



QUARTERLY NEWSLETTER

ISSUE ONE

THE LEGAL LION

Brought to you by the
United Kingdom Singapore Law Students'
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Editorial Foreword

Dear members,

On behalf of the Editorial Committee, we would like to wish you an early Merry Christmas!

The Editorial Committee has expanded greatly this year. We now comprise of three subcommittees, including one for the Singapore Comparative Law Review subcommittee ('SCLR'), another for our weekly email news-blasts ('Laws and Found') and last but not least, our quarterly newsletter ('Legal Lion').

Currently, we have five associate writers for our 'Laws and Found' news-blasts. It is a platform for us to provide legal and commercial awareness updates, as well as to promote our events and career opportunities. These emails are sent to our members every week – be sure to sign up to receive them by joining our mailing list!

We are proud to launch the first edition of 'The Legal Lion', our quarterly newsletter. We have three associate writers who have been working hard with us to produce some extremely exciting content for our members, including an interview series which we have filmed in collaboration with the UKSLSS Marketing Committee. The objective of these interviews is to introduce different perspectives of working in the legal profession in both the UK and Singapore, to help our members make informed career decisions upon graduation from law school. Transcripts of these interviews have been published in this edition of 'The Legal Lion', and you can expect more of such content in future editions. Other features include our Executive Committee members' reflections on events the UKSLSS has held virtually over the last term and opinion pieces by our associate writers on recent legal developments.

The Editorial Committee has enjoyed writing and producing relevant content for this edition, which we hope you will appreciate reading. The reason for naming our quarterly newsletter 'The Legal Lion' is that the lion is a national symbol for both the UK and Singapore. Hence, we wish to serve as the bridge between these two countries not only for the exchange of legal knowledge but also to connect our members. In these unprecedented times, staying connected and supporting each other is more important than ever.

Last but not least, the Editorial Committee would like to wish all of our readers a happy holiday season. We would like to give a friendly reminder that the application deadline for SCLR writer and editor positions has been extended to 31 December 2020. Please apply to be an associate writer and/or editor if you are interested. We look forward to receiving your applications.

If you have any feedback regarding our content or are interested in writing for our next newsletter, news-blast, the SCLR or blog, please do not hesitate to email me at editorial@ukslss.com.

I look forward to hearing from you. Merry Christmas!

Warm regards,
Phoenix Gay
UKSLSS Editor-in-Chief 2020/21





FRESHERS' WELCOME CALL

Yun Kei Chow, UKSLSS Secretary 2020/21



The new UKSLSS Executive Committee ("ExCo") was extremely excited to host our first two events just one month after being appointed – the Fresher's Welcome Calls on October 3rd and October 10th 2020. With nearly 40 participants across eight universities, they were both successes!

Personally, when I was a fresher, I felt like I was at a disadvantage compared to my peers from the UK. They seemed to know all about the differences between Magic Circle and international firms, tidbits about the British legal system, and the nuances of applying for vacation schemes and training contracts that I had no clue about. Some had already applied for insight schemes! The goal of the Fresher's Welcome Calls was to introduce freshers to all the important aspects of being a Singaporean law student in a UK university and answer any questions they might have. At the same time, we hoped to position the UKSLSS as a friendly community, introducing freshers to our society and encouraging them to engage with us and our events throughout their university experience.

For added fun, we hosted a Pub Quiz after each presentation, allowing students from different universities to meet each other and even win prizes! This year's ExCo strives to define UKSLSS as more than just a career-oriented society, but instead, one that serves as the forum for a niche but large community – Singaporeans studying law in the UK. A greater sense of support and belonging fits well in our society alongside providing assistance on career paths, especially in these circumstances.

One way we are fostering this community spirit is through our University Representatives. The Fresher's Welcome Calls were a great way to introduce incoming freshers to the role and we were delighted by the overwhelming response – most of our applicants had attended the calls.

We really look forward to encouraging our University Representatives to get more involved and support the ExCo in a multitude of ways, be it through logistical planning or as part of our Editorial or Marketing Subcommittees. For anything related to the UKSLSS, please feel free to reach out to them or the Exco at any time!



SYNC VACATION SCHEME

HELP DESK

Kathleen Teo, UKSLSS President 2020/21

“So, do you plan to work in the UK or come back to Singapore after graduation?”

I believe this is a question all Singaporean law students in the UK have had to ask themselves at some point. I certainly have done so countless times since starting university last year. It is with this question in mind that the Executive Committee and I approached the organisation of this year's Vacation Scheme Helpdesk.

The Helpdesk was organised in partnership with the Singapore Young Professionals Network Community (SYNC) and held on 24th October 2020. With most of our members attending 'Zoom University' from both Singapore and the UK, we held it online for the very first time on Hopin, which allowed attendees to network with the panelists in real-time. Choosing to host it on Hopin over Zoom was a collective decision. We wanted to replicate as many aspects of an in-person Helpdesk online, including the opportunity to speak one-on-one with the panellists during the networking segment of the event.

The success of the Helpdesk has shown the Executive Committee and me that the predicament we find ourselves in is not that bad after all. We saw an unprecedented uptick in sign-ups from members attending universities outside of London due to the convenience of being able to participate in the event from the comfort of their homes. This is significant for us, as we have always strived to address the needs of all Singaporean law students in the UK. Moreover, having witnessed some of the networking sessions during the event, I am confident that our members left the event with a better idea of what it is like to work in the UK as a solicitor. Hosting the event online did not make it any less interesting or capable of helping our members.

On behalf of the Executive Committee, I would like to thank our illustrious UKSLSS alumni - Clara Yeo, Rachel Low, Bryan Chong, Chiraag Thadani, Ashwati Venkatesh, Valerie Seah and Nicole Lim - who volunteered their time to provide valuable insights at the event. I also wish to extend this gratitude to SYNC for agreeing to collaborate with us again to organise this event. At the moment, we are in the midst of planning career events with our Singapore sponsor firms, so stay tuned to learn more about what it is like to work in Singapore in the coming months!





BAR CAREERS TALK


WITH KPUM

Phoenix Gay, UKSLSS Editor-In-Chief 2020/21





“It is always impossible until it is done.” – Nelson Mandela

At the end of three arduous years of law school, we are faced with a difficult choice to make: return to Singapore, remain in the UK as a solicitor, or as a barrister. For Singaporean law students studying in the UK, the third option is the least explored – not due to a lack of interest, but rather, a perceived “impossibility” of doing so as international applicants.





It was hence heartening to see the UKSLSS achieve one of its highest event participation rates during our Bar Careers Talk held on 12 December 2020. Following the success of our virtual Vac Scheme Help Desk held in November, we organised the Bar Careers Talk on the same virtual platform, Hopin. This enabled us to provide the panellists with individual virtual booths. With a whopping 151 sign-ups, this event was another success. This year, we also invited KPUM (UKSLSS’ Malaysian counterpart) members to participate. They constituted 20% of the attendees. These figures evidently demonstrate that our UKSLSS members are increasingly keen to learn more about a career at the Bar and do not automatically discredit it as a career option when making a choice at the end of their undergraduate law journey.

