



RIDING THE WINDS OF CHANGE: THE FUTURE OF SINGAPORE'S LAWYERS AND THE LAW

A note from Indranee Rajah S.C., Senior Minister of State for Law

We have just come through GE2015. GE 2015 was about our future and the government was given a strong mandate to work with Singaporeans to forge that future. The legal industry is part of that future. We at MinLaw have been preoccupied for some time with the future of law and the legal industry in Singapore.

MinLaw and SAL organised the Singapore Legal Futures Conference on 8 July with that in mind. Practitioners, judges and academics attended and world renowned thinkers such as Richard Susskind and Ashish Nanda helped us peer into what the future holds for lawyers. The speakers were all clear on one thing though, which is that with all that is happening around us the legal profession would have to change, or be changed.

Here are some of the key takeaways from the Conference.

THINK DIFFERENT, THINK 21ST CENTURY

- *Lawyers need to be more than lawyers* — Lawyers need to see themselves as providers of practical solutions to clients' problems. This may mean viewing the problem through a different lens from the way it is traditionally approached. Richard Susskind suggested that focusing on dispute *avoidance* and *containment* may benefit clients more than dispute resolution.

Our law schools need to transform and start preparing lawyers for the 21st Century. The old 19th and 20th Century education is fast being overtaken by developments.

- *Law without borders* — Ashish Nanda's observation that lawyers need to be thoughtful about the business of law clearly resonated with the audience. He noted that the growth centres of business globally are moving from the historical North and West, to the South and East - Asia and Africa will benefit. Global

competition is intensifying with markets that are opening up (eg. China); accounting firms entering legal practice, and non-law firms providing legal services (eg. Axiom). Lawyers must respond creatively to these developments.

The “unbundling” of legal services (eg. Deloitte Hyderabad) and supply of bright, young, mobile lawyers in developing economies, will precipitate changes in the traditional structure of law firms. To draw clients and retain talent, law firms will need to strategise, and be clear on their value proposition to clients and lawyers alike.

TECHNOLOGY AND INNOVATION WILL DISRUPT BUT THEY ALSO CREATE OPPORTUNITY

- *Technology will be transformative* — A common theme was the transformative and accelerating impact of technology. Richard Susskind recalled he was publicly ridiculed decades back when he mooted the idea that one day lawyers would communicate with clients via email.

We should therefore take seriously his commentary that legal advice will one day be dispensed by computers. He noted that IBM’s Watson already helps doctors diagnose diseases, reading five billion pages of medical literature in two seconds. Computers will not just match humans - they will outperform us in many areas. The lawyers who will survive this change will be the ones who master the technology, and harness it to stay ahead.

- *Technology the disrupter spurring innovation* — Mark Lemley highlighted how the Internet and technologies such as 3D printing allow anyone today to design and manufacture almost anything from jet engines to kidneys. New technologies will give rise to new laws, creating challenges but also new opportunities for lawyers.
- *Testing the law’s limits* — Laws will also need to evolve as technology changes society. Automated systems such as driverless cars, will challenge the contours of tort and criminal liability. Who should be held responsible - designer, manufacturer or distributor - when a driverless car causes an accident?
- *The changing nature of crime* — Technology has transformed crime domestically and internationally. Take, for example, the Silk Road, an online black market. Laws and law enforcement must keep up. As criminals go global with technology, and transnational crime blurs the lines between jurisdictions, the profession must also develop the skills and technical know-how to stay relevant.

SHAPING OUR FUTURE TOGETHER

We cannot predict the future with absolute certainty, but we can shape it. The Conference was a call to action: to build on what we have, look forward, create strategies and take concrete steps to benefit from the forces that are acting on our profession.

Small as we are, Singapore and Singapore lawyers are nevertheless uniquely positioned to take advantage of the changes that are to come. Our task is to leverage on these challenges and turn them into strengths, so that our legal industry can grow and flourish. MinLaw will work with all stakeholders in this endeavour. We have a legal future to make — together.

– Indraneel Rajah S.C., Senior Minister of State for Law
6 October 2015