

## BOOK REVIEW

*Law and Technology in Singapore* BY SIMON CHESTERMAN, GOH YI HAN AND ANDREW PHANG BOON LEONG, EDS [Singapore: Academy Publishing, 2025. 900 pp. Digital: £147.15]

“Never summon a power you cannot control” – Harari

For Singapore’s bench, bar and academy, *Law and Technology in Singapore (Second Edition)* arrives at precisely the moment when legal method, institutional design and day-to-day practice are being stress-tested by generative AI, platform regulation, digital assets and data-driven decision making. The editors frame the project against a backdrop of “technological advancements ... at a breathtaking pace,” with the rise of generative AI and the metaverse among developments that mean “the law cannot stand still”. In his foreword, Chief Justice Sundaresh Menon calls the book’s scope “remarkable,” reflecting technology’s “far-reaching impact ... on virtually every aspect of our legal system,” and emphasises a forward-looking posture that keeps pace while maintaining fidelity to “fundamental principles”. For practitioners, policy-makers and scholars seeking a structured, Singapore-specific map through this terrain, the volume is both an indispensable reference and a platform for critical analysis.

The structure chosen by editors Simon Chesterman, Goh Yi Han SC and Justice Phang is prudent. Before plunging into doctrine and regulation, the editors equip legally trained readers with technical basics and policy history, then move to the practice of law and the content of law in Part I. Chapter 2 (Seng, Soh and Lim) demystifies core concepts including algorithms, machine learning, deep learning, large foundation models, digital signatures, blockchains and distributed ledgers, drawing intelligible lines from rule-based systems to self-supervised transformers and modern large language models. The account of how pre-training and attention mechanisms made present-day generative models possible is concise yet sufficient for lawyers to grasp why these systems are powerful and fallible. Chapter 3 (Chik) then situates Singapore’s Smart Nation policy trajectory and the institutions administering ICT regulation, explaining how regulatory design has evolved with infrastructure, platforms and services. This sequencing gives a shared vocabulary and policy context for the doctrinal chapters that follow. This historical and policy overview of the stages of development of ICT law and regulation in Singapore situates Singapore’s legal responses to technology in context. Together, Chapters 2 and 3 fulfil Part I’s goal of grounding the reader in both the technical terminology and the local regulatory backdrop, ensuring that even a reader unfamiliar with

concepts like AI or blockchain quickly gains the necessary context. The decision to begin with these expository chapters equips readers with a common vocabulary and background; the book sets a firm foundation for the more complex discussions that follow.

Part II turns to the practice of law in a technological age, examining how technology is regulated and how it is transforming legal services, the courts, the legal profession, and legal education. The first two chapters in this part delve into the regulation of technology itself, highlighting Singapore's efforts to govern the digital domain in a way that balances innovation and risk. The practice-facing chapters are likely to be the most immediately useful to the profession. Two paired contributions by Yeong Zee Kin synthesise Singapore's model for technology governance. Chapter 4 explains how law can support innovation while mitigating downside risk, including regulatory sandboxes and proportionate market-entry controls for novel services. It canvasses telecommunications licensing, spectrum allocation and the resilience of digital infrastructure, then addresses hosting-service obligations, breach notification and calibrated government access powers, all being issues that underpin almost every contemporary dispute about data and networks. Chapter 5 tracks the global shift from broad intermediary immunities toward duties of care for online safety and fair trading. It sets out *ex post* measures (blocking, and correction directions under the Protection from Online Falsehoods and Manipulation Act 2019 (POFMA)) alongside *ex ante* obligations including expedited complaint handling, protections for children, transparency and risk management, now placed on social-media and app-distribution services. The legislative mosaic Singapore has assembled, including POFMA, the Protection from Harassment Act 2014's regime, and the Online Criminal Harms Act 2023, comes into focus as a coherent governance strategy rather than a bundle of isolated tools.

The next set of chapters examine how technology is transforming legal institutions and professional practice. A valuable insider's view appears in Chapter 6 (Justice Xu and Tan), which charts how the courts have adopted technology from e-filing to virtual hearings and navigated the COVID-19 pivot. The discussion of "Courts of the Future", namely, access to justice, efficiency and the promise of data, comes with careful reminders that digitisation must not erode fairness or the human element. Chapter 7 (Lee, Soh and Vijayendran SC) turns to the profession's technological competence and ethics. It analyses confidentiality when using email and cloud services, cybersecurity baselines for practice, and the supervisory and disclosure standards that may attach to AI-assisted work. The authors are balanced on generative AI. There are obvious productivity gains in search and drafting, but also pitfalls, including fabricated authorities, foreign-law bias in global models, leakage of confidential prompts, that must be managed by training, guardrails and, where appropriate, disclosure to clients or courts. Chapter 8 (Soh, Sreenivasan, Anderson, Chua and Lim) surveys tools across disputes, transactions and service delivery, from e-discovery to online dispute resolution and platform-enabled mediation and arbitration, and treats generative AI chiefly as an enabler to be constrained by professional and IP norms. Chapter 9 (Chesterman, Chew SC, Goh Yihan SC and Wong) reframes legal education, arguing that future-ready lawyers need doctrine, skills and perspectives, with exposure to computational thinking and data handling. The futures illustrations

invite readers to consider responsibly what automation will transform, and what will (and should) remain distinctively human in litigation and advisory practice.

