Cover Story

Senior Minister of State
(Ministry of Law & Ministry of Home Affairs)

Associate Professor
HO PENG KEE ’79
Building Bonds

My law class graduated in 1985 and the bulk of us were called to the Singapore Bar in early 1986. I remember there was a recession in Singapore then. I am grateful to Mr Woo Tchi Chu ’68 of Robert Wang & Woo LLC, who gave me my first job in legal practice. I was pleased to meet Mr Woo after so many years, at the law school’s Donors Appreciation Dinner (page 3) and he still looked evergreen.

Alumni of our law school do much for our students and young graduates. Year after year, the whole graduating class (those who plan to enter the legal profession) manage to secure their pupillage positions very early in their 4th year. There is an excellent plan being rolled out a good two years before the students even reach their final year. The Law Careers Fair, organized by the Law Club, is held in February every year. When I walk around the booths, I meet many alumni who return to their alma mater to show interest, on behalf of their firms or the Legal Service, to recruit our students.

Then there are the various internship opportunities in law firms, legal and other departments of organizations and government authorities that are taken up by our law students during their vacation. The initial contact to seek the internship position is usually made through one of our law alumni.

It is surely a “win-win” situation, because of the early exposure of the firms and organizations as potential employers, and our young and bright as future talent to join the legal fraternity.

We acknowledge the help and support we receive from alumni who return to law school for a host of reasons, for example, to give talks or conduct moots training. We also deeply appreciate our donors, both individuals and corporate donors, who continue to support the law school. Thank you for all for your big hearts and remembering your alma mater in both good and bad times.

It leaves me now to thank the team of writers and contributors of this issue and Christopher Bartholomeusz for his administrative support. I would also like to thank Associate Dean Goh Mia Yang ’92 for her guidance and advice, and our legal managers team who helped to arrange for submission of the various articles.

Happy reading!

Joyce Khoo-Phua ’85
Editor
Associate Director
Alumni Relations and Development
At the end of May 2010, I will complete my third term as Dean. At that point, I will have been a part of the law school’s management for almost 14 years, first as Vice-Dean from 1996 and Dean from 1 May 2001. Although I have enjoyed leading a great law school, it is time for renewal; a time for someone with new energy and fresh ideas to take the law school to the next level. I am therefore very pleased to announce that the university has established a Dean Search Committee for the law school. The committee is chaired by Vice-Provost Lai Choy Heng who was a former Dean of Science. The other members of the committee are Professor Tommy Koh, Professor Lim Pin (a former Vice-Chancellor), Professor Ten Chin Liew (a well-known philosopher), Professor Jeffrey Pinsler and Associate Professor Tang Hang Wu, both members of the law school’s academic faculty. The committee is canvassing widely for potential candidates and it is my hope that we will have a shortlist of perhaps 5 or 6 local and international candidates for the position.

As I reflect upon the last few years, and as many of you have said to me, the law school has developed incredibly. A large part of the reason for this is of course the strong foundation laid by previous Deans of the school. More recently, the support from you, our alumni and friends, has been crucial in providing the law school with the necessary resources to compete effectively with the other great law schools of the world. I am often struck by the warm and generous support from many of you and as I write this message I have in front of me a letter from a “proud” alumnus volunteering to tutor at the law school without any remuneration. I thank all of you for being good friends of the law school during my Deanship.

The contents in each issue of LawLink provide a nice snapshot of what the law school has been up to in the last 6 months and this issue is no exception. As you can see, we have had a (typical) good and productive half year. New colleagues have joined the law school (of whom 2 are featured), many distinguished visitors have taught here, lectures and conferences were organized, our students and alumni are doing well, we continue to strengthen our relationship with our alumni community, and scholarship – the life blood of any academic institution – continues to thrive.

“More recently, the support from you, our alumni and friends, has been crucial in providing the law school with the necessary resources to compete effectively with the other great law schools of the world.”
Another barometer of our strong international reputation is in the growing number of academic delegations that want to visit the law school to learn from our experience and who invite us to their institutions to work with them to strengthen their curriculum and pedagogy. As a global law school, our international engagements now take up so much time that I recently appointed Professor Amirthalingam Kumaralingam as Vice-Dean of International Programmes. Kumar used to oversee the Student Exchange Programme and is thus well placed to manage this larger portfolio. His addition to the decanal team will strengthen the law school’s management team.

On a sadder note, I remember Lo Hwei Yen from the Class of 2003. She was an intelligent and bubbly young woman who lived life with gusto. In fact she was at the law school a few weeks before the incident in Mumbai to speak to students in the Aviation Law course. She liked our new campus and was proud of the law school. We too are proud of her and share the loss of a young and beautiful person’s life cut short. In her memory, I want to share a photo that she took with me at her Commencement that her husband, Michael Puhaindran ’96, sent to me. I’m sure this is how she would want us to remember her.

I wish all of you the very best in the months ahead and hope that by the time the next issue of LawLink reaches you the economic climate will at least have stabilized if not improved.

With my very best wishes,
Professor Tan Cheng Han SC ’87
Dean Professor Tan Cheng Han SC ’87 hosted an Appreciation Dinner for the Benefactors and Supporters of the NUS Law School who donated during his tenure as Dean from May 2001. The Dinner was held on 19 September 2008 at the Regent Hotel Ballroom.
Sixth Professorial Lecture by
Professor Stanley Yeo ’76

Legal history was made on 12 September 2008 when a packed seminar room witnessed the very public “strangling” of a Singapore High Court judge. The occasion was a prelude to the sixth Professorial Lecture organized by the Continuing Legal Education wing of the NUS Faculty of Law and delivered by Professor Stanley Yeo’76. After the chair, Justice Choo Han Teck ’79, had introduced the speaker, a pyjama-clad Stanley shouted at the judge that he was an imposter and proceeded to grab Justice Choo around the neck. Thus began the start of a most informative and engaging discourse entitled “The Insanity Defence in the Criminal Laws of the Commonwealth of Nations”.

Stanley took the listeners on a Cook’s tour of the requirements of the insanity defence contained in several jurisdictions, including Singapore, critiquing them along the way by pointing to their strengths and weaknesses. His general hypothesis was that many of the formulations of the insanity defence found in the Commonwealth were too narrow, which meant that accused persons who could not be deterred from committing the crime charged were punished when they should have been treated instead for their misbehaviour.

Stanley concluded his lecture with a model formulation of the defence for possible adoption by the Commonwealth of Nations. He said that, with their common legal background and history, this body of nations was an ideal forum for producing a set of general principles of criminal responsibility that was shared by all of its member states. The insanity defence was a clear choice to start this initiative since, conceptually, the effect of the defence on criminal responsibility was an issue which was common to all human societies, transcending political boundaries and social, cultural, economic and religious differences. A lively question and answer session followed during which the many issues which Stanley’s lecture raised were hotly debated by legal academics and by legal and medical practitioners in the audience. Sanity was returned after the close of the lecture when the participants proceeded to the adjacent foyer for light drinks and refreshments.
On 1 and 2 December 2008, the NUS Faculty of Law and the SMU School of Law hosted a joint symposium with the University of Hong Kong (HKU) Faculty of Law. The symposium is the second of such collaboration between NUS and HKU, and the first with SMU. NUS hosted the first day of the conference while SMU hosted the second.

Deans of the respective law schools, NUS’ Professor Tan Cheng Han S C ’87, SMU’s Professor Michael Furmston and HKU’s Professor Johannes Chan S C opened the symposium. Their welcome speeches highlighted the need and potential for closer intellectual exchange and synergetic partnerships amongst academics from the three law schools. NUS’ Helena Whalen Bridge and SMU’s Rathna Nathan presented a joint paper on “Legal Education In Singapore and Pro Bono Legal Work: An Examination of the Basis of Pro Bono Legal Work and A Comparison of Mandatory and Voluntary Pro Bono Programmes for Law Students in an LLB Curriculum”.

The theme of the symposium “The Common Law Tradition in Asia” elaborates upon the first symposium’s theme on the “The Common Law in the Asian Century”. While emphasizing Hong Kong and Singapore’s common legal heritage, papers presented during the symposium also reflected upon the impact of varying socio-political influences in these two jurisdictions, as well as legal developments in other Asian countries. In addition, SMU’s Eugene Tan ’95 and NUS’ Simon Chesterman discussed regional developments in the context of ASEAN and its newly signed Charter, while HKU’s Young In traced the impact of globalization on company law.

On the whole, the symposium was a resounding success, where old friendships were reestablished and reinforced, and new ones formed. NUS’ Tang Hang Wu ’95 and Michael Hor ’84 worked doubly hard to ensure that NUS did not fall short of the warm and generous hospitality that HKU extended in the first symposium. SMU’s Pearlie Koh ’89 and Yeo Tiong Min ’90 likewise ensured that the second day of the conference went on smoothly with SMU’s excellent facilities and impeccable organization. Furthermore, the tireless coordinating efforts by Kelvin Low ’99 on the Hong Kong side ensured that the symposium became the great success that it was.

Contributed by Jaclyn Neo ’03
Letting the punishment fit the crime is not just a problem for the judge in meting out a sentence. Speaking at the 22nd Singapore Law Review Lecture, Attorney-General Professor Walter Woon '81 dealt with how, from a practical perspective, the prosecution applies the principles of sentencing.

