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SPEECH BY PROF S JAYAKUMAR, MINISTER FOR LAW AND

FOREIGN AFFAIRS AT THE FACULTY OF LAW'S 40TH ANNIVERSARY DINNER ON TUESDAY, 9
NOVEMBER 1999 AT 7.30 PM

National Archives of Singapore

Chief Justice, distinguished guests, friends and fellow alumni:

I am pleased to be here this evening celebrating with you the 40th anniversary of the Faculty of Law. I am glad to see so many of the alumni here, including my fellow students from the third batch of graduates. I am also happy that we have many distinguished guests and friends from our alumni in Malaysia, including the Honourable President of the Malaysian Court of Appeal, Tan Sri Dato' Lamin, as well as other Honourable Supreme Court Judges.

2 I graduated from the Faculty in 1963 and later joined the teaching staff until I joined Government as an office-holder. The Faculty has therefore been very much a part of my life for nearly 20 years. Its further development still continues to be of great interest to me as Minister for Law.

3 Just before I took leave to join Government in 1981, the Faculty embarked on a major exercise to broaden the curriculum and to prepare students not just for the practice of law, but also for public administration and business. The then

Vice-Chancellor, Dr Tony Tan, was instrumental in persuading the Faculty to think in a bold, long-term perspective. The cross-disciplinary approach was a hallmark of the revised LL B curriculum, and remains so to this day.

4 I note with satisfaction that the University now emphasises this cross-disciplinary approach in the other Faculties. There will always be a debate on the extent to which law students ought to do non-law subjects. It is clear we must not lose sight of the core legal subjects. Non-law subjects can be useful in preparing our graduates for the lawyers' changing role in Singapore, especially in the areas of information technology and financial services. This is a strategy that has to be adopted to equip and enable our graduates to do their jobs well in the knowledge-based economies of the future.

5 After 4 decades of its development, the Faculty will have to ask once again, how the Faculty – indeed, how the whole legal community – is gearing itself for the challenges which lie ahead in the area of law.

6 One could start examining this issue by looking at three specific trends that would have an impact on the nature of law and legal education in Singapore. I refer to legal education in its broadest sense, not just the formal part of legal education in the University, but also, the various legal education programmes run by the Singapore Academy of Law, the Board of Legal Education and the Law Society.

7 The first trend has already been the subject of much discussion in Singapore and abroad, namely that we must enhance the legal services of Singapore to support growth in the banking and financial services sector. To aid Singapore's competitiveness as a financial centre, we have already announced the liberalisation of the banking sector, and this will undoubtedly lead to an increase in banking activities and new financial products. According to the Legal Services Review Committee, which reported in June this year, "as more innovative and sophisticated financial products are adapted or developed here, the legal services sector, especially the offshore sector, must have the capability to support this growing sophistication by providing top-tier legal expertise." (Report, p ii) Our students and lawyers must be prepared for this need to increase their legal skills and knowledge to support the move to make Singapore a world-class financial centre.

8 Second, Singapore is also leveraging as a premier information technology centre – where cutting edge research is done, where there will be a steady increase in information technology products that would require legal protection. In addition, Singapore is positioning itself as a leader in the field of e-commerce. In these newer fields of legal knowledge, there is much that the Faculty can do – in terms of research, as well as in terms of training the law students to prepare for the practice of, for want of a better phrase, information technology law. The Law Faculty must maximise its expertise in commercial law and international law, to take the lead in examining whether the rules that govern contract or torts or property can be satisfactorily used in e-commerce transactions. Such research output can further enhance the Faculty's standing and the University's reputation, not just in the region, but also in the world.

9 Further, the lawyer of tomorrow must be someone who is able to make use of information technology tools to best advantage – to do his legal research, prepare his case, and file the necessary court documents electronically. He or she has to be trained to do this, and to continually upgrade his or her skills as technology advances. Again, the legal education bodies must provide the impetus to upgrade the whole legal profession. Competence in information technology provides the competitive edge that the legal profession must unquestionably embrace if it is to be part of the vision articulated by the Committee on Singapore's Competitiveness for Singapore's services sector, that is, to be the premier services hub in Asia with a global orientation (Report, p 53).

10 The third trend, related to the first two, is globalisation. The borderless nature of trade and services pose new challenges to a profession, many of whose members are deeply instilled with traditional concepts of jurisdiction and

sovereignty. In a short space of time, our lawyers have been required to deal with cross-border legal issues, with multi-national projects, with transnational crimes, and with transactions in cyberspace that literally have no physical boundaries. The pace of change, breathtaking in recent years, will only increase in future. The need for the Faculty to "go global" has therefore become even more vital.

11 Lawyers and judges whose views I have informally sought have consistently stressed they would like to see graduates having a broader perspective. It is not possible for Singapore to be a regional legal centre if our lawyers do not have this international or regional perspective.

12 The Faculty may want to meet this challenge in several ways: first, its teaching and research staff should forge links with other researchers and research universities abroad to pursue research that would be relevant and important in the knowledge-based economies of to-morrow. Second, the Faculty can improve on its exchange programme. I understand that it is already sending its students on exchange with universities in England, Australia, Canada and the US as well as in the region. This scheme should be extended to embrace more participating faculties from abroad, so that more of the local students can get an international exposure. Third, the Faculty may wish to strengthen its international profile by holding more conferences of an international or regional nature. It can take advantage of Singapore's position as a key Conference centre, and organise conferences on regional or international trade law. It has, I know, established a long tradition in the bi-annual Singapore International Business Law Conferences since the early 80s. Now, there is an even more pressing need to do so.

13 A point of clarification is needed here, adapting to globalisation does not just mean exposing our lawyers to developments in far-flung corners of the world. We must also set our sights on our neighbouring countries and the region we are in. In the globalised economy and with information overload, there is a tendency for investors to rate us as a region. So there is a need for the legal fraternity in Singapore to work with their counterparts in ASEAN countries to collectively work towards the strengthening of each country's legal framework. In his keynote address at the recent ASEAN Law Ministers Meeting, Prime Minister Goh Chok Tong said that, if ASEAN wants to succeed in the new globalised economy there must be a move in the direction of harmonisation and coordination. This is not a task which government legal officials can shoulder alone. The entire legal fraternity must chip in. In this respect, the Faculty can consider projects and initiatives that will enhance our students' and lawyers' understanding of other ASEAN legal systems, promote awareness of Singapore laws among our neighbours and lead to increased networking, mutual understanding and knowledge pooling among the legal fraternity of ASEAN countries.

14 Those who read Law at the National University of Singapore represent some of our best and brightest in the country. The achievements of past students of Law from the Faculty are indeed impressive. This track record must continue – and in order to do this, the Law Faculty, I understand, will be embarking on another major review of its curriculum next year. This is undoubtedly an important endeavour.

15 However, if the Faculty is to position itself as a critical player in Singapore's legal development, mere tinkering at the edges of the curriculum will not do. What is needed is a strategic review of the Law Faculty, its future role in the legal fraternity and how it should work closely with other agencies like the Academy, the Courts, the Attorney-General's Chambers and the Law Society.

16 Ladies and gentlemen, let me end with a call to the many members of the alumni who are here. I urge you to continue to show interest and strong support to the Faculty. The Faculty, on its part, can assist in this effort by helping to initiate and coordinate Alumni gatherings, for example, at significant milestones such as the 10th Anniversary of a graduating class. I also hope that there can be more contacts between the Singapore and Malaysian alumni.

17 Finally, I wish you a pleasant and memorable evening.

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