As the third and largest part of the book turns to the content of substantive law, Part III explores how technological developments are affecting various legal doctrines and fields. Part III is thematically organised into three segments, namely Law of Obligations, Specific Areas of Commercial Law, and Procedural/Regulatory Law, mirroring the breadth of doctrinal impact.

In contract, Chapter 10 (Ho and Goh Yihan SC) revisits intention, attribution and remoteness through the lens of algorithmic contracting and smart-contract execution, asking how formation and vitiating factors apply when machine-learning agents negotiate and when code is the medium of performance. In tort, Chapter 11 (Amirthalingam, Chan and Lim) evaluates standards of care in telemedicine and autonomous vehicles, and the difficulties of applying duty, breach and causation tests to systems that embed complex, sometimes opaque, models. The chapter also addresses internet-communication torts and the jurisdictional puzzles of online harm. In property and trusts, Chapter 12 (See and Yip) asks whether and when crypto-assets are property, how tokens may be subject-matter of trusts, and how on-chain and off-chain dealings intersect with familiar requirements like certainty of intention and segregation. The discussion is doctrinally grounded, but it is also frank about areas where Singapore law is still consolidating.

Sectoral chapters then turn the doctrinal lens on banking, company, financial regulation, intellectual property, the metaverse, insurance and tax. Banking in Chapter 13 (Booyesen) deals with authorisation, third-party fraud, recovery of mistaken payments and finality in electronic transactions against MAS frameworks and consumer protection norms. Company law in Chapter 14 (Tjio, Koh and Lee) documents the dematerialisation of shares and digital meetings. It then explores the outer edge, looking at blockchains for registers, AI in corporate management, and DAOs as alternative organisational forms that stress test notions of agency and accountability. Chapter 15 on financial regulation (Gurrea-Martínez and Remolina) surveys MAS approaches to DLT, AI, cloud and APIs, Singapore's treatment of digital tokens under the Payment Services Act 2019, and forward-looking coordination challenges for stability. Chapter 16 on intellectual property (Ng-Loy SC and Tan) gives a careful treatment of AI as author and inventor, explaining why current Singapore law remains human-centred and how fair dealing/fair use doctrines intersect with search, social-sharing, time- and space-shifting, APIs and AI training corpora and outputs. Chapter 17 on metaverse (Tan and Wong) takes seriously the emerging legal problems of immersive environments: virtual trademarks, identity and data protection amid pervasive sensing, and technology-facilitated offences such as personation and non-consensual pornography with avatars. Insurance is covered in Chapter 18 (Yeo), which asks how AI-mediated underwriting and claims handling should reshape the duty of utmost good faith, disclosure burdens and interpretive canons where models err or discriminate. Tax law is then explored in Chapter 19 (Ooi). The chapter explains the pressure digitalisation exerts on nexus and characterisation, the valuation of data, BEPS Pillar reforms, and the unsettled treatment of crypto gains and losses, even canvassing the contested idea of an automation tax. The cumulative effect is to show, concretely, how familiar rules can

carry us most of the way, but not all the way, into digital markets and AI-infused decision making.

The public and regulatory law chapters are equally strong. Criminal law and procedure are covered in Chapter 20 (Ong SC, Hon, Sukumaran, Choo and Hu) which sets out the updated cybercrime offences and investigative powers, recent Penal Code reforms relevant to technology-facilitated conduct, harassment law, and the conceptual horizon of AI-induced harm, including the provocative question whether criminal liability could ever be imposed on advanced AI systems. Civil procedure in Chapter 21 (Pinsler SC) recounts the journey to e-litigation and the presentational and evidential shifts it entails, while noting the future potential of AI for issue identification and principled case evaluation, always with due process cautions in view. Conflict of laws in Chapter 22 (Yeo SC) explains how jurisdiction, choice of law and recognition doctrine meet cross-border internet activity and cloud-based assets. Chapter 23 (Data Protection Law), written by Chesterman, charts the trajectory of privacy and data protection in Singapore. It starts by asking “What is personal data?”, a foundational question as definitions of personal data can be fluid in the age of big data. The chapter then narrates the shift from privacy to data protection, noting how Singapore moved from relying on common law (such as breach of confidence) to enacting comprehensive data protection legislation. Chesterman provides an overview of the Personal Data Protection Act 2012 (PDPA), its key provisions, the consent requirement, exceptions, and enforcement by the Personal Data Protection Commission. Chesterman, noting amendments to the enforcement sum and wryly invoking Sean Connery’s line “don’t bring a knife to a gunfight”, records that following consultation the maximum fine was capped at 10% of Singapore turnover rather than global turnover as under the GDPR. He also critically examines the limits of consent in a world where individuals often click “I agree” without real understanding, and where companies with vast data can effectively dictate terms, consent may not offer meaningful protection. The chapter further tackles the political economy of data related to the concept of “who has the most data wins”. Chapter 24 (Daniel Seng) moves to how evidence law adapts to digital data. It examines the application of hearsay rules to emails, texts, and databases, and explores issues of authenticity, statutory presumptions, and electronic signatures under the Electronic Transactions Act 2010. Seng also considers whether outputs from AI systems can be admitted in court and under what evidentiary rules. The chapter offers clear, practical guidance on the challenges of handling digital and machine-generated evidence. Another cutting-edge topic is the treatment of outputs of AI systems in court, namely, if an AI predicts something or generates a piece of content, can it be admitted as evidence, and under what conditions? Public law in Chapter 25 (Thio) examines governance by, and of, technology, and the regulation of online speech in constitutional context. The close analysis of POFMA, the scope of “communication”, the fact/opinion distinction, compelled corrections and the implications for speech, will be of immediate use to any lawyer engaging digital-speech disputes.

