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Headline: Strengthening the legal practice the heart way

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Even as the legal profession strives to remain relevant, it must resolve to be steadfast and true to its calling, says the author.

The report of the Committee for the Professional Training Lawyers released last week urged all those seeking to read law and to practise law “[to] be frank in asking themselves why they are attracted to the profession”.

Chaired by Justice Quentin Loh, the high-powered committee comprising Supreme Court judges, senior public servants, senior lawyers, and a corporate counsel incisively reviewed the professional training regime for trainee lawyers.

It observed that “the decision to read law should not be made lightly” given the heavy financial commitments (especially for those who read law in overseas universities) and with no assurance of a long and sustained career in law.

With the Government accepting in principle the committee’s recommendations, the pathway to be a full-fledged lawyer is going to be more demanding and longer.

In particular, the standard and stringency of the professional examinations will be raised and the practice-training period (as trainee lawyer) will be lengthened from six months to a year.

In light of these changes, the decision to read and practise law will take on greater importance. Should one not be properly motivated, it would be far more difficult to make and sustain a fulfilling career in law.

This could affect the quality and standing of the profession, and consequently, how the legal needs of society will be served.

In the words of Chief Justice Sundaresh Menon at the Mass Call ceremony in August last year, financial rewards and prestige associated with a legal career may be “too thin and too anaemic to provide a moving force for a lifetime of labour”.

Put simply, the question of “why law?” is highly and increasingly pertinent, especially amidst a rapidly evolving international legal landscape.

In the main, the committee’s report seeks to ensure that the legal profession in Singapore is ready for the significant developments buffeting it.

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New technology such as artificial intelligence and blockchain technology are streamlining legal work and redefining the role of lawyers, resulting in reduced reliance on lawyers to perform traditional roles such as searches and legal research.

The legal sector is also facing unprecedented challenges; it is undergoing restructuring, with client demands and outlooks evolving and new forms of legal services typical of the “gig economy”.

However, it would be a missed opportunity if one surmised that the recommendations were about making admission to the Bar more difficult.

The report was unequivocal that the more rigorous training of lawyers must also imbue in them the importance of values, ethics and “a spirit of public service”.

“It is the idea that the law is innately concerned with the provision of a public good for the betterment of the human condition as a whole—rather than of oneself alone—that marks it out as a profession rather than an occupation,” it said.

Without shared values, this shared purpose of law may have been lost in a materialistic society.

Thus, the training of lawyers must not only be about honing their professional skills and technical competency but must engage the “deeper purpose” associated with acquiring those skills.

This quest for the right minds and hearts in the right place impacts upon the soul of the legal profession, particularly how lawyers should go about their duties and how they should navigate challenging episodes in their careers.

Since 2014, when the issue of oversupply of lawyers was first flagged, there has been a palpable anxiety among law students and young lawyers. This is to be expected since it relates to one’s career prospects.

However, the committee’s mandate was not to look into the supply of lawyers even if the issues of training and supply may be intertwined.

Indeed, the recommendations mentioned above, when implemented, will likely reduce the supply of new lawyers. That may well be the effect but it is not the intent of the recommendations.

The recommendation to uncouple Bar admission from the completion of a practice training contract is a significant step forward as it recognises that Bar admission can lead to other law-related careers such as corporate counsel, academic, or practice support lawyer.

Ultimately, the recommendations will achieve their intent only if the legal profession internalises them.

It was no surprise that the committee took pains to reiterate the centrality of mentors in imparting skills, values, and ethics. It also urged the profession to right-size its attitude towards the training of trainee lawyers, noting that practice trainees do not provide “free labour” or “cheap labour”.

The committee also reiterated that pro bono work (legal work provided without charge, especially for needy clients) be cultivated as core part of a junior lawyer’s practice and professional identity, not as an afterthought or ancillary activity.

The committee’s report will play a critical role in strengthening Singapore’s legal profession.

Even as the legal profession strives to remain relevant, it must resolve to be steadfast and true to its calling. Each new generation of lawyers must be nurtured to be stronger and more resilient in skills, values, and ethics than the previous ones.

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Only then can lawyers ensure that theirs is a noble profession in “the endeavour to make our society a better place,” as Chief Justice Menon exhorted newly-minted lawyers last week.

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