We were very fortunate to have seven outstanding Singaporean and Malaysian barristers as panelists at the event this year. Amongst them were Andrew Ng (36 Stone Chambers), Jern-Fei Ng QC (Essex Court Chambers), Wei Jian Chan (Essex Court Chambers), Matthew Chan (Twenty Essex Chambers), Nathalie Koh (Fountain Court Chambers), Sushma Anada (7KWB), and Jia Wei Lee (Wilberforce Chambers). Most significantly, they shared that the difficulty of being admitted to the bar is not insurmountable, but is indeed possible. They shared the following tips for aspiring barristers:



Firstly, it is crucial to have an avid interest in advocacy. Be it public speaking, debating or mooting, one must be able to enjoy the whole advocacy experience, the delight and satisfaction of presenting a case or argument in front of a bench. This passion for advocacy will definitely keep aspiring barristers motivated in the long term.






Secondly, it is instrumental to have an aptitude and interest in academia. There is no hard and fast rule to this – a thorough understanding of black letter law coupled with an interest in key debates gives one a strong legal foundation, and equips an individual with the necessary skills to pursue this further.

Lastly, it is never too late to prepare for the Bar! Jia Wei shared that he had only decided he wanted to become a barrister in his third year of law school, while Nathalie also came to the same conclusion after exploring vacation schemes and the solicitors path in her first two years of law school. However, as Jern Fei explained, once you have set your mind to a career at the Bar, doing mini-pupillages, attending advocacy competitions, and even writing for the different academic law journals will greatly demonstrate your interest in being admitted to the bar.

At this juncture, one may then ask: what are the merits of becoming a barrister? Our panellists shared that being a barrister gives them time flexibility due to the self-employed nature of their work. The fact that solicitors and barristers are separated professions means that barristers can specialise in the area of work they are undertaking. They may choose their topic of interest from a variety of sets. Many of our panellists work in commercial sets. Andrew, for instance, has done plenty of Chinese work. Amongst them were ship-building disputes, where he was instructed by non-Chinese parties to be represented against Chinese parties. Having the ability to read Chinese gave him an advantageous edge. In addition, many COVID-19 regulations were written in Chinese, so being adept at translating may tremendously aid a barrister in his or her work. Our multilingualism and multicultural knowledge are strengths we offer.

I would like to conclude by encouraging all of our UKSLSS members to chase your dreams, no matter how impossible or challenging you may perceive them to be, because when it is done – it is no longer impossible. The successes of our panelists bear testament to this.



Rajah & Tann - Are you the right fit?

Transcribed By: Joseph Khaw, UKSLSS Newsletter Associate Writer



"At the end of the day, what we look for in a CV is a candidate who is fairly well rounded in academics and extra-curricular activities. It is important that you fit into the firm's culture."

HOON CHI TERN

Chi Tern is an equity partner at Rajah & Tann (R&T) with the Capital Markets/Mergers & Acquisitions practice group. He is also a recruitment partner for R&T.



Chi Tern has been consistently recognised as a leading Capital Markets lawyer by Who's Who Legal since 2017. He is also endorsed by IFLR1000 (2021) as a rising star for his work in Capital Markets and Mergers & Acquisitions.

Prior to obtaining his BCL from the University of Oxford in 2009, Chi Tern graduated with his LLB from the University of Nottingham in 2008 where he won the Lovell's prize for Commercial Law.

Chi Tern has been with the firm since January 2010 when he joined as an RLT. He was admitted as an Advocate and Solicitor of the Supreme Court of Singapore in 2011.

How does a day in the life of a corporate lawyer in Rajah & Tann actually look like?

There are many types of corporate work including advisory and transactional work. I am more of a transactional corporate lawyer and deal with Capital Markets and M&A transactions. On most days as a partner, for a good half of the day, I would be dealing with meetings, negotiations, and drafting sessions. The other half of the day involves reviewing documents. It is also important to conduct business development. So I allocate some time for that as well. During the circuit breaker, it became increasingly difficult to do business development, but now that we are starting to go back full time, we can meet clients in small groups for meals and coffee. On top of that, I also spearhead the firm's recruitment initiatives which include planning the internship and training programmes for incoming trainees.



Can you tell us more about the recruitment process here at Rajah & Tann? What factors are taken into consideration?

Applications for our internship programmes for UK students will begin in January 2021. There are three structured programmes – the first one might be too early as the term would not have ended for UK students, but the other two structured programmes run through July and August. This is the first step in the recruitment process as it gives us a chance to get to know you. We would like to see interns showcase their potential. Students should get to know us and let us get to know them.

For students in their second year, we will review their training contract applications in early September after their internships. This applies to both local and UK students.

At the end of the day, what we look for in a CV is a candidate who is fairly well-rounded in academics and extra-curricular activities. It is important that you fit into the firm's culture. Some of our teams can be very large. For example, my team has around 60 lawyers. So you will need to work well with your team members.


For my practice, Capital Markets and M&A are placed together because they are two relevant practice areas. In Capital Markets, it is about fundraising activities and assisting companies when they are ready to enter the public market. During this process, we can sometimes expect investment opportunities with acquisitions and disposals to arise. The skills in both practices are fairly transferable. As a corporate lawyer, your real value-add is looking to solve problems and for both parties to be given a solution. At the end of the day, getting a deal done gives you a sense of satisfaction.



Do you find doing corporate work boring as compared to litigation?

There are different strokes for different folks. There are certain litigation processes which may not be as interesting – standard applications to court for instance. Of course, if you have a big trial, it will be exciting.

In corporate practice, advisory work is constantly evolving. We read about digital bank licenses, the regulatory regime for fintech, and the startup culture in Singapore today. Pre-COVID, before you list a business, you need to do due diligence. You get to travel. I have been to China, India, Japan...I don't think any other practice area allows you to travel as much as that! I have been to dairy farms, to see mining sites, buildings, hospitals...I suppose that's the interesting part of Capital Markets work. Another interesting part is the diligence process – there will inevitably be issues, and it is about problem-solving and risk mitigation.

M&A, on the other hand, does not have as much travelling. But in R&T, you are doing cutting-edge deals and these are the deals people get excited about. Seeing a deal featured on the front page of the Business Times is what keeps us going and motivated.





Do you have any interesting stories to share when you were interning at R&T?

I never actually did an internship here, but my first steps here were as an RLT. I was part of the first batch because before that it was the pupillage system. Because the syllabus was changing, that was why I did my master's at Oxford.

Why did you do the BCL?

Many people do the BCL because they tend to pursue dispute resolution. For me, it was different. I wanted the Oxford experience but with a corporate mindset. I had the best lecturers during my time. I remember walking through icy cold floors just to attend small group seminars with Sir Roy Goode and Professor Ewan McKendrick.


Is doing a master's relevant?

I wouldn't say it is particularly relevant. I was lucky to have supportive parents who didn't mind me spending another year away from home. I was delaying the inevitable but if you intend to do a masters, it is about the contacts that you build. I met many friends there and some are even my clients now. **So do it to build a network. Learn something different. In today's digital economy, you have more choices.**

Just this year, we interviewed candidates who are doing their LLB and also a master's in finance and accountancy. This opens up your choices and the skills you pick up on your LLB are very transferable across sectors. Having a finance background also is useful in corporate practice as you have to go through profit and loss statements and balance sheets.