The 200-strong audience included members of the Bench and the Bar, representatives from various interest groups including the Singapore Police Force, law students from both NUS and SMU, and partners from KhattarWong which sponsored the event. Accompanying Professor Woon was his wife, Deputy Registrar of the Family Court Mrs Janis Woon '81, and their two sons. As the event was held on 19 September 2008, the weekend before the inaugural Singapore Grand Prix, the guests also managed to enjoy the spectacular view of the racing track lit up at night from the lecture venue.

To illustrate how an appropriate sentence may be affected by a society’s mores, Professor Woon told an anecdote of how he used to go for long walks in the woods when he lived in Berlin. One Spring day, he met a jogger in the middle of the Grunewald, naked save for his running shoes. According to Professor Woon, “My first thought was that he should look out for low-hanging branches. My second thought was that if he had been caught jogging au naturel at MacRitchie, he would have been prosecuted and probably dealt with quite severely.”

Although the topic of “Crime and Punishment: The Problems of Sentencing” had been picked many months before the event, Professor Woon’s speech came at a time where the media was abuzz with the conviction of Tang Wee Sung for offences under the Human Organ Transplant Act (HOTA) and Organ Donation Act (ODA). As Professor Woon noted in his speech, opinions on what a ‘just’ sentence is, differs greatly within society. Sentencing meted out by the Court is something that anyone, even without formal legal training, might have a view on. This year’s Lecture therefore generated much media interest, and was featured on Channel NewsAsia and in TODAY newspaper.

In August 2008, Law Minister K Shanmugam '84 referred to the Lecture in response to a question raised in Parliament by Members of Parliament Mr Alvin Yeo and Mr Christopher de Souza DipSing '02. The Law Minister described the 1996 Lecture on criminal process given by the Honourable Chief Justice Chan Sek Keong ’61, when he was then the Attorney-General, as being “very instructive and a tour de force”. This affirmation of the Singapore objective to promote legal thinking is indeed very encouraging. The Singapore Law Review is also heartened by the recent citations of its published journal articles by the High Court and the Court of Appeal in their judgments.

Contributed by Charissa Lu ’12
Nestled in ‘The Library’ at the China Club of the Bank of China Building in Hong Kong, where the decorations bring back the old charm of a traditional Chinese tea-house, with solid black-wood furniture and highly polished oak floor boards and lighting reminiscent of the 1930s in Shanghai, the NUS Faculty of Law hosted dinner and drinks on 12 August 2008 as part of a series of international reunions (first rolled out in Shanghai) and sought to bring back some fond memories of its own for its law alumni in Hong Kong.

The alumni attending the reunion spanned the Class of ’65 to the Class of ’08, comprising DipSing, LLB and LLM graduates. It was a great opportunity for alumni to meet up with the present members of the NUS Faculty of Law, making new friends amongst the alumni residing and working in Hong Kong and recollecting the fun and laughter shared during their years in NUS Law School.

Not to be outdone by the chatter amidst the feasting on the excellent Chinese cuisine, Law Dean Professor Tan Cheng Han ’87 started the evening on a light note by joking that he was not there to seek donations, gaining a round of appreciative applause from all present. Instead, he expressed the desire, while mulling over a glass of red wine, for ties between alumni and faculty to be strengthened, whether formally or otherwise. He hinted that he might serenade to us but decided to save it for a future fund-raiser instead!

All of us thoroughly enjoyed the evening. It was very well organised and many thanks to the members of the Faculty for taking the time and effort to initiate this event!

Contributed by Aloysius Tan ’02, Wilson Ang ’98, Khor Soo Yien ’04 Linklaters, Hong Kong.
In the summer of 2008, I spent two months working at the London office of Baker & McKenzie. Then, Heathrow Airport was under fire for its inefficiency, though the city itself remained timelessly relevant, perhaps inevitable so owing to our colonial heritage. London, then, was antiquated yet pertinent, and exciting regardless. I remember arriving at my London apartment (in the financial district along the River Thames) at four one Friday afternoon. Right then I realised the distinct culture of corporate London: there were people standing around the numerous bars in the area, ostensibly partaking in a TGIF routine. How exciting, I thought; my international clerkship experience had just begun.

I spent my stint in the Corporate West and Structured Capital Markets departments of Baker & McKenzie. It was a smattering of miscellaneous tasks, ranging from drafting company strike-off resolutions to preparing presentation slides on the UK Companies Act 2006. Diving into the nitty-gritty of corporate work made me more aware of just how much time corporate lawyers spend plagued by the finer points of company law; the dos and don’ts of the maintenance of capital doctrine can keep many a bright lawyer on edge! Some time was spent understanding what securitization was, as my mind grappled with the intellectual question posed by securitization: was the sum of parts really greater than the whole? The answer lay in credit arbitrage, a term which hitherto I had never even paused to consider. Such was the challenge: being introduced to a whole host of new legal concepts and jargon, it was a great pleasure to see myself gradually picking them up.

So work was intellectually stimulating. And that, without more, would already have made for a fulfilling experience. But there was more. There was the challenge of integrating oneself in a foreign environment. It was a subtle challenge, for it was always possible to remain a hermit and assimilate over television and tubs of ice-cream. Fortunately the firm had its own vacation scheme for its London-based students, and the numerous social events and the new people I met because of the scheme enriched me in such intangible ways it is hard to put down on a page.

The international nature of Baker & McKenzie provides a vantage point from which to observe life as part of an international community. Truly a firm without borders, people came from all around the world: Australia, Canada, Malaysia, New Zealand, Portugal, and what-have-you. That is the appeal of working here, the appeal of being a part of this all, this global community. London, classic as it is, was exciting; but it was the firm, diverse as it is, that was engaging.

Contributed by Selwyn Lim ’09
The 9th Global Conference on Environmental Taxation, organised by the NUS Faculty of Law’s Asia-Pacific Centre for Environmental Law (APCEL) was held on 6-7 November 2008, on the theme “Environmental Taxation and Challenges of the Urban Environment: Exchange of Experiences between Developed and Developing Countries.” It was co-hosted by the Singapore Academy of Law and supported by the Centre on Asia and Globalisation at the Lee Kuan Yew School of Public Policy, NUS; the Association of Chartered Certified Accountants in Singapore (ACCA); the Inland Revenue Authority of Singapore (IRAS); the IUCN Academy of Environmental Law; the Environmental Tax Policy Institute, Vermont Law School, USA; the Department of Business Law, Macquarie University, Sydney, Australia; the Department of Accounting at Cleveland State University, USA; and the International Tax and Investment Centre (ITIC), Washington DC, USA. Some 142 delegates from 25 countries attended. They included lawyers, economists, accountants and government officials from the IRAS, the Ministry of Finance and the Ministry of the Environment and Water Resources. See: http://law.nus.edu.sg/apcel/conference/gcet/index.html

The Guest of Honour was Mr Teo Ser Luck, Senior Parliamentary Secretary, Ministry of Transport, and Ministry of Community Development, Youth and Sports, Singapore, who spoke on Singapore’s transport policies and recent changes to the ERP system (a good example of environmental taxation).

The conference themes included: Environmental Taxation and the Urban Environment; Environmental Taxation and the Construction Industry; Environmental Taxation and Water; Carbon Pricing and Emissions Trading; Environmental Taxation and Energy/Fuels; Water, Land and Pollution Management; Trade, Carbon Taxes and New Markets; The Use of Taxation in Transportation Management; and Transportation and Congestion Management. Various case studies were examined from developed as well as developing countries.

Keynote presentations were made by Professor Nicholas Robinson (Gilbert & Sarah Kerlin Professor of Environmental Law, Pace University School of Law, New York, USA; former Chair, IUCN Academy of Environmental Law and IUCN Commission on Environmental Law), who spoke on “Melting Down Financial ‘Investment’ Markets: Hedges against Wider Market Collapse”; and Mr Chas Roy-Chowdhury, Head of Taxation, ACCA, UK, who gave a presentation entitled “European Perspectives on Environmental Taxation”. Two other keynote presentations came from our former colleague in the Faculty of Law, Mr Liu Hern Kuan ’86, now Chief Legal Officer of IRAS, who jointly with Mrs Sumathi Saad Janjua, Principal Tax Officer of IRAS presented a paper entitled “Environmental Taxes and its Role in Singapore’s Approach towards Environmental Sustainable Development”; and Professor Akio Morishima, Special Research Advisor and former Director, Institute for Global Environmental Strategies (IGES), who spoke on “Japan’s Emission Trading System and Environmental Tax as a Policy Measure to Realize a Low Carbon Society”.

APCEL’s Deputy Director, Associate Professor Lye Lin Heng ’73 presented a paper entitled “Environmental Taxation in the Management of Transportation in Singapore” at Plenary Session II, on the Use of Taxation in Transportation Management. APCEL’s Director, Emeritus Professor Koh Kheng Lian ’61, Associate Professor Lye Lin Heng ’73 and Dr Asanga Gunawana also served as resource persons and chaired various sessions. Colleagues from the Lee Kuan Yew School of Public Policy worked with us on the themes and also presented papers – Associate Professor Shreekant Gupta spoke on “Fiscal Implications of Environmental Taxes in India – An Exploratory Analysis” and Associate Professor Jesuthassen ‘Dodo’ Thampapillai presented on “Environmental Taxes, Cumulative Pollution Loads and Fiscal Balance”.

