

Balancing scales of justice for trainee lawyers who cheated

On The Ground



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There are rumblings over the seemingly light penalties, but also arguments for 2nd chance

There is unhappiness among some Singaporeans about how six trainee lawyers seemingly got off lightly with cheating in the professional Bar exam in 2020.

In a further twist, the Attorney-General said yesterday that another five were found to have cheated in the same exam, and that their applications to be called to the Bar are under review. The case involving the first six was made public on Monday after the High Court released its decision to postpone their applications to practise law in Singapore – by six months for five of them, and by a year for the remaining one.

The court described its move as “not intended as a punishment” but rather “a little more stretching of time for (them) to reflect on the error of their ways”. To avoid having their actions leave a permanent stain on their records in their nascent legal careers, the court made an unusual decision to protect their identities.

“But second chances are for those who seize them,” added Justice Choo Han Teck.

A check of court records and newspaper reports found no precedent to this case.

To understand how these six could have resorted to cheating, the context is important.

Aspiring lawyers have to clear four qualification hurdles.

The first step is obtaining a law degree from one of the three local law schools or a recognised overseas one. Next, they have to work for six months in a local law firm as a practice trainee. From next year, the training period will be extended to one year. They also have to complete a six-month course and pass an exam conducted by the Singapore

Institute of Legal Education (Sile), typically called the Bar exam.

The exam, held once a year, has seven compulsory and two elective subjects that cover topics such as criminal, civil and family law practices. Lawyers have said the Bar exam is the toughest part of the qualification process.

The final step is to apply to be admitted to the Singapore Bar, which gives them the licence to practise law here. Applications are heard by the Supreme Court. The Attorney-General, the Law Society or Sile can object to the applications.

In the case of the six trainees, the Attorney-General objected to their being admitted to the Bar on grounds that they were unfit as they had cheated in the Bar exam.

The entire journey takes more than five years. Countless lawyers have taken it, with some falling along the way and succeeding eventually. This is why the shortcut the six sought by cheating leaves a sour taste in the mouth.

“Disgrace,” said a qualified lawyer.

That said, there are arguments why these six should be given a second chance.

One, they have not committed any crime or offence. There is no law against cheating in a law exam. There was nothing the courts could have done to punish them directly for their actions.

Two, the six have all since passed the required exam, so there is no question of their lack of academic ability.

The public unhappiness comes down to what the trainee lawyers are seen to be lacking in: integrity.

Some argue that their dishonest acts – they cheated in many papers, including, ironically, one on ethics – should have disqualified them from a

profession where they are stewards to uphold justice.

Just last week, the Court of Three Judges – the highest disciplinary body for the legal profession – suspended an experienced lawyer for three years after finding that he acted dishonestly in managing a client.

He was not struck off the rolls as the disciplinary body found his misconduct did not indicate a character defect that renders him unfit to remain in the profession, and it did not undermine the administration of justice. That has been the consistent standard the Court of Three Judges adopts.

But there lies the rub: The six who cheated are not yet lawyers. Hence, the standards expected of lawyers, and disciplinary measures when they fall short, do not apply to them, yet.

One wonders if trainee teachers or police officers caught cheating in the National Institute of Education or Home Team Academy exams will be allowed to continue in their professions.

There is one more explanation for the public’s unhappiness.

“It would also be harsh to have one’s professional career ended before it has even begun,” said Justice Choo. But not all will find the second-chance rationale fully persuasive because there are others who have had their future stained for lesser infractions.

For two posts that were online for 15 minutes, a 19-year-old who lied on Instagram last May that he had Covid-19, as a prank, was sentenced to nine months’ probation and 40 hours of community service. He was named and photographed for posterity online. The teen’s mother reportedly pleaded with the judge to consider that her son has a bright future and was very remorseful.

It is unclear from the court decision if the six trainee lawyers were even remorseful, which is a key element for anyone pleading for a second chance. One of them apologised some 16 months after cheating in the exam, just two days before she was to have appeared in court.

There is no doubt the six fell short of the standards expected of lawyers. Whether they are fit to be lawyers is a matter for the legal profession to eventually decide.

Now that they have caught a rare break from open scrutiny and remain publicly untainted by their dishonest acts, one can only hope they learn from their mistakes and, should they go on to practise law, remember and serve those to whom the law was less kind.

Founder of S’pore migrant worker rights group dies, aged 73

Jean Iau

The founder of migrant worker rights group Humanitarian Organisation for Migration Economics (Home), Ms Bridget Tan, died on Monday. She was 73.