How was your experience training at R&T?

I started out with the international arbitration practice during my first 6 months as an RLT. It was very different from what I am doing today but it allowed me to see how dispute resolution operated and allowed me to develop my skill set as a disputes lawyer. As a corporate lawyer today, it is helpful to have different insights from the skills picked up as a disputes trainee. **We have a rigorous training program and the initial years can be very challenging to adapt to fresh out of university. If you tell yourself that this is foundational to your legal career, you will build a good base that will benefit your legal career in the long run.**





What would you say to students who want to stay on in the UK?

London is, and hopefully, after Brexit, will continue to remain a financial hub. The training you will receive in the big firms and the skills that you pick up will serve you well even if you want to move back to Asia in the future. I had many friends who stayed on in the UK but most have since moved back to Asia (Singapore, Hong Kong, China, Japan).

Did you start off wanting to be a corporate lawyer?

Yes, I actually did, but when I was joining R&T, I had given my word to give dispute resolution a shot. I'm glad I tried it though, and I got it out of my system. But to students, don't hesitate to try both and find where your interests lie. For students wanting to be a corporate lawyer, be good in the core modules like commercial and contract law. Read the Financial Times and The Economist to ensure you know the hot topics in the market. There is so much knowledge on the internet.

What are the goals and aspirations you have for UKSLSS?

I hope that UKSLSS will be more than just a student body that advertises recruitment opportunities, but one that helps its members stay informed and connected. Through Laws and Found, I hope that you highlight important issues and what's going on in the world, whether corporate transactions or disputes related issues. At least if students are not keeping track of the news, you can give them tidbits which can help them stay relevant.

Make sure that students are connected, especially during this pandemic where some have gone back to the UK and others have remained in Singapore. I see that today you have campus ambassadors, which helps with local outreach. When I was a student, UKSLSS organised an event with Contact Singapore in London where the Courts and many of the big Singapore firms attended. Many students showed up just for the chicken rice! This is also how I was recruited when I had lunch with the then R&T managing partner and the current Justice of Appeal, Steven Chong.

We do go up to the UK every year for recruitment but in 2020 we couldn't, so maybe we will in 2021 and you can look forward to that!

Will we have chicken rice then?

Yes, we can look into that! If you guys are organising the event...

[Note: Keep your eyes peeled on our social media for a video of the interview!]



Overcoming Hardships and the Ship

Transcribed By: Claire Li, UKSLSS News-blast Associate Writer



"It was a bittersweet experience because there were moments where there were back-to-back assignments, and I slept by the pier. It is cold at the pier, and I wore my robe to protect against the cold. It was ironic, because this was the robe I wore to defend so many at the High Courts, and there I was, using it as a blanket. "


JOSEPHUS TAN

Josephus is a criminal defence lawyer. He started Invictus Law Corporation and has dedicated thousands of hours to pro bono work. In 2015, Josephus received the Singapore Youth Award, the highest accolade for young Singaporeans who have made significant contributions to society, given by the National Youth Council. Josephus also sits on the UKSLSS Board of Advisors.

What made you serve as UKSLSS' president?

Throughout my formative years I never really had the chance to put myself in leadership positions. So when studying in the UK, I chose to take this once in a lifetime opportunity to do something that you cannot replicate in Singapore.

I believe till now, I remain the only "mature" president of the UKSLSS, and I brought to the table years of experience from work on the ground and from my business. At that time, UKSLSS was running a few activities (such as the newsletter) and I felt that there was an opportunity to corporatise it -- for the Exco to carry business cards, for the organisation to have a logo to represent it, and to have a proper website. So, when I took over the presidency in 2006-2007, I designed the website, coat of arms, and the magazine with the help of my friends. It was also in my presidency that the Singapore Legal Forum was born.



You mentioned that the UKSLSS was in a bad state when you took over. What gave you the confidence that you could turn around the situation?

I wouldn't say the organization as a whole was bad, but it was rather dormant. It seemed like a transitional platform for students to dabble in or shore up their CV. I thought - why are you doing something solely for your CV, instead of doing so because you genuinely want to do something good and give it your best shot?

So I knew that even if I were to take over and revamp the society, it would take a lot of time. But it is just my character to give it my all if I were to do something. I may be quite extreme in this regard.

What inspired you to start the Singapore Legal Forum and how did it look like back in your day? How did you manage to get the firms on board this student-led initiative?

One of my Vice-Presidents suggested having an event that could connect UK law students with local law firms. I thought it was a good idea, but it had not been done before, so we really dug deep to go through its ideation. I sacrificed my graduation convocation and flew back to Singapore early to knock on the doors of various law firms to seek sponsorships for the event. It was tedious work.

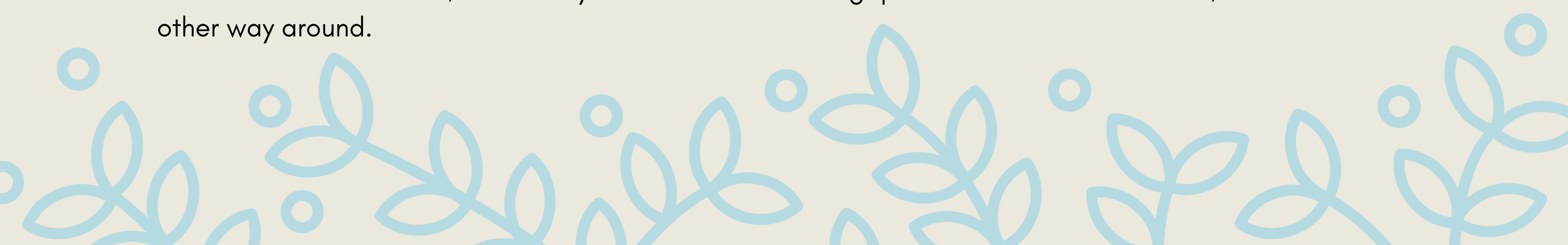
An advantage would be that as someone older, you get to know people and grow connections with time, so firstly, you don't have the fear to approach lawyers and big firms. Second, as a computer salesman previously, I had the experience of dealing with firms to sell my products. I also had the "thick skin" to cold call, but I think it boils down to my learning attitude - to try more.

