

ADMISSION OF ADVOCATES AND SOLICITORS
CHIEF JUSTICE'S ADDRESS

SATURDAY, 28 MAY 2005

Introduction

1. It gives me great pleasure this morning to preside over your admission as advocates and solicitors of the Supreme Court of Singapore. This year's mass call of 159 new lawyers will bring the number of advocates and solicitors holding practising certificates in Singapore to a total of 3,361 from the 3,202 who had taken out practising certificates earlier this year.
2. On behalf of my colleagues on the Bench, let me extend our warmest congratulations to all of you on this happy occasion. This is a day of significance and joy for you and your parents who grace today's proceedings by their presence.
3. The Mass Call today has special significance for the legal profession, and for all my colleagues on the Bench. The formal proceedings today will be the last Call to be held in this building. Some of your parents here are lawyers themselves, called in these same premises. They will remember the many criminal and civil cases conducted in the familiar setting of these old courtrooms.
4. The Supreme Court will be moving to its new premises in a new building. This will cap a decade of changes that we have put in place for the legal system in Singapore. In the Judiciary, we have modernised our courtrooms, harnessed new technology, improved our work processes and increased our capacity to handle the huge volume of cases that seek judicial outcomes each year. We have made numerous refinements to our court procedure to improve our operational effectiveness.
5. All these new infrastructure, technology and processes are put in place to enable the legal system, and the profession, to keep pace with the fast-changing external landscape of a modern society. Yet, the best infrastructure will mean nothing without the enduring values and practices that have made law the great profession it is today.
6. What are these principles and practices that have brought honour and success to those who have reached the top of this profession? It will not be possible to obtain a consensus on this issue. But I suggest that those who have reached the top in time past have some common traits - commitment to justice, honesty, excellence in legal craft and etiquette, and endurance for the long haul.

Commitment to justice

7. Those of you entering active practice in Singapore will join a fraternity that is charged with the responsibility of safe-guarding the quality of justice in our legal system. This is not a responsibility that should be taken lightly. Every day, families and

businesses depend on the law for order and protection. In the larger scheme of things, we partake of the business of nation-building efforts by strengthening our nation's legal infrastructure, which is one of the pillars of Singapore's success.

8. Over the years, your predecessors in the legal fraternity have worked with the Judiciary to reform and develop a justice system that is fair and transparent – one that the public has come to expect. It requires no less commitment and effort from every one of you.

Honesty

9. The importance of honesty cannot be overstated. Last year, the Judiciary and the legal profession reaffirmed our commitment to uphold the integrity of the profession. We acted swiftly to snuff out the threat of an increase in the incidences of dishonest lawyers who misappropriate clients' moneys.

10. Lawyers are in a position of trust, especially when they hold money on their client's behalf. Clients are extremely vulnerable, unless the system is in place to prevent any abuse and unless the character of the lawyer is beyond the reach of money. Dishonesty is a self-deluding process. It starts when lawyers sail too close to the wind and engage in conduct that they know to be wrong. They think it can be corrected before they are found out, and work on the assumption that the profession can tolerate minor infractions. They are wrong. Lawyers need to have clear internal standards of honesty, and know clearly the lines that they can never cross.

11. The test of honesty stretches far beyond the issue of money. Honesty goes to the very heart of a lawyer's duty. In litigation, this is a duty to the court, to the client and the opponent. Your duty to the court is paramount in every case, to place the facts and the law in an undistorted fashion before the Judge. Your duty is next to the client and your opponent, a duty of fairness, to state your client's case as strongly as it can be stated, within the boundary of the facts and the law, and without abusing the privilege of audience in this court.

12. It is easy to give mental assent to these principles but more difficult to live them out. For example, every advocate knows and will agree that he has a duty to cite relevant authorities to the court, even if it is not advantageous or even adverse to his case. This is not, however, invariably observed in practice. This has resulted in a curious situation where some lawyers who abide by this practice have actually attracted express commendation in a recent High Court decision.

13. The reason for the difference in theory and practice is simple. In the course of practice, one will face temptations to make moral compromises for short-term gratification. A lawyer who cuts corners in the discharge of his duty to present his case honestly will in the long run compromise his own reputation. Those who refuse to make such compromises place a higher value on being honest in their dealings. They are

determined to work towards the larger goals of a clear conscience and ensuring that justice is served. These are the very people that our justice system needs.

Craft and etiquette

14. Those amongst you who aspire to the top of this profession will find the process a rewarding one. To get there, you have to hone your skills and master your craft. These include advocacy, negotiation, client management, legal research, writing skills and a clear understanding of your client's problems and the business or personal decisions he needs to take. These do not come naturally to everyone, and much patience is required in daily study, keeping up with current developments of the law, observing the best in the profession, and learning from good role models. It includes equipping yourself with the necessary etiquette and conduct for the discharge of your responsibilities, including the etiquette of punctuality.

15. Lamentably, my colleagues and I have observed that, in recent years, the standards of punctuality and behaviour among some lawyers have slipped, although on paper they have been graduating with better grades. It should be emphasised that these are equally important aspects of a lawyer's career that should not be compromised at will.

16. A lawyer who turns up on time and organises his case in a straightforward and orderly manner, renders his client a better service in court than one who throws in large bundles of documents. This Court is never impressed by volume and extraordinary length of speech. We look out for the lawyer who has studied and understood the facts of his case, knows his law and has the clarity of mind and command of the language to trim his case to the time available for it.

Endurance for the long haul

17. Much of these will come to you as you answer to the demands of practice outside and apply yourself diligently to the rigours of advocacy in the courtroom. You will need determination and courage, to overcome temptations and last the journey towards an honourable career. To have the endurance for the long haul, you need to think about the end point, about the lawyer you want to be and the contributions you want to make in society. It is unfortunate that these fundamental issues can get buried under the pressures and pace of modern-day practice.

18. The time-honoured adage of "what a man sows is what he reaps" applies. Those who want to reap an honourable and successful legal career must have the diligence, the perseverance and the patience to uphold exacting moral and professional standards, despite many temptations to compromise. I hope that you will aspire to such worthy goals.

Conclusion

19. In closing, let me wish all of you a long and fulfilling career ahead.