

25 August 2020

## **SPEECH BY PRESIDENT OF THE LAW SOCIETY OF SINGAPORE, GREGORY VIJAYENDRAN SC, AT MASS CALL 2020**

1. May it please the Court. On behalf of the Law Society, I seek Your Honour's leave to address the 2020 cohort of applicants seeking admission to the Singapore Bar
2. Congratulations are in order to all of you collectively as a batch and to each of you individually as newly called lawyers for achieving this capstone. You have passed gruelling and grilling examinations in university and Bar and completed the apprenticeship of your relevant legal traineeship (for foreign graduates) and practice traineeship (for all).
3. At the end of this ceremony, you will have the amazing privilege and accompanying solemn responsibility that come with being placed on the rolls of the Supreme Court of Singapore. You will join an elite membership of a noble and honourable legal profession.
4. This morning, I want to speak to you of stars and scars.

## REACH FOR THE STARS

5. First, reach for the stars. The first meaning of that phrase entails seeing stars who are the legal luminaries in the profession.
6. The first constellation of stars are our top jurists comprising our world class judiciary.
7. Our Supreme Court Judges have blazed a trail in writing prolific judgments that have built a valuable corpus of autochthonous jurisprudence. We can be justifiably proud of the abundance of breadth and depth of our local legal precedents in the last three decades. There is much to learn as you reach for the stars by reaching for your computers or mobile telephones to access our court judgments. Read them carefully. Discern the *ratio decidendi* as well as persuasive *obiter dicta*. As you look and learn, you will continue to be illuminated by the light bulb moments of knowledge and erudition. The grounds of decision of court cases in an adversarial system reflect a dialectical process of evaluating arguments and counterarguments. Follow the flow of thought through the flow of our judges'

penmanship. There are stellar judgments to insightfully inform and internalise especially in your burgeoning practice of law. It is a truism that legal practice entails lifelong learning. As antiquated decisions are overruled, we also have to unlearn at times. But every one of us, whatever the seniority, constantly learn from our judges and the intellectual stimulation that their judicial analysis serves up.

8. But there is no monopoly of wisdom in only one part of the legal universe. The next galaxy of stars are from the Bar. There are premier thought leaders too who are shining stars to reach for. From Senior Counsels to Accredited Specialists to legal eagles. For wannabe civil or criminal litigation advocates, watch the classy court craft. For aspiring corporate hotshots, be bedazzled by the expert pointers of corporate practitioners in top form. As you watch maestros and virtuosos at work, you will partake of their ethos of professionalism and pride in a job well done. These are ideals that can be reality. It will be poetry in motion (and you will not be starry-eyed) when you watch a leading light of the Bar in his or her element. But even without the glittering lights of titles or credentials before or after a name, lawyers are literati. The senior lawyers in the

profession, litigation or corporate, generalist or specialist, have much to offer by reason of their experience and expertise if you would stop to listen and learn. They can impart to you advocacy tips, etiquette and decorum, ethical and courteous conduct, mediation skills, negotiation techniques, drafting ability, the thought process of making sound judgment calls and client management skills. As you advance in practice, you will gain from your elders financial discipline, business development and marketing. This will enable you to develop and grow holistically in different dimensions of practice.

9. For those of you who will practise in larger set ups, you will find yourself working with different partners. One of the attitudes I cultivated as a newly-called junior working with different partners in a larger law firm was to ask myself: what can I learn from this partner? It is my respectful submission that you can assimilate different strengths from different partners. Glean the best from the best and jettison the rest. Don't learn the faults and weaknesses of partners you work with but discern and master the unique strengths that each of them has. Acquire the finesse of the shining stars practising in the finest traditions of the Bar.

10. Sadly, there are some shining stars who left us in the early part of this year. Recently, the Law Society had a virtual remembrance to say farewell to the eight lawyers who passed on in 2020. These are stars whose luminosity has never faded although their time on earth has ended. The light of their lives and legacies continue to radiate in and brighten the worlds of Singapore lawyers they impacted and influenced.
  
11. For those of you who will practise in smaller setups, you will be blessed with a closer, one-on-one tutelage. Being handpicked to be the “padawan” of a sole proprietor, he or she is committed to invest in your learning that goes beyond your apprenticeship period and in many cases, you will continue to have a hands-on mentorship. That is not to say that larger set ups cannot replicate this recipe. But is no secret that one of the greatest value propositions of smaller practices is the personal touch for clients and training of juniors. And so, you will have a close encounter with these stars.
  
12. Listening to this address, you may have a different sentiment. You could be chomping at the bit looking

forward to that milestone moment when you will sign your first letter as a lawyer after your practising certificate is issued. Savour that moment. But no matter how much you have learnt to date, no matter how confident you feel, you still need to have hand-held guidance. This could come in some cases in the form of cascading mentorships from seniors several years older to you (including senior associates) radiating discreet packets of light energy in perhaps, less blinding fashion than the stars in your firm. You may be asking yourself : why do you need that guidance and why reach for the stars?