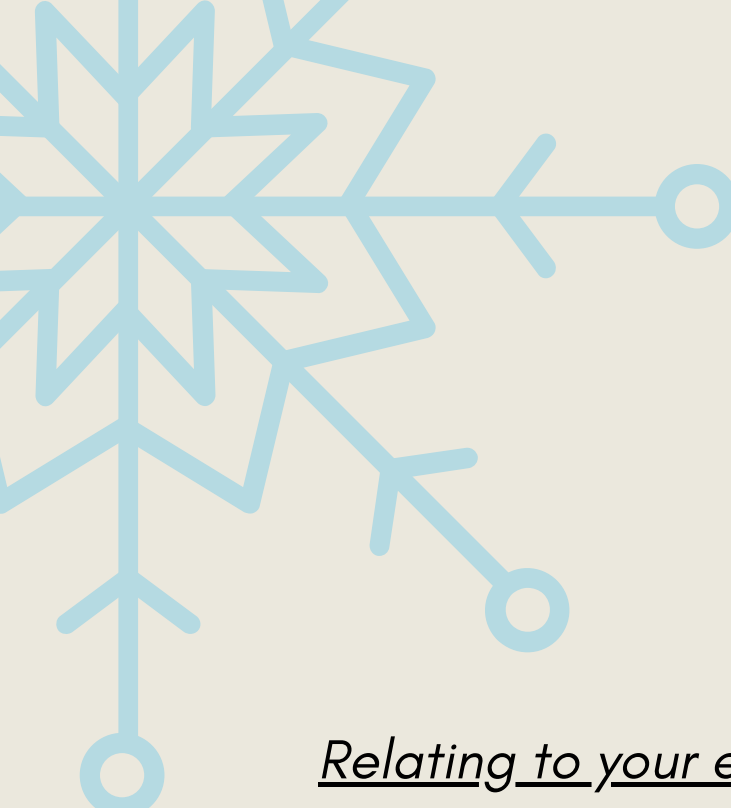
What made you return to Singapore instead of staying in the UK after your law degree?

To each his own. Initially, when I started my journey, I did consider UK firms, partly due to peer pressure as everyone was talking about it. But I realised, ultimately, that this was not what I really wanted. Having been in the UK for 3 years, it opened my eyes to many things and made me realise that I took Singapore for granted.

I thought Singapore had the right system, even though it might've needed some fine-tuning here and there. I was also idealistic back then, thinking that I had powerful knowledge from my law degree to save the world. I wanted to come back to Singapore, armed with knowledge, to help my fellow Singaporeans better the system.

Coming back to your roots is a given. But there's also a practical element. In the UK, you are a small fish in the ocean. But in Singapore, you can be a big fish in a pond. So I felt that you could start your base in Singapore, even if you wanted to expand outwards eventually. Singapore upholds a standard of excellence through its societal and governmental infrastructure that prepares us to succeed. Given all these conducive factors, I believe you should start in Singapore and venture outwards, rather than the other way around.





Relating to your experience working on a ship previously, what gave you the courage to set up Invictus?

It really is a story about resilience. Three years ago, everything came to a halt, even though I was collecting many awards and accolades. Financially, I was in a bad situation – I was known for fighting for the poor, but that meant that I was doing a lot of work relating to them, but not earning from the work I did. I was on the brink of bankruptcy. Personally, my marriage broke down, and at the same time, I suffered from my first mild stroke scare and have been taking permanent medication since. Not to mention, I was also actively involved in the political arena then, having been considered as a potential candidate for GE2015 and involved in grassroots activities, over and above my existing pro bono endeavours.


So I shifted into a small room with barely \$20 with me, even starving for 3 days at one point because I was broke and broken. Ironically, the small window in my room was facing the State Courts. Thankfully, one of my friends who owns a small pest control business called me up to give free legal advice to his friend's son who had gotten into trouble with the law. After the session, he then asked me to follow him on his job, which specialised in pest control aboard tankers passing through Singapore ports. You had to take a small launch boat out to the anchored tanker and climb a rope up to do the pest control. It may seem easy, but it is one of the most dangerous jobs out there because people fall when climbing.



I followed him, sad, hungry and aimless. But what happened that night changed my life. I had my first meal for free on the tanker, and the chef gave me canned food from the warehouse. My friend then passed me \$150. I didn't want sympathy money, but my friend told me that this was part of his allowance due to the risk the job involved, and he split it with me. I thought this was very nice of him, and he told me that he knew I had fallen on hard times, and offered to let me work part-time. I took up most of the graveyard shifts that his other workers did not want to do and did this for 6 months.

When there were back-to-back assignments, I chose to sleep by the pier to avoid wasting time travelling home. Then, I was driving a pest control van (which I am still driving now) and used it to store all my awards, certificates, law books and my court robe as the rented room was too small to hold all my personal belongings. There was one night where I took out my court robe to use it as a blanket. This was the robe I had worn to defend so many people in the courtrooms, often pro bono, and there I was using it to protect myself from the cold. It was a bittersweet experience.

There was another example, where I was ordering *caifan* (economical rice), and did not have enough money to choose a meat option. I had to ask the stall auntie to put it back, and replace it with another vegetable instead and was eating that by the curb.

What turned me around was an incident when I travelled across international waters. For those interested in maritime law, you are not allowed to stop in international waters. The tanker was travelling from Malaysia, and we were trying to align ourselves with the tanker so that we could jump to grab the rope. It was an Indiana Jones moment, with gushing water at the gap. If you slip, you get sucked in by the boats' propellers.






It was a dangerous moment and that very night a rogue wave pushed our boat into the side of the tanker, causing both ships to crash. All of us were almost thrown overboard, sustaining minor injuries. That night, my friend and I were looking at each other in shock having come from the verge of death. My friend said that this was a divine calling for me to go back to law.



A few of my friends thus loaned me some money to start Invictus Law Corporation. The name “to be unconquerable” holds a lot of meaning to me, because when I was lying in the hospital from a mild stroke three years ago, I was reading a poem that gave me a lot of strength to hold on to. It is not really about being unconquerable in terms of the law, because sometimes you win, and sometimes you lose. But Invictus Law Corporation is all about the unconquerable spirit. A lot of it came from my personal experiences.

Understandably, no lawyer wins every single case they fight. While representing clients in capital cases where losing could mean the difference between life and death, how have you learnt to cope with that pressure, and how would you encourage aspiring criminal lawyers to do so?

Just do the best that you can and it is ultimately out of your hands. This is easier said than done. When I worked on my first capital case with the late Mr Subhas Anandan, the defendant was sentenced to death and emotions were running high in court. But Mr Anandan was calm, collected, and said, “Get ready for the appeal”. As a newbie experiencing my first death penalty case, it was a life-changing experience. I actually went blank and was on the verge of depression.

I tried to cope with it at first, but after a while, you come to realise that you are not the be-all and end-all, but rather part of the process. For aspiring criminal lawyers, do not think that you are the final frontier. The fact of the matter is that it is a process and you are just one part of it. As long as you do your best and leave no stone unturned, the verdict is out of your hands. That is how you cope and sleep better at night. It requires the right mindset, courage, conviction and compassion, and less about the intellectual power. It is more from the heart.





You have done thousands of hours of pro bono work, but have you ever felt that it was pointless or like giving up because it didn't pay off as much?

Yes, definitely. It is a very natural reaction to want to receive something after giving something out. For example, doing pro bono and/or charity gives some a sense of self-gratification. There is nothing wrong with that. But eventually, as you do more, you feel empowered to use your force to help others. It goes beyond self-gratification after the first few cases.

