Interview with
Lord Leonard Hoffmann

Obligations IV Conference
5th ASLI Conference
Commencement 2008
A word from the Editor

Going “Glocal”
- From Local Roots to Global Growth

Some key appointments in the Singapore Legal Sector were made this year. Mr K. Shanmugam SC ’84, previously in legal practice and a longtime Member of Parliament, was propelled to his new appointment as the Minister for Law on 1 May. Professor Walter Woon ’81, previously the Solicitor-General, etched up a notch to his appointment as the Attorney-General on 11 April. Mrs Koh Juat Jong ’88, previously the Registrar of the Supreme Court, was appointed as the new Solicitor-General also on 11 April. Together with the Chief Justice Chan Sek Keong ’61, the top posts are now filled with our home-grown NUS Law School alumni. This is something to be proud of.

We are featuring Minister Shanmugam in our cover story. He was gracious enough, due to his longstanding association with the Faculty as an Advisory Board member, to squeeze in the time to chat with us, whilst addressing the issues of the day, such as the step-by-step implementation of the Report of the Committee to Develop the Singapore Legal Sector (the VK Rajah Report). We also had the rare opportunity to interview Lord Leonard Hoffmann, Second Senior Lord of Appeal in Ordinary, House of Lords, in a relaxed and candid mood during the Obligations IV Conference (page 6).

Overseas Internship Programme
During the last academic year, the Law Dean initiated the development of an “Overseas Internship Programme”. The objective of the Overseas Internship Programme is to open up opportunities for our law students to experience first-hand working in a foreign environment and legal system, and the unique chance to gain insight into how top law firms, international companies or other organisations work.

We had a modest start in the summer of 2008 and aim to expand the Internship Programme for next Summer 2009. The vacation period is from mid-May to end-July (12 weeks). If you are able to consider offering the Faculty one or some internship positions, or can help to introduce us to the appropriate party within your organisation to speak with, would you please drop an email to us at: joycekhoo@nus.edu.sg or telephone Joyce/Celestine of Alumni Relations at: (65) 6516-7373 / 6516-3616. We would be so pleased and grateful to hear from you. Please rest assured that we will work with your law firm, company or organisation to pan out an internship according to your preferences.

I believe that some international exposure will be good for our law students, as I too benefited from a working stint at a law firm in London after doing my LLM at Kings College. Indeed, two of our writers submitted their pieces while they were on overseas internship. Sangeetha Yogendran ’09, who wrote the Faculty Features (page 26), spent her summer at InterPol in France. Lynette Chua ’10, who wrote about her overseas internship experience (page 11), spent her year at KhattarWong in Shanghai. The co-interviewer of the cover story Lavanesan Swaminathan ’09 has just left for a year in New York City. He is one of the pioneer batch of seven NUS law students attending the NUS-NYU LLB/LLM Dual Degree Programme.

It leaves me now to thank the team of writers and contributors of this issue and Celestine Chan for her administrative support and photography. I would also like to thank Associate Dean Goh Mia Yang ’92 and Vice Dean Associate Professor Alan Tan ’93 for their 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
Alumni Relations and Development

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Any great academic institution pushes the boundaries of human understanding and the law school has been no exception. Aside from our very successful continuing legal education programme of lectures and seminars, often in collaboration with the Singapore Academy of Law, we have also organised two important international conferences and one symposium. The symposium, organised by Vice-Dean Victor Ramraj and Arun Thiruvengadam, focused on Emergency Powers in Asia: Exploring the Limits on Legality. It brought together an interdisciplinary group of scholars from around the world and the papers will be published as a collection of essays by Cambridge University Press. The first of the two conferences was the 5th Annual Asian Law Institute Conference which saw around 200 papers being presented on a wide variety of issues relevant to Asia. The second was the Obligations IV Conference on The Goals of Private Law which was co-organised with the Singapore Academy of Law and the University of Melbourne under the lead of Tang Hang Wu ’93 of NUS and Andrew Robertson of Melbourne. I understand that a number of the papers will be collected and published by Hart Publishing. Obligations V will move to Oxford next and at least two faculty members in Oxford have written to me to say that Obligations IV has set a very high standard for Oxford to emulate in terms of organisation and intellectual content.

Every law school is ultimately as good as its academic faculty. On this note I am happy to say that we have had a great deal of success on the hiring front. New young faculty members who have joined us are Cheah Wuiling ’03 who has worked at Interpol and taught at the University of Lyon, and who has just completed her LLM at Harvard; Lynette Chua ’03 who is presently pursuing doctoral studies at UC Berkeley; Goh Yihan ’06 who was until recently a Justices’ Law Clerk at the Supreme Court; Jean Ho ’03 who is currently pursuing her second LLM at Sorbonne after her first from NYU; Jaclyn Neo ’03 who was at Wong Partnership for several years and who has just completed her LLM at Yale; and Dan Puchniak from Canada who recently completed his PhD at Kyushu University. Recent senior hires are Mindy Chen-Wishart (joint appointment with Oxford); Stephen Girvin from Birmingham whom we are happy to welcome back to NUS; Kevin Gray (joint appointment with Cambridge); and Joseph Weiler (joint appointment with NYU).

On the student admissions front, the law school continues to do outstandingly. As with previous years, we face stiff competition for LLB students from other Commonwealth law schools, as well as the many public and private organisations that award scholarships for overseas study. For this reason we spend a great deal of effort on road shows to Junior Colleges, Open Houses, and marketing initiatives. These are helpful but there is ultimately no substitute for a rigorous and innovative academic programme.

In the last few years the law school has been very innovative and our LLB programme is probably one of the most exciting in the world. Our students continue to be exposed to a rigorous curriculum that will prepare them well for legal practice but in addition to this, many will have the opportunity to pursue a double degree in another discipline, a double law degree, an exchange programme, or a minor in another discipline. Combinations of these are possible so that a double degree student may also spend a semester overseas on exchange. These efforts appear to be paying dividends as our admissions statistics continue to remain very strong despite increased competition.

At the graduate level we have also seen a record number of applications for our LLM and PhD programmes. The new academic year will therefore see a record intake of around 160 graduate students coming from more than 20 countries. The growth of the graduate programme attests to the high academic reputation the law school enjoys internationally. Since 2001 the programme has grown more than 600% and much credit for this must go to the previous Vice-Deans for Graduate Studies Dora Neo and Teo Keang Sood, and the present Vice-Dean Alan Tan ’93.

We continue to be grateful to the many alumni who have supported us in our efforts to build a great law school. Thank you for helping us in our courses, providing internships for our students, pushing us to do better, and supporting us financially. I’ve said it before and will say it again – no law school can become great without great support from a great alumni body. Thank you again for the great support and I hope you will continue to work with us to bring the law school to ever greater heights.

With my very best wishes,
Professor Tan Cheng Han SC ’87
The NUS Faculty of Law joins our Malaysian law alumni to respectfully and fondly bid the Chief Justice of Malaysia, The Right Honourable Tun Dato’ Seri Abdul Hamid bin Haji Mohamad ‘69, a very happy retirement as he stepped down from office on 17 July 2008.

Tun Dato’ Seri Abdul Hamid was born on 18 April 1942 in Penang, Malaysia. He enrolled in the Faculty of Law at the University of Singapore in 1965 and graduated with an LLB (Honours) degree in 1969.

Tun Dato’ Seri Abdul Hamid was confirmed as the Chief Justice of the Federal Court of Malaysia in December 2007, following an illustrious career in the judicial and legal services, that included the following appointments:
- Magistrate in Perlis and Perak states
- Sessions Court President, Kedah and Selangor
- Assistant Director of the Legal Aid Bureau, Kedah and Perlis
- Deputy Registrar of the High Court of Malaya
- State Legal Advisor to Kelantan and Perak
- Senior Federal Lawyer, Department of Internal Revenue
- Head of Criminal Prosecution Division, Attorney-General’s Chambers
- Appointed Judicial Commissioner of the High Court in Penang (1 May 1990)
- Appointed Judge of the High Court in Penang (1 March 1992)
- Transferred to the High Court in Kuala Lumpur (16 October 1999)
- Appointed Judge of the Court of Appeal of Malaysia (1 September 2000)
- Appointed Judge of the Federal Court of Malaysia (1 August 2003)
- Appointed President of the Court of Appeal of Malaysia (5 September 2007)

Mr Lucien Wong Yuen Kuai ’78 was appointed as a member of the Advisory Board of NUS Law School on 1 May 2008, when Mr K. Shanmugam SC ’84 stepped down to become Singapore’s Minister for Law and Second Minister for Home Affairs.

Mr Lucien Wong, an alumnus of the NUS Faculty of Law, is the Managing Partner of Allen & Gledhill LLP. He was called to the Singapore Bar in 1979. He specialises in banking, corporate and financial services work. Mr Wong was conferred a Special Award at the Chambers Global Awards 2007 ceremony held in London for outstanding contribution to the legal profession, becoming the first local lawyer to be conferred such an award.

The Law Advisory Board was formed in February 2007, to replace a Steering Committee for the NUS Faculty of Law that was established in 2001, to advise the Dean of Law and the NUS Vice Chancellor and to act as a liaison between NUS and the legal profession.
Over 70 guests attended the 5th Professorial Lecture delivered by Professor Leong Wai Kum on 11 April 2008. The evening started with a peek into the early life and academic contributions of Professor Leong given by Justice Tan Lee Meng ’72, a childhood friend of Professor Leong’s brother it was revealed. Professor Leong was aptly described as someone synonymous with Family Law in Singapore having helped bring it to its present state. Guests included the newly appointed Attorney-General Professor Walter Woon ’81; President of the Law Society, Mr Michael Hwang SC; deans of the School of Law at NUS and SMU, Professors Tan Cheng Han SC ’87 and Michael Furmston respectively; members of the Bar and Legal Service and fellow academics.

