

MOVING FAST, FAR AND FORWARD

By Edwin Tong, SC, Senior Minister of State for Law and Health



Wefie with MinLaw officers at COS 2019

The budget season is upon us again.

Deputy Prime Minister and Minister for Finance Heng Swee Keat just delivered his Budget Statement in Parliament on 18 February. It was a budget that addresses immediate concerns, yet is also far-sighted. We have to respond to challenges in the new decade, against a backdrop of COVID-19 outbreak, as well as global structural shifts, economic uncertainties and strategic tensions, and yet also ask what kind of Singapore we want to have in the decades to come.

From today till next week, the Parliament will sit as a Committee of Supply, and examine the various ministries' plans. This rigorous process is necessary to ensure that the budget addresses Singapore's current and future needs, while remaining fiscally sustainable – a sacrosanct principle which has served us well.

Before the Ministry of Law (MinLaw) presents our plans for the year to the Committee of Supply, I thought I would share what we had achieved last year.

We Moved FAST

Singapore is a small country, with small population and land area. As our Founding Father Mr Lee Kuan Yew said, "for Singapore to survive and prosper, we need to be relevant and useful to the

world". To maintain relevance, we need to be nimble and adapt to the constantly changing world.



With LawSoc President Gregory Vijayendran, SC at the launch of Tech-celerate for Law in May 2019

The same applies to our legal industry. We are small, with only about 1,000 law firms and 7,000 lawyers; the world's largest law firm has more lawyers than all of Singapore! To carve out a niche for ourselves in the world, we need to adapt, and adapt fast, to the evolving legal landscape – shifting client expectations, alternative legal service providers, legal technology.

The Government is constantly looking at ways to help our legal profession evolve and stay ahead. For example, we launched the Techcelerate for Law programme in May 2019, together with the Law Society, Enterprise Singapore (ESG) and Infocomm Media Development Authority (IMDA), to help law firms adopt legal technology tools such as practice management solutions, document assembly, document review, to increase efficiency; and client engagement tools such as chatbots to improve delivery of services.

From January 2019 to date, MinLaw moved at least 12 Bills through Parliament, all aimed at achieving our mission of “advancing access to justice, the rule of law, the economy and society”. Keeping our legal system updated and relevant is no easy feat.

We also implemented legislative changes, which require immense coordination among MinLaw, the Attorney-General’s Chambers (AGC) and the agencies involved, given the countless pieces of subsidiary legislation that had to be amended.

Advance access to justice
Protection from Harassment (Amendment) Bill To enhance protection for victims of harassment
Constitution of the Republic of Singapore (Amendment) Bill Judges' Remuneration (Amendment) Bill Supreme Court of Judicature (Amendment) Bill To enhance the efficiency and flexibility of court processes, e.g. by establishing a new Appellate Division of the High Court
Advance the rule of law
Criminal Procedure Code (Amendment) Bill To enhance the fairness of existing criminal procedures and ensure the accuracy and equity of outcomes in the criminal justice system
Advance the economy
Singapore Convention on Mediation Bill To give effect to the United Nations Convention on International Settlement Agreements Resulting from Mediation (also known as the Singapore Convention on Mediation) by providing the legislative framework for a party to enforce or invoke an international settlement agreement in Singapore
Reciprocal Enforcement of Commonwealth Judgments (Repeal) Bill Reciprocal Enforcement of Foreign Judgments (Amendment) Bill To enhance the recognition and enforcement of Singapore judgements overseas
Intellectual Property (Dispute Resolution) Bill To improve the intellectual property dispute resolution system in Singapore, and clarify that IP disputes are arbitrable
Geographical Indications (Amendment) Bill To improve the operations of the GI Registry, and provide greater clarity for traders and producers
Advance society
Protection from Online Falsehoods and Manipulation Bill To protect society against damage from online falsehoods created by malicious actors
Precious Stones and Precious Metals (Prevention of Money Laundering and Terrorism Financing) Bill To strengthen safeguards against money laundering and terrorism financing by precious stones and precious metals dealers

We Moved FAR

Singapore's domestic market is limited. We need to look beyond our shores, to Asia and even the world, if we want to grow.

I personally made 12 trips last year, to countries like Brunei, China, India, Japan, Kazakhstan, Myanmar, Russia, the US and Uzbekistan. There was really only one objective in mind – to open doors in these markets, and create opportunities for the Singapore law brand, our dispute resolution institutions, law firms and lawyers.