However, when you see the same people coming back to the system, re-offending, repeating their mistakes and continuing to wallow in self-pity, you do get disheartened from time to time. But of course, there are high moments when you see people genuinely turn their lives around. Many clients of mine cherish the second chance they have been given. This reminds me of the motto of resilience, to not give up.

So when I do see the same people again, I tell myself that it doesn't matter, that this might be a phase for them, and to ensure that everyone gets that equal chance, the perpetual hope. Because in my own personal journey, if I didn't get that second chance, I might not even be a lawyer today.

What could be improved in the criminal justice system?

I have a soft spot for accused persons with intellectual disabilities. I feel that we are not doing enough for this group of persons. When you talk about someone with a mental illness, it is often treatable with medication. But when you talk about someone who is born intellectually inept, that is untreatable. If you work with this group of people, a lot of their lives revolve around a simplified routine, without having to think much about the consequences. So, when they are arrested for an offence, there is ultimately very little recourse, because there is a tendency to repeat their routine if left uncorrected. In the end, the punishment gets more severe with each repetition. In my personal view, this correction takes time and can't be found behind bars. Incarcerating them doesn't solve the root of the problem for this particular group of accused persons.

This is where we have to seek guidance from our western counterparts with dedicated institutions to incarcerate accused persons of such nature.

Also, I feel that things can be changed regarding labelling. Sure, names can be included in the media to inform the public what the person has done (saved for those hearings where gag orders are imposed or directed by the courts to be in-camera), and what laws have been applied in the instance. But if you put a picture to it, it remains on the digital space forever. After the entire episode, does this person really have a second chance to turn his/her life around when their pasts are captured in the digital domain perpetually where prospective employers can easily dig them up?

[Note: Keep your eyes peeled on our social media for a video of the interview!]



A peek into the life of a Trainee at Clyde & Co

Transcribed By: Lynette Koh, UKSLSS Newsletter Associate Writer



"Make the most of every opportunity! Throughout your years at university, you may often feel very stressed and overwhelmed, but do not neglect any legal or non-legal opportunities that may arise."

TANIA FORICHON

Tania is currently a trainee solicitor at Clyde & Co and is undertaking her first seat in the firm's Marine and International Trade department. Prior to commencing her training contract, she completed vacation schemes at both Clyde & Co and Latham & Watkins. During her vacation scheme at Latham & Watkins, she dabbled in corporate and banking legal work. Her strong interest in shipping and trade law led her to undertake a vacation scheme at Clyde & Co where she sat in the Marine and International Trade department, as well as legal internships in the Shipping and International Trade department of Rajah & Tann, Singapore and at Essex Court Chambers, the English Bar's equivalent of a Magic Circle law firm, under the supervision of a Queen's Counsel who maintains a strong shipping and shipbuilding practice. In this interview, Tania shares her understanding of shipping law, provides insights into her role as a trainee solicitor at a global law firm and offers helpful guidance on the training contract application process.

Step 1: Choosing Your Route

What made you ultimately decide to pursue the solicitor route as opposed to the barrister route?

My attachment at Essex Court Chambers was a very interesting, but different experience. I enjoyed reading legal judgments, drafting pleadings/applications and engaging in deep conversations about the nuances in the law but I was slightly discouraged by the fact that barristers are self-employed. Furthermore, I am a "people person" and I enjoy regular interactions with clients and counsel. The work of a solicitor is also in some ways similar to the work done by a barrister except that we have very limited rights of audience, so the advocacy in court is primarily, if not always, done by barristers.

Step 2: Choosing Your Firm

Would you say Clyde & Co offers its trainees a holistic professional experience?

Yes, definitely! We are encouraged to attend talks and training sessions on a regular basis. I recently attended a talk on developments in contract law hosted (virtually) by Professor Edwin Peel, a fellow at Keble College, Oxford. In addition, I attend a weekly training session organised by the Learning & Development team where we are informed of changes to the Civil Procedural Rules and tackle issues that may arise at the various stages of legal proceedings.

I think, more importantly, I am given many opportunities to explore different aspects of practice. I am a member of the trainee-led Climate Change Group. It is a pro bono initiative that was started by one of the trainees in the year above me and together as a group we try to understand climate change-related issues, develop our business development skills, and help identify and undertake pro bono projects with climate change dimensions. Together with some of my fellow trainees, I recently conducted a presentation on the topic of renewable energy for Nottingham Law School which helped me hone my business development and public speaking skills.

How would you compare interning at a Singapore firm with working at a UK firm? Why did you ultimately choose to train in the UK?

It is hard to compare, especially given that my stint at Rajah & Tann was much shorter. Back in 2017, during the summer following my first year at Durham University, I also had a more superficial understanding of the law and the role of the lawyer. If I must, I would compare the two firms on four grounds:

1. Whilst my experience is limited, I would say that the working culture is slightly different in London. Clyde & Co and UK firms, in general, tend to have a more nurturing approach especially towards more junior members and heavily invest in the professional development of their trainees. After all, the duration of the training contract in the UK is two years as opposed to six months in Singapore, so the UK firms have a greater interest in training and retaining their trainees upon qualification.

2. Clyde & Co invests a lot of resources in the recruitment of their trainees. Perhaps it is because UK firms have a culture of actively hosting recruitment events to get the best talents. In Singapore, the process is generally not as formal although I have heard that some of the big firms like Rajah & Tann are starting to mirror the UK firms' recruitment process.

3. The nature of the work is slightly different. Generally, I feel that Clyde & Co has a more international client base and the majority of matters will involve parties from around the world whereas the work at Rajah & Tann can be slightly more Asia-focused.

However, an advantage of being a Singapore-qualified lawyer at a firm like Rajah & Tann is that you are qualified as an advocate and solicitor, whereas the profession is split in the UK so you would rarely have the opportunity to perform both roles when working on a case.

4. Another appeal of working at an international firm like Clyde & Co is that you could end up doing an international secondment during your training contract in one of Clyde & Co's overseas offices.



Step 3: Choosing Your Expertise

What is it about shipping law that drew you to it?

Shipping law tends to be more technical than other practice areas and you are required to advise on disputes based on contract and tort law which I thoroughly enjoy.

The practice is very global in nature and gives me the international flavour and exposure that I am looking for. During my first three months at Clyde & Co, I interacted with clients, experts and counsels from many countries in Africa and Asia. This is a great opportunity for those with foreign language skills to be an invaluable asset to the team!

The practice is also very varied. On the international trade side, we often advise on contractual disputes between buyers and sellers. In such matters, the shipping aspect also comes into play because we are when dealing with the carriage of goods by sea. The practice of shipping law is divided into two categories: “dry” and “wet” shipping. In “dry” shipping, we advise our clients on an array of issues, including charterparty disputes, shipbuilding contracts and bill of lading disputes. Typical “wet” shipping disputes that arise are collisions, salvage operations, piracy, and explosions at sea.

Step 4: Asking Aloud

What do you think is the most important skill as a solicitor?


Integrity. Being able to own up to your mistakes, especially as a trainee, is important. You are bound to make mistakes but owning up and explaining to your supervisor is the first step in your learning journey.

How important is it to get a first-class to secure a training contract in London?