We were treated to a story of the ideas and motives of different personalities over different times and even countries. Professor Leong began with a captivating elucidation of the genesis of the Women’s Charter as part of national construction by the People’s Action Party on winning the 1959 General Elections. This statute introduced a unitary monogamous law for non-Muslims and played a crucial role in Singapore’s economic progress by encouraging the economic participation of women.

She then focused on the Women’s Charter section 46. This exhorts husband and wife that they are engaging in an equal co-operative partnership of different efforts to place marriage firmly on a moral foundation. It was modelled on a Swiss provision whose drafter intended to convey the moral message. Professor Leong related this message to the remarkable developments within several areas of law including division of matrimonial assets. Both spouses contribute to the acquisition of property whether by financial or non-financial effort so the court divides any surplus equitably between them upon divorce.

A scrumptious wine cocktail reception following the lecture was kindly sponsored by LexisNexis. All who attended Professor Leong’s lecture were enthralled by the display of her knowledge and, even more importantly, her passion for the subject.

Contributed by Chan Wing Cheong
The 5th ASLI Conference returns to its roots in Singapore

The 5th Asian Law Institute (ASLI) Conference, set in the sprawling Campus at Bukit Timah amid the tropical vegetation of the Singapore Botanic Gardens, was held on 22 and 23 May 2008. The conference was in a sense a return to ASLI’s roots, given that NUS was the venue for the Inauguration of ASLI in 2003 and its first Conference in 2004. ASLI has since gone from strength to strength in achieving its aims to facilitate academic exchanges as well as research and teaching collaborations among law schools in Asia.

The conference attracted about 210 academics and experts on Asian Law from 21 countries. Over the two days, 150 papers were presented at panel sessions covering areas such as Human Rights, Constitutional & Administrative Law, Corporate Law & Governance, International Business Law, Legal Pluralism, Environmental Law, Competition Law, Intellectual Property Rights, International Law and Criminal Law.

The conference was opened by Professor Tan Cheng Han SC ’87, Dean of the Faculty of Law, National University of Singapore. This was followed by a welcome address from Professor Johannes Chan, Chairman of the ASLI Board of Governors, and Dean of the Faculty of Law, University of Hong Kong, The Director of the Asian Law Institute, Associate Professor Gary F. Bell, Director of ASLI since its inception in 2003, made his farewell speech, and introduced his successor, Professor Kumaralingam Amirthalingam.

The second Open Forum for New ASLI members was held during the lunch break on the first day of the conference. Dean Johannes Chan welcomed the five new members who had joined ASLI since the last conference. Associate Professor Bell also welcomed the new members warmly. He then informed members of some of the decisions made at this year’s Board of Governors’ meeting, which had immediately preceded the conference, and Professor Kumaralingam Amirthalingam informed the meeting of some proposals for ASLI’s future development.

The Opening Dinner at the end of the first day of the conference was held at The Legends Fort Canning Park. Rich in history, the colonial edifice housed the British Far East Command Centre in World War II. The western sit-down dinner, set in the grounds under a marquee, offered participants a panoramic view of the surrounding greenery and cityscape. The event was graced by the Solicitor-General of Singapore, Mrs Koh Juat Jong ’88, the Guest-of-Honour for that evening, who gave a speech on the growth and importance of ASLI, which she observed was also a reflection of the remarkable growth and increasing importance of Asia and the need to understand transnational legal norms and traditions. Such understanding is indispensable for the efficient growth of our economies and enterprises. The participants also enjoyed cultural performances by the NUS IIsa Tari and NUS Chinese Orchestra.

At the closing ceremony on the last day of the conference, Professor Kumaralingam Amirthalingam, the incoming Director, gave an introductory speech about his proposals for the future development of ASLI. Thereafter, Professor Johannes Chan presented a video clip of The University of Hong Kong - the next ASLI Conference venue - to give the participants a taste of what to expect in Hong Kong.

The conference ended with an optional sunset dinner cruise on board a replica of the famous Ming Dynasty imperial vessel, Cheng Ho. Participants enjoyed a view of Singapore’s city skyline while unwinding from the eventful conference.

The next ASLI conference will be hosted by the Faculty of Law, University of Hong Kong. It will be held on Thursday and Friday, 21 and 22 May 2009.

Contributed by the ASLI Secretariat
Obligations IV Conference

World’s Leading Scholars Congregate at NUS Law School

NUS Law School played host to the world’s foremost legal scholars from 23 to 25 July 2008 in a jointly organised conference, Obligations IV, with Singapore Academy of Law and Melbourne Law School. The conference was convened by Tang Hang Wu ’95 and Andrew Robertson from Melbourne Law School. Many of the participants were world-renowned professors from leading law schools, as Sarah Worthington from LSE remarked to Dean Tan Cheng Han SC ’87 that, “Anybody who is anybody in private law was in Singapore” during this period.

Scholars at this conference debated whether private law ought to be shaped primarily by external policy goals or whether private law can only be understood from an internal perspective. The first keynote speaker, Lord Leonard Hoffmann, fired the first salvo by arguing that the concept of duty of care must, to a certain extent, be influenced by external considerations. Dean Hanoch Dagan, who is also an ‘externalist’, argued that the law of unjust enrichment ought to be explained on norms such as autonomy, community and utility. Returning to torts, Stephen Perry tried to pin down the justificatory reasons for the concept of a duty of care in tort law. Other highlights included Dean Mayo Moran and Lionel Smith who spoke on the public/private debate in law. The faculty’s own Tan Yock Lin, Alexander Loke ’90, Tey Tsun Hang and Tang Hang Wu ’95 also presented papers at the conference.

All in all, 68 papers were presented at the conference. Over three days, many thoughtprovoking papers were presented and Graham Virgo from Cambridge described the conference as ‘an intellectual feast’. Participants had a veritable buffet of sessions to choose from. For those with a taste for comparative law and political philosophy, Catherine Valcke’s paper on Rousseau, Hobbes and French contract law was a heady cocktail. The more jurisprudentially minded were treated to Emily Sherwin’s paper on the relationship between rules and policy. Not left out, the artistically inclined had their intellectual taste buds tantalized by Sarah Worthington, Megan Richardson and David Tan’s session which dealt with art, fan fiction and copyright law.

Apart from the intellectual feasting, the conference organizers also brought the delegates to partake in local delicacies like Zi Char at Tiong Bahru and seafood at Long Beach, Dempsey. Stereotypes of Law Lords and academics as a mild mannered and stuffy lot were happily shattered as delegates heartily broke bread and chili crab together.

Many conference delegates were struck by the friendliness, warmth and efficiency of NUS Law School’s faculty, staff and students; Robert Stevens from UCL described the conference as “a triumph”. A collection of essays from this conference will be published by Hart Publishing. This volume of essays promises to be a major contribution to the field of private law.

Contributed by Tang Hang Wu ’95 and Remy Choo Zheng Xi ’10
What advice would you give to young lawyers and students trying to make sense of your judgements?

Just read them on the assumption that I was trying to say something sensible rather than nonsense. You try to write them as clearly as possible, don’t always succeed, but one of the things about writing judgements is that you try to avoid being misunderstood. Usually, in most cases, it’s not all that difficult knowing the right answer. The real difficulty is explaining the reasons in a way that does not mess up things for the next case.

So you believe that there is a right answer in law?

Yes, I believe that there is a right answer in law - looked at from my point of view, that is. Because I am the person being asked to provide the answer, naturally, I think that the answer I am asked to provide is the right answer.

If you look at it from outside, you say, “well, what’s there to show that the decision which the House of Lords arrived at, by majority of 3 - 2, is the right answer?” And that’s true, looking at it from the outside. Therefore some people say if it is a difficult case, then really the judge is exercising discretion in deciding one way or the other. But from the inside, it doesn’t look like an exercise of judicial discretion. In my view, if my colleague has a different point of view from mine, I don’t think that he is just exercising his discretion in a different way and that he is perfectly entitled to do so. I think that he is wrong. So, in that sense, I do think that there is a right answer.

If you were a young lawyer meeting a distinguished law lord, what kind of question would you most want to ask him?

I think I would be rather embarrassed. I have a feeling that whatever question I ask will never be of much use to me. Because any knowledge he has for people who are starting out on their career is by definition very out of date. I know from my own daughter being at the Bar that her life is very different from what mine was when I was at the Bar at her age. Maybe I am not curious enough.

Why did you move from the Bar to the Bench?

I moved from the Bar to the Bench for a mixture of reasons. First, it’s actually quite flattering to be asked whether you would like to be a judge. It doesn’t work like that these days; you actually have to apply for the job. Also, it’s partly that the Bar is a younger man’s profession. It’s quite tough, physically and mentally, though some people carry on at the Bar to a very old age and it seems to suit them fine. And of course, when other people become judges, you find that as a barrister, you’re appearing before people who were your pupils at the Bar and that is a slightly uncomfortable relationship. So if you are offered the opportunity, you might prefer instead to be a judge yourself.

There is also a feeling, or at least there was in my time, that it was a matter of public duty to become a judge. You had great advantages from the profession and it is an opportunity to contribute something. It doesn’t require a lot of mindset change. You’re really doing the same problem but from a different angle and trying to solve legal and factual problems.

