flanagan who would periodically point out Singapore on the old Mercator school map on the Lower Division wall and tell us admiringly of its laws against littering and chewing gum and long hair, and of the cane as one of the punishments for criminals. Of course, as primary school children, we weren’t too interested in economic or political issues and no doubt the discipline stories would impress us much more and make the point necessary for running a one-teacher school.

The way in which Mr Flanagan told the stories of Singapore and Mr Lee made it clear that he admired the way Mr Lee governed, and it imbued in some of us a similar admiration. I have a mental picture of Singapore from those years almost as a utopia – clean, disciplined, orderly, progressive. Perhaps unconsciously our teacher modelled the
governance of the school on Lee Kuan Yew’s governance of Singapore. He held regular “emu parades” where we would go around the school grounds picking up all the litter – “emu parades” because we would be bent over like an emu eating. Punishment was graduated from a run to the top gate (short), to a run to the bottom gate (longer), to a “lap of the circuit” (around the school grounds), and finally to cuts of the cane (ranging from one to six cuts). I know he would have agreed with Lee Kuan Yew’s sentiments expressed in his autobiography *The Singapore Story* when he wrote of his school days: “I bent over a chair and was given three of the best with my trousers on. I did not think he lightened his strokes. I have never understood why Western educationists are so much against corporal punishment. It did my fellow students and me no harm”.

Even though it looms large to a school boy, of course there was much more to the school than discipline, and overall, I remember an excellent teacher concerned with more than just the formal education of his little flock. He enquired into families where there appeared to be problems, ensured health issues were attended to, and as far as I was aware, removed racial and other tensions that can simmer in such close environments. I feel he did far more than merely educate us. He equipped us to deal with high school and life generally. Perhaps there is another parallel there without striving overly much.

Fast forward to 2015 when a friend was in China having difficulties with provincial authorities recognising her documents. She tried over and over for a long time trying to explain that she was from Singapore but was making no headway. Desperately trying to think of some way to be recognised, she finally said “Li Guang Yao”. The officers’ eyes lit up, they enthusiastically repeated “Li Guang Yao” a few times in the manner of a benediction, then in short order stamped her documents and sent her on her way. The name Lee Kuan Yew in all its variations has reached places and had effects we could never imagine, not to mention the influence of its bearer.

► Cameron Ford
Rio Tinto, Singapore

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Singapore Law Gazette  August 2015
Following the passing of Mr Lee Kuan Yew on 23 March 2015, the Law Society opened a Condolence Book for members to pen their messages to Mr Lee and his family. Two hundred and sixty-five members set aside their busy schedules that week and made their way to the Society to sign the Book.

The Condolence Books were presented to the Lee Family on 14 April when Mrs Lee Suet Fern received the books at a simple ceremony held at the Society. Please refer to the May 2015 issue of the Law Gazette for details and photos of the occasion.

We reproduce in the following pages some of the tributes from our members who remember Mr Lee with much affection and respect.
Dear Mr Lee,

You have not lived your life in vain, for you have more than fulfilled your vision to give us a Singapore that we can call HOME. Thank you for the sacrifices you have made for all of us. Words cannot express our gratitude.

The best way we can pay tribute to you is to build on what you have left us with, hopefully with the same vision, courage, commitment, determination, fortitude and wisdom that you have shown us.

Rest in peace, for you have run and finished a race to the accolades and gratitude of all Singaporeans.

We love and respect you!

Ng Lai Leng
Legiste Law Corporation

Dear Mr Lee,

I came from a very humble background and my parents were unschooled. I grew up listening to your speeches, and was moved. I made something out of my life. Had it not been for your inspiration, I believe I would not have improved much from my station as a won ton mee hawker assistant. I am forever indebted to you.

R. I. P.

Sincerely yours,

Kang Kim Yang and family
Templars Law LLC

Dear Mr Lee,

There are many things to thank you for, but as a lawyer I would like to specifically thank you for the law and legal system that you helped to put in place. In particular, thank you for preserving religious freedom in our Constitution and for adopting (only the good parts) of the British System and their laws. Singapore enjoys righteousness in our laws today largely due to your contributions. Your anti-corruption stance has been wonderfully successful and I hope it will continue to stay that way.

I would have loved to experience your leadership over the Singapore of today with your characteristic grit, gumption and incisive wisdom.

But I guess that is for my generation to follow. I can only hope that we will not fail you and the righteous foundations you have helped to set in place. Thank you, Mr Lee. God bless you and your family.

Cherissa Tan
Class of 2013

Thank you, Mr Lee, for your life’s work. You have set the standard for all of us. Rest in peace.

Nandakumar Ponniya
Wong & Leow LLC

Dear Prime Minister and Family,

Our hearts are deeply saddened by the passing of Minister Mentor Lee Kuan Yew on 23 March 2015. Please accept our sincere condolences for your personal loss. We owe an irredeemable debt to MM Lee for his wise counsel, courageous leadership and life-long commitment to Singapore. His achievements and legacy to us and the world are celebrated. It is fitting that MM Lee is surrounded by the respect, affection and gratitude of the people of Singapore and many others during this time.

Mr Lee was an alumni and Honorary Fellow of Fitzwilliam College, Cambridge, a Honorary Bencher of Middle Temple, and practised law at Laycock & Ong and Lee & Lee. He led the way for successive
generations of law students and lawyers to embrace a sense of history and purpose with his example of excellence and service.

Singapore will always remember Mr Lee Kuan Yew and Mdm Kwa Geok Choo. May the wonderful memories of their love and care give you enduring peace and comfort.

They came into our lives, changed our minds and won our hearts, and we will never be the same. Thank you. May they rest in peace together. They will be missed.

Lim Oon Teik Eugene and Eng Wee Ling
Ace Law LLP

Sir Lee Kuan Yew
A lone journey everyone must make without care or pain.
Tears or sorrow
A lone journey everyone must walk with only memories,
Forever and in eternity
A lone journey everyone must receive
For its life only true finality.
The seed planted by you with your heart and passion has grown into a beautiful nation.

Goh Siok Leng
Christina Goh & Co

What else can be said that hasn’t already been said? I have been crying since Monday morning. To Mr Lee Kuan Yew, the Singaporean who made us all proud to be Singaporean, may you rest in peace. We will take care of it from here, we promise.

To PM Lee, my condolences on the loss of your father. I wish I had had the chance to meet him.

Nadia Almenoar
Rodyk & Davidson LLP

I am deeply saddened and grieved, as many are, by the passing of our founding father. Yet, my heart takes comfort with the knowledge that he is so greatly loved, respected and cherished by many nations, and more importantly, his people whom he fought his whole life for. I have hope that he is now in a much better place, and suffers no more. Rest in peace, Mr Lee. You made all of us (Singaporeans) stand tall. We are forever grateful to you.

Tan Siew Hong
Tan Siew Hong Law Chambers

Dear PM Lee and Family of Mr Lee Kuan Yew,

Please accept my deepest condolence for your loss. As a child born in 1970, I have had the honour and pleasure of having grown up during the early formative years of Singapore. As a child of the post-65 generation, I have personally experienced, lived and benefitted from the tremendous progress Singapore has undergone since 1970 as far as I can tell. I must say a big thank you to Mr Lee Kuan Yew for giving me and my family this good life in Singapore. Mr Lee Kuan Yew is a giant with no peer in my opinion. His contribution to Singapore and the lives of the millions of citizens here cannot be qualified. He will be truly missed. May he rest in peace.

Yours truly,

Patrick Yeo
Withers KhattarWong

Dear PM Lee & Family,

I shared this with my children and grandchildren and would like to share this with you.

"With his intellect and drive, he could have been a rich and successful lawyer. Instead he entered the political world which was brutal and not lucrative then. He truly felt for his country and
for his countrymen. Every time we turn on the tap to clean running water, walk on a road lined with trees giving shade and fresh air and visit friends and relatives in government housing with modern sanitation we are living Mr Lee Kuan Yew’s legacy. He is a true visionary and should be remembered as one of the great leaders of our time”.

Thank you for sharing your father with us.

Leong Choi Fun
Tan Kim Seng & Partners

Dear Mr Lee Kuan Yew,

Thank you for your dedication to Singapore and the People of Singapore. With your touch you have put a shine on this tiny red dot on the map of the world and enabled its people to stand tall and proud. I shall learn from you your dedication, determination and hard work to the best of my ability. May you rest in peace.

My deepest condolences to the family of Mr Lee Kuan Yew.

Mabel Lim
Quahe Woo & Palmer LLC

Dearest MM,

Thank you for everything you have done for this nation, my family and I.

With my gratitude,

K Sureshan
Sureshan LLC

A nation in grief – for a man who gave his life to Singapore so that we can have ours. We can never repay this debt to give our support to the future leaders who continue his legacy.

Thank you Mr Lee and Rest in Peace.

Julie Woon
JurisOne LLP

Dear Mr Lee Kuan Yew,

Thank you for what you gave of yourself to Singapore. You will be remembered always.

R.I.P.

Lee Eng Beng, SC
Rajah & Tann Singapore LLP

To: A Visionary, Leader, and Founding Father of Singapore

Thank you for believing in Singapore. Thank you for giving us a clean city, a safe country, a multi-religious society.

Without your foresight, perseverance and lifelong commitment, we would not be here today.

Thank you for making English our first language. Thank you for insisting that we learn to speak Mandarin and for believing that we, the people of Singapore, are the country’s greatest assets. May you finally rest in peace after a life of endless giving.

With deepest condolences to Mr Lee Hsien Loong & family.

From a fellow member of the Bar,

Melissa Leong
Genesis Law Corporation

Dear Mr Lee,

Thank you for your Resilience, Integrity, Passion. Rest in peace. You will be missed.

Sylvia Khoo
Goodwins Law Corporation

Singapore Law Gazette August 2015
Thoughts from Our Honorary Members

"Mr Lee Kuan Yew was our chief diplomat to the world. He was also responsible for formulating the cardinal principles of our foreign policy, including the importance we attach to international law and the rule of law in the relations between states."

- Professor Tommy Koh

"Lee Kuan Yew is the only one of all our law students from either Malaysia or Singapore who was awarded a rare Starred First when he graduated from Cambridge University."

- Former Chief Justice Yong Pung How

"Although he was British-trained, [Lee Kuan Yew] never hesitated to learn from other jurisdictions. He ultimately would choose to go by what would work best for Singapore in the context of our unique circumstances. His starting point was to adopt and preserve the laws that we had inherited from Britain, India or Malaysia - because they were tried and tested, were sound and intellectually robust - and then make changes to fit our circumstances. When Section 5 of the Civil Law Act created uncertainty in the reception of English law, Mr Lee addressed it by enacting the Application of English Law Act, under the recommendation of the then High Court Judge, Chan Sek Keong."

