

'Bias' against criminal and family law

Perception that work is second rate drives new blood away, say veterans

By THAM YUEN-C

THEY work just as long into the night as their corporate peers, and for less money.

But the biggest bugbear of many criminal and family lawyers is the perception that their work is second rate, compared with those in the more glamorous and lucrative fields of law.

"Years ago, criminal lawyers were not held in high esteem," said criminal lawyer Subhas Anandan, who is also the president of the Association of Criminal Lawyers in Singapore.

He claimed that the odds were stacked against them, and when they lost cases, they became branded as "second rate".

Although the situation has improved, the perception has stuck, he added.

And this has kept new blood away, veteran lawyers told The Straits Times.

The shortage of criminal and family lawyers here has been flagged as a problem by a committee set up to review the supply of lawyers here, especially in the light of Singapore's growing population.

To plug the shortage, the committee recommended the setting up of a third law school, which would focus on criminal and family law. The recommendation has been accepted by the Government, said Law Minister K. Shanmugam on Tuesday.

In its report, the 4th Committee on the Supply of Lawyers noted that anecdotally, law graduates from the National University of Singapore (NUS) and Singapore Management University (SMU) "do not find the practice of community law meets their professional aspirations".

The deans of the two law schools acknowledged as much.

Said NUS law faculty dean Simon Chesterman: "NUS law graduates are widely regarded as outstanding lawyers. With the range of opportunities available, it is not surprising that many pursue high-end work."

Added SMU law school dean Yeo Tiong Min: "Gravitation towards corporate law is not unique to SMU law students. Many bright law students in other law schools also see their future in corporate law."

Many of the lawyers interviewed said pay was a key factor.

"Crime and matrimonial work don't really pay in terms of earnings. It's one of the main reasons lawyers choose not to do it," said

criminal lawyer S. Radakrishnan.

Lawyers involved in corporate work say they charge between \$500 and \$1,500 for each hour. A major case can bring in as much as \$500,000. Criminal lawyers usually charge a lump sum, ranging from the low thousands to tens of thousands on average.

"We don't earn as much because our clients are ordinary people without much money. Even when the rich get into trouble with the law, they tend to go to the bigger firms," said Mr Anandan.

The kind of work criminal and family lawyers handle can also be "emotionally upsetting", which may put younger lawyers off.

"We sometimes have to double up as counsellors and handle the emotional aspects as well as the legal work," said family lawyer Yap Teong Liang, who has been practising for 20 years. "There

could be children involved and issues of family violence - we need to take care of all that."

The committee noted that in the first 10 years of practice, the attrition rate is 14 per cent for each graduating law cohort.

The Law Society told The Straits Times yesterday that it was also concerned about young lawyers leaving the profession.

It is a problem the fraternity is hoping to address by promot-

ing work-life balance and giving prospective law students a better idea of what to expect before they sign up for law school.

The situation is more critical in the fields of criminal and family law, since many of those lawyers are in their 40s and 50s, or older, and are likely to retire soon.

Hence the committee's proposal for a separate school, which would take in mostly mid-career professionals who already have expertise and interest in these areas.

Reactions to the proposal have been mixed. Lawyers cautioned that having a school just for criminal and family law may give the impression that those practising in these areas were not as good.

"The question now is how you get more lawyers to practise. You can have your courses, but if people are not interested in the courses, they are not going to sign up," said Mr Yap.

"I think we need to promote the good work which criminal and family lawyers do, and send out the right message that you're no less a lawyer because you practise in these areas."

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