13. In your early years (some estimate the first three years) of practice, there will be a learning curve (for some, a steep or daunting one) to ascend. Having mentored juniors over the years, I know anecdotally that the first year of legal practice itself could prove an exceptional challenge for many. Thea Pitzen writing in a blog *Before the Bar* (ABA for Law Students) on 15 December 2015 said: *"In retrospect, the first year of private practice was the steepest learning curve I have ever encountered. It may well be that the only way to get over this hurdle is to do your job, do it well, and build confidence as you start to receive positive feedback. But know that you will*

*get over the hurdle.*” Your senior stars will be coaches and mentors to make sure you get over the hurdle.

14. Where there are gaps in mentorship, the Law Society plays a valuable complementary or supplementary role to ensure you still have a starry, starry night to guide your practice path. We do that via two distinct mentor schemes. First, our PracMentor scheme. Senior practitioners will give you a bespoke roadmap to navigate an area of practice that is not your cup of tea. This is not a substitute for thorough research nor will it be a model answer for spoon-feeding. But it is designed to offer specialist consults in a unfamiliar area of law that may appear arcane to a novice. There is a second type of mentorship, a Relational Mentorship, that pairs you with a big brother or big sister in law. He or she will guide you on ethical conundrums, share stress management pointers and impart career counsel. One of our profession’s leading stars in family law, former Parliamentarian, Ellen Lee, shared recently: *“As a Relational Mentor, I was glad to be someone whom my mentee could confide in, someone with whom she could share her doubts, fears and queries about what she was going through at work. I was humbled to see her, a younger member of the profession, seeking help and*

*taking steps to solve her own problems after perceiving them from my perspective as a senior practitioner.”* The splendour of Ellen Lee’s career wisdom illuminated the paths of her mentee. Avail yourself of this service that can give you a bright light at the Bar to augment similar mentorship within your firm.

15. Last year, the Law Society launched a Career Guidance Counselling service called “Career Path”. This gratis service enables you to follow and find your North Star. Sin Chei Liang, a former corporate shining star, is one of our caring career counsellors. In her words: *“My experience as a counsellor under the Career Path scheme has been an enriching and satisfying one. I have been counselling mostly practitioners who are overwhelmed with stress or anxiety issues. Work stress and career uncertainty become even more exacerbated in the current pandemic situation... My biggest takeaway is that everybody is unique and needs different strokes.”* So, reach out for this enlightening service if you need a safe space and place to confide on your concerns, better understand issues, see things from different perspectives and access inner resources to overcome career and work-related problems. For those who may have lost their way because you have



lost a job or are an unretained practice trainee, the lodestar is to call the Law Soc MACH helpline 65300213 and we will use our best endeavours to assist. Senior stalwarts such as Rajan Chettiar, another Career Path Counsellor and Sanjiv Rajan of Allen & Gledhill have volunteered career counsel and provided tips on how to approach interviews, play to strengths and most of all, to stay calm despite the uncertainty. In Sanjiv's case, he has passionately written a practical help piece in this month's *Singapore Law Gazette* that has a special Mass Call focus. And in an exciting peer support initiative by our Young Lawyers' Committee, we also have an informal buddy scheme for young lawyers to provide support to newly-qualified lawyers as well on legal aspirations.

16. I had alluded at the start of this address to another meaning for the phrase "reach for the stars". I will touch briefly on this aspect. The second meaning of "stars" is your own dreams of the destiny of your work calling. Attaining the fullness of your own potential. Don't give up on your dreams in law (whether birthed during law school or shaped during your practice traineeship). Cling on to those dreams despite the odds you may be facing presently and persevere in practice. A shining

example is Mr Jeyapalan Ayaduray whose life we honoured during our recent Virtual Remembrance. Mr Ayaduray's dream to study law was realised at age 50. He became an inspiring lawyer-leader who inspired those who knew him.

17. In your early years, you will emulate or simulate your mentor's style. That is natural even if it may feel like imitation. That does not equate to a total eclipse of your potential stardom or an effacing of your individuality. You first adopt but later adapt. There will come a time when you will develop your own nuanced style. That will be a function of your own nascent potential now and your own unique personality as you start becoming the brilliant, dazzling rising star whatever your chosen field of practice or vocation. And so, the end result is your becoming the best version of yourself not the best version of someone else.
  
18. You are never too young to be a rising star as well. Proof of this is the SAL Joseph Grimberg Young Advocate Award for outstanding young advocates as well as the Young Amicus Curiae scheme. Separately, the Law Society recently introduced a Tech Support Facilitator scheme where lawyers help facilitate the tech

adoption/journey for technophobes or the less tech-savvy among us. Juniors can serve as Tech Support Facilitators to coach and guide senior practitioners on tech adoption. This is so important as working from home (whether fully or partly) is the new normal for most of us. When juniors serve as Tech Support Facilitators to seniors, this is reverse mentorship. We will explore how to build on this embryonic initiative of reverse mentorship. As a Society, we neither condone ageism nor reverse ageism in any form. Each of you can reach stardom in your fledgling years. One strategy is build deep roots in a niche area of practice.