Absolutely not essential! A handful of London firms will ask for “high 2:1s” or better but generally, the firms will take a holistic approach when selecting candidates. I would say it is a good objective to aim for a high 2:1 and get good grades in “black letter law” subjects like contract and tort. However, do not be discouraged: the emphasis is ultimately on what you bring to the table in terms of your (non-legal) experiences and transferable skills.

Would you say first-year insight schemes are a must to secure a training contract in London?

Of course not. Your focus in the first year should be to adapt to university life, make friends, study to get good grades and, most importantly, have fun!





Step 5: Presenting Yourself

What advice would you give to current law students seeking internships or vacation scheme opportunities? Is there anything they should look out for?

Having gone through the application process (and failed numerous times throughout the process), here are a few words of advice:

1. Know what you want to do.

In a world of infinite opportunities, deciding that you want to be a solicitor is a huge milestone and you should feel proud of having come to that decision. You may now feel overwhelmed by the numerous areas of practice available. Every firm will profess to be “full-service” but you will discover that many are better known amongst clients for their strengths in certain practice areas. Take the opportunity at (virtual) open days and recruitment events hosted by law firms to talk to the graduate recruitment team, trainees, associates and partners. Read up on the recent cases/deals that the firms have been involved in to better understand their strengths and show recruiters that you have a strong understanding of the firm’s practice


2. Know what you bring to the table.

When drafting your applications, write about your experiences, how you developed as a result and how those demonstrate the skills that firms are looking for in their trainee solicitors. Simply listing your roles/experiences (e.g. law society president) is a rookie mistake, so don’t do it!

Understand what is your “wow factor”. Can you speak a foreign language? Do you have great interpersonal skills? Don’t forget to explain how these transferable skills would make you a great solicitor.

3. Be strategic.

Whilst everyone has a different strategy, I would recommend applying to at least five to ten firms that you have researched well. If you are a law student and in your penultimate year of university (or a non-law student in your final year), I would strongly recommend applying for vacation schemes instead of training contracts directly. Spending time at the firm will hopefully confirm your decision to become a solicitor and should give you strong insights into the firm’s culture and work.



Alternative Disputes Resolution: Lessons from Singapore


by Darren Leow

In August 2019, a British parliamentary team comprising members of both Houses of Parliament and the All-Party Parliamentary Group ("APPG") for Alternative Dispute Resolution ("ADR"), visited Singapore on a week-long trip to learn more about how Singapore has established itself as a leading global disputes resolution hub. After the trip, the APPG published a report titled "Securing the UK's position as a global dispute hub: Best practice lessons between Singapore and the UK". This report, *inter alia*, outlined both countries' approaches to developing ADR in their respective jurisdictions, and made some recommendations on how ADR practices in the United Kingdom ("UK") could be improved based on the Singaporean approach. Two interesting recommendations made were: (1) the appointment of a "Minister for Commercial Disputes" and that (2) commercial dispute management and resolution should be given greater prominence within the industrial strategy. This article explores what prompted these two recommendations in particular, why they are significant, and what it means for the future of ADR.

Singapore's willingness to dedicate political capital and funds to developing ADR initiatives and mediation is recognised in the report. One example the APPG cited was the development of Maxwell Chambers as Singapore's dedicated integrated ADR centre, which was made possible with Government funding. It also cited the role of key figureheads in Singapore's ADR and mediation scene, such as the incumbent Chief Justice Sundaresh Menon, in promoting and developing Singapore's image as an international ADR and mediation hub.

It is noted in the report that while the UK was the "birthplace of arbitration and a variety of ADR mechanisms", the UK should still be able to draw on the expertise of other ADR and mediation hubs that have grown more prominent in recent history, such as Singapore. For example, it cites how it is common for cases to be directed towards mediation in the Singaporean framework, yet such a feature has not been replicated in the UK, despite its apparent straightforwardness.





One of the recommendations by the APPG is that “policy strategies on commercial dispute resolution” should be led by a “Minister for Commercial Disputes within the Department for Business, Energy and Industrial Strategy (BEIS)”. This is so that the disputes policy will not be isolated within the Professional Services sector, allowing instead for a broader reach in the public sector. Furthermore, such a public figure is intended to increase coordination amongst various governmental departments, create a focal point for matters related to commercial disputes, and provide “greater momentum” for new initiatives in this area.

As for the second recommendation, the report points out that dispute avoidance, management and resolution should not be merely one aspect of the legal industry or a matter solely for the judiciary. Instead, it should have a more prominent position within the industrial strategy that could be established by a more concerted UK policy towards dispute avoidance and resolution.

A growth in the availability and efficacy of ADR services around the world is a step in the right direction. For one, it reduces the caseload of courts, many of which are often inundated with cases and it is not uncommon for them to have a backlog of cases which can be exacerbated by external factors such as the COVID-19 pandemic. Furthermore, more companies are turning to ADR for the sake of confidentiality and for greater control over the adjudicators of their issues. It will be interesting to see whether the recommendations put forward by the APPG are implemented in the next few years, and what the future holds for ADR in the UK.



The US Presidential Election: Examining the Mechanism

by Lynette Koh

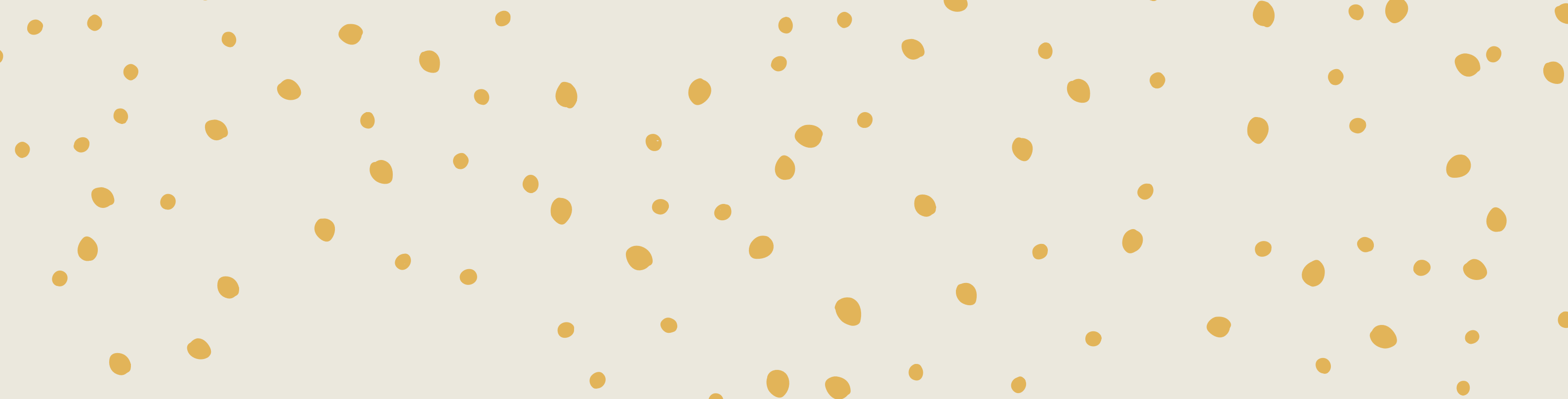
The COVID-19 pandemic has called upon a revision of normality in our daily lives, but the US Presidential Election was not called off.