In a Facebook post on Monday evening, Home said Ms Tan suffered a stroke in February 2014. She was recuperating and working with non-profit groups in Batam.

Home called Ms Tan a pioneer in the field and said: “Bridget was an untiring advocate and champion of the rights of migrant workers. She played a key role in establishing Home’s current activities, which include our shelter for abused domestic workers, skills training programmes, and our legal and employment advice services for all migrant workers.”

“Bridget was a true friend and ally of the migrants; she always provided a listening ear and extended a helping hand to many in need.”

The group said it would give details of her wake once they are confirmed.

Ms Tan was married with two adult children – a pair of twins in their 40s.

She told The New Paper in 2015 that her son was a medical doctor and her daughter a psychologist.

Ms Tan used her retirement funds to set up Home in 2004. It has since provided help to more than 50,000 migrant workers and victims of human trafficking.

Ms Tan was nominated for the Nobel Peace Prize in 2005 by the PeaceWomen Across the Globe organisation. In 2011, she received the Hero Acting To End Modern-Day Slavery Award from then US Secretary of State Hillary Clinton. The award is given to those who have devoted their lives to the fight against human trafficking.

For her advocacy and activism, Ms Tan was inducted into the Singapore Women’s Hall of Fame



Ms Bridget Tan used her retirement funds to set up Home in 2004 to help migrant workers and victims of human trafficking. ST FILE PHOTO

in 2015.

In a Facebook post on Monday, social worker Jolovan Wham, 42, called Ms Tan one of the “giants in civil society and the migrant worker space”.

He told The Straits Times that he first met her around 2002.

“I learnt a lot from working with her and she gave me a lot of independence to do what I wanted,” he said. “She could be difficult to work with but she was also inspiring. I’d never met anyone who believed so deeply and acted so strongly on her convictions.”

Speaker of Parliament Tan Chuan-Jin also expressed his condolences. In a Facebook post, he said he had worked with Ms Tan on migrant worker matters when he was in the Ministry of Manpower.

“She cared passionately for our migrant workers and championed their concerns and actively looked out for their well-being. She was a tireless campaigner for them and I am grateful for her work, her love and dedication.”

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Leukaemia patient Rinesh Radhakrishnan using a robotic exoskeleton for assisted walking at the new Clinic for Advanced Rehabilitation Therapeutics, which will help meet the growing demand for such services as Singapore’s population ages and the “disability tsunami” looms. ST PHOTO: KEVIN LIM

Revamped TTSH rehabilitation clinic uses robots to help patients

Linette Lai
Health Correspondent

A revamped rehabilitation clinic at Tan Tock Seng Hospital (TTSH) will help meet the growing demand for such services as Singapore’s population ages and the “disability tsunami” looms.

At nearly 20,000 sq ft, the new Clinic for Advanced Rehabilitation Therapeutics is four times larger than its predecessor and has a wider suite of services. Apart from conventional therapy equipment, it is equipped with futuristic ro-

bots that help people in their recovery journey.

The hospital traditionally rehabilitates people with stroke, brain and spinal cord injuries. It will now also provide therapy for those with neurodegenerative disorders such as Parkinson’s disease, as well as patients who are recovering from multiple serious injuries.

The new clinic expects 13,000 patient visits this year, up from 5,400 last year and 8,000 in 2019 before the pandemic.

This will help address the “silver tsunami” and the “disability tsunami”, said Dr Loh Yong Joo, who heads TTSH’s rehabilitation

medicine department.

One person getting therapy at the new clinic is Rinesh Radhakrishnan, 17, who began to lose his ability to walk independently after developing leukaemia. His rehabilitation involves strapping on a 16kg robotic exoskeleton, which guides his steps and sounds a buzzer when he makes a wrong move.

“I’m using a walking frame and the goal is to slowly move on to a walking stick and then be hands-free, so I can walk normally,” said the Secondary 4 student.

The new clinic aims to make robotic therapies more accessible to patients in the community, and

inked an agreement with technology company Fourier Intelligence on Monday to work on this goal.

It signed another agreement with charity organisation Stroke Support Station, which will see TTSH refer stroke patients in stable condition to the organisation for rehabilitation, to ensure that care continues even after patients are discharged from hospital.

Health Minister Ong Ye Kung, who spoke at the reopening of the facility, stressed the importance of pairing state-of-the-art technology with committed manpower and community support.

“(People) need to know that downstairs, in the precinct... is where they can go for rehab services. We really need to rethink the way we deploy resources and make them present on the ground.”

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✗ Pillow too high

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