

MILLENNIUM LAW CONFERENCE
CHIEF JUSTICE'S OPENING ADDRESS

MONDAY, 10 APRIL 2000
CANNING ROOM, RAFFLES CITY CONVENTION CENTRE

Thank you Justice Lai.

A very warm welcome to Your Excellencies, distinguished guests, ladies and gentlemen.

As we enter the dawn of a new millennium, it is apt to reflect on the trail of our past and chart our journey to the future. In the last years before the turn of the century, we witnessed Asia weathering an economic crisis of great proportion. One by one, the countries in the region began to collapse under the weight of their own economic expansion. We in Singapore were not spared either. Nevertheless, we were fortunate to fare somewhat better than some of our regional neighbours. This was because of our strong fundamentals and the willingness of the people to adapt to the changes and to cooperate with the government's measures to weather through the stormy ride. Like most professions and industries, I am certain that the legal profession faced no less of a challenge during this turbulent period.

It was also during this time that the government began a liberalisation of the banking sector, when they could have done the complete opposite, and they re-emphasised the need for continual upgrading of skills, so that when the regional economies recovered, we would have had a headstart against our neighbours. The formula has proven to work. Our economy is showing a healthy rebound this year, and investor confidence is up. One valuable lesson we learnt is that in order to remain afloat, ahead and relevant in the new global economy, we need to identify key areas and trends in advance, build the right fundamentals, and make use of opportunities that exist even in times of adversity.

When the Singapore Academy of Law was set up in 1988, its primary aim was to function as an umbrella body for all legal professionals in Singapore, not just legal practitioners (who were already members of the Law Society), but also members of the judiciary and government legal officers. One of its other aims was to promote good relations and close cooperation between practising members and government legal officers, as well as with any other legal professionals who wished to join. In addition, it aimed to promote high standards of conduct and learning in the Singapore legal profession, to advance the knowledge of the law, and to provide continuing legal education for its members.

We started in a humble way. Most of us will recall that it began in the main, by organising a series of legal education seminars, and operating a restaurant in the City Hall Building for its members. In 1989, the Singapore Academy of Law Journal, a bi-annual

legal journal, was introduced. In 1992, the Academy authorised the publication of the Singapore Law Reports as a separate series from the Malayan Law Journal. The fortnightly Academy Digest was born three years later. Since 1994, the Academy has instituted a series of Annual Lectures, where the Lord Chancellor of Great Britain and the Chief Justices of England, Australia, Canada and Hong Kong have spoken on current topics in the law.

Since then, the Academy has enlarged its scope of work, and has assumed an active role in the development of the legal infrastructure in Singapore. In 1996, the LawNet Department was established, to manage LawNet services, which is a legal IT network providing search services to the legal fraternity, companies and businesses. Some of the search services provided included conveyancing, bankruptcy and litigation databases. This was recently expanded in 1999, to include searches on awards of damages in personal injury and death cases, and awards in taxation of bills of costs.

In 1997, the Academy established the Singapore Mediation Centre to facilitate mediation of civil disputes. That same year, at the request of the government, the Academy implemented the stakeholding service. A year later, it launched the Legal Workbench, a fully integrated legal research tool, with a comprehensive and interlinked database comprising all primary sources of Singapore law. In 1999, it enlarged its role in alternative dispute resolution and took over the Singapore International Arbitration Centre as its subsidiary. In addition, the Academy appoints commissioners for oaths and notaries public, and has established a Selection Committee for the appointment of senior counsel.

Recognising the need to nurture and assist bright, aspiring lawyers to contribute to the Singapore legal scene, the Academy has taken the lead in promoting scholarships in the law. Since 1997, post-graduate scholarships have been introduced for bright young lawyers. To date, the first six recipients have gone to pursue higher studies at the Harvard and Yale Law Schools. On the local front, the Academy has sponsored prizes for the top final year law student at the National University of Singapore; the top MBA student in Business Law at the Nanyang Technological University; and the top student in the Diploma in Legal Studies at the Temasek Polytechnic.

All in all, the Academy has been attuned to the times and responded to the changes by enlarging its responsibilities to educate the legal fraternity and by reinventing its role to meet the changing times. It has over the years constantly identified areas of need in the legal profession and capitalised on them. It has put our laws and legal decisions on the international front of recognition through Lawnet and the Legal Workbench, and it has promoted greater learning through seminars and the Annual Lectures. It has contributed to shaping the laws of Singapore through its Law Reform Committee. In addition, as Singapore strives to become a major financial and business hub, the Academy has sought to establish mediation and arbitration to complement judicial proceedings and to cater for business disputes, as the former are fast becoming popular methods of alternative dispute resolution.

The Academy has certainly come a long way since its inception. It cannot be denied that the fruits of its labours have benefited the legal community and the public at large. But there is a need to plan and shape the role of our legal community in the new millennium. In particular, in order for the Academy to remain relevant, it must strive to identify new niche areas and refine its current ambit of responsibilities. It cannot afford to sit back and rest on its laurels, for today's glory will become tomorrow's history. No doubt, much will be expected of us, both by the legal profession and the public, to whom we owe a duty.

