

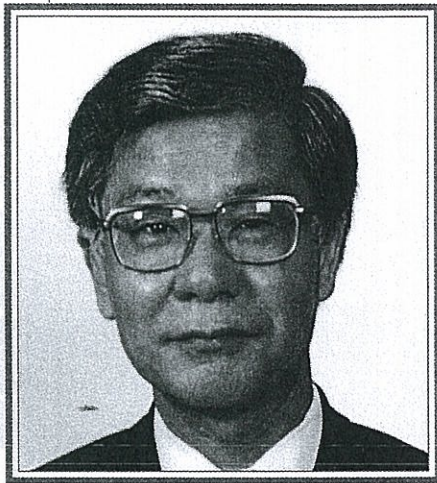
1999

Saturday, 9 January 1999

OPENING OF THE LEGAL YEAR 1999

Speech by:

# The Honourable Attorney-General



The Honourable Attorney-General  
Mr Chan Sek Keong.

MAY IT PLEASE YOU, CHIEF JUSTICE,  
JUDGES OF APPEAL, JUDGES AND  
JUDICIAL COMMISSIONERS OF THE  
SUPREME COURT

This is the ninth year since your elevation as Chief Justice of Singapore. It seems only yesterday that my predecessor welcomed you as the new Chief Justice at the opening of the 1991 Legal Year with words from Ecclesiastes that aptly described the expectation of changes ahead. The words were: "There is a season for everything, a time for every occupation under heaven..., a time for keeping...a time for throwing away, etc."

Nine years on, the administration of justice in Singapore and the institutions responsible for it have been thoroughly transformed. What was worth keeping has been kept, what was not worth keeping has been thrown away, and what was needed has been provided for. In a paper<sup>1</sup> delivered at the Third Asia-Pacific Courts Conference in 1998 held in Shanghai, you, Chief Justice, said that the ebbing years of the 20th century saw a self-reflecting Judiciary pre-occupied with institutionalising internal reforms. After this tide has ebbed, we can expect new waves of changes and reforms to lift the administration of justice to a higher level of performance and efficiency. It is therefore only fitting that the year 2000 and the new millennium will see you, Chief Justice, still in charge of the administration of justice in Singapore.

The Judiciary's shift of gear from a reactive to a sustained proactive function mode has reinvented the administration of justice in Singapore. The Judiciary is now a byword for organisational efficiency and speedy justice. This achievement has already yielded two significant benefits for Singapore. First, the Judiciary's responsiveness to the public's need for efficient justice has given meaning and life to the simple but majestic words of the Magna Carta: "*To none will we sell, to none delay right or justice.*" As a result public confidence in the Judiciary and in its commitment to the fair administration of justice is high. Secondly, and equally important for our economic well-being, the attributes of judicial fairness and promptness in court hearings are accepted

<sup>1</sup> See paper entitled *Reshaping the Judiciary for the 21st Century* published in the *Singapore Academy of Law Newsletter*, December 1998.



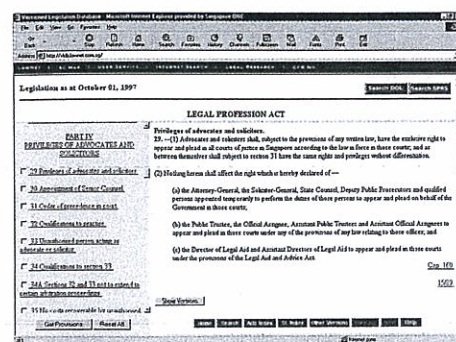
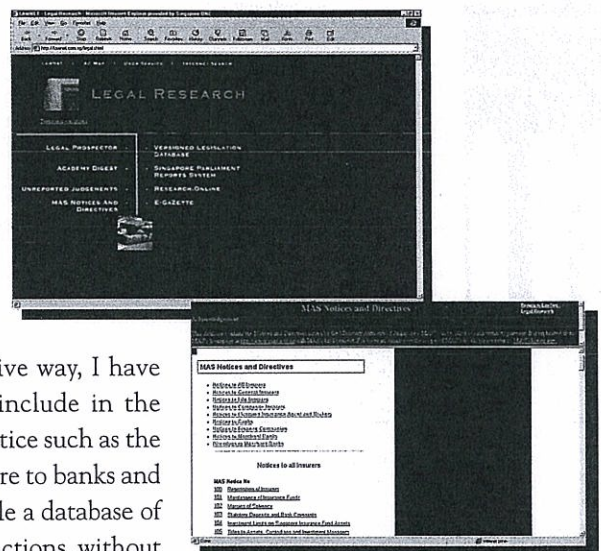
by consultancy and appraisal institutions in the business world as contributing to the public's sense of security and also the competitiveness of the economy. They reinforce investors' confidence in our legal system to protect their personal liberty and private rights.