The next conference (the 10th in the series) will be held in Lisbon, Portugal, from 23-25 September 2009 and will focus on Water Management and Climate Change. See: http://www.worlddecotax.org/

Contributed by
Irene Lye Lin Heng ’73
introduced a whole different dimension, as the focus is on ensuring the rule of law, facilitating the good governance of the nation and protecting the interests of the State in the international arena. In legal service, the stakes are definitely higher than that in legal practice and legal academia, and thus I regard legal service as the most satisfying of the three. Another reason is the fact that I had the privilege of working with and learning from the best legal mind in Singapore (the then Attorney-General).

Mr Jeffrey Chan Wah Teck SC ’73
Mr Jeffrey Chan was a President’s Scholar who graduated as a top law student in 1973 at the then University of Singapore. He also obtained a Masters in Law from Harvard University and completed the Advanced Management Programme at Wharton Business School.

Jeffrey joined the Singapore Legal Service in 1973, headed the Civil Division of the AGC from 1995 to 2007, and the International Affairs Division from December 2007 to July 2008. He is presently the Deputy Solicitor-General.

Jeffrey is one of two members of the Attorney-General’s Chambers (“AGC”) to ever be appointed Senior Counsel (along with Mr David Chong).

Mr David Chong Gek Sian SC ’84
Mr David Chong graduated with a Second Upper Honours degree from the NUS Law School and later acquired an LLM from University College London. David started his career as an academic; he was an associate professor and vice-dean in the NUS Law School. He then practiced in a private law firm, specializing in shipping and insurance law, before serving in the AGC. David is currently the Civil Division’s Principal Senior State Counsel. He also serves on the Advisory Board of the NUS Faculty of Law.

You have experience in private legal practice, legal academia, and now the legal service. What is the beauty of all three areas of practice, and which is or was your personal favourite? Why?

David: Academia taught me to focus on the details as well as the “big picture”. It was through my training as a academic that I learnt legal research skills and legal writing skills that proved helpful later in my career. Legal practice introduced me to the realities of doing business and the importance of sound and timely legal advice to commercial men. Regular contact (including social interactions) with clients acquainted me with the workings of the commercial world. I learnt a lot about pragmatism in my years of legal practice and for this, I want to acknowledge the kind tutelage of my mentors. Legal service served as a Justice’s Law Clerk in the Supreme Court from 1996 to 1997, acquired an LLM at Yale Law School as a Singapore Academy of Law Scholar in 1998, practiced law in New York till 1999, and returned to Singapore where he became a Partner of A&G in 2000.

Bar None
It is with great pride that we present the four Senior Counsels appointed at the opening of the legal year 2009. Known for their astute legal minds and rapid litigation skills, these four gentlemen who hail from the NUS Law School, can certainly hold their own in a courtroom. In addition to a pervading sense of humility and charisma, we discover that some people do, have it all.

Corporate lawyers – meticulous in nature with an eye for detail. Litigators – bellicose in nature with the gift of the gab. True or false?

Jeffrey: Generalisations are never true or false. Some corporate types need to change their glasses, while there are litigators who find it hard to string words into a proper sentence. But there are excellent corporate types who can spot a double full stop, and some litigators who can’t stop talking.

David: Not all corporate lawyers are meticulous in nature with an eye for detail – some corporate lawyers are good at conceptualising corporate deals and possess business savvy. I also know of corporate lawyers who are blessed with a silkened tongue. Good litigators
must have an eye for detail as the facts of the case are all important. There are also good litigators who are measured in speech and far from being bellicose.

The legal fraternity is abuzz with various theories on how the foreign law firms will affect the local legal landscape. What is your theory?

David: The current economic conditions will temper the appetite of the foreign law firms for Singapore-qualified lawyers and they will be circumspect in their business expansion plans.

Jeffrey: Not just law schools must do their part, but the entire society. About time we temper the expectations of young people that law is an easy way to the good life without having to sweat.

David: A Senior Counsel is both a product of nature and nurture. Nature comes into play because there must be a willingness to apply oneself to hard work. Learning from those who have proved themselves to be the best comprises the “nurture” side of the equation.

Every Senior Counsel will say that diligence and long working hours play a significant part in leading to their recognition as good advocates. The good advocate needs to be thoroughly prepared for a trial or an appeal.

However, once the economy improves, the foreign law firms will begin to move into areas that once were the preserve of the local law firms. The leading local law firms should be able to hold their own as the quality of their work is comparable to that of the foreign law firms. Overall, I believe that the legal landscape in Singapore will be enhanced and the legal profession will stand to benefit from the changes.

Francis: The foreign law firms will add to Singapore Inc’s talent pool. Local law firms that innovate, reinvent themselves and raise the bar will continue to thrive. Foreign law firms will act as a catalyst for this.

Cheng Hock: When the economy recovers, the foreign law firms will probably hire junior to mid-level local lawyers in the areas where they are permitted to practice Singapore law. The big local law firms may find it harder to hold on to their good younger lawyers, who will be tempted by the higher salaries offered by these foreign law firms. Local corporate practices will be affected more than their litigation counterparts. Hong Kong gives us a good idea of what will happen in the next 10 years.

The high attrition of young promising lawyers has been lamented. Is the law really so unbearable? Is there any way to prevent that problem at the stage of Law School?

Jeffrey: The challenge is for would-be law students to discover if law is their passion. This problem needs to be tackled prior to entry into law school by providing an opportunity for JC students to enquire and take this journey.

Cheng Hock: The practice of law is not at all unbearable, once you get used to the pressures that come with it, i.e. the stresses of dealing with your clients, your opponents, the Court and your bosses. To me, that is the biggest challenge facing young litigators in the first 5 years of practice. If you get through that, you will probably be alright. I am afraid law school cannot really prepare you for this.

Are Senior Counsels born or made? What are the qualities that comprise a Senior Counsel?

Jeffrey: Neither born nor made, but worked for – and its hard work. Most important qualities are an interest in people and in wanting to help bring about the next generation of Senior Counsels.

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Cheng Hock: The practice of law is not at all unbearable, once you get used to the pressures that come with it, i.e. the stresses of dealing with your clients, your opponents, the Court and your bosses. To me, that is the biggest challenge facing young litigators in the first 5 years of practice. If you get through that, you will probably be alright. I am afraid law school cannot really prepare you for this.

Another quality of a Senior Counsel is the ability to present the legal arguments succinctly and cogently. Integrity, pragmatism and having a sense of fair play are also indispensable qualities that one associates with a Senior Counsel.

Cheng Hock: It is a combination of hard work, being provided the right opportunities and always adhering steadfastly to your ethical principles. Of course, you also need a solid grounding in the fundamentals of litigation practice. For this, you need a good mentor to guide you through your first few years in practice. I was lucky that my former pupil-master and mentor Mr K Shanmugam SC ’84 spent time and effort to pass on the knowledge, skill and experience that came from years of practice as a top litigator. He also inspired by example - he had an incredible work ethic and would always have all the facts and documents in the case at his fingertips, even for the most complex cases.

Interviewed by Seow Tzi Yang ’12 and Joyce Khoo ’85
The 88ers Reunion III
@ NUS Law campus on 7 November 2008

With 2 previous reunions achieved at the 10 and 15 year marks of leaving Law School, it would have been unthinkable to miss the big two-zero milestone in 2008. The big question was who was going to be the standard bearer to organise this 20th Anniversary event.

Along came the heroic Francis X(treme) who privately told Hamidul that he would lead the committee - whilst both were off the ridges of the Krakatoa volcano actively spewing ash. In true leading counsel fashion, he immediately spearheaded the committee comprising Stephen Phua, Sugidha Nithi, Abdul Rohim and Hamidul Haq.

Again it was a case of the Chair acting decisively to fix the reunion date, as given the legal eagles’ differing schedules, there’s no such thing as a perfect date. 7 November was chosen to cater to that catchment group before family duties call out during the school holidays. It was also unanimously felt that everyone had to visit the new Bukit Timah campus to celebrate this 20th Anniversary affair, in order to reconnect and reminisce old times and link up with the staff/pedagogues of old (those still serving tirelessly and we dare say agelessly).

When the news went out that the 88ers were going to party again, there was a revival of the Class of ’88 Band, which last performed together a distant 20 years back. The rockers then were none other than lead guitarist Teck Huat, Su Lian on keyboards, Francis X on drums, Anthony on vocals, to name a few. Would these guys be able to do it again after all the years of legal strain and rust had set in? Time would tell.

The Main Event

Finally after all the build up, come the evening of 7 November 2008, throngs of classmates attended. Everyone was just so pleased to see each other after such a long time. Many made the effort to come from far abroad: Audrey from New Zealand; Siak Khee from Japan; Wai Hong, Chee Kwan and Teck Huat from Kuala Lumpur; and Angie Ng, Susan King and Ranmalie De Silva from Hong Kong. That type of turnout surely speaks volumes of the commitment to the spirit of the Class of ’88. Members of Parliament Lim Biow Chuan and Sylvia Lim were also present - not many social events can boast the attendance of MPs from different parties! It was also wonderful to meet with Professors Leong Wai Kum, Robert Beckman, Valentine Winslow and Law Dean Tan Cheng Han ’87.

As our party went on, it was clear that the big ticket event for this reunion was undoubtedly the reuniting of the Law IV Band led by Francis X and Teck Huat, accompanied by Su Lian, Anthony and guest keyboardist Nizam. There was a full blast of a wide range of songs which set the party mood. Anthony, Francis X, Su Lian, Teck Huat and several guest players took turns to belt out those numbers and their vocals surely made them possible rock stars to inspire current law students.

