

Legal Resources in the Little Red Dot: Singapore

Abstract: This article by Joe Kennedy of Baker & McKenzie, Wong & Leow in Singapore outlines the legal system in Singapore; explains the legislative process; discusses case reporting and gives guidance on how to find legal materials in both hard copy and online sources and both free and for fee.

Keywords: legal systems; Singapore; law reports; legislation; legal profession

Introduction

Singapore has recently been referred to as the “little red dot”, reflecting its geographically-challenged size. Whether its map presence is small or large, this country is a great place to work and call home. I am happy to share with you a few of the major resources that I have got to know over the past six years, and to mention the networking initiative that has been increasing among Singapore law librarians.

Compared to working with the resources from the American legal system, Singapore resources, in general, are less complex and fewer in number. Singapore is a city-state and has one primary jurisdiction. This element simplifies the research process. However, all is not as simple as it may first appear, since Singapore is a Commonwealth country and has its legal roots in the legal system of the United Kingdom. The close relationship is seen through the frequent reference to, and use of, UK and Commonwealth case law and legislation. A collection of, or access to, Commonwealth legal resources, is a requirement for any library supporting a Singapore legal practice.

Singapore has a unicameral parliament. A unique aspect of the legislative process in Singapore is that nearly every bill passes in the same form as it is introduced in parliament. There are at least two reasons for this phenomenon. Firstly, the overwhelming majority of Members of Parliament are from the People’s Action Party and the bill would be well received by most members of Parliament; secondly, the process of public consultation is a tool widely used.

Legal profession

Lawyers who qualify for admission to the Singapore Bar may act as both advocate and solicitor. I believe advocate

and barrister are similar terms in Singapore and the United Kingdom respectively.

There is currently one law school, The National University of Singapore, offering a law degree. This institution will be followed by another, Singapore Management University, which will be joining the legal education ranks in August 2007.

Foreign lawyers from Singapore-approved universities need only to obtain the Diploma in Singapore Law from the National University of Singapore for admission to the bar. Without this diploma, foreign lawyers are generally limited to practising corporate, finance and banking transactions. Their local counterparts are able to practise litigation, intellectual property, conveyancing and corporate work.

The Singapore Academy of Law is the government body under the Ministry of Law that includes all advocates and solicitors, law faculty, corporate counsel, Legal Services officers and the judiciary. Its principal functions include the dissemination of the knowledge of laws and the legal system, and the promotion of legal information technology. We will highlight shortly the database that has been created to supply the majority of legal information resources.

Consultative style

Consultation papers are widely used by the government before policies and legislation change. A consultation website was even set up to enable members of the public and businesses an easy channel in which to provide their feedback on any given paper.¹

Often the text of the consultation paper and the feedback received are available for public viewing online. Using this resource, a researcher can better understand the meaning and purpose of a piece of legislation and the ideas behind amendments to Acts.

I find the text that will greet you when you visit the e-Consultation Paper website symbolic of the sharing spirit:

“Why bottle up your thoughts? Give us your views on national issues and policies through the e-consultation paper. The consultation papers are posted by Ministries and government agencies listed below. Your feedback will go directly to the agencies concerned.

Be counted. Play a part in shaping national policies.”

Below are a few recent examples of the many consultation papers posted on this website.

- “Singapore’s Sporting Landscape”
- “Joint Consultation Paper on Unsecured Credit Rules”
- “Tax Measures to Support Parenthood” (Feedback was given from 29 individuals, more than most, showing the importance of this topic)
- “Public Consultation on the draft Limited Partnerships (LPs) Bill 2006

Singapore legal resource database

Most of the Singapore legal resources that are needed when working in the Singapore jurisdiction are now available on *Legal Workbench*, a Lawnet site.² Lawnet is a database provided by the Singapore Academy of Law. Its content is supplied by the Attorney-General’s Chambers and the Supreme Court and Subordinate Courts. This database, which is powered by CrimsonLogic, includes several main sections:

- *Legal Prospector 2* – This is a revamped portion of Lawnet that includes reported (*Singapore Law Reports*, the *Malayan Law Journal*) and unreported case law, Singapore journal articles, practice directions, various precedents and a few other publications. There was a more extensive version of indexed articles with the original Legal Prospector, but now all content available is in full text. The content includes many infrequently used resources and changes from time to time, so it is wise to review it periodically.
- *Versioned Legislation Database* – This database is probably the most widely used. It includes current statutes and subsidiary legislation, as well as a historical collection. Some of the collection is still incomplete, so referring to the print copy of the Government Gazettes is still necessary when working with older legislation. Separate sections for bills, acts supplements and subsidiary legislation enables the researcher the flexibility to “search” or browse under several categories.
- *Singapore Parliament Reports System* – Looking for the intent of a provision of legislative text? Some clues may be found from searching this database, which

includes parliamentary debates from 1955 to the present. The common legislative process is for a bill to be introduced with the first reading during one sitting, with the second and third reading being taken during the next sitting. Changes to the text of an introduced bill before it becomes an act or act supplement is a rarity. This was probably my biggest cultural challenge since arriving from the United States. What a contrast.

- *Singapore Treaties Database* – This is a collection of signed treaties between Singapore and others. It also includes memoranda of understanding and other international documents.

Access to Legal Workbench

An overseas library can subscribe to *Legal Workbench* and rates are posted on their website. A second option is payment for ad-hoc use; this can be done using a credit card.

If accessing current statutes is your only information requirement, you are in luck. The Attorney-General’s Chambers has provided access to a similar resource on their website.³ Take note that this website does not include subsidiary legislation.

Syariah Court

The Syariah Court should be mentioned when discussing the Singapore legal system since the Administration of Muslim Law Act applies to the Muslim population in religious, matrimonial and related matters. This is a separate system of law. In my work, I have not had the opportunity to delve into this researching. I am aware that some of the Syariah Appeal Board decisions are available on Lawnet.

Other resources

Subscribing to *Legal Workbench* will not supply the information needs for all research. Access to the writings in the local press will often supplement research. The two main papers are *The Straits Times* and *The Business Times*; both are published by Singapore Press Holdings and available widely.

The *Government Gazette* is a needed resource. It is sold as an online subscription and also has a print version. I have never been shown the value of the online version, with its great search limitation and lack of coverage. While much of the *Gazette*’s content is available on *Legal Workbench*, the main portion of the *Gazette* is not available. Looking for a notification by a ministry is the proverbial “needle in the haystack”. This hay consists of fifty-two issues per year, times the number of years that

must be viewed. If you would like to see an unhappy face, just mention this task to anyone.

The Revised Edition of the Laws Act (Chapter 275) asserts that the “loose-leaf edition of these Acts shall, in all courts and for all purposes, be the sole and only proper law of Singapore in respect of those Acts”. With this, it is acknowledged that the print version published by the Government Printers takes precedent over the online version – Lawnet.

Networking efforts among the law librarian community

One of the very positive trends in the Singapore library community is an increasing willingness to share resources. The close proximity between one law firm and another provides the opportunity to foster resource sharing and networking.

The idea of sharing is something that the newly formed Special Libraries Section of the Library Association of Singapore is trying to nurture and develop further. We know that increasing the effectiveness of the librarians will translate into more support from their internal clients. We have developed a union list and circulated it to all participating law libraries. Informal sharing occurs on a daily or at least weekly basis.

Often we think of resources in terms of websites, print material and other tangible resources, but so much knowledge resides in the minds of the librarians. Tapping on to this resource and growing this knowledge collectively across Singapore will benefit our entire profession. The Special Libraries Section Committee will soon focus on ways to improve this grassroots spirit of camaraderie of the law librarians and will investigate specific areas that will benefit our Singapore legal community.

References

¹ Consultation Paper - <http://app.reach.gov.sg/olcp/asp/ocp/ocp01a.asp>

² Lawnet – www.lawnet.com.sg

³ Singapore Statutes Online - <http://statutes.agc.gov.sg/>

Biography

Joseph Kennedy is the Library and Information Services Manager at Baker & McKenzie.Wong & Leow, Singapore. He is the Chair of the Special Libraries Section of the Library Association of Singapore and is currently working on his MBA at Nanyang Technological University in Singapore. In a previous life he was a legal information specialist at the oldest law firm in Chicago.