

**SPEECH BY JUSTICE CHAO HICK TIN  
2018 HONORARY DOCTOR OF LAWS RECIPIENT**

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President of the Republic of Singapore and Chancellor of the National University of Singapore  
Madam Halimah Yacob  
NUS Pro-Chancellors  
NUS Chairman and Trustees  
NUS President  
Graduates, Parents and Friends  
Ladies and Gentlemen

1 Good afternoon. Allow me to begin by thanking the University for bestowing on me this great honour today. I am at a loss for words and greatly humbled as I stand before all of you to receive the honorary degree of Doctor of Laws.

2 The law has been my passion for more than fifty years. It has afforded me a long and fulfilling career, culminating in the many memorable years which I spent serving on the Supreme Court bench. When I embarked on the study of law more than half a century ago, it was not by chance. Instead, the seeds of my interest in the law were sown during my high school years, when I started taking an interest in newspaper reports on law cases. That was how I first gravitated to the law.

3 The world has changed many times over since 1966, when I returned from my studies in England. Although the key fundamentals of the law have remained by and large the same over the years, there have been sweeping developments in established areas of law, new fields of law have evolved and new statutes have been enacted to meet the changing needs of our times. The practice of law is now noticeably — indeed, dramatically — different from when I started work in 1967 at the Attorney-General’s Chambers.

4 Three main developments have led to the legal landscape that we see today. The first is the growth of Alternative Dispute Resolution (or “ADR” as it is more commonly known) as a substitute for the traditional adversarial mode of resolving disputes by litigation. From the early 1990s onwards, in order to reduce the backlog of cases which had built up over the years, our courts encouraged litigants to have recourse to mediation and arbitration as alternative means of resolving their disputes. In tandem with that policy, hearing fees were introduced for cases heard in court as a disincentive for parties to resort to trial to resolve their disputes. As the move towards ADR started to impact on litigation as a traditional source of revenue for law firms, litigation lawyers began to equip themselves with new skills geared towards ADR such as the art of negotiation. Gradually, litigation lawyers found themselves breaking out of their conventional moulds as trial lawyers and transforming themselves into “all-round” dispute resolution lawyers.

5 From the late 1990s onwards, two other forces of change — namely, globalisation and technological advancement — began to sweep through the legal profession, initially in a relatively modest fashion, then, increasingly, in dramatic ways that we could never have envisaged. The benefits brought about by globalisation and technological advancement are evident in today’s society — from online booking portals to robotic surgery, from Internet banking to virtual offices, just to name a few. There have, of course, been downsides as well, not least the laying off of staff as computers and robots increasingly take the place of manual

labour. In this regard, local lawyers have not been spared, and an aspiring young lawyer in Singapore today may well encounter difficulties securing a training contract or finding employment.

6 Notwithstanding the challenges presented by today's legal landscape, I believe lawyers can still remain relevant, and can still craft for themselves a fulfilling career in the law. What is needed in this day and age is a new mindset. We have to embrace the new reality, change the way we have traditionally worked as lawyers and harness technological advances to assist us in our legal practice instead of shunning these developments.

7 Globalisation is today no longer merely a theoretical concept but a reality. Singapore has seized on the opportunities presented by our increasingly inter-connected world to position itself as an international hub for legal services, and this has in turn led to the liberalisation of the legal profession, with foreign law firms being allowed to practise in areas of law which were hitherto monopolised by local law firms. As a result of the increased competition, a number of local law firms have either been squeezed out of the market or merged with other law firms in order to remain viable. Many local practitioners have also resorted to specialisation in order to carve out niche areas of practice for themselves. In this regard, the Singapore Academy of Law recently launched the Specialist Accreditation Scheme for lawyers. This enables lawyers to be recognised for their expertise and high level of proficiency in their chosen areas of specialisation; at the same time, it provides consumers of legal services with a platform for selecting appropriate legal advisers. Currently, specialist accreditation is available in the fields of building and construction law and maritime and shipping law.

8 Another effect globalisation has had on the legal profession in Singapore is to spur local practitioners into becoming more conversant with the laws of other jurisdictions and international conventions in order to better serve their clients' needs. This stands in stark contrast to the situation in the '60s and '70s, when local lawyers only needed to concern themselves with Singapore law. I remember it was generally believed at that time, given the scale costs then in place and a rising property market, that a lawyer could make a decent living by simply practising conveyancing alone. Indeed, at the time, many law firms, especially the smaller ones, operated on that basis. Areas of law such as Conflict of Laws (also known as Private International Law or "PIL" in short) were seen as esoteric subjects and were not much sought after by law students. I myself for one did not select PIL as one of my electives in law school. The situation today is, of course, vastly different. The sweeping tide of globalisation has led to more and more businesses transcending national boundaries, with the result that PIL is now a preferred subject among law students.

9 Speaking of PIL, it is only natural that a company which conducts business outside its home country has to confront many more complex legal issues than a purely domestic company. This is because each country has its own laws to govern businesses, and there will often be vast differences between the business laws of different countries, sometimes even in relation to the same business sector. Factory safety standards and employment laws are two typical areas where such differences can be expected. It follows that actions and measures which are wholly legal in one country may well be potentially illegal in another.

10 What this means for today's lawyer is that in order for him to be competent and effective as a legal practitioner, he needs to be more than just a local lawyer. He needs to also have in place a network of foreign lawyers whom he can consult as and when the occasion arises. It is only when he is so placed that he would be in a position to discharge his responsibilities to his clients efficiently and effectively.