In another highlight, Rohim amazed the class with his video magic and produced for the first time ever, a rare footage of the class convocation event at the Kallang theatre. It showed late President Wee Kim Wee handing out the
coveted scrolls to many of our classmates. The video was remarkably clear, despite Rohim keeping it for 20 years! As an added bonus, a video clip of our 2004 reunion was also shown.

Associate Professor Beckman was invited to say a few words about the Class of ’88 and what he remembered of us. Bob gave a very inspiring speech and reminisced the good times he had with many of his students. Dean Professor Tan remarked that he remembered our class well, as he was only one year ahead of us in Law School!

Sugi then surprised us with an “Awards” event to honour various members of the class for some of their interesting or sterling achievements [see box for details of the awards]. Associate Professor Beckman helped to give away these awards.

We had another interesting first for the Class. This time, the Class championed a charity event driven by one of our classmates Francis Teo, to help villagers in Kenya (where Francis has been based for many years) to fight the poverty they faced. This segment, a karaoke-based event, required singing for monies to be raised. Anyone who wanted to see another classmate sing backed by the band, had to pledge or make a donation. Believe you me, we managed to get many closet singers out on to the stage. The beauty of the karaoke segment, other than being hilarious and happy, was that a staggering $13,000 was raised for the charitable cause. Many thanks to Francis Teo, for paving the way to help some of the unfortunate people in Kenya. Well done, Class of ’88, for showing that you have a huge heart!!!

Contributed by the ’88 Team

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1. The Marilyn Monroe Award to Tan Su Lian: for the most glamorous representative of our class
2. The John Wayne Award to Hamidul Haq: for being the crime-fighter of our class
3. The Lawrence Olivier Award to Ong Keng Sen & Ivan Heng: for the 2 classmates who have made an indelible mark and a great contribution to the Arts scene, locally and internationally
4. The Grace Kelly Award to Lena Gan: for the brightest light who gave up her career for the man who swept her off her feet and made her his queen in a far away land
5. The John Travolta Award to Tan Soon Meng: for the classmate who made the most diverse career choices and tried everything unusual
6. The Ronald Reagan Award to Valerie D’Costa: for the classmate who transcended the boundaries of her legal training to represent Singapore on the international stage
7. The Sean Penn Award to Sylvia Lim: for the classmate who made the bravest choices in her career and had the courage to try roles others would pass
8. The Chuck Norris Award to Lim Biow Chuan: the antithesis of the Sean Penn Award
9. The David Selznick Award to Dilhan Pillay Sandrasegara: for the classmate who has been made managing partner of his large law firm
10. The Annette Bening Award to Joan Lim: for being the single largest contributor of our class to the population of Singapore
11. The Angelina Jolie Award to Francis Teo: for the humanitarian of our class
12. The Harrison Ford Award to Francis Xavier: for the daredevil and risk-taker of our class, climbing erupting volcanoes, Himalayan mountains and diving for bullshark feeds.
LawLink interview with

**Associate Professor HO PENG KEE ‘79**

Senior Minister of State
(Ministry of Law & Ministry of Home Affairs)

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**On Life as a Student**

What were your passions and interests as a student?

My student days in Anglo-Chinese School (ACS), National Junior College (NJC) and NUS were the time when I honed my leadership skills and discovered my passion for activism. I was an all-rounder, enjoying studies and CCA at the same time, both of which I gave my all. I was only one of two students to be awarded a second upper during a period when no first class honours were handed out by the university. Soccer was the sport I was most active in (captaining the varsity team), although I’ve played rugby, badminton, biddy basketball and ran the hurdles competitively in school and university. In law school, I was an avid mooter and debater, winning the Marshall Beasley Shield in my first year, the Mallal Moots in my second year and anchoring the University debate team in the Inter-Varsity series in my third year. I was also in the Student Law Club Exco for 3 years. In our informal Law 4 class awards, my classmates gave me the “All-Rounder” prize.

I was passionate about the things I did, and followed my heart’s prompting, albeit in a responsible and thoughtful manner. I didn’t believe in just following the crowd. For instance, when top students remained in the science stream when they entered pre-university, I switched to arts instead.

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Senior Minister of State Associate Professor Ho Peng Kee has a long history with NUS Faculty of Law, getting his Bachelor of Laws in 1979 and moving straight into an academic career from 1979 to 1993, before embarking on his political career. He was a Member of Parliament for Sembawang Constituency from August 1991 to October 2001 and is a Member of Parliament for Nee Soon East Constituency from November 2001 to present. Associate Professor Ho was Parliamentary Secretary (Ministry of Law & Ministry of Home Affairs) from August 1993 to January 1997 and Minister of State for the same portfolios from January 1997 to November 2001, prior to his appointment as Senior Minister of State from 23 November 2001.

Photograph courtesy of Muhammad Yusuf Yacob
Also, although I had 10 good years in ACS, I decided to enter a new and challenging environment in NJC (then only in its 3rd year). I also courted the girl who eventually became my wife in university, despite her being in the year above me and was taller than me! Finally, unlike my classmates who entered into the fray of practice with its monetary rewards, I decided to return to the University to teach.

On My Days as an Academic
What motivated you to go into Academia?

Upon graduation, I spent a few weeks in the litigation department of a top law firm, and enjoyed the work very much. With my debating and mooting background, litigation was an area I gravitated naturally towards. However, I had a passion for teaching and interacting with students, and wanted to shape young minds. Academia gave me that opportunity and also allowed me to pursue my further studies at Harvard. I was asked this question during my interview for an academic position at NUS, and when I answered that I wanted to interact with people, the interviewers said I was better off in private practice instead! In the marketplace however, the nature and quality of the interaction is different. I preferred the gentler tone of interacting with budding law students where you can dictate the pace and shape the discourse.

Do you think you made the better choice by going into academia instead of litigation?

I have no regrets. I will never know whether I made the better choice by entering academia, as both options were excellent ones. Who knows? Had I stayed in private practice, I might not have entered politics! Most certainly, I would not have spent a wonderful one-year pursuing an LLM at the Harvard Law School one month into my marriage. It was a great year of consolidating our marriage away from home.

What are some of your memorable experiences as an academic at NUS?

My most memorable experiences were my interactions with students and staff at the faculty and at Kent Ridge Hall where I served as Hall Master. Many of my colleagues thought I was “mad” to take on both the positions of Sub Dean/ Vice-Dean and Hall Master concurrently as I would be dealing with two groups of very active students from morning till night. I found the experiences to be very rewarding, and it was great training for my political career. Up to today, many former students and hall residents still come up to say “hello”. They are surprised when, most times, I still remember their names. Some former hall residents still call me “master”. I take it that our rich shared memories and experiences have forged a bond that transcends the years and the different nature of our relationship now.

On My Political Career
Was the transition from academics to politics an easy one to make?

I felt that politics was a way to contribute at a different, higher level that would make a greater impact on society. My years in the university helped prepare me for the job. Law students and hall residents are independently minded, strong willed individuals who cannot be merely told what to do. I learnt to guide and mentor them towards realizing their full potential. At the university, I honed my skills in learning to talk to people, to interact with them and look after their well-being. The role of a politician is similar, but instead of just dealing with students, he impacts society as a whole.

What areas of the law do you believe you’ve made a significant impact?

One achievement I find very satisfying to be a part of is when we broke the back of illegal narcotics in Singapore. In the early 1990s, drug-abuse was rampant and was a major problem. I formed and headed a multi-agency Committee in 1993 that laid the framework that tackled drug-abuse resolutely. By taking a holistic approach to the drug situation that addressed prevention, enforcement and rehabilitation, we were able to curb the threat of drugs significantly in Singapore.

As I believe in giving Singaporeans who have turned to crime a second chance, I actively supported the Singapore Prison Service’s initiatives which later blossomed into a successful Yellow Ribbon Project. The Home Detention scheme was a key recommendation of a Committee on Community-based Sentences which I led at MHA. At MinLaw, this was expressed through my involvement in several amendments to our bankruptcy legislation, including the latest on a Debt Repayment Scheme, which I took through Parliament.

I saw the potential for alternative dispute resolution very early on and headed a committee to promote it. Leveraging on the early efforts of the Singapore International Arbitration Centre (SIAC) and court-based mediation, we spread the message that more could be done by the private sector. Now, there are many industry-based mediation and arbitration services in diverse areas such as banking, insurance, shipping, consumer matters etc. Outside of the commercial realm, given the diversity and growth of Singapore’s population, I foresaw a greater need to promote the settling of relational disputes amicably, for example, between neighbours, that preserve the relationship. Hence, I led a study team to Australia to study their approach towards community mediation before we implemented it in Singapore.

Other than the Committee on Community-based Sentences, I also led another Committee that examined the
June 29 May & Saturday 30 May 2009

The Asian Law Institute (ASLI) is pleased to announce its 6th Annual Conference, which will be hosted by the Faculty of Law of the University of Hong Kong (HKU) on 29th and 30th May 2009.

ASLI welcomes legal scholars, both from ASLI founding institutions as well as other institutions within and outside Asia, to attend and present papers at its annual conference. The conference is open to all, whether or not they present a paper. The conference provides excellent opportunities for scholars in Asian law to meet and exchange ideas and to form closer working and personal relationships.