- Professor S. Jayakumar "Order and Law? Lee Kuan Yew and the Rule of Law" in Big Ideas of Lee Kuan Yew (Shashi Jayakumar and Rahul Sagar 2014)

"... foreign criticisms of Mr Lee’s rule of law are misplaced. Mr Lee’s rule of law has contributed to making Singapore what it is today – an oasis of peace, stability and prosperity in an uncertain, turbulent and violent world. Singapore is lucky to have as its first prime minister a brilliant lawyer who understands the uses, power and limits of the law to change society for the better, and who has made full use of the rule of law, in the words of the Proclamation of Independence, to purposefully seek ‘the welfare and happiness of her people in a more just and equal society’."

- Former Chief Justice Chan Sek Keong "Lee Kuan Yew and the Rule of Law" in Big Ideas of Lee Kuan Yew (Shashi Jayakumar and Rahul Sagar 2014)
In Memoriam to Mr Lee Kuan Yew,

We will always remember all Mr Lee has done for Singapore and Singaporeans. Not only the brick and mortar but also the preserving of values that matter. Thanks for keeping the Rule of Law & protecting the Independence of the Judiciary.

Kim Seah Teck Kim
A. Ang, Seah & Hoe

Dear Mr Lee Kuan Yew,

Equality for all and peace for our people is indeed priceless. Thank you for giving that gift to grow, live and work in that environment. May you rest in peace and God bless you and yours.

Tito Isaac & family
Tito Isaac & Co LLP

To our beloved Mr Lee Kuan Yew,

Thank you for your sacrifices for Singapore, I cannot thank you enough. I have lived through the era when street fights were prevalent and living conditions were poor but you worked relentlessly to improve our lives and living conditions. I salute you!

May you rest in peace and be united with Mdm Kwa Geok Choo in eternity and I promise to uphold your good works. To PM Lee and family, my deepest condolences.

Jenny Lai
Jenny Lai & Co

Dearest MM Lee,

To a man deserving of a hallowed place at the top of the pantheon of the world’s finest leaders:
May you rest in abiding peace.

From a benefactor of your life’s work. Thank you with all our hearts.

Margaret Neo & family
Hoh Law Corporation
A 91-year glorious journey of human endeavour to build Singapore from Third World to First. Without Lee Kuan Yew, there is no modern Singapore.

Thank you, Sir. We will forever be indebted to you.

Ronald Wong
Continental Law LLP

Dearest Mr Lee Kuan Yew,
Each drop of water I drink, each grain of rice I eat, I thank you for how you fought for the survival of Singapore. I am proud to be a Singaporean and will always teach my children and younger generation to感恩! May you rest in peace.

Belinda Ang
Belinda Ang Tang & Partners

Dear PM Lee,
My deepest condolences to your family and you. I am deeply grateful for all your father has done to bring Singapore to its present magnificent state. Our present legal system is one of the best in the world and our judiciary is second to none. May he rest in peace.

Wee Soon Keng
Messrs Wee Soon Keng

Thank you very much for all you have done for this nation. My daughter, who just turned one yesterday, couldn’t have had such a quick recovery since birth if not for great healthcare services, something attributable to you. May you rest in peace.

Chester Chee
KhattarWong LLP

Fitzwilliam College, Cambridge – Conference on the Legacy of Mr Lee Kuan Yew and the Future of Singapore
A half-day conference to mark 50 years of Singapore’s independence

Mr Lee Kuan Yew was a student and Honorary Fellow of Fitzwilliam College. This event will include a series of panel discussions involving experts exploring history, politics, law, science and sustainability.

Date: Saturday, 31 October 2015
Time: 2pm to 6.30pm
Venue: Fitzwilliam College, Cambridge

For more information, please visit https://www.fitz.cam.ac.uk/sites/www.fitz.cam.ac.uk/files/Programme%20LKY%20Conference.pdf. The programme on the website is currently provisional. Final details will be circulated in due course.
**LexisNexis Singapore**

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- Published Date: August 2015
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*Price includes 7% GST

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Past – A Look Back at the Old Supreme Court Building

Members of a certain vintage would remember their practice days at the Old Supreme Court Building which served as the Supreme Court for more than 60 years until 2005. In this special issue of the Singapore Law Gazette celebrating Singapore’s Golden Jubilee, we take a walk down memory lane and re-visit various parts of the Building, including the City Hall Building which have been conserved and re-modelled to become the National Gallery opening later this year. In the following pages we bring you a pictorial spread of the Old Supreme Court Building and juxtapose it with pictures of the new National Gallery – the transformation of the past to the present.

We are grateful to the Supreme Court of Singapore for the photographs of the Old Supreme Court Building and the City Hall Building.
Part of the sound system inside the City Hall Chamber

The City Hall Chamber (commonly known as the "Surrender Chamber"). The Annual Opening of Legal Year proceedings back then used to be held in this room

Standard set of stationery inside each courtroom

Portraits of the Chief Justices (former and current) hung at the back of the City Hall Chamber. These portraits are displayed in the Supreme Court building today

Storeroom used to keep criminal court documents

Storeroom used to keep civil court documents
Corridor next to the Main Entrance of the former Supreme Court building. The Justices’ Law Clerks’ offices were situated at the end of the corridor.

Courtyard area at the City Hall building.

Judges’ Chambers.

Former CJ’s orderly closing the gates of the Chief Justice’s Private Entrance to the former Supreme Court building.

Chief Justice’s Private Entrance to the former Supreme Court building.

Interior of the Chief Justice’s lift at the former Supreme Court building.
Magistrates’ Appeal Court in the former Supreme Court building.

Cross junction at Level 2 of the old Supreme Court building. The right of the junction leads to the Technology Court.

Holding cells for accused persons at the former Supreme Court building.

Police post (rest area) for policemen who were deployed at the former Supreme Court building.

Light switches in the old Supreme Court building.

Shelves used by the policemen deployed to the former Supreme Court building.
National Gallery Singapore started taking shape in 2011 when restoration works commenced that year. We bring you a pictorial spread of the Gallery which is slated to open in November this year.

The following text and photos are courtesy of Jerome Lim at The Long and Winding Road (https://thelongnwindingroad.wordpress.com/). Reproduced with permission.

It has been a long four and a half years since two architectural icons of a lost age went into hiding, cloaked for a large part in a dark shroud. That was to permit a huge and costly transformation of the two, the old Supreme Court and the City Hall, to be performed, a transformation that would turn the two into a jewel that will crown Singapore’s coming of age. The massive 64,000 square metres of floor area that the two buildings share will provide Singapore with the grandest of showcases - the huge National collection of the new National Gallery Singapore. The collection numbers some 10,000 works. Composed primarily of the art of Singapore and of Southeast Asia, it is the largest collection of its kind in the world.
A view from the balcony towards the pediment. The space left by a missing coat of arms, thought to be removed during the Japanese Occupation, will be left as it is.

The Rotunda Library

The Rotunda Library, seen in a new light

The Supreme Court terrace
The eight sided foundation stone under which there is a time-capsule to be opened in the year 3000

Shadows from the steel framework of the glass roof over the courtyard

A view of the sky bridges between the atrium of the two buildings

The Corinthian columns of the former City Hall’s facade

The former courtyard of City Hall
Opening Celebrations Start 24 November

All visitors enjoy complimentary entry to National Gallery Singapore from 24 November to 6 December 2015

The National Gallery Singapore will open its doors from 24 November 2015. Visitors will be welcome to explore the Gallery’s two permanent exhibitions and view modern art collections from Singapore and Southeast Asia in the 19th and 20th centuries. As part of the festivities, visitors will also be invited to participate in the many activities and events lined up. A key highlight of the celebrations will be the National Gallery Opening Festival: Share the Hope which will be held at the Padang from 27 to 29 November 2015. The family-friendly event will showcase a spectacular façade show and a range of performances, screenings and activities to mark the Gallery’s official opening and Singapore’s Golden Jubilee celebrations.

The public can also mark their calendars for other activities during the celebration, including:

- Tours and talks around the two permanent galleries, DBS Singapore Gallery, UOB Southeast Asia Gallery and Keppel Centre for Art Education, the first dedicated art education facility of its kind in Singapore and the region
- Launch of the Art Connector, a permanent aesthetic sheltered walkway (links City Hall MRT along North Bridge Road and Coleman Street to the entrance of the Gallery) incorporating creative portraits from the Singapore community collected from the Portraits of the People engagement programme (27 November)
- Panel discussions to create dialogues about Singapore and Southeast Asian art (24-25 November)

The Gallery will be taking its Living Art programme to the Istana Open House on 2 August 2015, where the iconic National Language Class by Chua Mia Tee will be brought to life in interactive and immersive skits. The National Language Class is one of the most important art pieces that presents an important stage of Singapore’s history and will be housed in the DBS Singapore Gallery.

For more information about the upcoming activities, please visit www.nationalgallery.sg.

Source: National Gallery Singapore
I was called to the Bar in 1973, and in the same year, I had the opportunity to appear before the late Chief Justice Wee Chong Jin in the High Court on a contentious matter involving four members of a family. It was a rather unfortunate case because I was representing the mother and sister against two other siblings who were disputing over a settlement of the family estate upon the death of the patriarch of the family. The case was heard in the Old Supreme Court Building. As a rookie lawyer, still wet behind my ears, I was awed by the very ornate Courtroom and chamber of the Chief Justice. The Old Supreme Court Building is perhaps the most handsome and majestic of the historic buildings in Singapore. It housed Singapore’s highest Court for more than 60 years until 2005 when the Supreme Court moved into a sparkling new building of glass and steel. The structure is ornately spacious with an impressive interior and an exterior that rivals the best of the classical buildings built by the British anywhere in the Commonwealth.

Constructed between 1937 and 1939 the building was designed by Frank Dorrington Ward, the chief architect of the Public Works Department, who was apparently inspired by the Old Bailey in London. Most critics acknowledge that it was indeed his most significant creation. It was gazetted a National Monument of Singapore on 14 February 1992.

The foundation stone, the largest laid in the whole of Malaya at that time, was laid by Sir Shenton Whitelegge Thomas, Governor of the Straits Settlements, on 1 April 1937. A time capsule containing six Singapore newspapers dated 31 March 1937 and a handful of Straits Settlement coins were buried beneath the foundation stone, only to be retrieved in the year 3000. The building was declared open on 3 August 1939 by Sir Shenton, who then handed it over to the Chief Justice of the Supreme Courts, Sir Percy McElwaine.