As a judge, what are the most important qualities you appreciate in an advocate?

Clarity of exposition, knowing what the case is about and being able to explain it simply. That requires clear thought and also hard work in understanding your case, in knowing what the facts are, in knowing what the law is; in realising that the judge might be interested in how this relates to other bits of law which might not necessarily be central to it; and being able to answer his question, either it does relate or else to tell him that he is barking up the wrong tree and explain why. The judges frequently have ideas of their own, either you find that useful because it is in your favour, or sometimes, even when it is in your favour, you want to warn them off it, because you know that it’s hopeless and if they go down that track, you might get reversed by the Court of Appeal.
And more often you want to be prepared so as to be able to explain to the judge why he is going down the wrong track. Being able to explain clearly is by far the most important thing. It is a gift to be able to tell your story in a relatively short time.

Some scholars view the law as strictly separate from external considerations like politics. Do you agree?

No, I strongly disagree. It actually depends by what you mean by politics. I’m not talking about party politics. The effect which the law has on society, which is after all what law is about, is something that you cannot disregard both in a positive and in a negative sense. That is to say if you think that something is an appropriate decision for you to make, then you have to think about what its effect is going to be. And on the other hand, from the negative point of view, the fact that it would have an effect of some kind or another may be a reason why you shouldn’t decide.

When you should reserve your powers is a matter of constitutional propriety between yourself and Parliament. Say, if Parliament wants to do something, let them do it, let them commit to the position to decide what the consequences are going to be and also it is more appropriate that they should be responsible for those consequences.

So, the law is completely interwoven with politics and social life. That’s what constitutionality is about.

It’s not a question of restraint. Restraint just sounds like a sort of politeness or modesty. It’s a matter of principle, there are some decisions more appropriately made by the legislature rather than the judiciary. For example, how public money is spent. Obviously all judicial decisions in public law will affect the spending of public money to some extent. But there are some decisions where you feel there are choices to be made as to whether money should be spend on this or that, and it is inappropriate for the judges to decide.

To an extent, it is also a question of degree. For instance, cases which require the interpretation of statutes. There was a recent decision by the High Court of Australia which had the effect of bankrupting all the legal aid authorities of Australia. The decision required them to pay out several things in legal aid which they never thought they had to pay for before. If you are faced with a situation like that, that seems to be when you should say, as a matter of principle, it is not appropriate for the judges to do that.

What do you do in your free time?

I cycle, I go to the theatre and I read novels. I go out to dinner for the judges to do that.

I almost always go with the same friend who is exactly the same age as I am (74 years old) and he is a retired civil servant. The longest we’ve done is from London to Rome in 1998, which must be about 15,000 miles, over the Alps. It took over three weeks. We have also done London to Spain three times, and London to Barcelona. This year, we are doing a short one in the French Alps.

What does your wife think of your cycling?

She has never come on long ones, but last year, we took our bicycles on top of the car and we drove up to a mountain in France and cycled down the river for 5 days. I promised her that we would go downhill, you see. We stayed in a very nice French hotel, a little bed and breakfast place. Then I caught the train, got back to where the car was, drove to collect her and drove back to the hotel.

How did you balance a distinguished legal career and a healthy family life at the same time?

Perhaps you should put that question to my wife, not to me. I must say you have got to have a sense of proportion about it. When I was at the Bar and since then at the Bench, I have never cancelled a social engagement or going to the theatre or something like that at the expense of work. I would come home at 12 midnight and if necessary, work till 3 in the morning, but I didn’t cancel commitments.

You will be retiring next Easter (May 2009). What’s one thing you will miss most and one thing you will be happiest to leave behind?

I think what I would miss most about the law is the excitement of getting a case or two cases every week and the combination of intellectual excitement of being able to sort it out. And also, the fact that what you are doing is actually quite important. After retirement, I guess I could do arbitration. But while these may be important to the people who are involved, it has little or no general importance. So that’s quite a difference.

It might sound rather complacent, but I can’t think of anything I will be terribly relieved about. I don’t feel overworked or anything like that.

Contributed by Li Fangyi ’10 and Remy Choo Zheng Xi ’10
Held on 9 March 2008, the inaugural NUS Faculty of Law Reunion for alumni in Shanghai marked the first of a series of international reunions held in celebration of 50 years of legal education in Singapore. The Champagne Lounge Bar at the JW Marriott Hotel Shanghai offered spectacular views of the Shanghai skyline, and with a wide array of mouth-watering finger food and drinks, it provided the perfect backdrop for a night of interacting, networking and more importantly, re-establishing old friendships.

A delegation from the NUS Faculty of Law that included Dean Professor Tan Cheng Han '87, Vice-Dean (Research and Graduate Studies) Associate Professor Alan Tan '93, Associate Dean Goh Mia Yang '92 and academic colleagues Lawrence Boo '80 and Jean Ho '03 met up with alumni working and residing in Shanghai. There were alumni representatives from the LLB and LLM programmes as well as students currently on exchange in Shanghai. Those who attended the reunion had warm and fond memories of their time in NUS Law School (which was then located at the Kent Ridge campus). Very often, bouts of laughter and witty repartee filled the air with the meeting of old friends and the recollection of past events. The reunion was indeed an excellent platform for alumni and faculty members to network and update one another on legal developments in Singapore and China.

In his speech, the Dean expressed his delight at the huge turnout at the event of alumni working and residing in Shanghai. He also shared his hope that the ties between the alumni in Shanghai and the NUS Law School would continue to be maintained and developed.

Contribution by Nicholas Lum '04 of Clyde and Co, Shanghai
After 12 intensive weeks of hard work, the World Trade Organisation (WTO) Regional Trade Policy Course (RTPC) for Asia/Pacific 2008 was brought to a successful close on Thursday, 22 May 2008 with the Diploma Ceremony and Closing Dinner hosted at the Level 8 Viewing Gallery of the Supreme Court of Singapore.

“After 12 intensive weeks of hard work, the World Trade Organisation (WTO) Regional Trade Policy Course (RTPC) for Asia/Pacific 2008 was brought to a successful close on Thursday, 22 May 2008 with the Diploma Ceremony and Closing Dinner hosted at the Level 8 Viewing Gallery of the Supreme Court of Singapore. A slide show documenting the various activities undertaken by the participants throughout the 12 weeks was screened. The participants gave a group-singing performance, individual song recitals as well as a poetry recital by Mr Jeev Raj Ghimire from Nepal. It was a very emotional evening for all as strong friendships were formed during the course. Mr Rajinder Kumar from India gave his appreciation speech on behalf of the participants. He expressed his gratitude to the WTO, the Singapore Government and NUS.

Feedback on the RTPC from the WTO staff, regional trainers and participants was positive. The participants were particularly pleased with the NUS facilities, the logistical and administrative support provided, the guidance given and all the efforts which made their stay in Singapore a memorable one.

“The course has enhanced my understanding of WTO from an economic point of view in general and legal in particular, and at the same time broadened the horizon of my knowledge of global trade and its significance.”

Mr Rajinder Kumar, Deputy Director, Ministry of Commerce and Industry, India

The Guest-of-Honour for the evening was Mr Ng How Yue, Deputy Secretary (Trade) of the Ministry of Trade and Industry. WTO was represented by Dr Hakim Ben Hammouda, Director of the Institute of Training and Technical Cooperation, while NUS was represented by Faculty of Law’s Vice-Dean (Academic Affairs), Associate Professor Victor V. Ramraj.

Following speeches from Vice-Dean Ramraj, Deputy Secretary Ng and Dr Ben Hammouda, the 25 RTPC participants from 24 different countries and regions in Asia/Pacific received their WTO-NUS RTPC diplomas from Deputy Secretary Ng and Dr Ben Hammouda.

“A robust fusion of a high-quality learning experience, the exciting socio-cultural experience of a great country and friendships that will last a lifetime.”

Miss Setaita Tupua, Assistant Secretary, Ministry of Foreign Affairs and External Trade, Fiji
When I applied to go to Bangalore, India for an 8-month student exchange programme, I knew absolutely nothing about the country. Hoping for some adventure and a taste of developing Asia, upon being accepted for the programme, I packed my bags and headed off to the National Law School of India University (NLS) in Bangalore.

The first thing that struck me about NLS was its tiny student population, as it admitted only 80 students per year into its 5-year LLB programme. As most students stayed on campus, everybody knew everybody. The students were also incredibly intelligent, and one of my schoolmates, a body builder I met in the gym regularly, turned out to be the 2004 Guinness World Record holder for memory. Upon graduation, an average of about 20 students each year are recruited by top London firms, such as Clifford Chance and Linklaters – a formidable 25% of the cohort.

While they had impressive credentials, the students at NLS were very, very warm. Often, students I did not know would invite me for lunch or a chaay (tea), and ask me how I was coping. Many of them invited me to stay with their families, something I was grateful for during term break.

Outside college however, India could be harsh, especially because its cities were very crowded. Bangalore for instance, is about the size of Singapore and has a population of 12 million. Finding a niche in a crowded city means constant human contact and little personal space, which often appears as “chaos”. Scrambling for my own little space entailed countless quarrels and bargaining with various shopkeepers and tuk tuk wallahs in broken Hindi. It also entailed navigating bumpy roads with no traffic lights or clear road rules, and hanging out of impossibly crowded buses and trains. Despite the appearance of “chaos”, it was incredibly fun. Somehow or another, things still worked. Traffic still functioned without lane or direction discipline, and once you got a hang of what reasonable prices were, vendors stopped trying to cheat you. Amidst the ever-growing, bustling cities, one just had to make do; and most of the city-dwellers I met did, many with few complaints.