Although the book is resolutely Singapore-centred, it sits comfortably within global debates on AI governance. Yoshua Bengio has urged that developers aiming at frontier models should be required to demonstrate safety prior to deployment, including guardrails against loss of control, with verifiable off-switches for

regulators.<sup>1</sup> His broader point is that if catastrophic misuse is plausible, the burden must sit with those who build the systems. Harari's injunction, "never summon a power you cannot control", is a philosopher's version of the same prudence. Institutions such as the Alan Turing Institute have likewise foregrounded governance and regulatory innovation as a sustained field of research and practice.<sup>2</sup> What emerges from this volume is the "Singapore way", including largely sector-specific guidance and soft-law frameworks (Model AI Governance Framework 2019, now supplemented with generative-AI guidance in sensitive sectors) and incremental statutory tuning rather than an omnibus AI Act. The contributors do not present that choice as the last word. Indeed, several chapters flag unresolved questions about bias, explainability, professional accountability and liability allocation, and invite doctrinal development and targeted legislation as specific problems crystallise.

Three strengths deserve emphasis. First, comprehensiveness with currency. Few edited collections manage to remain so current in a fast-moving field. The editors commissioned new material on the metaverse and generative AI, underlining that the law "cannot stand still" in the face of these changes. Second, calibre and diversity. A High Court judge writes on courts; a senior regulator writes on telecoms and platforms; leading academics write across private, public and commercial law. The result is a blend of doctrinal depth, institutional insight and policy realism. Third, coherence across overlaps. Technologies such as AI and distributed ledgers naturally recur; here, the discussions are complementary rather than repetitive, reinforcing the point that technology's impact is pervasive, not siloed. Breadth necessarily constrains depth in places, allowing specialists to supplement with monographs and articles on, for example, AI and copyright exceptions or the finer points of crypto-trusts. In a field characterised by rapid change, even a 2025 edition cannot anticipate every shift in model capabilities or platform governance. The editors acknowledge as much, anticipating periodic "updates, patches and the occasional debugging" in future.

Why does this matter now, and to whom? For litigators and judges, the procedural and evidence chapters provide concrete guidance on digital disclosure, authenticity presumptions and the admissibility of machine-generated information, while the courts chapter articulates principled boundaries for tech-enabled efficiency. For advisory and transactional lawyers, the contract, company, banking and regulatory chapters translate directly into drafting, governance and compliance advice. For in-house counsels, the data protection, platform and cybersecurity analyses help calibrate risk in a climate of heightened regulatory expectation. For regulators and constitutional lawyers, the public-law chapters synthesise doctrine with contemporary policy tools and their limits. For academics and students, the book offers an authoritative point of departure for research and teaching, with comparative touch-points and extensive references. The editors intend the audience to span students,

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<sup>1</sup> Yoshua Bengio, "Government Interventions to Avert Future Catastrophic AI Risks" (4 June 2024), Harvard Data Science Review (Special Issue 5), online: <<https://doi.org/10.1162/99608f92.d949f941>>.

<sup>2</sup> The Alan Turing Institute, "AI Governance & Regulatory Innovation", online: <<https://www.turing.ac.uk/research/research-programmes/public-policy/public-policy-themes/ai-regulation-and-standards>>.

practitioners and the wider public; the style balances accessibility with analytical rigour.

Harari's caution is a provocative way to open a legal review, but it captures the prudence running through these pages. The Chief Justice's foreword frames the project as both resource and catalyst for the legal community. The contributors repay that ambition with clear exposition, thoughtful critique and practical signposts. For a jurisdiction that prizes legal clarity, institutional competence and policy agility, *Law and Technology in Singapore (Second Edition)* offers exactly what is needed, specifically a structured account of where we stand, tools for what to do next, and a reminder that adaptation must be guided above all, by the rule of law.

In sum, *Law and Technology in Singapore (Second Edition)* is a highly recommended read — a masterfully edited collection that will inform and inspire lawyers and policymakers in Singapore, and indeed could serve as a model for other jurisdictions grappling with similar challenges at the intersection of law and technology. The Singapore Academy of Law, the editors, and contributors have produced a work that will likely be cited and consulted for years to come as the conversation on law and technology continues to evolve.

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