Built in classical style, it features Corinthian and Ionic columns and spacious interiors with murals by the Italian artist Cavaleri Rudolfo Nolli. The four-storey steel structure was erected by United Engineers. The imposing building, complemented by two sets of Ionic columns on either side of the front porch, consists of four blocks surrounding a central courtyard. In the middle of the building is the rotunda law library with its significant dome and Travertine columns supporting two balconies on two levels. The building is topped by a distinctive big oxidised green copper dome.

The law library is actually beneath a smaller dome, which is hardly visible from street level. It was my favourite place because it was very inspiring to do research there. Furnished with carved furniture designed by William Swaffield and lined with tomes of law reports and reference books, the library with its detailed workmanship, relief panelling and distinctive comices, was the most beautiful and exquisite space in the building. In addition to the beautiful library, the building originally contained four Courtrooms, a Court of Appeal, a registry and offices connected by corridors laid with Art Deco rubber tiles. Another seven Courtrooms were added over the years. Because of the Supreme Court’s burgeoning caseload, six more Courtrooms were constructed in the City Hall Building next door in 1986, and another six in 1988.

In my view the most professionally meaningful symbol in the building is the tympanum sculptures on the pediment visible below the cupola. They are also the work of Cavaleri Rudolfo Nolli. The centre figure in the tympanum, holding a sword in the left hand and scales in the right, is Justice. The figure immediately to its left represents Lost Soul begging for protection from it. Next to this figure are two legislators with books in hand, representing the Law. To the left of Justice is Gratitude. A man holding a bull, representing Prosperity is on his left. And at the extreme left are two young children holding a sheaf of wheat representing Abundance resulting from law and justice. They constitute an eloquent allegory of justice which, as an officer of the Court, I was exhorted to uphold.

Many famous cases were heard in this magnificent building, and perhaps the most historic of all is the war crime trials of members of the Japanese military in 1946.
But whatever happened to my case before the CJ in the Old Supreme Court where he presided for 27 years as the first non-British Chief Justice, making him the longest-serving Chief Justice not only in Singapore, but also in the Commonwealth?

After our opening statements, he glared at us and promptly adjourned the trial and called us into his imposing chamber. “Learned counsels,” he softly queried, “do you know what you are doing?” He proceeded to remind us that these litigants were members of the same family who were being divided by quibbling over the way the estate was being distributed. He made it clear to us that the matter was one that ought to have been amicably settled out of Court for the unity and well-being of the family as a whole. We got the message and within a matter of weeks, both parties arrived at an amicable settlement and the case was withdrawn.

It was my first High Court hearing that did not quite happen because the late CJ was a kind and compassionate Judge who believed that justice sometimes is best done outside the Court. In a matter of minutes in his chamber, he instilled in me the notion that justice in that matter was to be found in the spirit of the law, not in the letter of the law. I learnt very early in my practice that family relations and unity are far more important than each member insisting on his own right under the law. By insisting on a settlement out of Court, he taught me to start my practice on the right footing with the right values. Justice is best served with the best outcome for all.

Needless to say, the family remained intact and was full of gratitude. And whenever I think of the Old Supreme Court Building, the allegory of justice symbolised by the tympanum sculptures below the cupola is projected in my mind. If I were to practise law again, I would like the outcome to be on the left of Justice represented by Gratitude, Prosperity and Abundance.

My memory of the Old Supreme Court Building is not the building in and of itself, magnificent as it is. My true memory is that first encounter with the late Chief Justice Wee Chong Jin who practised what he preached. I cherish his words as I walk down memory lane: “The qualities that one should look for in a Judge are a burning desire to be fair and impartial; the courage to uphold the law and strike down injustice; compassion, coupled with an understanding of human frailties; and lastly, love for the law”.

* Dr Wan was an active member of the Law Society’s Publications Committee and a regular contributor to the Law Gazette. He retired from practice in 2007 and is currently General Secretary of the Singapore Kindness Movement. He is also Chairman of the Prison Fellowship Singapore and the Ethics Committee of the Farrer Park Hospital.
## Diary

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Organiser</th>
<th>Location</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 July 2015</td>
<td>Annual Lawyer-Doctor Networking Session 2015</td>
<td>Organised by the Social &amp; Welfare Committee</td>
<td>Lexus Boutique</td>
<td>6.30pm</td>
</tr>
<tr>
<td>11 July 2015</td>
<td>Local Bench &amp; Bar Games 2015</td>
<td>Organised by the Law Society Sports Committee - Badminton</td>
<td>Ministry of Manpower Services Centre</td>
<td>9.5am-1.00pm</td>
</tr>
<tr>
<td>13 &amp; 14 July 2015</td>
<td>Mediation: Strategic Conflict Management for Professionals (Module 1)</td>
<td>Jointly organised by the Law Society of Singapore and Singapore Mediation Centre</td>
<td>The Law Society of Singapore</td>
<td>9.00am-5.00pm</td>
</tr>
<tr>
<td>15 July 2015</td>
<td>Future Proofing Your Firm – How to Navigate Your Way Through a Rapidly Changing Legal Market</td>
<td>Organised by the Continuing Professional Development Department</td>
<td>The Law Society of Singapore</td>
<td>12.00pm-1.30pm</td>
</tr>
<tr>
<td>15 July 2015</td>
<td>Corporate/M&amp;A Seminar Series – Doing Your Due Diligence</td>
<td>Organised by the Continuing Professional Development Department</td>
<td>55 Market Street</td>
<td>2.30pm-5.10pm</td>
</tr>
<tr>
<td>16 July 2015</td>
<td>Meeting with Embassy of Colombia Delegates</td>
<td></td>
<td>The Law Society of Singapore</td>
<td>11.00am-12.30pm</td>
</tr>
<tr>
<td>20-26 July 2015</td>
<td>Law Awareness Week</td>
<td></td>
<td>Singapore island-wide</td>
<td></td>
</tr>
<tr>
<td>21 July 2015</td>
<td>Written Advocacy Workshop (Module 5)</td>
<td>Organised by the Continuing Professional Development Department</td>
<td>The Law Society of Singapore</td>
<td>6.00pm-8.00pm</td>
</tr>
<tr>
<td>22 July 2015</td>
<td>Small Law Firms and State Courts Committees’ Luncheon</td>
<td>Organised by the Small Law Firms and State Courts Committees</td>
<td>State Courts Bar Room</td>
<td>12.30pm-2.00pm</td>
</tr>
<tr>
<td>23 July 2015</td>
<td>Basic Legal Secretarial Course (Module 1)</td>
<td>Organised by the Continuing Professional Development Department</td>
<td>137 Cecil Street</td>
<td>4.30pm-7.00pm</td>
</tr>
</tbody>
</table>
28 July 2015
Seminar on Prevention of Money Laundering & Financing of Terrorism Rule
Organised by Continuing Professional Development Department
2.30pm-4.00pm
Maxwell Chambers

30 July 2015
Basic Legal Secretarial Course (Module 2)
Organised by the Continuing Professional Development Department
4.30pm-7.00pm
137 Cecil Street

31 July 2015
Council Luncheon with Members
12.30pm-2.30pm
State Courts Bar Room

31 July 2015
Law Works Legal Primer on Sports Law
Jointly organised by Law Society of Singapore and National Trades Union Congress
7pm-8.30pm
NTUC Centre

Upcoming Events

7 September 2015
Associate Mediator Accreditation Assessment

11 September 2015
2nd National Insolvency Conference 2015

17 September 2015
Making the Point – Effective Legal Opinion Writing

8 & 9 October 2015
Biennial Lecture/Annual CPD Day 2015

6 November 2015
Day of Conveyancing Highlights 2015

13 November 2015
Law Society Annual Dinner & Dance
Rethinking the Representation of the Middle Category in the Council of the Law Society

The Council of the Law Society (“Council”) has been deliberating on a proposal to regulate the Middle Category representation on the Council. The impetus to consider such a proposal is to ensure: (i) fair and effective representation of the Bar on the Council; and (ii) that the criteria used for categorisation allows the Middle category to be a useful and fair representation of mid-level practitioners. Council has, therefore, decided to consider the proposal to expand the Middle category to include practitioners from 5 to 15 years of standing.

Section 49 of the Legal Profession Act (“LPA”) broadly categorises practitioners into the Senior, Middle and Junior categories. The categorisation of practitioners under s 49 of the LPA has promoted appropriate representation of all sections of the Bar on the Council and has provided practitioners, regardless of their years of standing in the Bar, an opportunity to represent the concerns of the practitioners in their category. This has provided Council a holistic perspective when addressing the concerns of the Singapore Bar over the years.

Background

Our Immediate Past President, Mr Lok Vi Ming, SC, in the Law Society’s Annual Report for the year ending 2014, noted that as a result of the high attrition rate among practitioners after a few years in practice, the number of practitioners in the Middle category had been dwindling over the years. He highlighted that in the recent years, the average number of members in the Middle category had hovered at around 400, a trend which showed no sign of reversing.

Mr Lok also highlighted the trend in his Opening of the Legal Year 2014 speech wherein he remarked as follows:

The striking feature is of course the low number of practitioners in the middle category. Although this is the smallest category in terms of the years covered, the 5 years within this category would still have generated a graduating total of between 1,250 to 1,400 lawyers who started practice (assuming 250 to 280 lawyers per graduating class). The figure of 386 represents about 25% of the said 5 year graduating total which means that by the 1st decade of practice, 3 out of every 4 lawyers would have opted to leave practice.

Accordingly, when the 2015 Council headed by President, Thio Shen Yi SC, took office, the issue of reconsidering the representation of the Middle category practitioners in Council gained traction. Council noted that the consistent fall in the total number of Middle category practitioners has resulted in their over-representation on the Council. To put this in perspective, the Senior category practitioners, who constitute about 54 to 56 per cent of the Bar are represented by merely 6 elected Council members while the Middle category practitioners, who constitute about 10 per cent of the Bar are represented by 5 elected members on the Council.

Relevant Statistics

A detailed comparative table on the representation of Council (excluding statutory appointed members) and the composition of the Bar is set out below:

<table>
<thead>
<tr>
<th>Year</th>
<th>% of the Senior Category Representation</th>
<th>% of the Middle Category Representation</th>
<th>% of the Junior Category Representation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Bar</td>
<td>Council</td>
<td>Bar</td>
</tr>
<tr>
<td>2012</td>
<td>53.6%</td>
<td>28.5%</td>
<td>10.1%</td>
</tr>
<tr>
<td>2013</td>
<td>54.4%</td>
<td>31.8%</td>
<td>8.6%</td>
</tr>
<tr>
<td>2014</td>
<td>56.3%</td>
<td>28.5%</td>
<td>9.2%</td>
</tr>
</tbody>
</table>

It can be observed from the table above that the reasons for the over-representation of the Middle category are twofold, namely, shrinking numbers in the Middle category as well as an increase in the number of practitioners in the Junior and Senior categories.
Council’s Proposal on Expansion of the Middle Category

Council’s proposal envisages that the Middle category be retained but the structure may be altered to expand the category. Accordingly, instead of the current criteria for the category to include practitioners with 7 to 12 years of standing, it is proposed that the category be expanded to include practitioners with 5 to 15 years of standing. In addition, the Council representation of the expanded Middle category will be fixed at 4 elected members. Correspondingly, the new Senior category representation on Council (comprising members with more than 15 years of standing) will be increased to 7 elected members. The new Junior category (comprising members with less than 5 years of standing) will continue to be represented by 4 elected members.