India is an incredibly diverse country, housing different cultures, deserts, beaches, the Himalayas, cities, and some of the richest and poorest people in the world. For me though, India was walking 23 km from mountainous Darjeeling to Sikkim because the roads were closed due to political protests, caring for an emancipated man in a home in Calcutta, and most of all, eating with hands off banana leaves at a food place near school with my friends. My little brush with humanity.

Contributed by Jonathan Lau ’09

LawLink: The Student Exchange Programme enables NUS law students to spend either one or both semesters of their third year in one of the leading law schools. Students in the double degree and concurrent degree programmes also have the opportunity to spend one semester of their upper years on exchange in one of the many partner universities NUS has. For more information on the student exchange programme, please visit: http://law.nus.edu.sg/current/sep.htm.
The prospect of the plethora of opportunities awaiting me in Shanghai sparked keen anticipation as I embarked on my 12-month exchange program in the widely acclaimed “Paris of the East”. The initial weeks were fraught with uncertainties and novel ways of life that required a certain level of acclimatization – the winters that were cold to the point of acerbity, accommodation that could at no point be compared to home, the epic degeneration of xiao long baos and jiao zis from novelty to monotony over time, and the throngs of people on the metro during peak hours that conjured the image of sardine cans in my mind. Nonetheless, there was hardly breathing space in my schedule to fret about these mundane thoughts, as I shuttled to and from work at Pudong on the opposite side of the Huangpu River, juggling lessons in between at the Fudan University.

My first few months at KhattarWong swept me off my feet entirely. KhattarWong’s involvement in cross-border transactions, particularly in the fields of merger and acquisitions, foreign direct investments and initial public offerings gave me the opportunity to participate in due diligence exercises and the advising of clients on Chinese taxation and business laws. Transactions were largely at an international level, requiring meticulous coordination among different time zones to meet clients’ deadlines, and expansive capacity to grasp basic legal principles outside of Singapore’s jurisdiction. In Shanghai especially, many legal documents and terms were in the Chinese language and had to be read within the context of the Chinese civil law system. In the process, I expanded my familiarity with the nuanced differences present in the Chinese legal system, such as the levels of laws, rules and regulations, as well as the emphasis on administrative approvals in the conduct of business within China. Courses at the law and business management schools of Fudan University further complemented my internship experience. With the guidance of my mentor at KhattarWong and professor at Fudan University, I completed a paper on antitrust regulation in the area of mergers and acquisitions by foreign investors, analyzing principally the potential impact of China’s Anti-Monopoly Law which took effect on 1 August 2008.

Beyond work, networking with business people at functions organised by the Shanghai-Singapore Business Association (SSBA) and Shanghai Entrepreneurs Network (SHEN) also proved to be invaluable to understand the lifestyles and experiences of fellow Singaporeans who have ventured outside of home. Their entrepreneurial spirit and endless accounts of life in Shanghai broadened my perspectives on a world beyond the shores of Singapore. In addition, my organisational abilities were put to the test as the exchange experience included responsibilities of coordinating functions. An example was a family-bonding charity event aimed at Singaporeans in Shanghai, where more than RMB 10,000 was raised towards a fund in aid of the Sichuan earthquake victims.

It had been a great honour and pleasure to have been received by KhattarWong as an intern for the duration of my programme with NUS Overseas College in Shanghai (http://www.overseas.nus.edu.sg/noc/).

Contributed by Lynette Chua ’10
Law School Highlights

AN IMPRESSIVE START FOR
NUS-NYU CONCURRENT DEGREE PROGRAMME IN LAW (LLB HONOURS) AND MASTER OF LAWS (LLM)

Seven undergraduates from the Faculty of Law were selected to embark on the highly distinctive and innovative Bachelors and Masters dual law degree programme between NUS and New York University School of Law (NYU). They commenced their year-long Master of Laws degree programme at NYU in August 2008, and will be the first batch of law undergraduates from a local university to obtain both an undergraduate Bachelor of Laws degree from a Singapore university and a Master of Laws degree from a US university in just four years. This is the same duration other law undergraduates would normally take to complete just their LLB programme.

One of the seven undergraduates, Zhuo Wenzhao, was awarded the highly prestigious Hugo Grotius Scholarship by NYU’s Committee on Graduate Admissions. Wenzhao, who will specialise in International Legal Studies, is Singapore’s first Hugo Grotius scholar at NYU. He is also the first Hugo Grotius scholar embarking on the LLM programme at NYU without having been conferred a Bachelor of Laws degree.

Another noteworthy undergraduate from the pioneer batch is Lavanesan Swaminathan. Lavanesan was the first polytechnic graduate accepted into the NUS Faculty of Law, and the first polytechnic graduate accepted into this unique NUS-NYU dual law degree programme.

The other five undergraduates on this programme are Choo Jianan, Darryl Soh, Jeth Lee, Krishna Elan and Nelson Goh. Each of them had excelled academically and in their leadership roles at their respective CCAs.

NUS AND NYU LAUNCH DOUBLE DEGREE PROGRAMME IN LAW (LLB HONOURS) AND JURIS DOCTOR (JD)

The National University of Singapore’s (NUS) Faculty of Law and the New York University’s (NYU) School of Law launched a Bachelor of Laws (LLB) and Juris Doctor (JD) double degree in 2008.

In this latest collaboration between the two universities, NUS law undergraduates are able to obtain both a LLB Honours degree from NUS and JD degree from NYU in five years. Interested students may apply during their first or second year of study at the NUS Faculty of Law and those admitted into the programme will spend three years at NUS and two years at NYU in New York City.

Professor Tan Cheng Han SC ’87, Dean of the NUS law school said, “I am absolutely delighted with our latest initiative with the NYU law school which brings our already close partnership to a new level. For legal professionals who want to understand US law, there is no better route than the pursuit of a Juris Doctor degree and few come as highly regarded as NYU’s. By allowing our students to apply to NYU’s JD programme in their first or second year, NYU is also demonstrating the confidence that it has in our students and the quality and sophistication of the NUS law education.”

Professor Richard Revesz, Dean of NYU School of Law observed, “This new programme not only strengthens and deepens our relationship with NUS, but also our commitment to a truly global legal education. NYU School of Law prides itself on the high standards and rigorous content of our JD degree; students graduating from this programme will bring with them qualifications and experiences positioning them to be leaders in the United States, or Asia, or both.”

This new double law degree programme is the third collaboration between the two leading law schools. The first collaboration was the NYU@NUS dual graduate degree programme that allows students from around the world to earn a Master of Laws (LLM) degree from both universities. The second offering was a concurrent LLB Honours and LLM degree programme that gives law undergraduate students at NUS the opportunity to obtain a LLM, in addition to their LLB, from a top US law school in the time they normally take to complete their undergraduate studies.
It seemed like just yesterday that the wide-eyed Class of 2008 was bundled into Kent Ridge Guild House for our freshmen collegiate dinner, not knowing what to expect for the rest of our Law School education. Four years on, it was apt that the same batch, a few pounds added and bewilderment replaced by a definite sense of nostalgia, was to mark the end of their stint in Law School with a farewell Collegiate Dinner at the same venue. Joining us in commemorating their time in the Faculty were our friends from the student exchange and the Diploma in Singapore Law programmes.

The generous buffet spread and free flow of beer would have taken the pride of proceedings any other day, but it was clear that even it would have to take second place to the fellowship and reminiscing. Kicked off by a trademark humorous address by Dean Professor Tan Cheng Han ’87, the evening got off to a boisterous start as participants quickly got down to business, incessant flashbulbs going off and happy chatter being the order of the night. The academics and administrative staff were not spared from the revelry as well, joining in the picture-taking and wracking their brains for solutions to the very literal ‘table’ game. The undoubted highlight of the night however, was a bona fide award ceremony where members of the graduating class were presented titles such as future chief justice, president and even most-likely tai-tai. Somehow, one charming individual was eventually crowned both biggest ‘buaya’ AND most likely house-husband. Go figure.

The depleting supplies of beer heralded the closing of this special event, but not until the graduating Class of 2008 rallied for one final toast with our Dean and Vice-Deans, Associate Professors Victor Ramraj and Alan Tan ’93, bringing the evening to a rousing close. Our time in Law School might be drawing to an end, but memories like these will live on for a long time to come. Here’s to our first alumni reunion dinner!

Contributed by Emmanuel Duncan Chua ’08
Recently appointed Law Minister Mr Shanmugam s/o Kasivisvanathan, Senior Counsel, ’84 has been closely associated with the National University of Singapore Faculty of Law since he graduated in 1984 with First Class Honours. He had contributed to the work of the present Law Advisory Board and the previous Steering Committee for the NUS Faculty of Law over the past 7 years till May 2008. Prior to his ministerial appointment, he was in legal practice as Head of Litigation & Dispute Resolution at Allen & Gledhill LLP. Mr Shanmugam has been a Member of Parliament for Sembawang GRC (Group Representation Constituency) since 1988.

LawLink interview with Mr K. Shanmugam SC ’84
Minister for Law and Second Minister for Home Affairs
As a Law Undergraduate

Mr Shanmugam, what sparked off your initial desire to read law?

