

SPEECH BY THE MINISTER FOR LAW AND NATIONAL DEVELOPMENT, MR. E.W. BARKER, AT THE OPENING OF THE SEMINAR ON "THE RULE OF LAW IN DEVELOPING NATIONS" ORGANISED BY THE LAW SOCIETY OF THE UNIVERSITY OF SINGAPORE AT THE UNIVERSITY OF SINGAPORE COURT ROOM AT 11.30 A.M. ON TUESDAY, MAY 9, 1967.

It was with great pleasure that I accepted the invitation of the University of Singapore Law Society to open this first Seminar of South-East Asian and AustralAsian Law Students organised by the Law Society of the University of Singapore. I must congratulate the Central Organising Committee for the initiative taken in organising this Seminar which is the first of its kind to be held in Singapore. It is my pleasure to welcome the delegates from overseas. I hope that this Seminar besides providing a forum for the discussion of common, legal and social problems and the exchange of ideas and suggestions on the practical solution to these problems, will also enable you to take in the sights of Singapore and see something of our way of life.

As a newly independent Republic, we have much to benefit from the experiences of the older democracies around us, and I am sure that in the lively and stimulating discussions which will take place on the 'Problem of Executive Excesses and the Checks Required' some specific suggestions culled from the richer experience of the participants from the older democracies will emerge to help us avoid the pitfalls which they faced. The lively and stimulating subject chosen for the Seminar is one that has been exercising the minds of lawyers, politicians and administrators specifically in various parts of the world. Singapore is no exception, and one of the first measures the Peoples Action Party Government took when it first came into power was to set up Complaints Bureaus, the main objective of which was to promptly investigate and remedy allegations of maladministration or abuse of power on the part of officials.

More recently, the Report of the Constitutional Commission on Minority Rights has been a focal point of discussion in the past few months. The Commission had made various recommendations which included, amongst other matters, the protection of fundamental rights and freedom of the individual, and the

setting up of a Council of State and an Office of an Ombudsman. Government's views on these recommendations were expressed in the Ministerial Statement and in the subsequent Debate in Parliament, and I do not propose to repeat what has already been adequately publicised. All I need to emphasise is that our prime object is to see that Parliamentary democracy is nurtured and takes effective root in this young Republic of ours. In introducing novel and untried institutions, it is wise to make haste slowly. We can, for instance, gain much by the experience of New Zealand in its experiment with its Ombudsman. It is noteworthy that even England has in introducing the Office of the Parliamentary Commissioner taken steps to see that Parliament's own rights and functions are not infringed on. The Commissioner is to act on the request of a Member of Parliament unlike the Ombudsman elsewhere. There has been a desire that the Office should not replace the intimate connections that MPs have with their constituencies, but rather to reinforce them. Again, limitations have been imposed on the subjects he is seized of, and amongst those which are out of his jurisdiction are extradition and passport cases, the Armed Forces, the prerogative of mercy, the hospital service, compulsory land purchase, foreign affairs and the Honours List. I merely mention this to point out that every country when introducing institutions which are novel, has had to adapt and graft them on to existing fabric to ensure that they take root. This applies equally well, if not more so, to Singapore.

I trust, therefore, that the participants in the Seminar in their deliberations take cognisance of the social, political and economic realities of our society and situation, and offer solutions that are practical and realistic. I look forward to receiving your record of the Seminar and can assure you that the recommendations or suggestions made will most certainly receive the careful consideration of those concerned in the administration of justice, including the abuse of power.

Mr. Chairman, Ladies and Gentlemen, it gives me great pleasure to declare open this Seminar.