The proposal can be briefly summarised by the following table:

<table>
<thead>
<tr>
<th>Category</th>
<th>New Criteria</th>
<th>Proposed Number of Elected Council Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Junior</td>
<td>Less than 5 years of standing</td>
<td>Remain at 4</td>
</tr>
<tr>
<td>Middle</td>
<td>Between 5 and 15 years of standing</td>
<td>Reduce from 5 to 4</td>
</tr>
<tr>
<td>Senior</td>
<td>More than 15 years of standing</td>
<td>Increase from 6 to 7</td>
</tr>
</tbody>
</table>

Council supports this proposal for the following reasons:

1. It allows for the basic categorisation as envisaged in the LPA to remain. At the same time, the proposal ensures that more practitioners will be counted within the Middle category to make this category of members more meaningful.

2. Practitioners with about 5 years’ experience usually have the chance to be made junior partners, at least in the smaller law practices, and therefore Council is of the view that their specific concerns as junior partners will be better addressed in Council through representation of the Middle category rather than to be addressed together with more junior practitioners in the Junior category.

3. This method of categorisation is also in line with the current method adopted by SILE for the CPD scheme under the Legal Profession (Continuing Professional Development) Rules 2012.

Council recognises that under the proposal, the current Junior category members with more than 5 years’ standing will then be required to pay the higher Middle category membership fees. Therefore, to reduce the impact on these members, it has been decided that if the proposal comes into effect, a moratorium will be set for members with 6 to 7 years of standing (as of the date of implementation) so that they will not have to pay more than they would have to if the proposal had not been implemented.

While Council during its meeting held on 14 May 2015 has resolved to accept the proposal to expand the Middle category as set out above, Council is desirous to receive feedback and views from members on the proposal before initiating the process to implement the proposed legislative changes. Accordingly, we welcome members to provide their feedback and views regarding the proposal to represent@lawsoc.org.sg.
Some Thoughts on a Record-breaking 2014/15 Season for Singapore’s International Mooters

Singapore’s Tradition of Excellence in Mooting

Singapore has an extremely proud tradition in international moot court competitions. The famous NUS’82 team which won Singapore’s first Jessup championship comprised members who have all gone on to become Senior Counsel; one is now a High Court Judge (Steven Chong) and another, the Attorney-General (VK Rajah). Videos of championship finals featuring Singapore mooters continue to be used as training tools by universities all over the world, especially the 2001 Jessup final which reached the other three being Vis, Price, and Frankfurt, and these feats are surely records too. It may be said of course that SMU truly came under the international spotlight when it became the youngest ever law school to reach the Jessup championship final in 2013 – it would reach the final again in 2014 – and this year, it won the national round for the third year running.

2014/15: Another Historical Milestone, Another Grand Slam

Not many know this yet, but 2014/15 (August 2014 to July 2015) has been yet another historical season for Singapore in international moots. NUS and SMU reached a total of 13 international moot finals, winning 10; the two schools also split eight Best Oralist prizes between them in the process. These are surely records in the annals of international moots, notwithstanding the fact that Singapore is one of the smallest jurisdictions around with only two law schools – and SMU’s first batch of law students only graduated in 2011, 50 years after the first NUS batch did.

Indeed, SMU’s International Moots Program was launched just five years ago in 2010, but the school has since amassed 13 international championships in 26 finals. In the 2014/15 season alone, SMU won five (Vis East, International Criminal Court, Asia Cup, LawAsia, Hague Convention) of the eight finals it reached (the other three being Vis, Price, and Frankfurt), and these feats are surely records too. Indeed, SMU truly came under the international spotlight when it became the youngest ever law school to reach the Jessup championship final in 2013 – it would reach the final again in 2014 – and this year, it won the national round for the third year running.

A Changing Landscape in International Moots: Competitiveness Like Never Before

Succeeding in international moot competitions, however, is becoming much more difficult than before. The Jessup moot, for instance, now features more than 600 teams, which is twice the size of the 2001 field (the last time Singapore won the moot). Even newer moots such as the Price and International Criminal Court competitions, which used to attract only a dozen schools when they started in 2008, now attract more than a hundred teams, ranging from young law schools to extremely established ones. What has contributed to this explosion in numbers?
For a start, moot court is now taken much more seriously in many law schools, complete with proper teaching programmes and course credits. The digitisation of knowledge has also eliminated research barriers, and with many teams now being heavily supported and funded by firms and institutions, three important changes have taken place, drastically altering the competitive landscape for international moots: an increase in the number of team members in each team; an increase in the number of competitions a school can participate in; and repeat participation being the norm. One example with respect to the third change is the Sydney team which won a record fourth Jessup championship earlier this year – each member had taken part in quite a number of moots before, and the difference in standard was obvious. Without exception, one simply gets better with practice and feedback, and there is no substitute for competitive experience.

Why We Do What We Do: To be the Best in the World

So why keep trying to compete if the odds are increasingly stacked against us? From a teacher’s point of view, there is no greater joy in witnessing the growth of your students, be it in the personal or professional sense. Many great mooters did not arrive at law school as great orators or with the best grades. But they possessed a tremendous willingness to learn, and it was up to their teachers to bring the best out of them. So for a teacher, it is always gratifying to see your students grow in confidence and self-belief as they develop, and comforting to know that they will be in the best possible position in terms of the skill sets they can offer to firms when they apply for work and in terms of the many different opportunities that may come their way because of their mooting backgrounds.

From an institution’s point of view, despite the great changes to the competitive landscape, SMU remains committed to producing the world’s best international mooters and excelling in the world’s biggest international moot competitions. This is because when our international mooters excel on the world stage, Singapore’s global standing, at least as far as law is concerned, is enhanced. We take pride in the fact that year after year, moot court Judges – often leading practitioners who hail from a wide array of fields – observe that our mooters are of the most remarkable quality. Further, the subject matter of many moots, such as international arbitration and international investment law, are highly relevant in this globalised world and we must stay at the forefront.

Which makes one ponder: why should we not aim to produce the world’s best lawyers, if we are already producing the world’s best mooters? In this regard, what has always been a powerful motivating force for me is the broader, longstanding Singapore narrative: we may be a small country, but we have always punched above our weight and we have never shied away from competing with – and beating – the best of the best in any intellectual endeavour. With respect to the legal industry specifically, Singapore has made no secret of wanting to be a world-class hub for dispute resolution, and there is no better place to start than with our own law students when developing intellectual capital.

Given that moot court training is probably the most effective way to teach a student the critical legal skills of analysis, research, writing, and advocacy, the hope then is that the legal fraternity can continue to be involved in the whole process. As it were, the internalisation of skill and knowledge is only consummated with intense supervision and coaching that span several years, and it is accepted that this is where faculty and alumni coaches play a primary role. However, when it comes to bringing that extra perspective on written and oral submissions, the tips and comments from senior lawyers are particularly helpful. The future of our best young lawyers remains bright as long as this synergy between the universities and the fraternity is maintained, if not heightened.

*As/P Chen Siyuan teaches and researches mainly in evidence and procedural law. He founded SMU’s International Moots Program with Eunice Chua and Lionel Leo.

SMU won this moot after nine rounds of competition, becoming the first Singapore team to win this moot. SMU’s Willem C Vis team went on to reach the championship final in Vienna; this was the first time a university had reached both Vis finals in the same year. The Vis East Moot is now the third largest moot in the world.

L-R: Nicolette Oon, Eden Li, Coach Lionel Leo (WongP), Jason Lim, Jerald Soon

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The Singapore Legal Futures Conference was something I looked forward to attending. It had, as its premise, the unprecedented change in the global legal landscape due to transformative developments in areas such as technology, the economy and society and the evolution of Singapore’s legal sector at a pace faster than at any other period since independence. The conference proposed to investigate how these developments would impact law and justice, affect the legal sector and what participants in Singapore’s law and justice sector could do to adapt and thrive.

It did so by bringing together a group of respected legal futures experts and thinkers, some of whom I knew by reputation. This article attempts an account of the event for the benefit of those who were not able to attend and tries to capture the essence of the speakers’ presentations within the constraints of a limited article.

The conference was opened by Mr K Shanmugam, the Minister for Foreign Affairs and Law. The Minister referred to recent rapid changes in the world and said that Singapore was fortunate to have a legal profession that was prepared to face up to such changes. His Ministry had put in place a regulatory framework that embraced and sometimes anticipated change, making Singapore institutions, law firms and lawyers stronger and more relevant in the region. Singapore became more international in her outlook, creating more opportunities in areas such as international dispute resolution, and enhancing areas such as family law to better serve societal needs. However, there were new challenges. Borders were increasingly porous and legal services may in time be no longer necessarily tied to a jurisdiction. Legal work was being commoditised. The traditional litigation financing model, where lawyers charged time costs, was a model that was not going to be viable moving forward, and the Ministry had to keep reviewing this.

The Minister revealed that last year, the Ministry engaged the Hague Institute for the Internationalisation of Law (“HiIL”) to look at trends and to advise it on future challenges. He said that whilst change was a constant, there was another constant from his perspective. A strong local Bar played a significant part in the Singapore story, and he believed that Singapore must do everything she can to ensure that a strong Bar remained a vital part of society. What the next chapter of Singapore’s legal landscape would look like depends not only on what the Government does, but also on the profession, who had to do its part so that Singapore could face the future with confidence.

The first speaker of the conference was Dr Sam Muller, the founding director of HiIL, who gave “An Introduction to Driving Forces”. Dr Muller noted that Singapore was the only country in the world making a deliberate effort to try and understand the forces shaping the future of the legal landscape. He identified several driving forces most relevant for Singapore:

1. Governance: A shift in emphasis from top-down, hierarchical Government to multi-stakeholder platforms with more horizontal governance.
2. Economic forces: The world was moving from steady economic integration to accelerated economic regional integration, particularly in Asia.
3. Technology: A shift from robots that execute mainly simple, repetitive tasks to automated systems with capacity to perceive, learn and make decisions.