The theme for this year’s conference is “Dynamics of Change in Asia”; change in Asia is a stark reality that is sometimes catastrophic and sometimes inspirational. Law has a critical role in catalyzing and managing change and there will certainly be much to discuss at this upcoming conference.

More information about ASLI and the conference (including the registration form) can be found on http://law.nus.edu.sg/asli/. Enquiries may be directed to Norizman at email : asliconference@nus.edu.sg or tel : (65) 6516 7499

Has the political platform enabled you to forward any of your other passions?

My active involvement in sports from young taught me some very valuable life lessons that everyone should learn. Besides developing key individual traits like discipline and focus, sports teach us how to be team players and handle victory and defeat. One of my proudest moments in Parliament was when I delivered a speech in 1993 on the need for a sports minister and for the greater development of sports in Singapore which was featured as the Speech of the Day by the Straits Times. Though many were skeptical then that my suggestion would see the light of day, it became a reality a few years later. About 6-7 years ago, as Deputy Chairman of the Committee on Sporting Singapore, I helped to lay the blueprint for sports development in Singapore that is now seeing fruition. A tangible target met is the starting of the Sports School. And of course, as FAS President, I continue to contribute to a game that has helped shaped me.

I have also been able to continue my zest for interacting with young people as Deputy Chairman of the National Youth Council for a few years, as a longstanding board member of the National Youth Achievement Award and Chairman of the National Committee on Youth Guidance and Rehabilitation since its inception in 1995.

Advice To Young Law Students

What is your advice to young law students?

As the old Chinese adage goes, “you must never forget the source from where you get your water”. I am very grateful to the educational institutions I belonged to and the teachers who taught me. I am also grateful for the many friendships I had forged through the years. All of them have helped to make me what I am today. I believe that students should possess a quiet confidence, have self-belief, desire to contribute to society and very importantly, grasp the opportunities that present themselves at every phase of their lives. It is also important to make friends, not only because we need them, but also because our lives cross all the time. We never get done with friends!

Interviewed by Vishal Harnal ’10
Who?
The NUS Law Class of 1998.

What (happened)?
10th Anniversary Reunion Dinner

Where (was it held)?
Hilton Hotel (One of us works there - got “lobang”!)

When (was it)?
22 August 2008.

Why (was it organized)?
To commemorate our 10th year of graduation from the NUS Law School (has it been that long?!).

How (did it go)?

For some, it was the first time in 10 years since they last met - plus or minus a few pounds, some grey hair and wrinkles. And as the surest sign of the change in status for many among us, the evening was made complete with the presence of a four-month old baby. For most of us, it was yet another excuse to get together to reminisce about the good old days, as well as “The Good Life” (a.k.a. the best Law IV musical there ever was, at least to the ridiculously biased class, cast & crew of the said production). In fact, one classmate even took the effort to fly back to Singapore from Hong Kong (where he is based) to attend the reunion and brought along his personal photo album containing paraphernalia of the Law IV production which certainly brought back many fond memories.

It was also an opportunity to catch up with some of our teachers from Law School. Dean Professor Tan Cheng Han SC ‘87, Professor Hans Tjio and Associate Professors Stephen Phua ‘88 and Joel Lee graced the occasion with their presence and we were happy for the chance to find out more about the latest happenings at the Faculty of Law.

All in all, it was a delightful night of good food and better company, as we shared updates on our lives’ journeys over the past decade. We enjoyed a good laugh at ourselves and our ’90s hairstyles and fashion sense (or lack thereof) as we walked down memory lane with a specially put together slideshow of old Law School photographs, which truly was the highlight of the evening.

Not forgetting the less fortunate in society, our class also took the opportunity to raise and donate a sum of $2,200 to Operation Smile, Singapore, which was made in the name of our graduating class. The photographs of the night’s revelry were later shared via an online album and quite a number of our classmates (who couldn’t make it and realised then what fun they had missed!) voiced their enthusiasm for the next reunion. Hopefully, this means we won’t be waiting another 10 years for the next one!

Contributed by Sean Say ’98 and Colin Ong ’98
Does the Perfect Wedding always end with two people living happily ever after? In an age of romantic relationships, holy matrimony and the pursuit of happiness, this theme set the stage for the latest chapter of the longstanding Law IV tradition. In front of three sell-out crowds at our Bukit Timah Campus, the cast of The Perfect Wedding wowed the audience with an engaging repertoire of dance and song – all in the name of charity. In a short space of three hours, the audience were treated to a comedy of erroneous expectations, a celebration of love and identity, and a tale of two couples having the courage to follow their hearts.

As the chorus subsided and curtains fell for the final time, mixed emotions spread throughout everyone connected to the production. There was a sense of relief that the three nights went by relatively unscathed; there was sadness at the end of a draining but immensely enjoyable project. But most of all, there was joy from the realization that we had just been part of a most magical experience for a very worthy cause.

The Perfect Wedding represented the culmination of a year-long project by the Class of 2009. In a seemingly daunting task, faced with ever-impending timelines and the increasing academic workload, the Law IV production team worked tirelessly all year round, sacrificing holidays, skipping classes and burning weekends in the process. All for a good cause. In addition to raising money for our adopted charity, the Spastic Children’s Association of Singapore, the project allowed the Class of 2009 to showcase the vast array of talent hidden beneath the veneer of an endless paper chase; and in the course of the many weeks spent together, the forging of new friendships that would last for many years to come.

Many thanks go to everyone in the Law IV committee for their unrelenting enthusiasm and selfless sacrifice. We would also like to thank everyone who had rendered their assistance and support for The Perfect Wedding. Thank you for allowing us to share our visions and dreams with you in yet another successful edition of Law IV.

Contributed by Au Yeong Wai Mun ’09
From 10 to 12 September 2008, the National University of Singapore and the AsianSIL hosted the AsianSIL Inaugural Young Scholars Workshop: Colonies, Development, Conflict, Rights, Money at the Bukit Timah Campus. Associate Professor Simon Chesterman convened the Workshop as part of AsianSIL’s mandate to promote international law in general and to foster young scholars in particular.

Being the third major event of the AsianSIL since its establishment and the founding of the AsianSIL Secretariat within the NUS Faculty of Law in April 2007, Vice Dean Associate Professor Alan Tan ’93 warmly welcomed the 15 participants who were chosen from over 300 who responded to the call for papers. Coming from diverse academic and civil society backgrounds from Australia, Bangladesh, China, India, Indonesia, Malaysia, Timor Leste, Vietnam and the United States, the scholars presented papers loosely grouped under the five panel titles: Colonies, Development, Conflict, Rights and Money. Additionally, Rector Youk Ngoy and Professor Hor Peng of the Royal University of Law and Economics (RULE) in Phnom Penh, Cambodia attended the Workshop as observers and guests of the NUS Law School, along with various other NUS Law School attendees.

For this Workshop, Associate Professor Chesterman opted for a radically different approach which met with great success. All fifteen papers were distributed prior to the conference for the scholars to read. With the use of Powerpoint presentations discouraged, every participant was then asked to make an oral presentation of a paper written by another scholar in a research area different from his or her own, after which the author of the paper would have a chance to respond and thereafter the floor would be open for round-table discussion. The intention of using this mode of presentation for the Workshop was to enhance the interaction among the scholars for the topics presented, as well as to enable the scholars to sharpen their presentation skills and get suggestions from fellow participants on how to further improve their papers.

The participants took easily to this novel mode of presentation and enthusiastically engaged in all the five panel discussions chaired by Associate Professor Chesterman, Professor Jack Donnelly of the University of Denver, Associate Professor Michael Ewing-Chow ’95 and Associate Professor Simon Tay ’86 of the NUS Law School. In particular, topics on the evolution of human rights and development in East and South Asia, international criminal trials, and the relationship between China and international law garnered the most robust responses, with the chairs encouraging cross-disciplinary debate and thinking of international law in more abstract terms of processes and crystallizing norms, rather than a system with fixed rules.

At the close of the 2-day workshop, many participants expressed their heartfelt thanks for the wonderful opportunity to participate in an event that was specially tailored toward the fostering of scholars in the early stages of their chosen profession in international law, thereby affording them a rare chance to meet colleagues from different countries and sub-specialties. Many scholars also took up membership of the AsianSIL to stay in touch with the Society’s activities and welcomed opportunities to work together in the future.

Contributed by Tan Hsien-Li Teresa, PhD ’09
Early Years

I was born and educated in Durban in South Africa and grew up there during a turbulent time in that country’s history. I was a schoolboy when the Soweto Riots happened.

In order to do Law, I took up double majors in English Literature and Afrikaans & Nederlands (Dutch) Literature! Along the way, I took some law courses as minors, as was common, as well as the mandatory university course in Latin. This enabled one to complete the two degrees, in Arts and Law, in five years.

I realized pretty early that legal practice was not for me. I was an Advocate of what was then the Supreme Court of South Africa (now High Court) just in case the world of academe, to which I was increasingly attracted, did not eventually appeal. I was asked to teach Roman Law, Public International Law, and Legal History during my LLM days. I was then elected to a one-year lectureship, but I had already decided to move on and get a PhD under my belt. So I resigned my post early.

I spent four very happy years in Aberdeen and completed my PhD in two instead of the customary three years, and taught in the Department of Private Law for another two years. Then I took up a post at the University of Nottingham, where I spent another very fulfilling ten years. It was during this formative period in my career that I developed my main interest in maritime and shipping law.