With the Singapore delegation after speaking at the St Petersburg International Legal Forum (SPILF) in May 2019

We actively market and promote our legal and dispute resolution services overseas, to seek out opportunities for our institutions and law firms to engage potential users; we push for access for our law firms and lawyers in key markets; and we strengthen legal cooperation at government-to-government, institution-to-institution, and people-to-people level

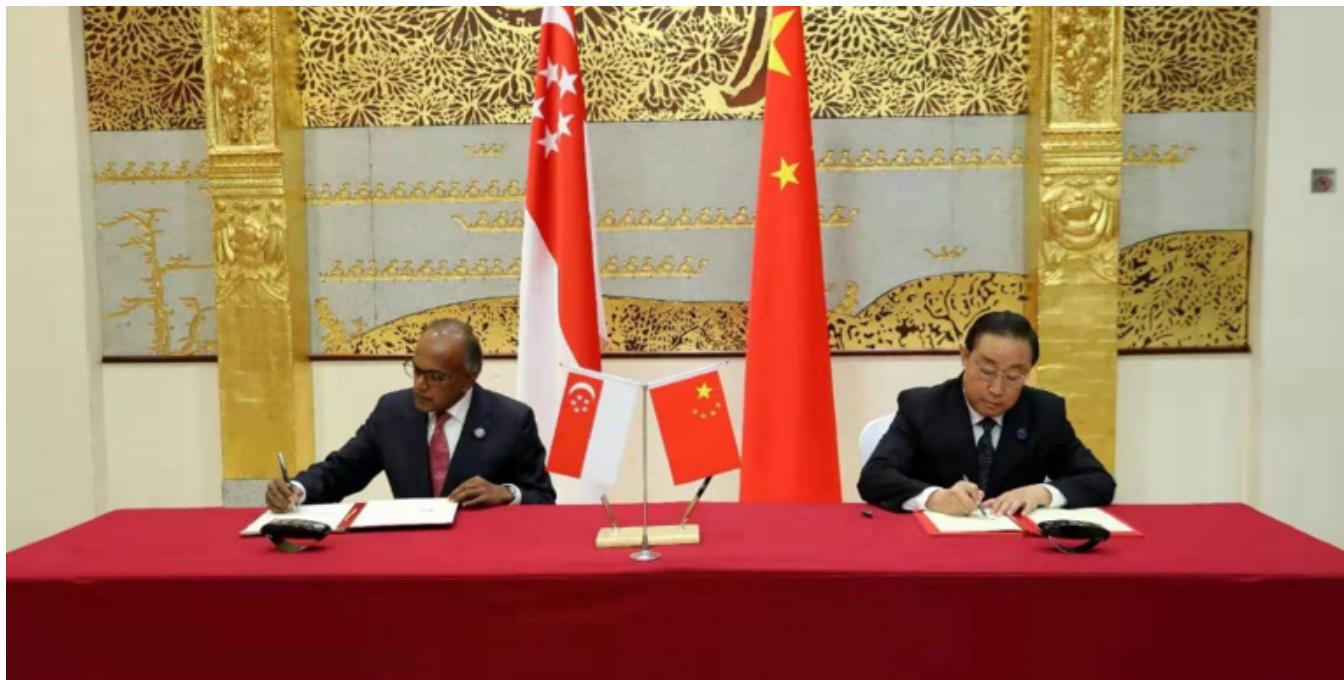


Inaugural China-Singapore International Commercial Dispute Resolution Conference in Beijing in January 2019

We hope that as the doors open up, our legal profession will seize the opportunities. At the end of the day, the law firms and lawyers are the ones who can deliver the services and reap the benefits. No doubt this may entail some investments for the mid-long term, some risks, especially in new and lesser known markets, but as they say, no reward without risk.



Signed an MOU on legal cooperation with the Turkmenistan Minister of Justice Begmurat Muhammedov in August 2019, witnessed by Singapore Prime Minister Lee Hsien Loong and Turkmenistan President Gurbanguly Berdimuhamedow



Minister Shanmugam and Chinese Minister of Justice Fu Zhenghua signing an MOU on Exchanges and Cooperation in Guangzhou in December 2019

We Moved FORWARD

I cannot look back on 2019 without mentioning the Singapore Convention on Mediation. It was a historic occasion, not just for MinLaw, but for Singapore. It was the first time that a United Nations (UN) Convention was named after Singapore – a special honour.