19. In the final analysis, it is the scintillation of the shining stars in your life in law that will make you who you are. Let the brilliant sparkle and lustre of a strength, gift or talent that your seniors in law have rub off on your practice progress. Because of who your mentors and coaches are, you can be everything you are. And as your star continues to shine, you will know the reason for your studying law. To impact and influence future generations as the rising and shining stars of your generation.

## **EMBRACE YOUR SCARS**

20. There is a second aspect I want to speak to you about. Embracing your scars.
  
21. To unpack this point, I will draw a lesson from the European history of fencing duels. A study of that period of history reveals that duelling scars were seen as badges of honour. Known also as “bragging scars”, duelling scars were popular among aristocratic Austrian and Germans involved in academic student fencing at the start of the 20<sup>th</sup> century. It was seen as a mark of their class and honour due to the status of duelling societies in German and Austrians universities.
  
22. Quite obviously, I am not advocating a masochistic infliction of physical scars on ourselves or engaging in self-harm to prove a point or prove the point of an epee or sabre. In a nutshell, this is about psychological or mental scars that all of us seniors in practice carry as badges of honour. Some of these are battle scars for life with accompanying war stories to boot. It could have been the result of jousting with a competitor in a courtroom or jockeying with a counterpart in the boardroom. It is about the indelible memory of a career

experience suffered in our lives that will be the life long lesson but not lessen who we are. If you get to know and speak at a deeper level to seniors, you will hear a few of these war stories in glorious technicolour and vivid imagery as if they happened yesterday. These are the oral histories that are part of his-stories and her-stories for lawyers in practice.

23. Some scars come from corrections or rebukes. The source could be your employers, your partners, your seniors, your mentors, the opposing counsel or even the court. At times, they could even be a client grievance. While packaged inelegantly or sub-optimally at times, take that correction or rebuke in your stride. Internalize the learning point. Stay calm and tell yourself that this is the “scar” moment even through the reality of the rawness or roughness of that life experience. The key is you are alive and kicking to tell the tale one day. It will be an unforgettable moment even if not a sweet memory especially if mistakes or errors were involved. We remember because as philosopher George Santayana quipped: *“Those who cannot remember the past are condemned to repeat it.”*

24. As shared earlier, because of the steep learning curve, it is inevitable that even with the best application of mind and conscientiousness, you may stumble and fall but not off the cliff. There are times that in all honesty, you will say hand to your heart, you really should have done better. Sometimes, you need not introspect because your partner's or mentor's words will stay with you. There are times you will receive a deserved ticking off from the court. This is the stuff that makes for Inappropriate Conduct in Court that I had touched on in my guest Ethics Lecture to all of you last year during your Part B Course.
25. These corrections, critiques and chastisements will burn deep within your psyche and while the wounds will heal, they will become part of your scars. Bill Gates once said: *"It's fine to celebrate success but it is more important to heed the lessons of failure."* The recognition that stars in practice carry scars from practice is a great leveller. Your embrace of these scars (rather than selective amnesia) will give you empathy for a fellow brother or sister in law who may be in the same boat in future and whom you could offer a word of encouragement to.

26. It is of course far less painful to learn from the scars of others. Samuel Levenson once said: *“You must learn from the mistakes of others. You can’t possibly live long enough to make them all yourself.”*
  
27. I distinguish corrections and rebukes that are necessary and beneficial to us from the workplace mischief of harassment and bullying. When law mentors become tormentors, the Law Society will proactively intervene. The Law Society has developed workplace harassment resources for the profession shared with the profession in mid-year. We are aiming for a pledge signing by our largest employers before year end, signifying a stance of zero tolerance for bullying and harassment (including sexual harassment).
  
28. One of the collective scars of our present times and season in our profession is the scourge of COVID-19. Never believe for one second that you are the COVID-19 generation, the lost generation or the generation that missed out. On the contrary, you are a generation of potential stars who are learning graduate level resilience. That makes you a strong generation. Some of you carry the scars of not being retained by your law firm but have overcome those setbacks. Some of you

have been perseverant and determined to seek until you find a job. Many of you will have considerable fortitude despite the extraordinary economic pressures on your employers translating into extraordinary stresses that may be exerted on you. You will carry these scars in your soul that are testament to your character and resilience. These are the war stories that you will share with a subsequent generation. In a paradoxical way, although you may appear weak by recognising your scars, you are in truth strong by embracing them. And as you do, you will be able to embrace others with scars. On the Law Society's side, we are committed to help qualifying law graduates (jobless or not) facing financial burdens due to various Bar admission expenses and other expenses via our newly set up Compassion Fund. Make that application if you need aid and the compassion of the profession will flow to you.

## **CONCLUSION**

29. In closing, to the 2020 cohort, please join me in especially acknowledging and appreciating your



parents, family members and loved ones who have stood by you through thick and thin. Some of them are present online to witness this momentous milestone of your life in law. For the gathered kin, this is as much your celebration to share as it is for your son, daughter, brother, sister, husband, wife or loved one to enter into the calling of law.

30. And to our newly called lawyers, reach for the stars and embrace the scars. You will have your fair share of both in your practice of law. The Council of the Law Society joins me in extending my heartiest congratulations to each and every one of you on being admitted as an advocate and solicitor of the Supreme Court of Singapore.

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