I became an Associate Professor in NUS Law School in 2002 and stayed for 3½ years before going back to the UK, as Professor of Maritime Law at the University of Birmingham. I also took on an administrative role as Director of the LLM Degree and as a member of the Law School’s Management Committee. As a result, I travelled to Asia extensively to interview prospective students. Of course, some of my away time each year was here at NUS as MPA Visiting Professor of Maritime Law. I was happy to retain my connection with NUS and indeed have been delighted to return here again to my new post. You could say I never really left!

Teaching experience at NUS Law School

My initial decision to come to NUS arose serendipitously during a conference visit to Singapore when I visited some Nottingham exchange students in the Faculty of Law at Kent Ridge. The rest, as they say, is history.

The students here are highly motivated, keen and interested, but that tends to be the case of good students everywhere. I enjoy teaching my classes here, particularly the diverse mix of undergraduate and postgraduate students and the presence of practitioners from the shipping business in the maritime courses.

One of the great pleasures of academic life is students and I have followed the careers of my former students with keen interest. I manage to keep in touch with a surprising number of them, but am sorry also to have lost touch with so many. From a working perspective and given my interests, the big draw of Singapore is the importance of the maritime factor and the emphasis given to the promotion of Singapore as an International Maritime Centre (IMC).

Present research projects

My current research includes work on the Rotterdam Rules, as a brand new international transport convention is known and which will be open for signature following a signing ceremony in Rotterdam around September 2009 (hence the name). I am also busy, as principal editor, in writing a new edition (the 18th) of an English company law textbook, Charlesworth’s Company Law. Finally, I have to start work on the second edition of my book on Carriage of Goods by Sea (for OUP).

Personal Interests

Music has always been an important passion to me. In my youth, I played the piano and organ and sang in choirs. While I was in Britain, I had the opportunity to sing in Choir tours abroad in such places as the Czech Republic, Germany and Switzerland. I had to give up this pleasure, as it was too much of a drain on my time: remember all this was on top of my full-time work as a law teacher at Nottingham University! These days, my music making is mostly passive as a listener and regular attender of classical concerts and recitals. I have a very substantial CD and DVD collection.

My other major interest is in aviation; I love planes and airports as much as ships and I collect diecast model commercial airplanes. I can even be spotted around Changi Airport from time to time with my camera!

Contributed by Stephen Girvin and Shen Xiaoyin ’11
When Law meets Art, what do they have in common?

Assistant Professor David Tan would definitely be the right person to answer this question.

Young and accomplished, David holds a Master of Laws from Harvard, and graduated with First Class Honours in Law from the University of Melbourne. He will be completing his PhD in 2009. In the area of law, he has published in a diverse range of journals like the Cardozo Arts & Entertainment Law Journal, Yale Journal of International Law, Harvard Human Rights Journal, Australian Law Journal and Australian Intellectual Property Journal. He is currently conducting a module on entertainment law, covering issues related to entertainment in the global context.

David is also an accomplished fine art fashion photographer, having published a coffee table book *Visions of Beauty* in association with Versace, and *Tainted Perfection* in collaboration with Cartier in Singapore. His most recent retrospective collection of photographs *David Tan: The First Decade* is exclusively distributed by PageOne bookstores. David was formerly with the Singapore Administrative Service, serving as Director of Sports at Ministry of Community Development, Youth and Sports (MCYS) and Director of International Talent at Ministry of Manpower (MOM).

The Confluence of Law and Art

"Law is an art!” exclaimed David. Indeed, compared to the coding and recoding in painting, the ongoing interpretation and re-interpretation of law is no less a technical and creative exercise. And that is why David is deeply fascinated by the study of law:

“I have always loved the intellectual challenge of law, and I think it has a unique appeal which combines a formulaic analytical rigour with an imaginative aestheticism. I was equally good in both mathematics and literature in school, and law seems to straddle both worlds.”

Law and arts are also intertwined in the area of entertainment law, a field which David specialises in. Through his own involvement in visual and performing arts, particularly in photography, and his numerous discussions with his celebrity friends about the issues they face, he was motivated to research on a myriad of celebrity issues in mature entertainment hub like Hollywood, New York and London. The extent of David’s research work includes the enforcement of the copyright and trademarks in popular iconography ranging from Disney and superhero characters to well-known brands like Louis Vuitton.

As for the choice of teaching law as a career, it is primarily because of his outgoing and expressive personality. David discovered his passion for teaching when he had an opportunity to lecture constitutional law, while working on his PhD at Melbourne University. He found that he could explain difficult concepts simply. Despite the fact that switching to an academic career was a major step for him after his previous positions in the banking industry and government service, Assistant Professor David Tan rose to the challenge and chose to teach in NUS, where it feels like home.

It’s All a Matter of Expression...

“I am also interested in freedom of speech issues, particularly in comparative aspects of constitutional law relating to free speech. It is fascinating how so many people assume that the greater the freedom of speech that a particular society enjoys, the better off the people are going to be. Perhaps I should dispel this myth in a later course.”

David is presently researching on how free speech values interact with intellectual property rights, especially in the fields of copyright, trademarks and publicity rights. He has collaborated with Professor Megan Richardson (from Melbourne University) on a couple of conference papers and articles, and hopes that their joint interests in popular culture and fashion will yield some more exciting work in the near future.

On the artistic front he has a couple of projects in the pipeline. “It has been a few years since publishing my retrospective photography coffee table book. I am continuing work on the *Tainted Perfection* series, which Cartier presented in 2003, and I hope to launch phase two in 2011.”

Interviewed by Shen Xiaoyin ’11
WELCOMING OUR NEWEST FACULTY MEMBER

The Faculty of Law warmly welcomes **Mr David Tan Kah Heng** who joined us as an Assistant Professor. He will be completing his PhD in 2009.

CONGRATULATIONS

Heartiest congratulations to:

**Professor Amirthalingam Kumaralingam** who was appointed as the Vice-Dean for International Programmes with effect from 15 September 2008.

**Ms Wendy Tan Yin Chern ’00** who was appointed as Assistant Dean on 1 January 2009. Wendy oversees Corporate Communications & Public Relations, Human Resource, Finance and General Administration.

**Ms Jaclyn Neo Ling Chien ’03** on her appointment as Assistant Professor in September 2008.

**Ms Sandra Booysen PhD ’09** on her appointment as Assistant Professor from 1 February 2009. Sandra is the first graduate from our PhD programme to be admitted to the teaching faculty of our Law School.

APPOINTMENTS

**Professor Tan Cheng Han SC ’87** has been appointed a member of the Singapore Youth Sports Development Committee.

International Islamic University Malaysia (IIUM) has appointed **Professor Teo Keang Sood** as an external assessor.

**Professor Tjio Hans** was appointed to the Securities Industry Council on 1 Jan 2008 and nominated to the Senate of the Singapore Academy of Law from 7 January 2008.

**Associate Professor Chan Wing Cheong** has been appointed an Adjudicator for Structured Products by the Financial Industry Dispute Resolution Centre Ltd (FIDReC).

**Assistant Professor Daniel William Puchniak** was appointed as the ASEAN Convenor for the Australian Network for Japanese Law. This appointment will strengthen NUS’s involvement in a number of research and teaching programs that involve Japanese Law.

CITATIONS

Professor Thio, who is also a Nominated Member of Parliament, visited Washington DC, Mexico City and San Jose, Costa Rica in October 2008. She met with human rights experts from the Commission and the Court, as well as officials from various Mexican government ministries such as the Ministry of Public Security, National Commission for the Development of Native People, Foreign Affairs and Interior Ministry, National Council for Preventing Discrimination, the Mexico National Commission of Human Rights and Institute for Accessing Public Information.

She was also invited to deliver a lecture entitled “Asian perspectives on Human Rights” at the Universidad de Las Americas in Mexico City.

The book by Visiting Professor Kevin John Gray titled *Elements of Land Law* (5th edn with Susan Francis Gray), cxxxvi + 1400 pp (Oxford University Press) was published in November 2008.

Professor Gray was also awarded a three-year major research fellowship by the Leverhulme Trust in October 2008 (research project: “Giving, Taking and Restoring”).


Associate Professor Poh Chu Chai’s ’73 works were recently cited by the courts:


*Principles of Insurance Law* was cited by the Singapore Court of Appeal in Tay Eng Chuan v. Ace Insurance Ltd. [2008] 4 S.L.R. 95


Associate Professor Alan Tan Khee Jin’s ’93 book entitled *Vessel Source Marine Pollution: The Law and Politics of International Regulation* (Cambridge U Press) was cited by Advocate-General Julianne Kokott in her opinion in the European Court of Justice case concerning the E.U. Ship-Source Pollution Directive.

Associate Professor Alan Tan also co-wrote a consultancy report commissioned by the ASEAN Secretariat on the possible establishment of a Single Aviation Market for ASEAN by 2015.

The latest book by Adjunct Associate Professor Kevin Tan ’86 *Marshall of Singapore: A Biography* was launched by Law Minister K Shanmugam ’84 on 12 December 2008 at the National Library, where an exhibition on “The Extraordinary Life and Times of David Marshall” was also held from 12 December 2008 to 28 February 2009. *Marshall of Singapore* was commissioned and published by the Institute of Southeast Asian Studies, and contains a foreword by Chief Justice Chan Sek Keong ’61. Using rare archival material as well as Marshall’s private papers and diaries, the book chronicles the life, career and thoughts of Singapore’s first Chief Minister, David Saul Marshall (1908-1995).