Group photo of the 70 countries who attended the Singapore Convention Signing Ceremony and Conference on 7 August 2019



Minister Shanmugam signing the Singapore Convention on Mediation on behalf of Singapore

On 7 August 2019, when the Convention was opened for signature, 46 countries signed and another 24 countries attended to show support. Signatories included the two largest economies in the world – the US and China; three of the four largest economies in Asia – China, India and South Korea; and five of the ten ASEAN members – Brunei, Laos, Malaysia, Philippines and Singapore. Since then, six other countries signed the Singapore Convention , bringing the number of signatories to 52.



Deposited Singapore's instrument of ratification of the Singapore Convention on Mediation at a handover ceremony with the Under-Secretary-General for Legal Affairs and UN Legal Counsel Mr Miguel de Serpa Soares on 25 February 2020

And on 25 February 2020, Singapore came together with Fiji to become the first two countries to ratify the Convention at the United Nations Headquarters in New York!

This was a big step forward for international commercial mediation in Singapore and in the world. The Singapore Convention is the missing piece in the international commercial dispute resolution enforcement framework, which includes the New York Convention for arbitration and the Hague Convention on Choice of Courts Agreement for litigation.

A lot of hard work went into the making of this success, from negotiating the Convention, to securing the bid to host the signing ceremony and getting the Convention named after us, to lobbying countries to sign the Convention, to organising the actual signing ceremony and hosting the 70 delegations, to enacting the Singapore Convention on Mediation Act 2020 and being amongst the first in the world to ratify the UN Convention which is named after Singapore. Kudos to the MinLaw team and supporting agencies!



MinLaw team who made the Singapore Convention on Mediation possible!

During the Singapore Convention Week, we also saw the grand opening of Maxwell Chambers Suites; the official launch of INSOL Asia Hub; and the official launch of American Arbitration

Association
International Centre for
Dispute Resolution
(AAA-ICDR) Asia
Headquarters and Case
Management Centre in
Singapore.

All these serve to
burnish Singapore's
position as a legal and
dispute resolution hub,
and drive more work to
Singapore.



Minister Shanmugam and Maxwell Chambers Chairman Philip Jeyaretnam SC at the grand opening of Maxwell Chambers Suites

We Moved TOGETHER

When all is said and done, we could not have achieved all of the above by going at it alone.

- The Singapore Academy of Law, the Law Society of Singapore and the law schools, whom we worked with to drive capability development within the legal industry.
- Dispute resolution institutions, who worked tirelessly to promote Singapore as a forum for dispute resolution.
- Lawyers and in-house counsel, who spared valuable time to give us feedback on our legal reforms.
- Volunteer lawyers, who take time out to do pro-bono work to help those in need get access to counsel.
- Law Society Pro Bono Services, social service agencies and other charitable organisations, which work hand-in-hand with us to deliver holistic support to vulnerable citizens.
- Citizens, who ultimately are the ones our legal system aims to serve and protect.



With a group of fun-loving mediators at the annual Mediators' Appointment Ceremony and Appreciation Dinner (MACAD) organised by the Community Mediation Centre

Looking Ahead

We are almost two months into 2020 now. Despite some of the uncertainties we are facing now, we should not slow down. Indeed, we should press on, to look at how we can strengthen the legal landscape and ecosystem. A sneak preview of some of our plans:

- We will push forward with sector transformation and development efforts, to provide more growth opportunities for lawyers and in-house counsel in Singapore.
- We will continue to advance the rule of law, and maintain trust in our legal system. Bills on the 2020 legislative calendar includes Bills to update our arbitration, IP and land regime, and make reforms to our civil and criminal justice system.
- We will continue to build up Singapore's reputation as a legal and dispute resolution hub, and strengthen ties with other countries through trips and hosting visiting delegations. We will be hosting the Singapore Convention Conference on 1 September 2020, as a demonstration of our commitment to continue to do our part to promote and support the Convention. Similar to last year, there will be events lined up in the week, from 28 August to 4 September.
- We will continue our efforts to ensure our justice system remains accessible to all.

I look forward to partnering our stakeholders, and bringing Singapore's legal industry to greater heights!

Stay tuned for more details at MinLaw's Committee of Supply Debate.....