There was nothing philosophical about it. I was a Science student and I had matriculated in the Science Faculty. Then I saw the heavy schedule – every day, classes would start from some very early hour, continue till lunch time, followed by hours of laboratory work every afternoon. There were classes even on Saturdays. I told myself I didn’t come to university to work “so hard” [laughs].

Purely by coincidence, I accompanied a good friend, whom I knew from school and the army, who was matriculating in Law. I saw that there were all of 14 hours of lectures per week. I thought this sounded much better and applied within a week to switch from Science to Law.

What this story illustrates is that career guidance, for example, somebody knowledgeable talking to pre-university students about what they are good at and what they want to do in life, is important. Otherwise you may get some of our young people making wrong choices and in our system it may not be so easy to switch paths.

What aspects of campus life did you treasure the most?

Well, everyone looks back at a certain period of their life in the past with rose-tinted glasses and say, “Those were the good old days”. But all said and done, during one’s undergraduate days, you are adult enough to be free, responsible for yourself and enjoy yourself, but not necessarily burdened with any serious responsibilities. It’s that transitional period. In that sense, after national service, it was four years where all you had to do is look after yourself, do a little studying, make sure you pass and lead a full life. It was something to be treasured.

We were also lucky to have a wide variety of lecturers from different cultures and jurisdictions, with different teaching methodologies. This added to the richness of our thought-process. You look back on those days with a sense of lost innocence. Everybody took work seriously, but not overly seriously. I was a member of some societies. I took part in one Jessup Moot in my final year. But it was really the time spent with my friends that I cherished. Primarily, it was the free-spirited existence that I enjoyed.

Did your lecturers inspire you?

Certainly. Their approaches to teaching crystallized my own approaches to thinking about the law, how a lawyer should be and what sort of ideals one should have.

As a Litigator

You were regarded as a first-rate litigator in private practice. When did you decide that you wanted to be a litigator instead of opting to specialize in other areas of law?

Just like choosing law in University was accidental, my being a litigator was also accidental. I never saw myself as a first-rate debater. There were many in my Class of ’84 who had better public speaking skills and I did not associate myself with being a litigator. Also, showmanship and flash were not attributes that I thought I had or wanted for myself. I thought of myself as a corporate lawyer, more comfortable with documents, analyzing legal issues and going into very technical areas.

But when I took part in the moots, I enjoyed myself. When I was a pupil, quite a few litigators thought I would do well and advised me that what was most important in litigation was an ability to analyze issues quickly and put them across clearly. The person who really influenced me was Senior Counsel Joseph Grimberg, my then pupil master. He probably left the deepest imprint on me as a litigator.

In fact, the deal was that I would work with him as a rookie lawyer for three months and transfer to the Corporate Department, but he persuaded me to stay on. It was because of him and his wise counsel that I became a litigator.

Mr Shanmugam, you were only 28 years old when you went up against Mr Karthigesu (who later became a Judge of Appeal) in a High Court case [Manilal & Sons (Pte) Ltd v. Bhupendra KJ Shan, in 1987]. The odds were stacked against you, but you managed to persuade Justice Chao Hick Tin to throw out the case. What advice would you give to a young litigator arguing his first case in court?

Advice is always easier given than followed. You should forget about who your opponent is and focus on the merits of the case. If the merits are not with you, you look at the trial procedure and identify the weaknesses of your opponent. It sounds reasonable, but of course, how do you identify the weaknesses? Moreover, when you are up against someone formidable, he might be able to recover quickly. Take each case as experiential, learn from it and move on. There’s nothing like sinking your teeth into a case and learning from it.

What fond memories do you have of legal practice outside the courtroom?

In litigation practice, there is never a dull moment. Every case is different, with a new set of factors and a new set of actors, in terms of counsel and parties. Indeed, the truth is often stranger than fiction and I enjoyed engaging my mind in problem-solving in these interesting situations. Working with the team on major cases, we were all in it together for months and at the end of the road, a sense of camaraderie developed.
You mentioned in an interview with the Straits Times (1 May 2008, Home 12) that you would miss court work and the cut and thrust of litigation because as a litigator, you were constantly challenging yourself. What challenges do you foresee in your appointment as Law Minister?

When you’re a litigator, you’re dealing with a specific client and matter, with an end in sight. When you are dealing with policy issues, you look at the country, legal profession and economy as a whole. You also deal with legislation that goes well beyond the legal profession. You deal with philosophical issues like jurisprudence, justice and quality of justice. You need to think long term in identifying your vision and work towards that. Your decisions as a practitioner affect only your client.

**As the Law Minister**

From your perspective as a Senior Counsel and Minister for Law, how can the issues of the general supply shortage of lawyers and the lawyer attrition rate be effectively addressed?

This has been an issue that has been studied by a number of committees, resulting in the recommendations to liberalize the entry of lawyers who have qualified overseas and for the second law faculty at SMU. The full effects of those recommendations would not be felt yet, as the SMU law students have not qualified yet. Nevertheless, even with those recommendations, there will probably continue to be a shortage and we have to look for more solutions.

There is also a question of personal life choices. People can give up legal practice and move into other sectors. These are facts that we have to factor in. There are many choices available to them. Long hours are a fact of life in most professions. Whether you become an investment banker, engineer or in-house legal counsel, the hours are pretty long. The solution probably has to be on the supply side, because you have to accept that people would move into other areas.

Do you have any specific plans you wish to implement as Law Minister? What are the areas of interest that you might wish to address as Law Minister?

The first thing that I’m dealing with is the liberalization of the legal profession in allowing foreign law firms to practice Singapore law, the amendment of the Legal Profession Act consequential to that as well as amendments relating to the disciplinary process. There are also the amendments to the CPC. These are just two of the several issues.

**As an Alumnus**

What would you miss about being on our Faculty of Law Advisory Board?

Growing up in NUS Law School, I have always felt a deep bond, affection and closeness to the Faculty. I have always wanted to come back and contribute. I enjoyed the discussions because the Advisory Board has a real opportunity to shape policies and give guidance as to where the Faculty of Law should be headed in order to produce outstanding young lawyers.

What would you (as an NUS Law Alumnus) hope to see being done at your alma mater? Any suggestions you’d like to make?

The starting point is that NUS Law School is an extremely good Faculty with outstanding students and now, excellent premises as well. Given where we are, what is our vision, where should we go, who should we benchmark ourselves with and how do we get recognized as a world-class faculty? Given the quality of our students, our NUS Law School is world-class. The profile and recognition issues need to be looked at in terms of how others view us. We are well regarded but I would like us to be regarded among the top in the world. It is a very tall order, but we have the students and faculty for it. Our problems also tend to be geographical. We are far away from the major centres of legal and jurisprudential development. We need a constant cross-fertilization of ideas amongst the faculty members who would be required to go overseas and for overseas faculty members to come here.

**Lifestyle**

Do you see a dramatic shift in your lifestyle now that you have been appointed as Law Minister?

Well, it’s certainly different. I don’t know whether it’s dramatic but it’s different. A lot of the work is done online so I can work from almost wherever I am. But it’s more a question of making sure you keep time for the most important things in your life. You have your duties as Minister, your constituency and, of course, your family. Beyond that, there isn’t much time for anyone else.
What do you do to unwind at the end of a busy day, when you have the time?

I do my personal fitness regime by working out at home and spend time with family. I like to read. But to get into books and finish them has become a serious challenge these days, so I consider myself lucky if I can get through the pages of the major newspapers.

Mr Shanmugam, you have been described as having a “no-nonsense” approach but being “a person with a good heart”. What basic philosophy do you abide by in life?

I would describe my basic philosophy to life in these terms: I take whatever I have to do in my duty seriously and I do that to the best of my ability, so no-nonsense would be a very appropriate description. But through my exposure to my constituency and the people there, you come across people from all walks of life. Having a sense of empathy and being able to understand people and work with them is key to being an MP. It is something that I try and achieve as an MP in my duties.

Interviewed by LawLink Editor Joyce Khoo ’85 and Lavanesan Swaminathan ’09

Excerpts of Speech by
Mr K. Shanmugam SC ’84
at Commencement 2008;
his first time addressing a cohort of law graduates at their Convocation

.... So what advice does one offer to graduands with such a dazzling bright future? I am not even going to try. What I will do instead is to share with you some thoughts that have developed over time, as I went from being a rookie lawyer to a law firm partner to a Senior Counsel.

The first of those is “Enjoy the journey. Don’t get too fixated with the end result”. Life is a journey. How interesting it is, depends on you. Each time you achieve a goal, it is simply like reaching a train station – you stop to start again on another journey. Think what a waste it would be if you only enjoyed the train stations, but not the rides. This is not an original thought. And it may seem obvious. But not many actually put it into practice.

Turning to your journey of life. You graduate, you can start a career. Then there are various stages in your career. If you think only of your goal, you may forget to enjoy the journey. And if you can’t achieve your goals, you may set yourself up for deep disappointment.

And a corollary to that – life has a way of throwing up opportunities and challenges. You may end up doing things completely different from what you had planned. Grab the opportunities and challenges - you will never regret. And don’t waste time moaning over what you might have achieved or what you think you have lost. For every door that closes a new one opens...