These driving forces significantly impacted all three functions of a justice system: rule-making, enforcement and compliance, and conflict resolution. The status quo would be hard to maintain. Three fundamental ideas would help Singapore deal with these driving forces: leadership in the law, training of lawyers, and regulation of the legal profession.

The driving forces of technology were given further imagination by Professor Mark Lemley the Director of the Stanford Program in Law, Science and Technology who spoke about “Law in a World without Scarcity”. His presentation focused on technology from the perspective of the legal rules that lawyers deal with, starting with the technology that has “disrupted” law in the last 20 years: the internet, which separated creation of content from distribution and democratized the distribution of content, and thereby led to immense changes in the law. Other present-day technologies could be similarly disruptive:

1. 3-D printing: 3-dimensional printing allowed a diverse range of objects to be created from a “home”
environment, from sculptures and jewellery; buildings and engines; and even organic materials such as food, and artificial human organs.

2. Synthetic biology: Pioneering developments in changing biology into a form of engineering would revise definitions and perceptions of human existence.

3. Robotics: The use of robotics is increasingly wider than in industry. Robotics are now being deployed in areas such as restaurants and transportation.

Using the example of the internet and how it changed intellectual property law, Prof Lemley thought that the three technologies above would lead to similarly disruptive effects to the substance of law. For instance, there could be a shift from liability for an end-product to liability for its initial design. There were also legal and practical problems with regulating the printing of prohibited objects, such as weapons. Technology may cause huge structural unemployment and income inequality, but the world had dealt with similar problems historically during the transition from an agrarian economy to an industrialised one.

The conference moved to Professor Ashish Nanda, Director, Indian Institute of Management, Ahmedabad, Harvard Business School, Harvard Law School who gave a law firm's perspective in his presentation “Global Competition and its Implications for Legal Service Businesses”. He spoke about four levels in which globalisation would have an impact:

1. Clients: Transactions would move with the changing economic centre of gravity: away from the global North or West, and towards Asia or Africa. Clients would be increasingly international, sophisticated, demanding, and cost-conscious, likely leading to an unbundling of services offered by law firms.

2. Competition: Since the 2008 financial crisis, legal needs in the global North or West had not increased at the same rate. New forms of competition were also coming in with accounting firms returning to provide legal services. Non-traditional competition has also emerged from providers who are neither legal process outsourcing outfits nor law firms, such as law-and-technology startups. Law firms are turning to capital markets to fuel expansion. New markets are opening up, but law firms in those spaces are also learning very quickly and have global ambitions (eg the “Red Circle” firms of China).

3. Technology: With the increase of bandwidth legal work can be broken up and distributed across different locations, and hence distributed among lowest-cost providers.

4. People: Lifespans are extending, but law firms still have pyramidal structures which advocate the departure of people at the apex despite their many remaining years of productive life. Mobility of lawyers is increasingly high, with the law firm that can truly balance lifestyle with productivity having a huge competitive advantage, particularly in retaining top female talent.

In terms of implications, Prof Ashish thought that first, having bright lawyers would simply be seen as table stakes; true advantage lay in firms with lawyers who are also thoughtful about the business of law. Second, firms needed to be more outgoing and less cloistered. Third, firms needed a clear strategy in terms of profile, service offering, differentiation, and value proposition.

The conference then went to its fourth and final speaker Professor Richard Susskind, Author of The End of Lawyers? who spoke about “The Future of the Legal Profession”. His focus was less about what the future holds, but rather the right mindset to have when thinking about the future. To Prof Susskind, this was to anticipate where the future is headed and to realise, for example, that lawyers will increasingly be required to see and resolve problems from the client’s perspective rather than a legal perspective. This required consideration of the premise that legal systems today are 19th and 20th century institutions not fit for purpose in the 21st century.

Prof Susskind thought that civilisation was at the knee of the curve of exponential technological change and that by 2021, the average desktop would be able to handle about the same number of operations per second as the human brain. It seems possible that legal advice will one day be dispensed through automated systems. These changes were disruptive and fundamental and affect our understanding of justice and of judicial systems. He proffered the thought that access to justice was now being thought of in terms of access to Court dispute resolution, when a more progressive way of thinking about it was in terms of dispute containment and dispute avoidance. Prof Susskind referred to his work in developing online dispute resolution for civil disputes in the UK. His recommendation was to think of online dispute resolution in three tiers: Judges deciding suitable cases first through online facilitation, and then online evaluation and finally in adversarial contest. He also offered several principles: The law should be affordable, accessible, intelligible to all; it is not the purpose of the law to provide a living to lawyers; lawyers should survive and
thrive because they bring unique value; the only justification for exclusion is to safeguard clients; and technology and decomposition should not be discouraged by fiat. He ended with two quotes, one from Jack Welch and the other from Alan Kay: “Change before you have to” and “The best way to predict the future is to invent it”.

There then followed a Panel Session entitled “The Practice of Law in a Changing Society” moderated by Associate Professor Eleanor Wong, National University of Singapore, consisting of panellists Mr Choo Zheng Xi, Peter Low LLC, Ms Elizabeth Kong, Morgan Lewis Stamford, Ms Peggy Pao-Keerthi Pei Yu, Attorney-General’s Chambers, Mr Anand Nalachandran, TSMP Law Corporation and then another panel session “Speaker’s Q&A and Discussion” chaired by Mr Ng Wai King, Managing Partner, WongPartnership LLP and the individual speakers at the conference.

The Senior Minister of State for Law and Education Ms Indranee Rajah, SC then closed the conference, adding that Ministry of Law organised the conference to encourage lawyers to focus their minds on what the future might bring, and to understand that lawyers will either have to change or be changed. She encouraged the profession to continue investing in continuing professional development and skills upgrading, and to keep up with new ways of thinking about legal practice and how lawyers can provide value to clients. To encourage budding lawyers to think in that direction, she announced a competition that the Ministry of Law was launching to provide students with an opportunity to say, in their own words and in their own way, what they thought of what the future held for Singapore’s legal profession, its laws and its legal system. (Postscript: the competition now has an “Open Category” for Singapore citizens and PRs, in addition to a “Student Category”). Details are in the announcement at <https://www.mlaw.gov.sg/content/minlaw/en/news/announcements/TheSingaporeLegalFuturesCompetition2015.html>.

The conference was about change and its effects on the future. It reminded me of the saying that it is not the strongest of the species, nor the most intelligent, that survives. It is the one that is most adaptable to change. These changes may have an impact on even our self-definition as a “profession” and, unless we deal with them for what they are and what they will be, we will not be able to handle their effects. There is much on which to reflect in our 50th year of independence; and much to contemplate in relation to the next 50.

Notes
1 My interest was piqued not only by my general interest in the future of the profession, but also because I was nominated by the Law Society to be part of the Legal Futures Working Group, created by the Ministry of Law. The Working Group had done a substantial amount of work, and I was interested in seeing whether some of our observations and conclusions were referred to or supported by these thinkers.
2 An American computer scientist best known for his pioneering work on object-oriented programming and windowing graphical user interface design.
3 Space constraints do not allow me to elaborate on the content of those discussions.
4 Often wrongly attributed to Darwin.
You are a Witness, Counsel

Can an advocate and solicitor continue to act for a client in a dispute if he is likely to be a witness on a material question of fact? As a matter of legal ethics, the answer is no. This position is embodied in r 64 (2) of the Legal Profession (Professional Conduct) Rules (“PCR”), which provides that “An advocate and solicitor shall discharge himself from representing a client if it becomes apparent to the advocate and solicitor that he is likely to be a witness on a material question of fact”.

However, while the language of r 64 (2) PCR provides that a lawyer-witness should discharge himself, does this also mean that his entire firm is precluded from representing the client as well?

In *Then Khek Khoon and another v Arjun Permanand Samtani and another* [2012] 2 SLR 451, the High Court considered the question of whether r 64 (2) PCR would extend to all other solicitors in a law practice:

1. The Court (per Quentin Loh J) held that the above question would depend on the facts and circumstances of each case, and that no rigid rules or criteria should be laid down.

2. As a starting point, the Court observed that the wording of r 64(2) PCR is expressly limited to the advocate and solicitor himself. However, the Court observed that in certain situations, r 64(2) PCR may be interpreted to extend to all other solicitors in a law practice, though such a wider interpretation should be adopted only when the mischief which r 64 PCR is meant to avoid has a real possibility of occurring. In this regard, the Court observed that the mischief which r 64 PCR is meant to avoid is the danger of the subconscious shaping of the evidence to suit the solicitor’s interest as against that of his client and the duty to the Court.

3. The Court identified two significant guideposts as to whether the wider interpretation of r 64(2) PCR should be adopted in a given case: (i) the mischief that r 64 PCR is meant to avoid; and (ii) whether the heart of the client’s case touches upon the correctness or otherwise of an act or document generated or soundness of advice given by the advocate’s partner or other member of his firm. In this regard, the Court observed that the degree of the advocate’s loss of objectivity, the degree to which it impacts or can potentially affect his practice, and therefore the fulfilment of his duty to the Court, is the true question to be answered. On the facts in that case, the Court declined to restrain the firm in question from acting.

In another matter, guidance from the Ethics Committee (“Committee”) was sought on whether an entire team of lawyers who represented a client would be required to discharge themselves if one or two members of that team, who were likely to be witnesses on a material question of fact, were going to withdraw from acting for the client.

The salient facts presented to the Committee were as follows:

1. Law Practice A acted for the Defendant from inception through a team led by Lawyer D1. Lawyer D1 was assisted by Lawyer D2.

2. During the proceedings, the parties entered into a Consent Order under Order 36 of the Rules of Court. The Plaintiff’s understanding of the Consent Order was that the Defendant had notionally conceded liability in the suit and that parties would proceed directly to an assessment of damages.

3. The Plaintiff’s lawyer, Lawyer P (who had taken over the matter from another firm that had originally represented the Plaintiff in relation to the Consent Order), led an application to set aside the Consent Order (“Summons”) based on the Plaintiff’s contention that parties were not *ad idem* in relation to the Consent Order.

4. Both Lawyers D1 and D2 agreed to withdraw from acting for the Defendant. Lawyer D3 from Law Practice A thereafter acted as lead counsel for the Defendant in the matter.

5. Lawyer P asked the Committee whether Law Practice A should withdraw from representing the Defendant until the final disposition of the Summons. Lawyer P informed the Committee that the parties’ solicitors had discussions and negotiations leading to the Consent Order, but each set of solicitors now had different factual recollections of what was discussed. Lawyer P asserted that there were other lawyers from Law Practice A who continued to be involved in the matter under Lawyer D3’s supervision, and these other lawyers had also been involved from the inception of the matter and would have background knowledge of the Consent Order. Lawyer P argued that these other lawyers from Law Practice A should also withdraw from representing...
the Defendant.