On 7 November 2020, CNN, along with other major TV networks including the Associated Press, announced the victory of President-elect Joe Biden and Vice President-elect Kamala Harris in the United States ("US") Presidential Election. The pair had firmly surpassed the threshold of 270 electoral college votes. In this year's election, Americans had cast a historic number of votes despite the COVID-19 pandemic, with conventionally right-leaning states such as Arizona and Georgia electing a Democrat for the first time since Bill Clinton's tenure. The President-elect had broken Obama's record for the most number of votes received in US history, a feat that simply could not have been captured by the incredibly narrow electoral vote margins. On the topic of votes, discussion of the highly contentious Electoral College system emerges once again. The big question is: will the US be able to reform the Electoral College system and adopt a simple democratic popular vote like most other republics?

Constitutional Roots

It is fundamental to first recognise the origins of the Electoral College system. Tracing back to the 1787 US Constitutional Convention, where there was a great divergence in opinion as to how the president should be elected, the Electoral College was created by America's Founding Fathers as an alternative to electing the President by popular vote or through Congress. This process has since been enshrined in Article II, Section I of the US Constitution. Far from perfect, the Electoral College has elected five Presidents who did not garner the popular vote, including President Trump. According to the National Archives, more than 700 proposals have been introduced in Congress calling for the reformation or elimination of the Electoral College. Yet, none have been successful thus far.





The primary reason for this is the onerous process of amending the US Constitution. An amendment may be proposed either by Congress with a two-thirds majority vote in both the House of Representatives and the Senate or by a constitutional convention exercised by two-thirds of the State legislature. The proposed amendment only becomes part of the Constitution once three-fourths of the States – a whopping 38 of 50 States – choose to ratify it. As such, it is no surprise that the closest any proposals have come to reforming or eliminating the system was in 1969, when the House of Representatives voted to allow for a direct election, but was met with rejection in the Senate.

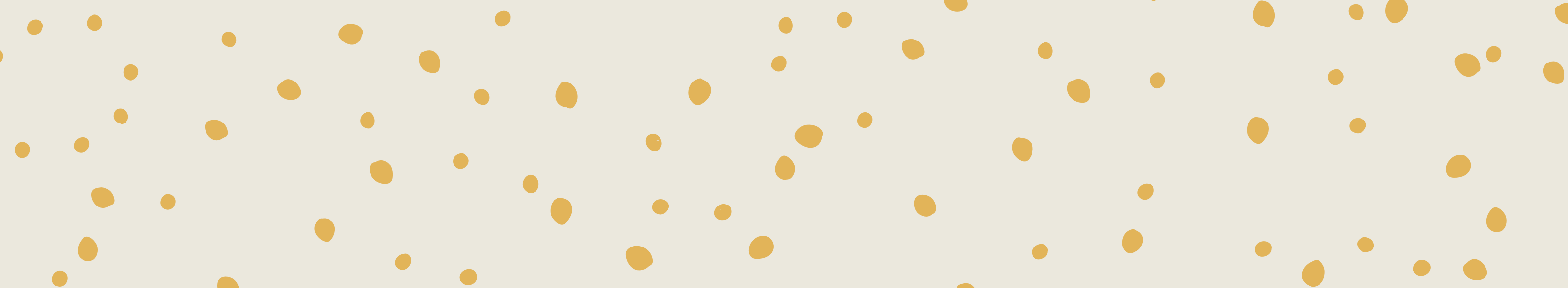
Societal Attitudes

Despite the numerous proposals, Americans have been divided on the matter. A March 2020 survey by Pew Research Centre showed that 58% of 12,638 sampled US adults believe the Electoral College system should be abolished and replaced by the popular vote, an increase from 51% of 1,003 sampled US adults in a 2016 survey by CNN/ORC. Critics claim that the less-populated states have an unfair advantage, and this inherent bias has played a decisive role in four elections. More importantly, they deride the mechanism itself as undemocratic. Since all the votes in a particular state are given to the candidate who wins a simple majority, it essentially dismisses the preferences of those who voted for a different candidate. Consequently, candidates are inclined to focus their campaign in a few battleground states such as Florida and Pennsylvania – known as ‘swing states’ – that are ideologically split and often with a disproportionately Caucasian population demographic. Nonetheless, there is still a good number of proponents who believe the current system works exactly as intended, allowing states to act as a power check on the federal government and avoiding the possibility of a nationwide recount that would be unmistakably chaotic.

Faithless Electors & The Courts’ Role

The independence of the electors themselves is also a contentious point to consider. This issue was thrust into the spotlight in the 2016 Presidential Election, where a historic seven ‘faithless electors’ had cast their ballots for a candidate other than the one whom they had pledged to vote for. Specifically, five were untrue to Hillary Clinton and two to President Trump. Elections preceding that of 2016 saw no more than one ‘faithless elector’ each.





Unfortunately, neither the Constitution nor the federal law provided guidance on the matter – whether it was the states or the electors who ultimately decide which candidate gets the electors’ vote. In 1892, former Chief Justice Melville Fuller in *McPherson v Blacker* ruled that states were capable of determining how electors are to be apportioned and chosen, a point reinforced by *Bush v Gore*. Decades later in *Ray v Blair*, which dealt with the requirement of Alabama electors pledging to vote for candidates, the court ruled that the 12th Amendment ‘does not bar a political party from requiring the pledge to support nominees’. No dicta was provided on the extent to which states can enforce an elector’s pledge.

This was recently addressed by the US Supreme Court in the case of *Chiafalo et al v Washington* during the lead-up to this year’s election. The US Supreme Court, in upholding a state election law, unanimously ruled that ‘a state may enforce an elector’s pledge to support his party’s nominee – and the state voters’ choice – for President’. Depending on the state law, ‘faithless electors’ can be fined for failing to uphold their pledge. Not only does this effectively curb the independence of electors, it has also been useful in clarifying the judiciary’s position on the upholding of electoral pledges.

Alternatives Explored

While the abolishment of the Electoral College remains a distant possibility, the search for alternatives at a state level seems to be gaining traction. In Maine and Nebraska, a congressional district method has been implemented since 1972 and 1991 respectively, where their Electoral College votes are split in a way that awards two votes to the statewide winner and the remaining to the winner of each congressional district. In a race with very tight margins, the districts in Maine and Nebraska have proven to be critical to winning the White House. Another important phenomenon to note is the National Popular Vote Interstate Compact. It is a bill that, with enough signatories representing a majority of electors (270 electoral votes), will allow for the president to be elected using the popular vote nationwide. Just last month, voters in Colorado affirmed their decision to stay in the Compact that they had entered in 2019. To date, 15 states, albeit all Democratic states, and the District of Columbia have signed on, totaling 196 electoral votes. If 74 more electoral votes are cast, the US Presidential Election of 2024 will look very different.

