Great new lawyer factory

SMU’s school among steps to address the legal-eagle shortage

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FOR half-a-century, there has been only one place in town where you could get a law degree. For 50 years of law-school monopoly is coming to an end for the National University of Singapore. Next year, its Faculty of Law will have to vie for students with another local School of Law, to be set up by the Singapore Management University.

The Government gave the nod last week to SMU’s proposal, which had been submitted late last year to the Ministry of Education (MOE). Setting up the new law school is one of several steps that will be taken to address the acute shortage of practising lawyers. Other moves include making it easier for those who study law abroad to practise in Singapore and allowing law firms to recruit more lawyers from overseas.

NUS may also increase its intake, depending on the size of SMU’s law school.

The measures are the result of a nine-month review of the supply of lawyers in Singapore by a committee chaired by Chief Justice Chan Sek Keong, who was previously the Attorney-General (AG).

The committee estimates that Singapore needs about 140 to 150 additional legal professionals each year from 2010 to 2015, and a second law school may help to stem the flow abroad. More than 70 students study law overseas each year and the committee suggested that SMU enrols 90 students annually. In comparison, NUS now enrols 220 law students.

The details of the SMU law school and its enrolment will be finalised in the next few months between MOE, MinLaw, the AG’s Chambers and the university. There is a good chance it might not simply be a smaller version of the NUS law faculty.

“If SMU’s law school has a different mould and a different approach, it’ll be good and I hope it will not be an exact replica of NUS,” said Deputy Prime Minister and Minister for Law Professor S Jayakumar in a media interview yesterday.

Prof Jayakumar, despite being “emotionally wedded” to NUS having been law dean before entering politics, hailed the benefits diversity and competition would bring.

The Ministry of Law (MinLaw) announced yesterday that the Government has accepted the key recommendations of the 10-member committee, which was tasked to look into the legal and business needs of Singapore in the medium term, that is, until 2015. In part, the changes are being driven by the move to position Singapore as a legal services hub.

Prof Jayakumar highlighted the potential for Singapore to export her legal services. In the past 10 years, Singapore’s total services export grew two-fold while its legal services rose six-fold. At the same time, the Bar has been shrinking ever since it hit its peak of 3,537 lawyers six years ago. Now, 3,490 lawyers hold practising certificates.

He said, “If Singapore were to develop our legal exporting services, the demand-supply gap would be even greater.”

The lure of working abroad, the job openings for in-house counsel, the stress of the legal profession and the lack of interest in practising law are all reasons behind the attrition rate in the profession.

“It’s not easy to redress that because the reasons are varied,” said Prof Jayakumar. “It’s partly globalisation and these are forces you cannot change. We have to be realistic and find as many ways as possible to make up for the loss of talent.”

SMU’s new law school will play a key role. The university currently has a law department within its business school, which offers students law modules in courses ranging from intellectual property law to genetic engineering and the law. Said SMU president Howard Hunter: “We will leverage on our existing strengths and the SMU brand of education to offer a programme that will add to the diversity of Singapore’s legal education landscape.”

NUS law dean Tan Cheng Han, who was on the committee that mooted the new law school, told TODAY that he anticipates changes within his law school too.

“Our law school today is different from the one I inherited and, no doubt, in five years will again be a different creature,” he said.

Besides the new law school, another source of additional lawyers could come from Singaporean and permanent resident students in 35 approved foreign universities. Currently, only those who obtain a Second Class (Upper Division) Honours law degree can apply to practise in Singapore. This will change. Those who obtain a Second Class (Lower Division) Honours can do so, too. They must first gain three years of relevant work experience and pass a local qualifying test, though.

The Board of Legal Education will announce the details in two to three months, but it is estimated that there are 300 such law graduates for the period from 1997 to 2005. Some graduates would prefer if the authorities first expand the list of approved foreign universities. “Why are Second Class Lowerers from certain institutions considered better than Second Class Uppers from other institutions?” asked senior legal executive Babu Ramasamy, 30.

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