

## RESPONSE BY SENIOR JUDGE JUSTICE ANDREW PHANG BOON LEONG

*35<sup>th</sup> Anniversary Dinner of the Singapore Academy of Law*

22 November 2023

The Honourable the Chief Justice Sundaresh Menon, President of the Singapore Academy of Law,

Professor S Jayakumar,

The Honourable Mr Chao Hick Tin,

Members of the SAL Senate,

Distinguished Guests,

Ladies and Gentlemen:

1 Thank you, Justice Chong, for your exceedingly kind and generous words. I am deeply grateful to the Singapore Academy of Law and its Senate members for bestowing this great honour on me this evening.

2 Almost a year ago (and how time flies!), I thought that I had already been more than honoured by a wonderful Valedictory Reference and a book that made my legal writings and judgments seem much more scholarly than they actually were. This occasion leaves me even more embarrassed and totally humbled.

3 I believe that life is not random. Nothing happens by chance. When I joined legal academia, I never thought that I would one day join the Bench. At that time, I was provided with the opportunity by the Academy to assist in its mission simply by bringing my skill sets to bear in the spheres of legal education, publications and law reform. This demonstrates the unity in diversity which the Academy was always intended to achieve – to unite all involved in the law in a common mission to administer justice through a collegiate spirit that would be simultaneously imbued with a sense of honour and love for the law.

4 As Chief Justice Sundaresh Menon demonstrated in his Singapore Academy of Law Annual Lecture in 2018 (which celebrated the landmark thirtieth anniversary of the Academy), this mission has been more than fulfilled in multifarious ways. Indeed, having served on the various committees of the Academy from its inception, I can personally testify to the immense success of the Academy which can only be explained by the two values that Chief Justice Menon identified in that Lecture as constituting the *spirit* with which the Academy attended to its mission<sup>1</sup> – *honour and service*.

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<sup>1</sup> See the Honourable the Chief Justice Sundaresh Menon, “Singapore Academy of Law Lecture 2018 – “An Essential Dedication to Honour and Service” (2019) 31 *Singapore Academy of Law Journal* 1.

5 As I have just mentioned, life is not random. Therefore, when I joined the Bench, I continued to bring those same skill sets that I had deployed in legal academia to bear in relation to my new appointments at the Academy, but this time infusing them, so to speak, with a more practical outlook. Not surprisingly, that included legal education and two equally significant (albeit new) portfolios. One related to chairing the Council of Law Reporting. A major project that I encountered immediately in that portfolio was to oversee the headnoting as well as publication of the Singapore Law Reports (Reissue) – an 84-volume compendium of the leading Singapore judgments issued since independence. I still vividly recall speaking to – and, above all, trying to encourage – the large team of colleagues from across the Legal Service and legal academia to help bring what appeared to be such a daunting task to fruition. It was truly a massive task but the spirit of honour and service turned that into a reality. Every individual effort expended resulted in the whole being greater than the sum of its parts.

6 A second portfolio related to the establishment of Academy Publishing. I recall that I spent two weeks speaking to a great many of my former colleagues, trying to persuade them to write books and monographs for this new publishing arm. The goodwill which I took almost a quarter of a century to build was completely extinguished within those two weeks. However, perhaps out of pity for me, many legal scholars did agree to participate and that helped kickstart this fledgling part of the Academy.

7 I would like to add this – there is the ever-present danger that we might take the day-to-day running of our various departments and committees in the Academy for granted. I never did. Even as I recall the success of, for example, the editing and publication of our law reports as well as books and monographs, I also realise that none of this success would have been possible without the staff at the Academy who ensured that everything ran smoothly – from the administration, editing, as well as to the ultimate sale of the various publications, amongst many other things. I would like to take the opportunity to thank each and every member of the various teams over the years once again for all that they have done – and will be doing.

8 In all that I have said thus far, the common underlying thread has centred on *people and relationships*. To recapitulate, the Academy itself was established to unite all involved in the law in pursuit of a common mission. The success within the various arms of the Academy would not have been possible without the cooperation of its staff and the members of the various committees. And the ultimate mission of the Academy is to impact everyone involved in the profession for the better in the spirit of honour and service.

9 Throughout my life, I have constantly asked myself these questions. Why do I do what I do? What is the point of it all? Perhaps I have been rather foolish all these years but I have clung on to this hope throughout my professional life and it is now too late to recant as I have already retired. It is to *touch lives for the better*. I spoke about this at my Valedictory Reference. When I thought about what to say this evening, I could not think of anything more (or even as) meaningful to say. So please forgive me for returning to this theme once again. To say this is not to claim that I was perfect. But that is not the point. Not being perfect does not preclude us from trying the best we can to touch lives for the better. Often in small ways. But “small” is not to be equated with “insignificant” – especially when the one life that is touched pays it forward. It was easier for me to hold on to this conviction in law school. Even if I was not the best law lecturer, I was not the worst and it could not therefore be the case that all my efforts were in vain. Although it was not so easy to make an assessment when I joined the Bench, I had to trust that the spirit of honour and service which Chief Justice Menon emphasised must – at least if I tried – have made some difference.

10 At this juncture, I have a little confession to make. To adapt the language from part of the screenplay in the film, *Chariots of Fire*, I believe that God made me for a purpose – to use whatever skills I had in the law to serve others. I also believe that those skills coupled with a passion for the law and for justice were personal gifts from him, and whenever I apply those gifts, I feel His pleasure and it gladdens my heart. So although the exercise of those gifts did of course entail a lot discipline and hard work (because nothing worthwhile doing is ever easy), it was, in a very real sense, a personal privilege and pleasure to do so as well.

11 This evening, though, I would like to pay tribute to those who are no longer with us. As you all know, we have sadly lost members of the profession through illness and other unfortunate events. I do not have the time this evening to speak about all those whom we have lost in recent times. Suffice it to state that they impacted lives for the better. I have time to mention briefly only two persons this evening who tragically passed away around the same time.

12 The first is Mr Adrian Tan. Although he was so ill, he performed his duties as President of the Law Society bravely and ably. He never once spoke about his own condition when I met him. He was a fighter – but not for himself. He fought for the profession and even for Singapore on occasion. He was motivated not by selfish gain but by that spirit of honour and service that can enable us to do remarkable (and, in his case, heroic) things for others. Even as we mourn his loss, his life lives on in the lives he has touched and I hope that those whose lives have been touched by him will pay it forward. On a personal note, I recall imploring him not to participate at my Reference if he was not feeling well. He insisted on doing so and now, with the benefit of hindsight, the occasion would have been much the poorer without his participation. Such is the measure of the person.

13 The second is Professor Tan Yock Lin. He passed away suddenly, in a tragic traffic accident. It was senseless and as I state in a remembrance of him which will be published in the *Singapore Law Review* (to whose revival issue in 1983 we both contributed as then rookie lecturers in the NUS Law Faculty), I struggled with the fact that a thoroughly good person had been taken from us for no good reason. But, like Adrian, he left behind a “living legacy” as well – not only in the form of his formidable legal scholarship but also (and, arguably, more importantly) in his deep commitment as well as care for his students and his mentoring of younger faculty over many decades. Such a legacy is immeasurable.

14 For those of us who remain, let us honour these “living legacies” who were infused by the spirit of honour and service. Let us always seek to impact lives for the better with whatever opportunities that come our way. Let us truly make a difference, not merely in words but in our deeds as well.

15 Thank you all so very much once again for your kindness to me this evening.