The Committee reviewed the material facts presented and provided the following guidance:

1. Generally, r 64 PCR bars only the particular solicitors who are likely to be witnesses on a material question of fact from participating in the case, and not other members of the same firm, who may take over the matter provided that the solicitors who are potential witnesses are excluded from participation in all aspects of the case.

2. Based on an affidavit deposed by the Plaintiff’s former solicitors that the parties had placed before the Committee, the Committee noted that the evidence given by the Plaintiff’s former solicitors indicated that only Lawyers D1 and D2 had spoken with the Plaintiff’s former solicitors about the proposed Consent Order. The Committee therefore took the view that the prohibition under r 64(2) PCR only applied to those lawyers in Law Practice A (ie Lawyers D1 and D2) who had spoken to the Plaintiff’s former solicitors about the proposed Consent Order before such Consent Order was made. Accordingly, only Lawyers D1 and D2 could not continue to be involved in the matter because they were potential witnesses on material questions of fact in relation to the Summons.

3. Accordingly, no lawyer of Law Practice A (other than Lawyers D1 and D2) would be potential witnesses on material questions of fact and the withdrawal of Lawyers D1 and D2 from the Summons proceedings was sufficient to satisfy the requirement under r 64 (2) PCR.

Ethics Committee
The Law Society of Singapore

Invitation for Contribution of Articles

The *Singapore Law Gazette* ("SLG"), an official publication of the Law Society, aims to be an educational resource for both practising lawyers and in-house counsel, a forum for debate, and a useful reference of high quality commissioned articles covering all legal specialties.

Members of the Law Society, non-practising legal professionals and professionals in related fields are welcome to submit well-researched manuscripts that are of educational merit and likely to be of interest to a wide-ranging legal audience.

Submissions are welcome throughout the year. All submissions should be unpublished works between 1,500 to 2,500 words and are subject to the Law Society’s review.

The SLG is the premier legal journal for all lawyers and other related professionals practising in Singapore. Our articles are read by 5,000 readers including practitioners, the judiciary, the legal service, the academia, libraries, overseas bar associations and a significant number of in-house counsel in Singapore.

We look forward to hearing from you!

Please e-mail all enquiries, suggestions and submissions to Chandranie at chandranie@lexisnexis.com
The Constitution of Singapore – A Contextual Analysis by Kevin YL Tan

This is the book I have been waiting for. Since coming to Singapore about six years ago I have been interested to know about the constitutional framework of the nation. This book is the ideal work for the foreigner and indeed for anyone who has not lived through the tumultuous times of the formation of this country. The work’s strength lies in its faithfulness to its subheading. It truly puts the Constitution in its historical, political, social, and geographical context, providing an understanding of why not only the Constitution but the social and political landscape of Singapore is as it is today.

It can be forbidding to tackle a text on constitutional law, especially of another country, but this work is eminently accessible, not to mention very interesting. Singapore and her leaders had a difficult time during her transition from a colony of the British Empire to an independent nation. Professor Kevin Tan leads us through those years in a scholarly yet entertaining way from the arrival in Singapore of Sir Stamford Raffles in 1819, to the amalgamation of Penang, Singapore and Malacca into the Straits Settlements in 1825, to Singapore becoming a Crown Colony in 1867, to the Japanese occupation in 1942-1945, to the self-governing but not independent state of Singapore in 1959, to the merger with and split from the Federation of Malaysia in 1963 and 1965 respectively, and finally to independence as a result in 1965. He records the words of the Malaysian Finance Minister at the time of the separation from the Federation describing the state of relations between the two countries as like a marriage gone so sour that the couple “could not even agree on who should use the bathroom first”.

Without burdening us with soporific detail, Professor Tan describes the various constitutions or constitutional arrangements during those periods and explains how those events shaped not only the laws at the time but also the present day Constitution. For example, even before independence the Government was concerned to ensure that Singapore remained a multiracial nation. To this end and amongst other things, the Constitution includes the Presidential Council to advise Parliament on impending legislation and its effects on racial or religious communities and the fundamental liberties of the subject.

Professor Tan handles with a light touch such weighty questions: whether the Constitution can be impliedly amended, whether the “Basic Features Doctrine” applies to Singapore, whether the Constitution is indeed supreme, and whether the Prime Minister is bound to call a by-election in the event of a casual vacancy.

He explains the social and political context of Parliament being unicameral, and the rationale for Non-Constituency Members of Parliament, Nominated Members of Parliament and the Group Representation Constituencies (“GRCs”). In part, the NCMPs (Non-constituency Members of Parliament) and the NMPs (Nominated Members of Parliament) provide some of the checks and balances that an upper house would in a bicameral legislature. The GRCs were ostensibly to provide greater representation of minority races who were being left out. He explains how the constitutional right to property was omitted from the current Constitution and why Singaporeans are now in practically the same position as if it had been included.
A very balanced view is provided on the political reasons shaping the constitutional and legal landscape. He says that we cannot understand the trajectory of Singapore’s constitutional development without knowing the three key imperatives of the ruling party’s outlook, namely economic growth first followed by managing ethnicity and then political dominance. As he says, the latter is not unusual and is shared by almost every political party in power. He gives us that knowledge clearly and simply and in a way that aids understanding the Constitution.

I would have to say I have a different view of aspects of the Constitution and the law since reading this work, particularly coming from the more western viewpoint where it is considered healthy to have a cynicism of politicians. Until reading this book I was unaware of the, I think, Confucian concept of Government by honourable men who have a duty to do right for the people and who have the trust in respect of the population. This concept was said to be more suitable for Singapore than the western approach in the Shared Values White Paper of 1991. Such an idea of Government puts a different complexion on many of the constitutional and legal arrangements.

I thoroughly recommend this work to all those who would like to understand not only the Constitution itself, but the reasons behind its structure and the laws it supports. It is ideal for foreigner and local alike, giving both an understanding of why the Constitution has taken its present shape. Providing the context of the development of the Constitution makes this work one of valuable legal history as well as of legal exposition.

The Constitution of Singapore is available at Books Kinokuniya and retails for SGD$51.25.

Cameron Ford
Rio Tinto, Singapore

New Law Practices

Mr Leow Chiap Seng (formerly of PKWA Law Practice LLC) has commenced practice under the name and style of Acclaim Law LLC on 1 July 2015 at the following address and contact numbers:

490 Lorong 6 Toa Payoh #09-15A HDB Hub Singapore 310490
Tel: 6250 0884
Fax: 6250 2939
E-mail: office@acclaimlaw.com.sg

Mr Pereira Kenneth Jerald (formerly of Advocatus Law LLP) has commenced practice under the name and style of Aldgate Chambers LLC on 1 July 2015 at the following address and contact numbers:

63 Market Street #11-02 Bank of Singapore Centre Singapore 048942
Tel: 6532 1146
Fax: 3151 0345
E-mail: kenneth@aldgatechambers.sg

Conversion of Law Practices


Ms Lee Kim Kee (formerly of K K Lee & Partners) has commenced practice as sole Director of K K Lee Law Corporation on 26 June 2015 at the following address and contact numbers:

511 Guillemand Road #03-13 Grandlink Square Singapore 399849
Tel: 6744 0419
Fax: 6747 8317
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Website: www.kkleelawcorp.com.sg

Change in Constitution of Law Practice

The sole practice of Satwant & Associates dissolved on 16 June 2015 and was re-constituted as a partnership on the same date.

Mr Satwant Singh s/o Sarban Singh (formerly sole proprietor of the sole practice of Satwant & Associates) continues to practise at the partnership of Satwant & Associates as Partner. The other Partner is Mr Danny Teo Kim Soon. They are practising at the following address and contact numbers:

3 Jalan Bingka
Singapore 588896
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Fax: 6299 5541
E-mail: satwant@satwantlaw.com.sg
Website: www.satwantlaw.com.sg

Change of Law Practice Name

The name of the law practice of ATMD Bird & Bird LLP has been changed to Bird & Bird ATMD LLP with effect from 1 July 2015. Contact details remain unchanged.

Change of Law Practices’ Addresses

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(wef 11 July 2015)

Change of E-mail Address

Yeo Marini & Partners
E-mail: law@yeomarini.com.sg
(wef 25 June 2015)
# Information on Wills

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<td>Ngin Lee Cheng (F)</td>
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<td>20 Jalan Kelawar Singapore 249261</td>
<td>Maria Tham &amp; Company 6732 1066</td>
<td>2766/15</td>
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<tr>
<td>Yeo Chye Har (F)</td>
<td>148 Simei Street 1 #09-133 Singapore 520148</td>
<td>Anthony Law Corporation 6435 0119</td>
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<tr>
<td>Ho Chin Toon Ivan (M)</td>
<td>3 Rivervale Link #13-28 Singapore 545119</td>
<td>UniLegal LLC 6236 2931</td>
<td>2899/NPJ/PN</td>
</tr>
<tr>
<td>Pay Eng Kee @ Peh Eng Kee (M)</td>
<td>102-188 Murdoch Drive Western Australia 6150 Australia</td>
<td>Yeo-Leong &amp; Peh LLC 6828 2957</td>
<td>2015CB01581AP</td>
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<tr>
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<td>UniLegal LLC 6236 2949</td>
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</tr>
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<td>PK Wong &amp; Associates LLC 6827 5575</td>
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<td>Chambers Law LLP 6535 3234</td>
<td>VL.YTH.1507065. HTTG</td>
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Law practices are encouraged to submit their Information on Wills requests via the online form available at our website www.lawsociety.org.sg > For Members > eForms > Information on Wills. Using the online form ensures that requests are processed quicker and details published with accuracy.
### Private Practice

**CORPORATE PARTNER**  
Singapore  
10+ PQE  
Global firm is expanding their presence in the region and looking for a corporate partner to join their team. The corporate lawyer should have strong corporate transactional experience and good understanding of the market in Singapore and/or ASEAN region. The successful candidate should ideally have a book of business but if not the firm is open to considering corporate lawyers with a good standing in the market. (SLG 12279)

**SENIOR ARBITRATION ASSOCIATE**  
Singapore  
6+ PQE  
A top-tier international law firm is seeking a senior arbitration associate to join its team for a broad work scope of SIAC and other international arbitration matters. Candidates must have existing experience gained in either a top tier domestic or international law firm. Experience in the insurance sector would be a bonus. (SLG 12148)

**CORPORATE/ENERGY ASSOCIATE**  
Singapore  
3-6 PQE  
Global firm with strong presence in the region is looking for a mid-level associate. This lawyer will be exposed to a broad variety of regional corporate work, advising companies in the oil and gas industry on M&A, joint ventures, project infrastructure and corporate commercial matters. The ideal candidate should have good experience in private practice covering either corporate or project finance work. (SLG 12460)