Ultimately, amending the US Constitution is a herculean task and sufficient impetus from the public is needed to change the system. The Biden presidency may be a marked step towards healing and societal unification, but insofar as the reformation of the Electoral College system is concerned, its enduring nature will pervade. It is therefore unlikely that significant changes will be enacted in the near future.



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The overriding purpose of our programme is to give interns a sense of what life is like in a cutting edge law firm. You will have the opportunity to:

- Experience work in two of our practice groups (interns will be able to state a preference for practice groups and these will be accommodated where possible).
- Work with buddies during the internship and build relationships.
- Undertake transactional work alongside our lawyers and partners, and attend/observe meetings and calls where appropriate.
- Learn about the business side of law and the opportunities available to you in sessions from our partners and business services leaders.
- Present a ten minute pitch at the end of the programme with advice and guidance from our team.
- Network with trainees in Singapore and trainees seconded from London.
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In addition to the above you will be provided an allowance of SG\$1800 for the period of the internship.

DATES OF INTERNSHIP

Intake 1: 31 May – 25 June 2021

Intake 2: 5 July – 30 July 2021

PROCESS OF SELECTION

Applications for the 2021 scheme is now open and will close on 19 February 2021. Applications must be submitted, and will only be accepted, via the firm's **online job portal**. Positions will be finalised by April 2021.

For all enquiries regarding Graduate Recruitment please contact the graduate recruitment team at **Recruitment.Singapore@CliffordChance.com**

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Rajah & Tann Singapore LLP is pleased to extend an invitation to all law undergraduates to apply for enrolment into our **Structured Internship Programme 2021**. Our programme has been structured to provide interns with an insight into all aspects of the Firm, and will offer interns the opportunity to interact with senior members of the partnership, experience life in practice with their assigned mentors, as well as get to know our lawyers at social events.

The application window for internships with us in 2021 opens at 9.00am SGT on **4 January 2021, and closes on 31 January 2021**. Applications for internships will only be considered if received during this period and we will notify you of the outcome of your application by the middle of February 2021.

Applications will be reviewed on a rolling basis until spaces are filled. Successful applicants will be placed into one of three possible tranches in May, July or August with each tranche spanning 4 weeks.

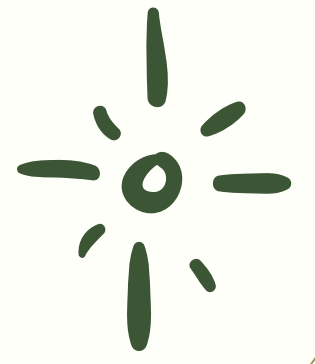
Please submit your internship application by clicking on the button below:

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Each application must be accompanied with the following information and documents:

- Cover letter (1 page)
- Detailed CV (not more than 3 pages)
- Law school transcripts
- Recent photograph
- 1 minute video presentation on why you look forward to being our intern this Summer (optional)

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We look forward to receiving your application.



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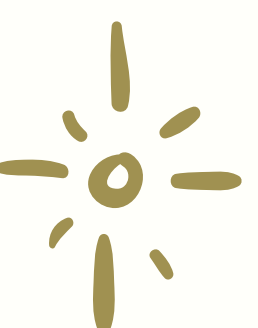


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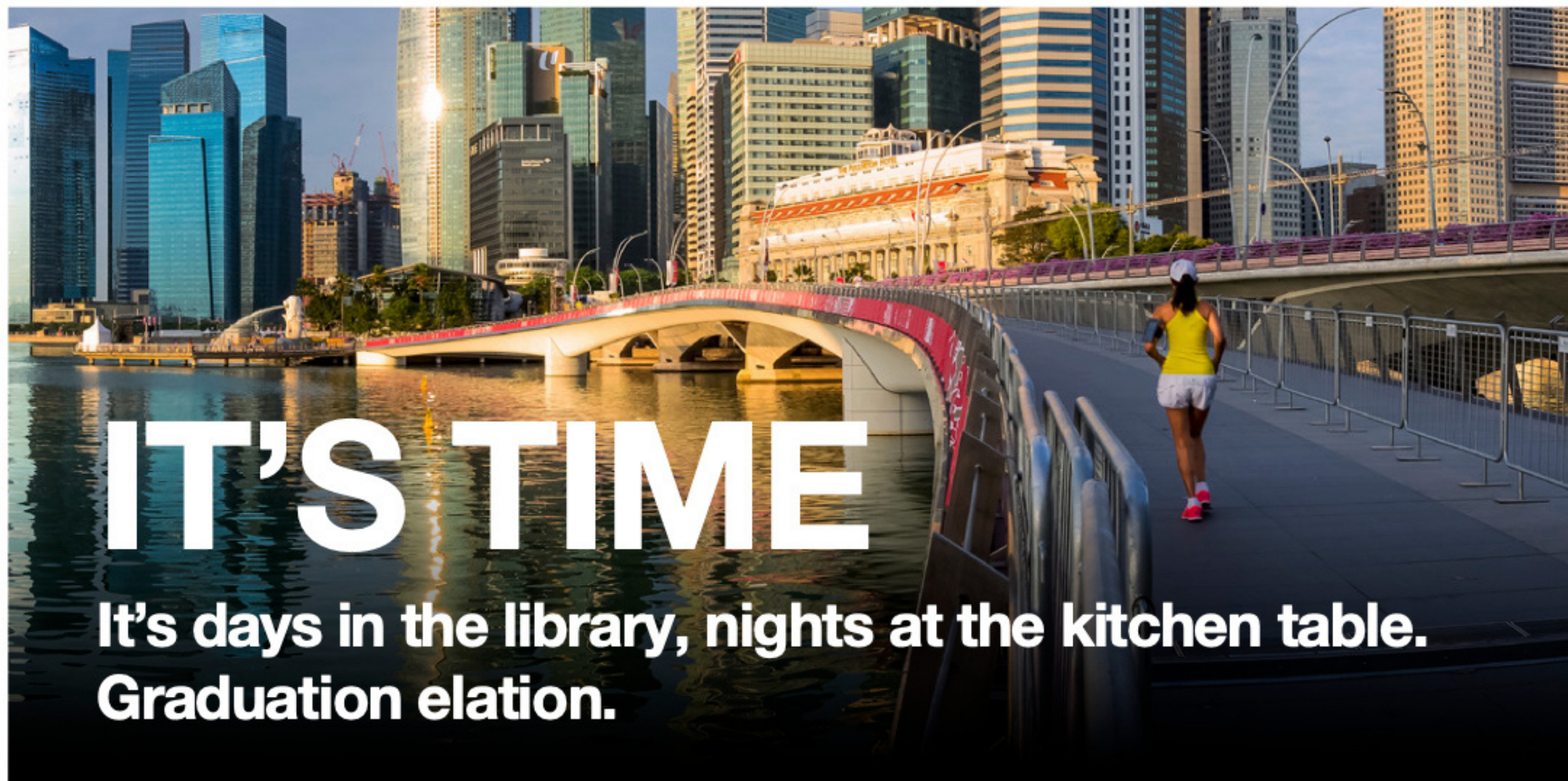
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contributions.**



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