The Judiciary's initiative in providing court-based mediation inspired a national movement in 1997 to provide mediation services to the community at large and also saw the establishment of the Singapore Mediation Centre to meet the needs of the business community for mediation. The enthusiastic reception of mediation by industry and professional bodies, particularly by the Law Society, and the willingness of their many members to obtain accreditation as mediators and to provide mediation services at very competitive fees have helped to make the Singapore Mediation Centre a true success. In the short period of its existence, it has gained for itself the respect and recognition of other more established mediation bodies in the United States, United Kingdom, Australia and Hong Kong. I congratulate the Singapore Mediation Centre and all those on its panel of mediators for this accomplishment.

What have we, on this side of the bench, done to improve our legal services? Time does not permit me to detail our efforts, but I would mention only one in the use of information technology in the law. In February 1998 you, Chief Justice, launched the ambitious LawNet Legal Workbench, the first virtual law library in Singapore. This internet-based legal research tool was offered to the profession on a commercial subscription basis with unlimited access. In spite of the economic downturn, the response from the Bar was better than expected. Within 6 months, the Legal Workbench garnered a total of 1022 paying users from 106 law firms and 21 in-house legal departments. These law firms represent approximately 30% of the practising lawyers in Singapore, but more encouraging is the fact that 94 of these firms are medium and small firms with not more than 20 lawyers. I would like to commend the Law Society and the LawNet Secretariat for their unstinting efforts in convincing law firms of the wisdom in exploiting the Legal Workbench. These figures speak well of the willingness of the legal profession to respond to the global forces that are shaping our economy more and more into a knowledge-based economy.

The Singapore economy is undergoing fundamental restructuring, particularly in the financial services sector. In order to help the profession support the financial services sector in a more competitive way, I have directed LawNet to embark on two major initiatives. First, to include in the Legal Workbench non-statutory materials relevant to corporate practice such as the Notices and Directives issued by the Monetary Authority of Singapore to banks and other financial institutions. Secondly, to build up and make available a database of precedents for various types of banking, financial and corporate transactions, without which the traditional tools of the trade will not be able to cope. At the moment, we are still assessing the financial viability of creating "expert document assembly systems" to help our lawyers to prepare the first draft of complex documentation in a few hours instead of several days.

We must continue to plan ahead to maintain the excellence of our legal framework and institutions to retain public confidence in them. The legal services sector must continue to upgrade its services. Our laws must be up to date and up to standard. My Chambers are ever vigilant in this respect. It is my hope that my Chambers will be able to establish an enlarged Legislation Division to include full time legal officers dedicated to law reform work as the process of law reform itself is ripe for reform. The Law Reform Committee of the Singapore Academy of Law has done a solid job in this area. But because its work is on a part-time basis, it is still pretty much an ad hoc affair. To expand the scope of its work and improve its productivity, the Committee





should be staffed by a full-time resource and research officer, a suggestion which the Chairman, Justice Thean, has already made. It should be implemented if the financial resources of the Academy permit.

I interject here to say a few words about Punch Coomaraswamy who died yesterday. His death has robbed the legal community of a true and respected friend. In the early 60's, when he was a partner in Braddell Brothers, he devoted himself tirelessly to looking after the affairs of the then Bar Committee, often at the expense of his own professional practice. Before he could enjoy the fruits of partnership in an established practice, the call of public service took him away from the Bar in February 1966 to become successively Deputy Speaker of Parliament, Speaker and Singapore's ambassador to many countries. He returned to his first love, the law,

in 1984 as a Judge of the High Court. The conferment on him of honorary membership of the Law Society was a fitting recognition of his contributions to the legal profession. The Legal Profession Act stands as a memorial of his work as a lawyer.

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For me, his death is a great personal loss. He taught me the law of evidence in law school in 1958 and professional conduct and ethics in the practical law course in 1961. He gave me my first job in Singapore in 1963, and when he retired from practice in 1966 he allowed me to pay for his share in the partnership by instalments free of interest. When I became a Judicial Commissioner in 1986, he was always available to discuss the law with me. I shall always cherish the memory of our long and close association and friendship.

At the opening of the Legal Year in 1986, Chief Justice Wee Chong Jin, after rebuking the then President of the Law Society for his presumptuous claim that the Judiciary had not shown the respect due to the Bar as an equal member in the trinity of institutions involved in the administration of justice, was moved to say: *"...unless there is unity and a willingness to co-operate among all who have anything to do with the administration of justice, there will be no success for anyone."* How true!

It is therefore only appropriate that I now once again pledge the full support of the law officers of the State for the work of the Judiciary in the days ahead. I would also like to wish you, Chief Justice, the Judges and Judicial Commissioners, the President of the Law Society and all present here, continuing good health and a better year for all of us.