If you choose to make law your career, then do so and be a true professional. In the years that I was in practice, I have decide seen many bright young men (yes, usually men) who fell into two traps:-

1. The first – the idea that they can get rich quickly. Some scoffed at waiting for 7 years to become a partner and thereafter to move up in a law firm. They wanted to be wheeler – dealers. They wanted to be millionaires by the time they were 30. They wanted to be masters of universe. But the few who were not bankrupt by the time they were 40 were the lucky ones. I am not arguing against risk taking or entrepreneurship. If you have outrageous talent or a good idea, by all means try it. I am referring to those who choose to go into the law. Temptation comes in many forms. For lawyers, it often takes the form of dubious clients or contracts offering shady deals and instant wealth. Learn early that there is no free lunch. I have seen many a promising career broken on the wheel of an avarice and lack of judgment.

2. The second trap is the pressure to cut corners, to win at all costs. Some who adopt the “win at all costs” strategy may go far. Many don’t. But even those who succeed seldom get the true respect of their peers. A truly great lawyer is one who embodies the best traditions of the bar. Tough, hardworking but also crucially, honest, playing by the rules, with absolute professionalism and nobility of character. Decide which you would rather be in 20 years: to be known as a good lawyer who cuts corners or a great professional, a true gentleman at the bar. And for the ladies – the male embraces the female ....
Welcoming the

Graduates of LLM

Graduates of LLB Honours

LawLink
Class of 2008

Graduates of NYU@NUS Double LLM Programme
Being one of the forty two people from twenty two different countries to choose Singapore over New York City for a New York University LLM, was not only a decision initially filled with its share of apprehension but also met with raised eyebrows and overt skepticism. But the initial apprehension and skepticism is now a thing of the past, with the success of the first batch of NYU@NUS graduates, who today find themselves back in the global diaspora, enriched with a blend of the best American and Asian legal education.

The experience was exceptional because its exposure was not limited to the high intellect academia offered by the NYU faculty, but was coupled with steadfast academia and infrastructural support from the National University of Singapore Faculty of Law.

Adding to the academic experience was the warm camaraderie enjoyed by the diverse and niche group, making the programme truly unique. If learning must be fun, then this educational foray by New York University into Singapore managed to provide the right blend.

Contributed by Elena Rose ’08

Eighteen months spent with the World Bank after graduating from the Australian National University convinced me that to be competitive internationally, I needed to undertake post-graduate study. The obvious choice was to stay in Washington DC, or in the United States, but I had a hankering for something more: an adventure perhaps, but also a sense of the world shifting and the tug of Asia. The NYU@NUS programme brought together the best of both worlds and provided me with the perfect opportunity to pursue my goals.

If two weeks holidaying in Vietnam had me primed for Singapore’s stifling heat, nothing could prepare me for the intensity of our studies or for the extraordinary mix of nationalities in the inaugural NYU@NUS class. While cramming four summer sessions into the first fourteen weeks, we somehow found time to house hunt, home make, make friends, take weekend trips abroad, discover Singapore and … to study! The study part was easier than I had imagined — having professors who were both towering figures in their field and great teachers provided continual inspiration. After this fast-paced and incredibly rewarding year, I was left with a hunger to apply the things I learnt in my post-study work and, surprisingly enough, a thirst to seek more post-work study soon.

Contributed by Nakul Dewan ’08

Congratulations on your graduation!
The NUS Career Center partners employers to bring you an array of possible job opportunities. Discover and explore these opportunities at our NUS eJob Centre, an online job portal. With more than 200 new job openings available each month, this NUS online job portal is a service especially for you, our NUS Alumni. Search through the selection of jobs and deposit your resume in the job bank.

Log on to http://ejobcentre.nus.edu.sg/ now and kickstart your career!
To find out more about our other career services, drop by the NUS Career Centre or email us. We look forward to be of service to you.

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Yusof Ishak House, Level 1, 31 Lower Kent Ridge Road, Singapore 119078
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Email: careers@nus.edu.sg • Website: www.nus.edu.sg/osa/career
NUS Law Students chalk up Wins at Prestigious International Mooting Competitions

The NUS Faculty of Law has swept aside stiff competition from prestigious internationally-renowned law schools to win big on the international mooting scene. Since January 2008, they have been awarded champions in four international mooting competitions from different parts of the world, which include:


The NUS team of Liu Zeming ’08 and Nuraisah Ruslan ’08 beat 23 international teams to clinch first position at the Oxford Intellectual Property Moot Competition. This was the second time that NUS had won this competition in three years, an achievement that Lord Justice Mummery highlighted when he announced the results. Lord Justice Mummery was the chief judge of the competition and a senior Lord Justice of the House of Lords. Participating universities included Oxford University, Cambridge University, University College London, London School of Economics, King’s College London, Edinburgh Law School, University of Aberdeen and others.

**Alexander Stone Mooting Competition (Scotland, 13 March 2008)**

3rd year undergrad Navin Shanmugaraj Thavar, while on the Student Exchange Programme at the University of Glasgow, defended the university’s championship title at the Alexander Stone Mooting Competition, a national-level competition among Scottish law schools. Top universities like the Edinburgh Law School, University of Strathclyde, University of Dundee, University of Aberdeen and others participated in this competition. The final of the competition was judged by a judge from the House of Lords, the highest civil court in Scotland. Navin was nominated to represent the University of Glasgow after clinching the 3rd placing in its internal mooting competition, the Glasgow Dean’s Cup.

**6th Hong Kong Red Cross International Humanitarian Law Moot (Hong Kong, 8 March 2008)**

The 6th Hong Kong Red Cross International Humanitarian Law Moot was co-organised by the Hong Kong Red Cross and the International Committee of the Red Cross in collaboration with the Faculty of Law of the University of Hong Kong and the School of Law of City University of Hong Kong. Chan Yong Wei ’08 and 3rd year undergrad Lim Chong Wen clinched the first position for NUS.

This is the second time that NUS has won this competition, touted as the first and unique Institute of Higher Learning moot competition in the Asia-Pacific region that aims to raise awareness of international humanitarian issues among law students through examination and debate of wider social issues, rather than black-letter law. Participating universities included China Foreign Affairs University from Beijing, Chulalongkorn University from Bangkok, Ewha Womans University from Seoul, Monash University from Australia, The University of Hong Kong from Hong Kong and National Taiwan University from Taipei.

**Asian Law Students’ International Conference 2008 (Kuala Lumpur, 10-18 January 2008)**

The NUS team of 3rd year undergrads Joel Chen, Edward Ti, Zhou Wenzhao, and 1st year undergrad Christine Huang won the international mooting competition at the Asian Law Students’ International Conference (ALSIC) 2008 in Kuala Lumpur, organised by the Asian Law Students’ Association (ALSA).

This year’s moot problem centered around issues of International Criminal Law involving the jurisdiction of the International Criminal Court in respect of war crimes. The final round was held before a panel of three judges comprised two Malaysian Federal Court Judges and a Judge of the Court of Appeal. After a tough battle against the delegates from Hong Kong, Singapore emerged champions, with one of the students winning the additional award of Best Orator. NUS had won the last two international competitions in 2006 in Singapore and in 2007 at Bangkok.

**Other Mooting Achievements**

In addition, NUS Law teams did consistently well in all the other moots they participated. NUS were the runners-up in the Asia Pacific Regional Rounds of the Manfred Lachs Space Law Moots. Adam Maniam ’08 was named overall best speaker, as well as best speaker in the finals, a feat the judges described as rare.

NUS also topped all scores in the general rounds of the Willem C. Vis International Commercial Arbitration Moot - a moot where over 200 teams take part. The team advanced all the way to the quarterfinals, losing only to eventual winners Case Western Reserve University.

3rd year law student Teo Kai Xiang represented Katholieke Universiteit of Leuven, while on the Student Exchange Programme and was unanimously elected as the best orator for the European Regional Rounds of the Manfred Lachs Space Moot Competition. His team was ranked first at the end of the preliminary rounds and eventually went on to participate in the finals where they edged out their opponents in the oral arguments. The team was ranked second overall and notably, was one of only 2 undergraduate teams in the competition.

The NUS Mooting Programme aims at providing opportunities for students to take part in a wide range of international competition. While the Law School has an enviable winning record, it prides itself on, more importantly, consistently reaching an advanced level in virtually every competition it participates in.
In early May 2008, a small group of international scholars gathered at NUS for an academic symposium, Emergency Powers in Asia: Exploring the Limits of Legality, under the auspices of the NUS Faculty of Law and the Asian Law Institute (ASLI). The overarching aim of the symposium was to explore theoretical and practice problems arising from the invocation of emergency powers by states in Asia, with a view to publishing a collection of essays on the subject.

The contemporary literature on emergency powers is dominated by scholars outside Asia who are writing primarily from and about a liberal-democratic perspective. The speakers at this symposium were encouraged to explore from the political and geographic standpoint of Asia the challenges posed by the invocation of emergency powers in Asia. Specifically, they examined whether these powers posed unique challenges in this context and whether they could be reconciled with aspirations of constitutionalism and legality.

Academic papers were presented by: Maitrii Aung-Thwin, Department of History, NUS; Albert Chen, Faculty of Law, University of Hong Kong; Simon Chesterman, Faculty of Law, NUS/NYU School of Law; Jacques DeLisle, University of Pennsylvania Law School; Michael Feener & Michelle Miller, Asia Research Institute, NUS; Mark Fenwick, Faculty of Law, Kyushu University, Fukuoka; Andrew Harding, Faculty of Law, University of Victoria; Anil Kalhan, Fordham Law School, New York; H.P. Lee, Faculty of Law, Monash University, Melbourne; Nadirsyah Hosen, Faculty of Law, University of Wollongong; Clark Lombardi, University of Washington School of Law; Tayyab Mahmud, Seattle University School of Law; Vasuki Nesiah, Brown University; R. Pangalangan, University of the Philippines College of Law, Manila; Victor V. Ramraj, Faculty of Law, NUS; Kevin Tan ’86, Rajaratnam School of International Studies; and Arun Thiruvengadam, Faculty of Law, NUS.