Five years ago in 1995, the Academy held a conference on Judicial and Legal Reforms in Singapore. The theme of that conference was the developments and reforms in the laws and the legal system in Singapore in the years between 1990 and 1995. It is appropriate now, five years later, to look afresh and forward, to anticipate and address new developments which we will face in the new millennium. What challenges does the new millennium hold for the law and lawyers? What strategies can be adopted to turn the coming challenges into opportunities? The Conference aims to allow participants to explore scenarios for the challenges of the new millennium and the strategies for meeting them. The topics presented are wide-ranging, and touch on key areas of domestic and global importance. They are not confined strictly to law and jurisprudence, but extend to economics, finance and industry, among other areas.

The legal and jurisprudential areas will include topics on the reengineering of the criminal justice and civil justice systems in the 21st century, the development of legal jurisprudence, and developments in intellectual property, banking and e-commerce. On the economic front, there will be an examination of perceptible trends in national policies, in technology and the cyber landscape, and in domestic and international trade. Topics on finance and industry will encompass issues on financial supervision in the age of the internet, global financial services and the telecommunications industry. However, the picture would not be complete without a discussion on the shape of law firms in the new millennium, and on designing law curricula, and educating lawyers for the 21st century.

The selection of speakers is wide-ranging. They are both local and international, who are leaders in their industries and fields, comprising members of parliament, the judiciary, lawyers, academicians, and members of the business and financial community. They bring with them a wealth of experience in their fields of expertise. At the same time, the conference affords an opportunity for all delegates to network, exchange ideas and forge strategic partnerships.

Given the explosion of the available information and ideas in the past few years, which is expected to continue, it would be impossible to identify all the areas of potential growth and challenges in the new millennium. It is hoped that, at the end of the Conference, we can identify some clear trends which we are heading towards and assist the legal profession in charting their course.

It is indeed apt that the theme of the Conference is “Leading the Law and Lawyers into the New Millennium”. Who should take the lead? Who are the key players in this arena? In this respect, the government and the judiciary have been proactive at the forefront.

In the climate of globalization, liberalization and increased competition, the government has responded to the call by opening up the banking, financial and telecommunications sectors. The legal sector has not been spared either. The Legal Profession Act will soon be amended to allow joint ventures and formal alliances between Singapore and offshore law firms, and the corporatisation of law firms. Such joint ventures between onshore and offshore firms will enable the former to gain considerably in terms of knowledge and skill, and in the development of legal databases, technology and management know-how. This will provide Singapore firms an opportunity to join the ranks of international firms to become global legal service providers.

In addition, new laws are continually promulgated, and current legislation revisited and revamped, in order to keep abreast of modern developments and to ensure that they meet with international standards. This is especially pertinent, given the explosion of developments and issues in intellectual property, information technology, e-commerce and trans-border commercial crimes, to name a few. For instance, the Futures Trading Act and the Securities Trading Act were amended to fine-tune regulatory efficiency and to provide civil remedies for insider trading.

Within the judiciary, the initiatives have been numerous and varied. We have effectively managed cases, resulting in the speeding up of the trial process and the quick disposal of cases – a civil suit can now be heard in a mere six months from the date of commencement of the action. We have reorganised resources so that we can offer more diversified services such as night courts and court dispute resolution. Last year, the Subordinate Courts introduced the Court Dispute Resolution-International Regime, which is a form of co-mediation conducted by our judicial officers together with judges from other common law jurisdictions, using video conferencing facilities.

We have also extensively exploited the benefits of information technology – we have a Technology Court and an Automated Traffic Offences Management System, which is an automated payment system for court fines. Video conferencing is widely used in the remote remand and vulnerable witness systems, and we are moving closer to our vision of a paperless court system with the advent of the Electronic Filing System.

It is pointless to have courts that achieve international standards and garner international accolades, if we do not have the judicial officers and judges to match the level of infrastructure. Accordingly, judges and judicial officers are encouraged to go for continuing legal and judicial education, scholarships are awarded for the pursuit of relevant courses at distinguished institutions of learning, and we have implemented an

attachment programme for district judges with the High Court Bench. We also constantly recruit some of the brightest law graduates to serve the judiciary.

The initiatives above are but the tip of the iceberg. However, they are a necessary step if we are to gain the confidence of the international community in our justice system, maintain our high international standards, and encourage businesses to set up here and use our judicial forum and our legal framework.

Where does the legal profession fit into all these? The government and the judiciary can set the pace and strengthen the foundations for a strong justice system, which is a key component in a stable economy of a country. We will obtain our cue from developments around the world and take the path which we think is the way forward. The legal profession has to build on the impetus, and work hand in hand with the government and the judiciary in suggesting and implementing initiatives and harnessing resources.

The challenge for the future is not local but global. In order to survive and flourish in the global economy, we must be able to compete with international bigwigs on the international level. We must be able to offer something more to entice foreigners to use our legal system and our lawyers. We will soon allow joint ventures and formal alliances between Singapore and offshore law firms. This will indeed open up our local law firms to much competition but also many benefits. To our legal fraternity, I will ask you to respond to this challenge. Whether you succeed or fail will depend on how prepared you are for the New Economy. This will in turn depend on certain key traits such as agility, adaptability, expertise, foresight, innovativeness, quality of service and perseverance.

On this note, I now declare the Millennium Law Conference open, and I wish it all success.