**PROFESSIONAL SUPPORT LAWYER**  
Singapore  
5+ PQE  
A global law firm is seeking a PSL to join its thriving Singapore office. The role will provide support to partners and fee-earners on a number of different practice areas but in particular the PSL is required to assist with corporate transactional matters. Candidates should have an excellent academic background and previous experience as a fee-earner or PSL at a top-tier domestic or international law firm. (SLG 12518)

**CAPITAL MARKETS ASSOCIATE**  
Singapore  
2-4 PQE  
A leading international law firm is looking for a junior associate to join its established corporate finance team. The associate will be involved in a broad range of capital raising work including equity capital markets and M&A. The ideal candidate should have at least 2 years of PQE in private practice covering ECM work. (SLG 12495)

**PARALEGAL**  
Singapore  
This international law firm seeks an able paralegal to cover a number of practice areas including contentious and non-contentious matters. Candidates must be educated to degree level and ideally have existing experience as a paralegal in an international law firm. This role offers broad experience in a dynamic firm. (SLG 12149)

### In-House

**REGIONAL LEGAL COUNSEL (HEALTHCARE)**  
Singapore  
8-12 PQE  
Global Healthcare Corporation is looking for a legal counsel to manage and oversee all legal matters across Asia Pacific. The potential candidate should have extensive range of corporate commercial experience, ideally already in-house in the healthcare or biotech industry with a regional coverage. Due to the nature of their business, proficiency in Mandarin is required. (SLG 12253)

**ANTI-TRUST COUNSEL (PRIVATE EQUITY)**  
Singapore  
6-13 PQE  
Major Investment Company is looking for a lawyer to advise on anti-trust matters relating to its global investments. The ideal candidate should be qualified in a commonwealth law jurisdiction with at least 6-13 years PQE, and with strong experience advising companies on merger control regimes globally or in the region. (SLG 12332)

**REGIONAL COUNSEL (HEALTHCARE SERVICE)**  
Singapore  
5-10 PQE  
A leading regional healthcare service provider is looking for a legal counsel to advise the business on a broad range of matters across several jurisdictions, including joint ventures and acquisitions, as well as general corporate commercial matters. The ideal candidate should have at least 5 years’ experience in both M&A transactional and general commercial work. (SLG 12485)

**LEGAL COUNSEL (CORPORATE COMMERCIAL)**  
Singapore  
4-9 PQE  
A major corporation in Singapore is seeking to hire a legal counsel to provide legal advice to the business on a broad range of corporate commercial matters. Candidate should be a Singapore qualified lawyer and comes with extensive experience in corporate advisory work. (SLG 12302)

**REGIONAL COMPLIANCE OFFICER (PHARMACEUTICAL)**  
Singapore  
4-7 PQE  
Global pharmaceutical company is looking for a Compliance Officer to advice on all corporate compliance regulations across the APAC region. The ideal candidate should have at least 4 years of compliance experience, with familiarity in FCPA, Anti-Bribery and Data Privacy regulations, and hands on experience covering regional compliance work in a multi-national corporation. (SLG 12475)

**REGIONAL COUNSEL (INTELLECTUAL PROPERTY)**  
Singapore  
3-7 PQE  
Global IP organization seeks a legal counsel to manage their business across the APAC region based in Singapore. The role is responsible for developing, managing and enforcing the compliance policies across the region, including taking actions against IP infringement. Candidate should have at least 3 PQE with experience in contentious or non-contentious IP work. (SLG 12494)

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These are a small selection of our current vacancies. If you require further details or wish to have a confidential discussion about your career, market trends, or would like salary information then please contact one of our consultants in Singapore (EA Licence: 07C5776): Lucy Twomey or Jean Teh on +65 6557 4163.  
To email your details in confidence then please contact us on legal.sg@alsrecruit.com.
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PRIVATE PRACTICE ROLES

BANKING · SINGAPORE
Global law firm with a long established Singapore base requires an experienced banking lawyer for a varied finance role. This will encompass trade, project and acquisition finance as well as general banking work. Strong academics are required.
Ref: 20981 4+ years' PQE

PROJECTS/INFRASTRUCTURE · SINGAPORE
This leading international law firm is keen to hire a projects docs partner to augment their current two partner practice. They have a strong existing client base and so your skill set will be of more relevance than your potential following.
Ref: 199621  Partner

Funds · SINGAPORE
This leading international law firm is looking to recruit a funds lawyer for its expanding team. Working alongside an industry leading partner, you will advise on high quality investment funds work for clients across the APAC region.
Ref: 197171 3-5 years' PQE

INDIA · SINGAPORE
The well established Singapore office of this top international law firm is keen to hire a transactional partner based in Singapore who has experience of working with Indian clients. Ideally you will have a corporate M&A background.
Ref: 189851  Partner

INVESTIGATIONS · SINGAPORE
Highly regarded international law firm currently wishes to recruit at least one additional investigations lawyer for its busy team. Prior experience in regulatory investigations and FCPA matters is essential, as are strong academics.
Ref: 201950 2-5+ years' PQE

BANKING · SINGAPORE
By virtue of its license to undertake transactional Singapore Law matters, this international law firm is keen to hire a banking/finance partner. Ideally you will have an existing practice made up of both domestic and international clients.
Ref: 201631  Partner

IT/TMT · SINGAPORE
Global law firm wishes to recruit an additional corporate IT/TMT lawyer for its thriving team. Prior experience is highly desirable but those from a broader commercial/IP background will also be seriously considered.
Ref: 201981 2-4+ years' PQE

INVESTIGATIONS · SINGAPORE
This top ranked UK law firm has an enviable presence in Singapore and elsewhere in Asia. Their global investigations department is keen to hire a partner in Singapore to launch the practice in SE Asia and augment the existing disputes team.
Ref: 196071  Partner

IN-HOUSE ROLES

REGULATORY DISPUTES · SINGAPORE
Newly created role within the global disputes team of this international bank in Singapore, focused on regulatory disputes in Asia. Experience handling contentious regulatory matters and criminal & government investigations is preferred.
Ref: 201811 5+ years' PQE

REGIONAL Counsel · SINGAPORE
A rapidly expanding software company is looking for a self-starter who will enable and lead its Greater China/Korea business. Experience structuring complex, high-value and multi-jurisdictional transactions is essential.
Ref: 202731 10-14 years' PQE

PRIVATE EQUITY · SINGAPORE
This fund with a focus on Asia is looking for a candidate with regulatory compliance experience to advise the fund on regulatory requirements with MAS, SFC, PCA, SEC and CFTC. You will also work on fund offering and trading documentation.
Ref: 202891 4+ years' PQE

LEGAL MANAGER · SINGAPORE
Newly created role in a well-known local company with diverse business interests, with focus on mergers and acquisitions in Asia Pacific. Prior in-house experience in the property development industry is desired.
Ref: 202581 5-8 years' PQE

HEAD OF LEGAL · SINGAPORE
This global FS company seeks in-house counsel for its Singapore operation. Handling a broad range of commercial contracts and issues, managing regulatory issues & drafting rules/policies. Derivatives experience is an advantage.
Ref: 200651 5+ years' PQE

LEGAL ADVISOR · SINGAPORE
Opportunity with this well-established SGX-listed company to join a close-knit legal team, supporting the business on all matters. An entrepreneurial mindset and knowledge of regulatory requirements for listed companies is preferred.
Ref: 202401 2-5 years' PQE

CORPORATE COUNSEL · SINGAPORE
Newly created role in one of the world’s most loved brands, focused on contract drafting and reviewing for the Asia region. A dynamic personality and 3-4+ years working with international contracts are paramount.
Ref: 203901 4-7+ years' PQE

LEGAL COUNSEL · SINGAPORE
This is a newly created role in a world leader in the manufacturing industry, handling a wide variety of work. Intellectual curiosity, quick thinking and excellent fundamental legal skills are required. There will be training and mentoring provided.
Ref: 202501 1-3 years' PQE

REGIONAL LEGAL COUNSEL · SINGAPORE
This is an excellent opportunity for a mid to senior-level lawyer to join one of the world’s leading legal firms. You will be supporting the business in ASEAN and Hong Kong. Maturity and the gravitas to manage senior stakeholders is key.
Ref: 202711 6-9+ years' PQE

Celebrating 28 years in global recruitment,
17 years in Asia and 5 years in Singapore

For Private Practice roles in Singapore and South East Asia contact Alex Wiseman on +65 6420 0500 or alexwiseman@taylorroot.com
For In-House roles in Singapore and South East Asia contact Helen Howard on: +65 6420 0500 or helenhoward@taylorroot.com

Taylor Root
LEGAL & COMPLIANCE RECRUITMENT

For more information visit www.taylorroot.com
SPECIALISED LEGAL COUNSEL (INSURANCE CLAIMS)
One of Singapore’s most prominent insurance companies is seeking a Legal Counsel to join its growing office. This entity is part of a multinational conglomerate with a presence in almost 40 countries.

This role will have a strong focus on insurance claims, regulation and disputes. You’ll be provided with a wide scope of work pertaining to claims negotiation, policy review, contract drafting, legal training and legal research. The purpose of this position is to provide legal support to different business units on insurance and claims focused matters.

Given the job scope, you must be a lawyer that is admitted to practice in Singapore, with a strong insurance law and litigation background. You must also have 4-9 years of relevant legal experience. This is an excellent opportunity for an experienced insurance lawyer seeking to progress their career with a successful entity.

Contact Armin Hosseinipour (Reg ID: R1440509) for more information at armin.hosseinipour@hays.com.sg or +65 6303 0725.

DISPUTE RESOLUTION ASSOCIATE
A prestigious international law firm is seeking a mid level Dispute Resolution Associate to join its collaborative team in Singapore.

The role will entail hands-on involvement in complex disputes (both litigation and arbitration) involving clients at both a local and multinational level. You will be involved in drafting court documents and assisting in the discovery process with respect to commercial matters, competition law, enforcement proceedings and general civil litigation.

To be considered for this position, you must have between 3-5 years of post-qualified experience and be admitted as a solicitor and advocate in Singapore or an equivalent common law jurisdiction. It is essential that you come from a disputes background from an international law firm or top Singapore law firm. This is an excellent opportunity for an energetic dispute lawyer seeking to take the next step in their career with a reputable firm.

Contact Armin Hosseinipour (Reg ID: R1440509) for more information at armin.hosseinipour@hays.com.sg or +65 6303 0725.

EXPERIENCED LEGAL COUNSEL - COMPETITION & ANTI-TRUST
A challenging and exciting opportunity has arisen with a global investment company currently seeking a Senior Legal Counsel specialised in anti-trust and competition matters.