Currently completing an LLM at the Université de Paris I (Panthéon-Sorbonne), lecturer Jean Ho Qing Ying’s ’03 latest publication is “Decoding Singapore’s International Arbitration Act, Section 12(7)” which appeared in (2008) Arbitration International vol 24(4) 609.
VISITING PROFESSORS
(Semester 1, Academic Year 2008-2009)

Wael Hallaq
Professor Wael Hallaq is James McGill Professor of Islamic Law of McGill University and a leading authority in Islamic Law. He offered an intensive course in Islamic Law. Professor Hallaq has been teaching at NUS for the past three years.

Lisa Michelle Austin
Associate Professor Lisa Austin teaches at the Faculty of Law, University of Toronto, where she is affiliated with the Centre for Innovation Law and Policy. Associate Professor Austin taught Privacy Law: Critical and Comparative Perspectives.

Franco Ferrari
Professor Franco Ferrari is a Professor of International Law at the Verona University School of Law in Italy. He was a Global Hauser Visiting Professor of Law at the New York University School of Law in 2005 and 2008. Professor Ferrari taught European Private International Law.

David Fox
David Fox is a Lecturer in the Faculty of Law and a Fellow of St John’s College in the University of Cambridge. He lectures on Equity, Personal Property, Restitution and Commercial Law courses, and supervises undergraduates in Equity, Land Law and Roman Law. He taught a course on Advanced Personal Property.

Stephen C. Thaman
Professor Stephen Thaman is a Professor of Law at Saint Louis University School of Law. He is a consultant to former Soviet republics that are reforming their criminal procedure codes and a recognised expert on comparative criminal law and procedure. In 1987, he accepted a Fulbright Senior Professor Award at the Institute of Criminal Law and Procedure at the Free University of Berlin. Professor Thaman was also awarded a research fellowship at the Max-Planck Institute for Comparative and International Criminal Law in Germany. He taught Comparative Legal Traditions.

Rutsel Martha
Dr Rutsel Martha is currently General Counsel of the International Fund for Agricultural Development (Rome, Italy), which is the specialized agency responsible for investment in food production and agricultural development in developing countries. Previously he was the General Counsel at the International Criminal Police Organization in France. He was an adjunct Professor of Law at the Washington College of Law (American University, Washington, DC) from 1998 to 1989 and member of the Legal Department of the International Monetary Fund from 1987 to 1990. He co-taught International Police Enforcement Cooperation with Professor Noble.

Michael Dowdle
Associate Professor Michael Dowdle is currently a Chair in Globalization and Governance at the Institut d’Études Politiques de Paris where he teaches courses on comparative constitutionalism and comparative regulation. He was a Resident Fellow of the Clarke Program in East Asian Law and Culture in AY 2006-2007 at Cornell Law School and has held various visiting positions at the University of Washington School of Law, Qinghua University Law School, Hong Kong University, Australian National University, New York Institute of Law and Society and at Sciences Po in Paris. He taught Comparative Administrative Law, Chinese Public Law, Introduction to Legal Theory.

Joseph Weiler
Professor Joseph Weiler is University Professor as well as holder of the European Union Jean Monnet Chair at New York University School of Law and Director of the Hauser Global Law School Program. He heads the Jean Monnet Center for International and Regional Economic Law & Justice and is a member of the faculty’s Executive Committee of the NYU Institute of International Law and Justice. Professor Weiler is also Professor at the College of Europe in Bruges, Belgium and Natolin, Poland; Honorary Professor at University College, London; Honorary Professor at the Department of Political Science, University of Copenhagen; and Co-Director of the Academy of International Trade Law in Macao, China. He taught World Trade Law.
Andrew Harding

Professor Andrew Harding is Professor of Asia-Pacific Legal Relations at the Faculty of Law of the University of Victoria and a member of the Centre for Asia-Pacific Initiatives. He is a former Head of Department and Professor of Law at the School of Oriental and African Studies at the University of London. Professor Harding taught a course on Law, Governance and Development in Asia.

Thomas Dreier

Professor Thomas Dreier is currently the Director, Institute of Information Law, University of Karlsruhe / Karlsruhe Institute of Technology (KIT), Karlsruhe, Germany. He was also the Research Fellow, Max-Planck Institute for Intellectual Property, Munich, Germany (1987 – 1999), Vice President, Association littéraire et artistique internationale, Managing Director, German Computer Law Association (DGRI), Visiting Professor, NYU School of Law (2002 & 2004) and Co-editor, Concise European Intellectual Property Series, Kluwer. Professor Dreier taught European IP Law.

Ronald Noble

Professor Ronald Noble is a tenured Professor of Law at New York University School of Law, on leave of absence while serving as Interpol’s Secretary General. He was elected Secretary General by the 69th Interpol General Assembly in Rhodes, Greece, in 2000, and was unanimously reelected to a second five-year term by the 74th Interpol General Assembly in Berlin, Germany in 2005. He co-taught International Police Enforcement Cooperation with Dr Martha.

Janet Walker

Professor Janet Walker is a Full Professor at the Osgoode Hall Law School at the York University. She has served as Associate Dean, Director of the Part-time LLM in Litigation and Dispute Resolution, Convener of the Litigation, Dispute Resolution and the Administration of Justice Stream, and Director of the Mooting Program until 2005. Professor Walker taught Conflict of Laws as a visitor at Monash, Haifa and Toronto, and as a Hauser Global Visiting Professor at NYU in New York. She offered a course on Comparative Conflicts of Laws.

ClassAction

The 25th Anniversary Reunion of the Class of ’84 will be held on Friday 24 July 2009 at the new Guild House at Kent Ridge. Invitations with the event details will be issued soon. If you haven’t already done so, please contact your classmate Michael Seow ’84 at email: michaelseow@etplaw.com or tel: (65) 6411 5829, to update your contact details.

It’s happily dawned on the Class of ’89 that this year is their 20th Anniversary. The reunion organizing committee is now compiling a contact list (the booklet produced in Law IV is way out-of-date). Let’s quickly contact Carolyne Lim (Carrie) at email: izzitt@singnet.com.sg or tel: (65) 9787 8276; Wong Kok Hoe at email: kokhoe@centurion.sg or tel: (65) 9616 1248; or Adrian Chan at email: avchan@singnet.com.sg or tel: (65) 9793 3953. The reunion will be held on Saturday 22 August 2009 at the Space Bank, Faculty of Law’s Bukit Timah campus.

The Class of ’99 will be holding their 10th Anniversary Reunion on Saturday 15 August 2009 at the Faculty of Law’s Bukit Timah campus. The class list is being compiled and we are reaching out to “missing” classmates. Please contact Francis Ng at email: ng.francis@gmail.com or tel: (65) 9631 0684; Deepak Rangoonwala at email: Deepak.rangoonwala@db.com or tel: (65) 9823 3275; or Anand Nalachandran at email: anandn@singnet.com.sg or tel: (65) 9832 7255. Please also read the class blog at: http://www.nuslaw1999.blogspot.com/

The 2009 Reunion in Kuala Lumpur has been cancelled.

For general enquiries on any of the class reunions, please feel free to contact Joyce Khoo or Christopher W.B. of Alumni Relations & Development at email: lawlink@nus.edu.sg or tel: 6516 3616 (Christopher) / 6516 7373 (Joyce).
Haridas s/o C P Menon ’75 - I have been living in Batu Pahat since graduation. I have a daughter who studied law at University of Leicester. She was called to the English Bar in 2005.

Santhana Dass a/l Savarinathan ’77 - I am the managing partner of Dass, Jainab & Associates, a law firm with its headquarters at Kuala Lumpur and a branch at Sungai Petani, Kedah. I am married and my wife is also a partner in my firm. We have a son who is 16 years old and is still schooling.

Peh Chong Yeow ’91 - I am now in private practice with Advent Law Corporation. I am married with 2 sons; 3 and 5 years old respectively.

Benjamin Ang ’93 - Benjamin Ang ’93 was appointed Director - Asia for the international consulting firm Potter Farrelly & Associates on 15 September 2008. After years in litigation and corporate practice, serving as Executive Director and IT Director of Rajah & Tann, and as in-house counsel in international software company Muvee Technology, he’s found an ideal outlet for his combined experience in law, business management and technology. Now he gets to help lawyers and law firms in Singapore and Asia to improve their business, and to compete at the next level (in litigation or corporate cases). He even gets to blog for work, at http://legaltechasia.blogspot.com. Do visit his blog or drop him an email at ben.ang@potterfarrelly.com. He’s always happy to catch up over coffee and share ideas on what’s happening in the legal market.

Liew Chih Yuan Steven ’93 - I’m now in my 3rd year doing government relations, aka lobbying. I’m thoroughly enjoying it, because I get a chance to shape future laws and policies and not just interpret them.

Adrian Kwong Sze Ken ’99 - After several years specializing in IT and IP litigation in Singapore firms, Adrian went in-house in 2007 with a firm client, Electronic Arts (EA), which is the world’s leading independent interactive software company. Based at EA’s regional headquarters here in Singapore, Adrian is now a Senior Attorney in a legal team of 9 members that covers 13 territories in Asia, Oceania and South Africa. By the way, playing video games at work is not, he reports, a big part of the job!