The symposium was co-organised by Associate Professor Victor V. Ramraj and Assistant Professor Arun K. Thiruvengadam of the NUS Faculty of Law. They are now editing the papers presented at the symposium which will be published by Cambridge University Press as a collection of essays in 2009. The symposium was funded by a generous research grant from the National University of Singapore.

For more information, please contact Victor V. Ramraj (lawvvr@nus.edu.sg) or Arun K. Thiruvengadam (lawakt@nus.edu.sg).
Paul Ali
Paul Ali is an Associate Professor in Law School of University of Melbourne and a member of the Law School’s Centre for Corporate Law and Securities Regulation. Associate Professor Ali previously served as a finance lawyer in Sydney, including with two of Australia’s leading national law firms and a major US bank. He is an expert in international financial law and the law of securitization. In 2006, he was appointed by the Federal Attorney-General as a member of the Personal Property Securities Review Consultative Group. He taught an intensive course in Topics in Financial Law.

Michael Greenhalgh Bridge
Professor Michael Bridge is a Professor of Law in School of Economics. He is a member of the NUS Faculty of Law International Advisory Panel. He was previously the Hind Professor of Commercial Law at the University of Nottingham from 1988 to 2000 and was the Counsel to the Law Reform Institute from 1980-81. Professor Bridge gave lectures in Contract Law.

Mindy Chen - Wishart
Professor Chen-Wishart is a Reader in Contract Law, a Tutor in Law in Merton College and a Fellow at the University of Oxford. Until 1992, she was a Senior Lecturer at Otago University in New Zealand. She then spent two years as the Rhodes Visiting Research Fellow at St. Hilda’s College at Oxford University. Professor Chen co-taught a course on Restitution.

Martin John Davies
Professor Martin John Davies is an Admiralty Law Institute Professor of Maritime Law and Director of Maritime Law Center at Tulane Law School in New Orleans. He is the author/co-author of six books, on international trade law, shipping law (both Australian and American), torts and conflicts of laws. Professor Davies offered an intensive course in Maritime Law.

Haksoo Ko
Dr Haksoo Ko is currently an Associate Professor of Law at the Seoul National University College of Law. He was previously an Associate Professor of Law and Economics at the Yonsei University College of Law. Professor Ko offered an intensive course on Economic Analysis of Law.

Clark B. Lombardi
Dr Clark Lombardi is an Assistant Professor at the School of Law of University of Washington. After earning his Ph.D from Columbia University in 2001, he established himself as an expert in Islamic Law. He is the author of State Law as Islamic Law in Modern Egypt: The Incorporation of the Shari’a into Egyptian Constitutional Law (Leiden: Brill, 2006) and numerous articles in leading law journals. Dr Lombardi offered a course on Islamic Law.

Pierre Larouche
Professor Pierre Larouche is the Professor of Competition Law at Tilburg University and Vice-Director of the Tilburg Law and Economics Center (TILEC), as well as Professor at the College of Europe (Bruges). His teaching and research interests include competition law, telecommunications law, media law, basic community law and the Common European Law of Torts. He was appointed as a special advisor to Viviane Reding, member of the Commission responsible for Information Society and Media. He co-taught an intensive course on European Union Law with Professor Linda Senden.

Linda Senden
Professor Linda Senden is a Professor of European Law at the Tilburg University. She focuses in particular on institutional issues of EC Law, including topics such as the community legal instruments, European Governance in a broader sense and legal protection. Professor Senden co-taught an intensive course on European Union Law with Professor Pierre Larouche.

Gordon Smith
Gordon Smith is the Chairman of the Board, AUS, Inc., a closely-held holding company with operations in market research and specialized consulting practices. He is also president of AUS Consultants. Mr Smith is an active international lecturer and has held previous teaching appointments at Franklin Pierce Law Centre, Singapore Management University and the IP Academy in Singapore. He is a member of the International Trademark Association. Mr Smith co-taught an intensive course in IP Asset Valuation with NUS doctoral candidate, Robert Sanders.
Professor Kevin Gray was elected a Fellow of the British Academy in 1999. He has been a Professor of Law in the University of Cambridge since 1993 and is Dean of Trinity College Cambridge. He has written extensively on property law and theory, family law, human rights and the environment, and is a co-author of Gray and Gray, Elements of Land Law. In 2008, he was awarded a Major Research Fellowship by the Leverhulme Trust.

Professor Mindy Chen-Wishart is a Reader in Contract Law and Fellow at the University of Oxford where she has been teaching since 1994. Until 1992, she was a Senior Lecturer at Otago University in New Zealand. She then spent two years as the Rhodes Visiting Research Fellow at St. Hilda’s College at the University of Oxford. Her research interests are in contract law and the law of unjust enrichment.

Assistant Professor Dan Puchniak won the prestigious Monbukagakusho Scholarship to study for the LLM in International Economic and Business Law and an LLD at Kyushu University. He completed his doctoral thesis on Japanese and comparative corporate governance and was appointed as the ASEAN Convenor for the Australian Network for Japanese Law.

Mr Goh Yihan ’06 obtained his undergraduate degree from the Faculty of Law, National University of Singapore, where he finished top of his class. He was a Justices’ Law Clerk for two years at the Supreme Court of Singapore, during which he also served concurrently as an Assistant Registrar for six months.

Ms Sabiba Shiraz Husain joined us as Assistant Dean in August 2008. Sabiba graduated with a LLB degree from the University of Warwick and also holds an LLM from Queen Mary & Westfield College, University of London. Prior to joining us, Sabiba was a Senior Assistant Registrar and Assistant Director of the Singapore International Arbitration Centre.

Professor Tan Yock Lin was awarded the Public Service Medal during the National Day Awards in August 2008 for his work in law reform with the Singapore Academy of Law. When asked to say a few words about the award, he said, “Law reform is tremendously exciting and I am truly thankful to have been given the opportunity to work with and learn from some of the country’s most informed and forward legal minds.”

The Faculty of Law congratulates Professor Amirthalingam Kumaralingam, Associate Professors Burton Ong ’99 and Michael Ewing-Chow ’95 on being awarded the National University of Singapore’s Annual Teaching Excellence Awards for 2006-2007.

Emeritus Professor Koh Kheng Lian ’61 is a member of the NUS - IACUC (Institutional Animal Care & Use Committee) Crisis Management Team. She represented the CMT at a conference on Institutional Counter-strategies for Animal Activism II in San Francisco in March 2008.


Professor Poh Chu Chai ’73 has published his latest book Guarantees and Performance Bonds (Singapore, LexisNexis). The book covers the law relating to guarantees and performance bonds as applied in Singapore and Malaysia, and is intended to give the reader an authoritative
and well-researched text based on actual legal principles.


**Professor Thio Li-ann** was cited by The Straits Times in the following articles:

*By-election: Pragmatism or Principle?* 1 August 2008, The Straits Times. Professor Thio Li-ann, Associate Professorial Fellow Valentine Winslow, Assistant Professor Yvonne Lee ’96 and Adjunct Professor Kevin Tan ’86 shared their views on whether the Parliamentary Elections Act requires a by-election to be held if a seat vacated by a GRC member upon his death or resignation.

*Should Law Society speak up only when asked.* 19 July 2008, Insight, The Straits Times. Critical remarks made by the London-based International Bar Association’s Human Rights Institute that the Law Society was not speaking out enough on law reform issues in Singapore led to exchanges between the Law Society and the Government. Professor Tan Cheng Han ’87 and Professor Thio Li-ann were amongst those in the legal fraternity who shared their views.

Professor Thio Li-ann kicked off the Law Society’s Public and International Law Committee’s series of public lectures on international human rights law and the Universal Declaration of Human Rights. This was reported in the articles, *Politics, law and human rights ‘fanatics’: AG Walter Woon, 30 May 2008, page 6, TODAY* and *A-G cautions against human rights becoming a ‘religion’ with fanatics, 31 May 2008, The Straits Times.*

**Associate Professor Simon Chesterman**’s recent publications include:

Simon Chesterman, Thomas M. Franck and David M. Malone, *Law and Practice of the United Nations: Documents and Commentary* (Oxford: Oxford University Press, 2008), 648pp. This is the first textbook on the legal context in which the United Nations operates and is used in the course he teaches on the subject at NUS.

*The Globalisation of Legal Education,* Singapore Journal of Legal Studies [2008]. This article discussed the ways in which the teaching of law is following the practice of law and going “global”. Among other things, it situates the strong partnership between NUS and New York University School of Law in the context of larger trends in legal pedagogy.

*The Turn to Ethics: Disinvestment from Multinational Corporations for Human Rights Violations — The Case of Norway’s Sovereign Wealth Fund,* American University International Law Review 23 (2008), 577-615.

*An International Rule of Law?,* American Journal of Comparative Law 56 (2008), 331–361. A version of this paper was presented at the Singapore Academy of Law, where Associate Professor Chesterman discussed the possibilities of applying rule of law principles to international affairs.

*Globalization Rules: Accountability, Power, and the Prospects for Global Administrative Law,* Global Governance 14 (2008), 39–52. This article looked at the emergence of regulatory regimes, including the Internet and ISO standards, and efforts to ensure these regimes allow for transparency, participation and review.

