
20 February 2019, Wednesday ✦ 3.00pm – 4.00pm

(Registration Starts at 2.30pm)

NUS (Bukit Timah Campus), Moot Court

The Criminal Law on Morality and Constitutional Equality: The Road Not Taken

Speaker: Distinguished Fellow Chan Sek Keong, Former Chief Justice, Singapore Supreme Court

Chairperson: Adjunct Professor Kevin Tan, NUS Law

ABSTRACT

In 2015, the Singapore Court of Appeal dismissed the appeals of Lim Meng Suang and Tan Eng Hong to uphold the constitutionality of section 377A of the Penal Code which criminalises acts of gross indecency (*Lim Meng Suang v Attorney-General* [2015] 1 SLR 26). The Court of Appeal applied the 'reasonable classification' test and held that by inserting this then-new provision into the Penal Code, the Straits Settlements Legislative Council had intentionally targeted male homosexuals, and that so long as all male homosexuals were treated alike, there was no discrimination within the meaning of Article 12(1) of the Constitution. In this talk, Distinguished Fellow Chan Sek Keong analyses both decisions of the High Court and of the Court of Appeal and proposes an alternative but legally and constitutionally coherent reading of the law.

ABOUT THE SPEAKER



Chan Sek Keong '61 was among the first batch of students to graduate from the University of Malaya Faculty of Law (now NUS Faculty of Law). After a distinguished career in private practice – at Bannan & Bailey, Braddell Brothers, and then as Managing Partner of Shook Lin & Bok – he became Singapore's first Judicial Commissioner in 1986. Chan was subsequently elevated as Judge of the Supreme Court and from 1992 to 2006 served as independent Singapore's second Attorney-General. In 2006 he became Chief Justice of Singapore. He retired as Chief Justice in 2012 and served as Senior Judge in the Court of Appeal till 2017. In 2012, he was appointed NUS Law's first Distinguished Fellow.

REGISTRATION

There is no registration fee for this seminar but seats are limited. Light refreshment will be provided on a first-come, first-served basis.

Closing Date: **14 February 2019, Thursday.**

For enquiries, please contact Atikah at rescle@nus.edu.sg

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