Associate Professor Burton Ong ’99 and his wife Joyce Chen DipSing ’97/LLM ’98 are pleased to announce the birth of their second child, baby Philippa, who was born on 19 September 2008.

Deepak Rangoonwala Amrittal DipSing ’99 - Happily married and working as legal counsel in a bank in Singapore. We live in interesting times, so best wishes to all of you in 2009 and God bless.

Michael Klemm LLM ’02 - After my time at NUS, I finished my Bar examination in Germany. Subsequently, I worked as an Industrial Relations Consultant for the International Labour Organization (ILO) in Indonesia, Sri Lanka and Germany. Between 2006 and 2008, I was Team Leader for the international relief organization.

Miao Miao DipSing ’03 - I am currently in Shearman & Sterling LLP’s Shanghai Office as an associate. After graduating with a Diploma in Singapore Law in 2003, I joined WongPartnership for one and a half years and then moved to the Hong Kong office of Shearman. I relocated to Shanghai in November 2006. I now have a baby son aged 2 years old, called Raymond Miao Tian Rui. He is clever and cute!

Sandra Lee ’03 - I have relocated to Paris, where I am currently working. Looking forward to receiving visitors anytime.

Loh Wei Hao ’04 and Huang Wanyi ’04 tied the knot on 22 November 2008 after 8 marathon years at the dating game. The sunset solemnisation ceremony at NUS Bukit Timah Campus was presided over by Chandra Mohan Nair ’76, in the presence of family and close friends who have stuck by them through thick and thin. Wei Hao and Wanyi are grateful to the Faculty (in particular Dean Tan Cheng Han ’87, Associate Dean Goh Mia Yang ’92, and Joyce Khoo ’85 Associate Director of Alumni Relations) and the many good people who ensured that their path to the altar would not be fraught with administrative difficulties. Wei Hao has been practising telecoms, media and technology law at Drew & Napier since graduation; in between lamenting how much fun Wanyi seems to have advising on M&A deals at WongPartnership.

Nicholas Towers Exc ’08 - I’ve returned to the UK and have been inspired by the subjects I studied at NUS to write my dissertation on human rights issues in Thailand.
This year, 2009, the Law Class of ’84 celebrates 25 years since graduation.

25 years ago, a group of us, then bright-eyed and bushy-tailed, wondered who among the classmates would go on to achieve fame, and (rather perversely) notoriety. Now, 25 years later, we have the answers. We are naturally chuffed to be able to say that K. Shanmugam’84, the Minister for Law, is from our class. Many others are also doing well in their careers, including two who never let their medical conditions prevent them from reaching their goals.

A handful of us are no longer in the legal profession. I am one of them.

As the 25th anniversary loomed, I started musing about law school and me. How might have Law School have affected my non-legal career? Was a legal education too specialised to be of service if one ended up in a field outside of law?

My leaving the profession was not really a matter of personal choice; I had to leave Singapore in 1997 because of my husband’s job posting to Egypt. There, I found that a Singapore legal education was of little use in terms of career prospects for various reasons; accompanying spouses were not allowed to work unless the person had a special skill which Egypt needed, there was a foreign language and a different legal system to contend with, few people had heard of Singapore, and lawyers were not exactly sought-after professionals in Egypt. People applied to law school only if they could not qualify for ‘better’ faculties like medicine and engineering, I was told. Ouch. I would encounter the same obstacles in many of the other countries I later lived in.

It was therefore necessary for me to branch out into other fields, so I ended up working variously on an EU-funded project, in an anti-corruption organisation, organising cross-cultural seminars and writing cross-cultural books.

In the beginning, I did often feel that my legal education was too limited in scope in the rather exotic countries I landed up in. It was just not as ‘mobile’ as say, teaching and nursing. At times, I felt that I was wasting my legal education, doing work which seemed so disconnected to law.

But, on the eve of our 25th anniversary since passing out from the portals of law school, I am having some different thoughts.
Building Bonds, Bridging the Future

The Shaw Foundation Alumni House on Kent Ridge Campus, managed by the NUS Alumni Office, is a buzzing beacon for alumni, students, faculty, staff and friends from around the world to network, build new ties and reconnect. Visit the Alumni House today, where you can expect the following features and facilities:

Alumni Service Centre
A meeting point on the first storey dedicated to alumni and alumni groups to create a vibrant confluence of bonding, networking and partnership and to meet the social, business and professional networking needs of alumni and friends.

The Waterway
Dedicated to all returning alumni, The Waterway is a special gallery that leads our alumni through a journey from the past to the present, from visions to successes. It is a place where alumni across generations and geographies can rediscover their connections from the past, strengthen bonds and contribute to NUS’ future.

Our Provenance
An installation of six boulders at the driveway marks the milestones in the University’s history, from the beginnings at King Edward VII College of Medicine (1905) to the NUS today.

Auditorium and Conference/Seminar Rooms
A 300-seat auditorium on the second storey includes pre-function space for alumni to mingle and network. Seminar rooms and a conference room allow for workshops and luncheon talks that contribute to alumni’s lifelong personal growth.

Benefactors’ Foyer
The contributions of our alumni and friends towards student and alumni programmes have shaped the future of NUS. Alumni and friends who gave a minimum of $100 are recognised at the Benefactors’ Foyer on the second storey. A special group of alumni and friends known as Founding Benefactors, who made contributions of $20,000 each, are also prominently recognised.

The Confluence
A steel sculpture situated at the Alumni Terrace, located between the Alumni House and NUSS Guild House, to depict NUS’ commitment to provide the NUS community with a special place where minds can be stimulated and enriched through interaction.

Faculty Sculptures
The Faculty Sculptures at the Alumni Terrace symbolise the camaraderie between the NUS Alumni Office and the various Faculties and Schools which volunteered on the sculptures.

For more information on the Shaw Foundation Alumni House, visit www.alumni.nus.edu.sg.

Homecoming 2009 Celebrations
Be part of the buzz and excitement of the Alumni Complex – comprising the Shaw Foundation Alumni House (managed by the NUS Alumni Office) and the NUS Society (NUSS) Kent Ridge Guild House (managed by NUSS).

On 20 March, Minister Mentor Lee Kuan Yew officiates the Official Opening of the Alumni Complex. At Homecoming 2009 on 21 March at the Alumni House, take your pick from several interesting lectures by renowned speakers, and enjoy an enchanting contemporary music concert by veteran conductor and composer Dr Robert Casteels.

Spend your lazy Sunday on 22 March catching up on movies in a the Feature Flicks and wrap up the evening with a delightful jazz concert by local accomplished musician Iskandar Ismail and featuring alumni and students.

The following Saturday on 27 March and lasting through to 24 April, visit the Inaugural NUS Alumni Art Show where our distinguished alumni come together to showcase their works of art.

For more information and to register, visit www.alumni.nus.edu.sg
Standing proud at the Alumni Terrace of the new Shaw Foundation Alumni House is the NUS Law School’s contribution of a sculpture called Learning the Law.

The sculpture consists of a stone tablet (an allusion to the 10 commandments and Roman edicts) representing the Law in textual form. Carved above the tablet is a stylised Tree of Knowledge. This Tree is an allusion to the Akan tribal symbol of Sankofa which means “to go back and retrieve”; in other words, to look on the past as serving to guide the future. Put together, the sculpture symbolises that the true practice of law requires us to look beyond the Letter of the Law so that Natural Justice may be served.

The Faculty Sculpture team comprised Associate Professor Michael Ewing-Chow ’95 (who conceptualized the artwork), Daniel Zhang ’10, Yik Shu Ying ’11, Alphis Tay ’11, Alvin Liong ’11, Goh Zhixian ’11, Cai Chengying ’11, Huang Haogen ’11, Magdalene Gloria Lie ’11, Geraldine Soon ’11, Derek On ’11 and Joyce Khoo ’85. Associate Professor Ewing-Chow generously shared the design competition prize proceeds among the 10 students in the team as a token of appreciation.

The Faculty Sculpture project was a collaborative effort by NUS staff, alumni and students under the guidance of NUS alumnus Chong Fah Cheong. The 11 Faculty Sculptures were unveiled by NUS President Professor Tan Chorh Chuan and the respective Deans on 27 February 2009.

The world of the 21st century is likely to become more multi-polar and multi-civilizational than it was in the 20th century. China and India are expected to become superpowers, rivaling the US. Such a multi-polarization of power will mean that there is a greater mix of cultures and religions in the international society. How will the international legal order transform itself amidst such a shift of power and values in the global community? This is an important challenge facing humankind in the 21st century. It is an urgent issue requiring serious deliberation, especially for the Asian people, who are expected to play an important role in the diversification of power and values. Asia needs to make its own proposals regarding the manner in which international law can support the world of the 21st century and realize the common interests of humankind. Asia must share fair and equitable responsibility for the international legal order, its ideas and systems.

The Asian Society of International Law, hosting its Second Biennial General Conference in Tokyo, will take up this important issue of Asia’s relationship with the international legal order under the main theme of “International Law in a Multi-polar and Multi-civilizational World - Asian Perspectives, Challenges and Contributions.” It is hoped that the conference will provide the an opportunity to understand the law and reality of the global community, challenge its dominant premises and understandings, and make constructive proposals for the international legal order in a multi-polar and multi-civilizational world.

For details, please visit us at http://www.asiansil-tokyo2009.com/ or email us at info@asiansil-tokyo2009.com.