11 On a related note, it has been said that lawyers should follow their clients. This is true indeed. As Singapore businesses expand regionally and beyond, our local lawyers must likewise widen their areas as well as spheres of practice to meet their clients' needs. This was

what the major American law firms did many decades ago when American companies expanded their operations overseas to take advantage of lower operating costs in less developed countries. It led to American law firms setting up offices in Singapore starting from the mid- to late-70s. Singapore law firms must do likewise in today's globalised economy and go where their clients go.

12 Globalisation is not something which we can avoid, nor is it something which we should fear. On the contrary, it is a force which we should embrace because of the wealth of opportunities, many of them previously unimaginable, which it offers. As the world becomes increasingly inter-connected through transnational commercial partnerships such as the Trans-Pacific Partnership and China's "One Belt, One Road" initiative, cross-border legal work will increase exponentially, bringing with it a consequential rise in demand for legal services.

13 I now turn to the advancement of technology, which, as I mentioned earlier, is the second force of change that has significantly influenced the shape of Singapore's legal landscape today. Recent decades have seen a quantum leap in technological advances. This has had a great impact on the legal profession, not least in terms of the provision of legal services. Almost all the major Internet search engines today are replete with legal information, and templates for commonly-used legal documents can now be obtained online either for free or at affordable prices. A businessman no longer needs to engage a lawyer to draft a shareholders' agreement for him as he can simply download a sample agreement online and then customise it to suit his needs. Similarly, the man on the street need not turn to a lawyer if he wishes to draft a will; instead, he can obtain a sample will from the Internet and modify it to suit his requirements. The increasing legal sophistication of laypersons will pose challenges to their lawyers, who can expect their handling of legal matters to face greater scrutiny and probing by their clients.

14 These are developments which the legal profession can neither avoid nor ignore. Information technology has radically transformed the way we live our lives and conduct business. There is no running away from this digital tsunami — we cannot retreat to the days of the Flintstones. Lawyers have no option but to surf the wave of technological advancement in order to remain relevant, or risk being left behind.

15 However, all is not doom and gloom for lawyers. Although technological advances have made it easier for laypersons to obtain the information which they require to address their legal needs, certain legal services cannot be obtained online and can only be provided by lawyers in person. For instance, many sale and purchase transactions are now done online, with recent reports estimating the value of e-commerce to be around US\$88 billion for the region and approximately US\$1.9 trillion globally. Disputes will no doubt arise from some of these electronic transactions, and the resolution of such disputes may well require the services of lawyers. This presents an opportunity for lawyers to get a slice of the e-commerce pie. But in order to do so, lawyers must first equip themselves with in-depth knowledge of the laws which govern electronic transactions.

16 There is, of course, also the fact that technological advances have greatly eased the burden of carrying out legal research. A lawyer doing legal research today will not need as many staff to help him as, say, 20 years ago.

17 The long and short of all this is that technological advancement should be embraced by all legal professionals because of the enhanced productivity, reduced costs, improved efficiency and greater competitiveness which they can enjoy.

18 I venture now to proffer some thoughts on what the developments which I have outlined above might mean to a young lawyer in Singapore today. About 230 of you will be receiving your basic law degrees this afternoon. How legal practice will evolve over the next 50 years is

anyone's guess. But what seems clear to me is that if the legal profession is to not merely survive but thrive, it must embrace the advances in technology and adapt to the changing needs of our times. We are already living in a world where computers and robots are replacing individuals in many areas, with artificial intelligence steadily making its mark in many countries. This trend will undoubtedly continue, and most likely with even greater vigour. It is not beyond the realm of possibility that technological advances will one day enable an entire trial to take place without the parties being physically present in court. As it is, we are already seeing the courts conduct certain pre-trial conferences and make certain procedural orders online. In the face of these developments, coupled with increased competition from foreign lawyers who are licensed to practise locally in designated areas of law, I fully understand if a young lawyer today is concerned about what the future holds for him. Can he create a space for himself in the legal profession? Will the day come when lawyers and judges become redundant?

19 Speaking for myself, I am sanguine about the future prospects of the legal profession. The law is not purely a matter of scientific reasoning or arithmetic calculation. Instead, it is often fact-sensitive and requires human judgment. Take, for instance, the issue of sentencing for a criminal offence: in the US, there are very elaborate — almost scientific — sentencing guidelines in place; but even so, the judge has the final say as to the specific sentence which is to be imposed. As far as I know, it has never been seriously suggested that sentencing for a criminal offence can one day be done by a machine or robot. I do not think a machine or robot can ever adequately replace the human mind in terms of considering every aspect of the myriad of factors which a judge has to take into account in deciding on the appropriate sentence to impose in the case before him.

20 Regardless of how the legal profession and the legal landscape in Singapore may evolve in the years to come, one thing is certain — the practice of law ultimately boils down to commitment and passion. Do not expect that it will be plain sailing all the time. There will no doubt be moments of frustration or even despair. But with commitment and passion, you will be able to overcome these moments and find fulfilment in your practice of the law. Above all, always remember — never compromise on integrity: not for any cause nor at any price.

21 In closing, I wish to thank the University once again for so graciously considering me worthy of receiving the honorary degree of Doctor of Laws. In truth, this honour has come to me like a bolt from the blue. This honorary degree will always hold a special place in my heart. And as long as I remain capable of doing so, I will continue, to the best of my ability, to contribute in whatever way I can to the development of the legal profession and legal jurisprudence in Singapore.

22 Thank you very much.