

Law Society of Singapore x Hong Kong Bar Association Exchange Programme

Singapore

12 – 23 August 2024

Programme Report

1. It is with great honor and excitement that I have been selected to participate in the exchange programme between the Law Society of Singapore and the Hong Kong Bar Association for a 2-week period (the “**Programme**”). The Programme was designed to provide a unique insight into the legal systems of Singapore for barristers from Hong Kong where the participants are allowed to experience firsthand the working environment of counsels in Singapore law firms. During the Programme, I was attached to Allen & Gledhill (A&G), which is one of the leading law firms in Singapore, which has established itself as a preeminent firm not only in Singapore but also across Southeast Asia, particularly in the fields of litigation and arbitration, and is known for its extensive experience in handling complex civil and commercial cases, including contract disputes and tort cases.
2. During the Programme, I had the privilege of being mentored by Mr Jason Chan SC, who is recognized for his formidable advocacy skills in civil and commercial litigation. Throughout my time at A&G, Mr Chan SC generously shared his wealth of experience and knowledge. The work environment at A&G contrasted with the traditional chambers in Hong Kong. I was offered a broader perspective on the day-to-day operations within the firm. One of the marketed differences is that firm’s approach was more client-focused than chambers’ legal practice in Hong Kong due to their fused profession as both solicitor and advocate---there are much communication with clients were involved.
3. As a reflection of Singapore’s rich cultural heritage, we were invited to lunch break with the A&G associates, which provided a further opportunity to engage in discussions outside of a formal setting. The lunch featured Peranakan cuisine, enriching the cultural exchange aspect of the Programme. The conversation was enlightening and provided insights into the firm’s culture and its integration with the diverse legal landscape of Singapore.
4. A networking lunch was arranged with members of the Law Society of Singapore (LSS), including the President, Ms Lisa Sam Hui Min, along with the Vice President, Ms Teh Guek Ngor, Engelin, SC, who is a senior counsel specializing in civil and commercial litigation, and other council members, Mr Lim Seng Siew, Mr Nicholas Narayanan, Mr Sui Yi Siong, and Ms Eva Teh Jing Hui. Unlike the Hong Kong Bar Association, the Law Society of Singapore’s role is broader due to their fused nature of the profession. The session was highly interactive, and everyone showed high interests in the daily practice both in and out of court in Hong Kong with discussions centered on the differences between the two jurisdictions.



5. A significant point of discussion was the difference between Singapore's fused legal profession and Hong Kong's separate profession. The legal system of Singapore, like Hong Kong, is based on English common law. However, while Hong Kong retains a separate profession for solicitors and barristers, Singapore has adopted a fused profession where legal practitioners can perform the roles of both. This structural difference has significant implications for legal practice in both jurisdictions. In Singapore, the challenge for counsel lies in directly dealing with clients, a role that is typically handled by solicitors in Hong Kong. I believe that each model has its advantages and challenges, and the most crucial point is how efficiency and resources can be optimised under different models.



6. During the Programme, I also had the opportunity to visit the State Courts and the Supreme Court, which provided a comprehensive overview of Singapore's judicial system. In essence, the State Courts handle the majority of criminal and civil cases in Singapore and serve as the first point of contact for most litigants, while the Supreme Court comprises the High Court and the Court of Appeal. The visits allowed me to observe the composition and functioning of the judiciary.



Supreme Court Building



State Courts Building

7. Court etiquette in Singapore has evolved over years and made its local adaptations. For example, judges were historically addressed as “Your Lordship”/ “Your Ladyship” -- a practice carried over from the colonial era. However, this has since been modernized, with judges now being addressed as “Your Honor”. This change reflects Singapore’s move towards a more localized legal culture.
8. In addition to court etiquette, court attire in Singapore has also undergone significant changes, particularly to suit the tropical climate. In 1993, ceremonial court robes and wigs were removed from court proceedings. This shift towards a more practical dress code reflects the judiciary’s adaptability and consideration for comfort in the courtroom. Despite these modernizations, certain traditions have been retained, such as the presence of court orderlies in the Supreme Court. These individuals play a crucial role in assisting judges and maintaining the orderly conduct of court proceedings.

ORDER IN COURT

Court orderlies are in charge of assisting the judge and maintaining order in court. They were once known as court peons during colonial times, but the term has since gone out of fashion.

In the past, court orderlies performed various duties, including assisting judges to put on their robes and holding their wigs. During a court session, an orderly would signal the entrance of a judge by stamping his foot on the floorboard twice. Today, a buzzer is used as the signal instead.

Court orderlies used to play a significant role during ceremonial occasions, such as the Opening of the Legal Year. As the Chief Justice led the procession of judges into the court, the entourage would be preceded by orderlies bearing ceremonial maces.



A court orderly in his uniform, 2005.

Court Orderlies (Source: Supreme Court Gallery)

9. This Programme provided a rich learning experience, offering insights into the unique aspects of Singapore's legal system. It is clear from my engagement with professionals from A&G and the Law Society of Singapore, as well as from my observations of the State Courts and Supreme Court, that Singapore emphasize judicial independence.

Dated the 6th day of September 2024

Yuan He