Reporting to the Legal Director, you’ll work closely with investment teams on major transactions with significant competition and anti-trust elements, involving multinational entities that are governed under strict regulatory frameworks.

You must be a qualified lawyer with a minimum of 7 years PQE with specific experience in competition law and anti-trust matters. You must have a strong familiarity with M&A transactions as well as a solid foundation in the regulatory framework governing mergers and acquisitions in Singapore, as well as either the US, EU, UK, China or India. Experience in an offshore law firm or a competition regulator will be beneficial. You must be a strong team leader and a collaborative colleague with the willingness to succeed and thrive in an established organisation.

Contact Armin Hosseinipour (Reg ID: R1440509) for more information at armin.hosseinipour@hays.com.sg or +65 6303 0725.

INTERNATIONAL ARBITRATION ASSOCIATE
A reputable offshore law firm in Singapore is seeking a passionate international Arbitration Lawyer with 2-4 years experience. You’ll handle high profile international disputes, whilst supporting an incoming Partner and working with a team of top arbitration lawyers.

You must be a Singapore qualified lawyer with prior experience within a top local or offshore law firm. Exposure to shipping law is highly desirable as you will work closely with the shipping team. You must be articulate, passionate about international arbitration, and be able to work autonomously when partners are travelling.

Contact Negeen Pejooh (Reg ID: R1547320) for more information at negeen.pejooh@hays.com.sg or +65 6303 0725.

PATENT ATTORNEY
A well-regarded and growing international patent team is seeking a mid to senior level Patent Attorney. Reporting to the Head of IP in Singapore, you’ll work on a wide portfolio of large MNCs within the tech, media, telco and life sciences industries. You’ll be responsible for overseeing and executing patent applications while advising clients on procedural matters pertaining to patent law.

You must be a registered Patent Attorney with at least 5 years experience practising patent law. A degree in computer science will be highly regarded. Prior exposure to media, telecommunications, data protection, and/or the life sciences industries would be extremely beneficial as the role will deal within these sectors. Candidates from a private practice or in-house background will be considered.

Contact Negeen Pejooh (Reg ID: R1547320) for more information at negeen.pejooh@hays.com.sg or +65 6303 0725.

LEGAL COUNSEL - SGX LISTED MNC
A leading technology MNC is seeking a Legal Counsel to join its growing team. Reporting to the VP Legal you’ll be responsible for providing general in-house commercial support including contract negotiations, drafting and review, and advising on compliance matters across business units.

You must have a minimum of 3 years experience and preferably be called to the Singapore Bar. Reputable private practice experience will be valued, but any in-house experience will also be regarded. You must be familiar with Singapore regulatory law to advise on compliance issues. Exposure to the tech industry is highly desirable, as you’ll be overseeing transactions relating to the industry. Minimal travel may be required.

Contact Negeen Pejooh (Reg ID: R1547320) for more information at negeen.pejooh@hays.com.sg or +65 6303 0725.
SINGAPORE

General Counsel (8-9 PQE), Singapore

A well-known listed owner-operator of luxury hotels seeks a senior lawyer to head their legal team in Singapore in a regional role covering ASEAN and ANZ. Duties include advising on all legal and compliance issues arising from the various business units, vetting, drafting and negotiating a variety of commercial contracts and liaising with senior management. The successful candidate must have solid in-house experience and demonstrable leadership qualities. Some travel is anticipated. (S39270)

Legal Counsel (7+ PQE), Singapore

A regional telco seeks a mid-level legal counsel to support their consumer business and advise on wide variety of contracts, with a particular focus on contracts for the telco and ICT space. You should be called to the Singapore Bar and familiar with the telco/ICT/technology industry. Experience working on cyber security services and contracts is an added advantage. (S39346)

Regional Legal Counsel (5+ PQE), Singapore

Our client specializes in software for financial services and is seeking a commercial lawyer with experience working in an MNC environment. The role would involve acting as counsel to the Singapore Bar and working closely with the legal team in the US and Europe. The successful candidate must have solid in-house experience and strong cross-cultural communication skills. Some travel is anticipated. Attributes such as a high level of commercial awareness and fluency in Mandarin Chinese will be an added advantage. (S39288)

US/SG qualified Capital Markets Associate (3-5 PQE), Singapore

Leading US law firm seeks a US or SG qualified lawyer with experience in capital markets and related regulatory issues. The ideal candidate will have experience in US and/or Singapore capital markets and will have a strong understanding of the regulatory framework. Some travel is anticipated. Attributes such as fluency in Mandarin Chinese and cross-cultural sensitivity will be an added advantage. (S39289)

IT Counsel (3-5 PQE), Singapore

A leading IT MNC is expanding its legal team to meet the company’s rapid growth. Reporting to the APAC General Counsel, the successful candidate will support the business units and advise on a range of contracts as well as handle any other issues impacting the company’s South Asia business (comprising of India and Nepal and is looking to expand its presence in the following emerging markets - Sri Lanka, Bangladesh, Nepal and Maldives) as well as elsewhere in the Asia Pacific & CEMEA markets. Some travel is anticipated. Attributes such as cross-cultural sensitivity, analytical ability and business acumen will be valued. (S39254)

Legal Counsel (10+ PQE), Singapore

A well-known MNC in the hospitality industry seeks a senior legal counsel to join them in a sole contributor role to support the business with all hotel deals in the region from deal execution to hotel openings, draft and review commercial contracts, handle litigation and IP matters. Competitive package is on offer along with an opportunity to join a global recognized name. Prior experience in the technology sector would be an added advantage. (S39344)

Counsel (10+ PQE), Delhi, India

A well-known MNC in the hospitality industry seeks a senior legal counsel to join them in a sole contributor role, working closely with the regional legal lead. The successful candidate will have the responsibility of handling complex transactions and advising on a range of contracts, with a particular focus on contracts for the telco and ICT space. Some travel is anticipated. Attributes such as cross-cultural sensitivity, analytical ability and business acumen will be valued. (S39254)

US/SG qualified Senior Attorney (10+ PQE), Mumbai, India

This is a challenging and exciting position with a NASDAQ listed MNC software company. Responsibilities entail advising and managing legal affairs on a broad range of issues including contract, IP, marketing, sales, M&As, employment, compliance, corporate policy, company secretarial, internal and regulatory compliance and any other issues impacting the company’s goals and long-term strategies. In-house experience is strictly required and US MNC experience will be an advantage. The right candidate will enjoy working in a high calibre, results-oriented and high-pressured environment. (S39284)

Senior Legal Counsel (10+ PQE), Mumbai, India

Our client, an MNC in the financial services sector seeks a lawyer to join them in a sole contributor role to provide commercial and regulatory support for the company’s Asia business (comprising of India, Singapore and the following emerging markets - Sri Lanka, Bangladesh, Nepal and Maldives) as well as elsewhere in the Asia Pacific & CEMEA markets. Some travel is anticipated. Attributes such as cross-cultural sensitivity, analytical ability and business acumen will be valued. (S39288)

Counsel (10+ PQE), Delhi, India

A well-known MNC in the hospitality industry seeks a senior legal counsel to join them in a sole contributor role, working closely with the regional legal lead. The successful candidate will have the responsibility of handling complex transactions and advising on a range of contracts, with a particular focus on contracts for the telco and ICT space. Some travel is anticipated. Attributes such as cross-cultural sensitivity, analytical ability and business acumen will be valued. (S39254)

Greater China Counsel (10+ PQE), Beijing, China

US MNC and leading provider of enterprise software seeks a senior level lawyer to support their rapidly growing Greater China and Korea business. Based in Beijing and reporting to the regional legal lead, the successful candidate will have the responsibility of structuring and negotiating agreements for software sales, consulting and support activities, acting as counsel to operations and business partner to the China senior management team. Experience in working with enterprise clients and structuring high value, multi-jurisdictional transactions is a must, and prior experience in the technology sector would be an added advantage. (S39065)

Legal Counsel (5+ PQE), Shenzhen, China

A new technology start-up is looking for a counsel to support the growth of its business internationally. The candidate will work closely with the company’s international business (excluding PRC). The ideal candidate should be US or UK qualified, have some background in the mobile phone/ telecommunications business and with working experience in US and/or European markets. This is an exciting opportunity to work in a young, dynamic, growth-stage start-up. (S39344)

Associate (2-5 PQE), Tokyo, Japan

A top UK law firm seeks a common law qualified lawyer to join its disputes team. You should ideally have experience in contentious financial services regulatory and banking litigation, possess strong communication skills and have a high level of commercial awareness. The firm is committed to developing the individual and would prefer someone with a long term view of staying with their Japan office. Japanese language skills are preferred but not essential. (S39343)
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> 450 PARTNERS,
33 OFFICES,
... AND WE ARE STILL GROWING.

SENIOR ASSOCIATES
> CORPORATE
> CAPITAL MARKETS
> LITIGATION & DISPUTE RESOLUTION

PARTNERS
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> SHIPPING

LEGAL SECRETARIES
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PROFESSIONAL SUPPORT LAWYERS

COMPLIANCE ANALYST

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> FORWARD THINKING
> INNOVATIVE
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Every month, JLegal takes a light-hearted look at the PQE of a senior in-house counsel. This month, we find out that Wendy would have taken on a whole raft of other roles if she wasn’t a lawyer!

- What is on your mind at the moment?
  How can I make the best of what I have?

- Which talent would you most like to have?
  Clairvoyance.

- What is your idea of misery?
  Boredom or the lack of options.

- What do you most value in your friends?
  Unconditional support, despite all of my flaws.

- If you weren’t a lawyer you would be a ...
  Globetrotter, lounge singer, pundit, journalist, photographer, the list goes on and on ...

- What is your most precious possession?
  My health and the people (family and friends) I love.

- Where were you born?
  A very special place.

- Where is the best place you have ever been to?
  NYC - my hometown and where most of my family lives.

- What is your greatest regret?
  Not prioritising correctly at certain points in my life.

- What do you consider your greatest achievement?
  My mother has some level of security in her retirement.

- What is the strangest thing you have seen?
  The celebration of hyper-materialism.

- What is your motto?
  Try to live each day as if it were your last.

- Top 3 favorite movies of all time?
  In terms of popular / fictional movies, Pretty Woman. Otherwise, I enjoy and support documentaries.

- What do you consider the most overrated virtue?
  Doing well in school, even if it’s a great school.

- What is your greatest extravagance?
  Taking a year off from work to travel the world.

- If you could change one thing about yourself, what would it be?
  Needing to work for money.

- What irritates you?
  Violence (including warfare), prejudice, and arrogance are at the top of my list.

- What would you like to be remembered for?
  Leaving this world a bit better than I found it.
pure (pyoŭr)
adj. pur.er, pur.est

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