The article by **Associate Professor Debbie Ong ’89** “Parental Child Abduction in Singapore: The Experience of a Non-Convention Country”, International Journal of Law, Policy and the Family, 21 (2007) 220-241, was cited by the High Court of Australia in *MW v Director-General, Department of Community Services* [2008] HCA 12, 28 March 2008. Justice Michael Kirby penned a personal note to Associate Professor Ong: “I appreciated your excellent article in the Lawasia Update. Indeed, I referred to it in the recent decision of this Court”.

**Associate Professor Victor V. Ramraj** and **Assistant Professor Arun Kumar Thiruvengadam** were the editors of academic symposium, *Emergency Powers in Asia: Exploring the Limits of Legality’s collection of essays.*

**Associate Professor Ng-Loy Wee Loon ’87** has published *Law of Intellectual Property of Singapore* (Sweet & Maxwell Asia 2008). The aim of this book is to help readers navigate through the complex IP landscape in Singapore. It covers the fundamentals of the major IP rights in Singapore (Copyright and related rights (registered designs, performers’ rights); Trade Marks (passing off and the Trade Marks Act); Patents; Trade Secrets and other Confidential Information).

The book, *Criminal Law in Malaysia and Singapore (LexisNexis, 2007)*, co-authored by **Professor Stanley Yeo ’76**, **Associate Professor Chan Wing Cheong** and visiting professor **Dr Neil Morgan**, was cited by the Singapore Court of Appeal in *Lee Chez Kee v PP* [2008] SGCA 20.

**Associate Professor Ho Hock Lai ’89** has published his latest book: *A Philosophy of Evidence Law - Justice in the Search for Truth*. The book is part of the series of Oxford monographs on Criminal Law and Justice. The book offers a distinctive cross-disciplinary perspective on the law of evidence, taking into account both moral and epistemic considerations.

In the article, *It’s time for Asean to deliver* 16 July 2008, Review, The Straits Times, **Associate Professor Simon Tay ’86** discussed Asean’s domestic challenges and progress on economic integration. He shared his views on the deliverance of the promises of the Asean Charter and ratification by member states.

The Business Times reported in the article *Singapoler law firms boosts tax practices,* 16 June 2008, page 14, Business Times, that Rajah & Tann LLP has added **Associate Professor Stephen Phua ’88** to its tax team.


In the article *Time for Singapore to relook Abortion Law,* 25 July 2008, Review, The Straits Times, **Assistant Professor Tan Seow Hon ’97** discussed the validity of Singapore’s abortion laws as consolidated in the Termination of Pregnancy Act which was last revised in 1974 and argues that the reasons adduced for the laws in 1969 may no longer be applicable today.
Assistant Professor Cheah Wuiling ’03 was exposed to the law from a young age through her father. He played a big part in her decision to enter law school and until today takes a great interest in the work that she does. She remembers the stories he told of his legal practice and his passion for justice when telling these very stories. Even today, she clearly remembers the many meaningful experiences she had as an NUS law student, which influenced her commitment to social justice through her experiences such as working with the Criminal Legal Aid Scheme.

Wuiling’s international work experience included a stint with the Timor Leste Serious Crimes Unit while she conducted fieldwork for her NUS LLM. During this time, she was generously funded by the Asia Research Institute (NUS) and benefited greatly from NUS Law School’s reputation and expertise as Asia’s Global Law School. She also worked at the Legal Department of the Interpol General Secretariat in France where she focused on issues related to international criminal law and human rights.

After several years of practical work experience, Wuiling proceeded to embark on a Master’s programme at Harvard Law School on a Kathryn Aguirre Worth Memorial Scholarship and an NUS Overseas Graduate Scholarship. This was an eye-opening experience for her, as she was able to work closely with a number of prominent professors, such as Professor Lucie White whom she considers a mentor. Wuiling was given opportunities to become involved and engaged in the local community, something that she believed was important for law students and lawyers to do.

Wuiling also served as an adjunct lecturer at the University of Lyon III from 2006 to 2007. She gladly took up this opportunity to engage in part-time teaching, as it had always been her intention to eventually go into teaching after gaining some work experience.

Wuiling joined the NUS Faculty of Law in August 2007. She has chosen an academic career because she is a strong believer in education and its potential to empower and inspire young people regardless of their background or personal circumstances. As a student at NUS Law School, having been taught by inspiring teachers such as Associate Professors Robert Beckman and Eleanor Wong ’83 and Professor Thio Li-ann who always encouraged their students to follow their dreams and beliefs, she now looks forward to contributing to the community that she grew up in.

Contributed by Sangeetha Yogendran ’09

LawLink: Please refer to our law website: http://www.law.nus.edu.sg/alumni/kathrynworth.htm for information on the Kathryn Aguirre Worth Memorial Scholarship.
Teaching Assistant Jaclyn Neo Ling Chien ’03

Jaclyn Neo Ling Chien ’03 joined the Faculty of Law as a Teaching Assistant in August 2007. The passion and commitment of her professors at NUS Law School was what first inspired Jaclyn to consider a career in academia. As a student, she was very interested in Constitutional Law and International Law, especially human rights.

The defining moment in shaping her interest in human rights law was when she interviewed the Sisters in Islam, a Malaysian non government organisation, that was the only Muslim women’s rights organisation in Malaysia, as part of her field research for a Human Rights Law course.

This experience made her see law as not just an abstract subject that was learnt in the classroom in order to obtain a professional degree, but as an entire system that impacts real people with real problems. It impressed upon her that law could be a system of order and liberty, or a system of oppression.

Pursuing a Masters of Law degree at Yale University was an obvious choice for Jaclyn. Not only did it have a distinguished faculty of leading scholars in constitutional and international law, she truly felt that the professors were genuinely interested in, and were committed to exploring and extending the ideas of the students.

Furthermore, she felt that the intellectual curiosity amongst the student body was infectious stimulating. The students were interested in the legal subjects and issues, and many were passionate about them, whether it be in class discussions or completing clinic projects. It was not only in the classrooms that she felt she learnt and grew, but also in interacting with her classmates, in learning about their legal systems and cultures and in challenging each other’s views on a wide array of legal issues. Each person had the capacity to bring a different and fresh perspective to the table.

And for anyone who is interested in academia, Jaclyn suggests being adventurous. Instead of spending a summer doing an internship in a law firm, do that summer internship in Cambodia or Liberia, even if it is unpaid. More importantly, she stresses the importance of following your passion. “Set aside pragmatism that so many of us can be so easily guilty of, and embrace a healthy shot of idealism”.

Contributed by Sangeetha Yogendran ’09

Selamat Datang! The Faculty of Law is organising an alumni reunion in Kuala Lumpur (suggested tentative dates are: 17 October, 31 October or 7 November 2009; after Ramadan month). We warmly invite all our law alumni living, working or based in or around Kuala Lumpur, to make special efforts to attend the reunion. Law alumni from anywhere around the world are also most welcome to return to meet with friends and classmates. The more, the merrier.

The date, venue, price and other details (to be confirmed) will be announced in the next issue of LawLink January-June 2009. If you wish to be updated on the reunion, please contact Joyce or Celestine at 6516 3616 or email us at lawlink@nus.edu.sg.

We received feedback from our Malaysian alumni that they want this event to happen. We look forward to your continued support. Terima Kasih!

The Class Ambassador Initiative was launched by the NUS Office of Alumni Relations at the New Alumni Welcome Lunch in July 2008. The objective is to ensure enduring links with alumni from each graduating year. The Class Ambassadors will be specially nominated to act as the primary bridges between NUS and their cohort. Our Class Ambassadors will work closely with our Faculty and the NUS Alumni Office through regular communication and dialogue sessions.
I have been in Canada since 1989 and held their...
Tang Yu Exc '07 - Hey, everyone! Welcome to Shanghai, China! Singapore and Shanghai are so alike that I find it my second home here!
Most of my rest time will be spent in Shanghai, I believe, and it would always remind me of the wonderful time in Singapore as an exchange student!

Chan On Ting Linda Exc '08 - NUS is my second exchange in this year (first semester in University of Copenhagen where I became friends with some NUS exchange students). Exchange in NUS has been fruitful. I am returning to University of Hong Kong for my final year of study after an internship at a Singapore local law firm.

Manan Verma LLM '08 - I am back in India. I am into litigation (civil practice) in the city of DehraDun. I am practising with my father - Mr Ashok Kumar Verma (Advocate). I will be here for some time before I move to the High Court in Nanital and then ultimately to the Supreme Court at New Delhi.

Marthine Pantouw LLM '08 - After graduation, I went back to Jakarta to continue working in my previous employer, DNC Law Firm. I am already a qualified advocate in the jurisdiction of Indonesia. My specialization is Litigation and Intellectual Property.

Teo Zhenxing Norman '08 - Apart from my studies, I have been engaging in scuba diving over the past four years in NUS. I have been fascinated with underwater photography and the underwater world is really nothing short of breathtaking. Currently, I am back at the airforce as an air traffic controller. Looking back, I realised that the many things that I have learnt in my four years at NUS has helped me tremendously in my work.

CORRIGENDUM – Reference is made to LawLink Vol. 07 Issue 01, Jan-Jun 2008, ClassAction on page 38. The sentence should read “The Faculty of Law congratulates our law alumni Sundaresh Menon ’86, Hri Kumar ’91 and Lee Eng Beng ’92 on being appointed as Senior Counsel at the opening of the Legal Year 2008.”