

## Singapore Legal Service Promotion Ceremony 2008

### Opening Address by Chief Justice Chan Sek Keong

On 31 March 2008

Good afternoon, members of the Legal Service Commission and Legal Service Officers.

1 Today we are holding the first promotion ceremony after the reconstitution of the Legal Service Commission on 1<sup>st</sup> November 2007. The new members of the LSC who are here today, in addition to the AG and Justice Lee Seiu Kin, are Justice V K Rajah, Mr Michael Lim, Dr Philip Pillai and Mr Lee Tzu Yang.

2 I congratulate all the 65 LSOs who have been promoted. I also commend those of you who have not been promoted but who have taken the trouble to attend the ceremony. It is a spirit we wish to see in all LSOs as it is demonstrative of your sense of *esprit de corps*, and I hope, dedication to the Legal Service.

3 This year's cohort is not the largest in the history of the Legal Service, but it is the first that has been assessed by two independent personnel boards under the new personnel framework based on the Civil Service model, viz., the Special Board and the Senior Board. Their respective functions and responsibilities are different. The Senior Board is, inter alia, responsible for the promotion of LSOs within the Timescale Grades. The Special Board is, inter alia, responsible for promotion of LSOs from Timescale to Superscale and within the Superscale Grades until Staff Grade.

4 LSOs within the Timescale Grades should therefore be aware that neither the AG nor I have any say in determining who should be promoted within the Timescale Grades. All assessments are done by the Senior Board. However, I do have a role in providing the CEP and performance assessments of LSOs who work for or under me. These would normally be the JLCs. However, after emplacement in the Legal Service and their re-posting from the JLC pool, they come under the jurisdiction and control of the Senior Board who will assess them in the same way as all other LSOs. This is a significant change from the previous personnel framework.

5 I continue to chair the Special Board and to that extent I have some influence in the decisions of the Special Board in the discharge of its functions. However, given the fact that my judicial work is confined to the Court of Appeal and Magistrates' Appeals, I would not be able to assess the CEPs and performance of LSOs who do not appear before me in court, or who do not work for or under me. This means my influence on who should be promoted from Timescale and Superscale Grades is also limited. This again is a significant change from the previous personnel framework.

6 Why am I telling you this? It is to assure you that the assessment of your CEP and your performance will henceforth be done by senior LSOs who are familiar with your work. While this will not eliminate all subjectivity in their assessment of your CEP and performance as LSOs, it will achieve a large degree of impartiality and objectivity in the assessment. But it will certainly eliminate the influence of, say the CJ, whose only knowledge of the work or performance of an LSO might be stale or based on perception. This is an important element in ensuring meritocracy in the Legal Service, to the extent that it reduces subjective assessments. Those of you who feel that you have the qualities to reach the apex grades of the Legal Service should have no concern that you will be left behind because your merits have been overlooked. This should not happen under the new scheme.

7 Recent changes in the legal environment in Singapore have made it necessary for the Legal Service to initiate a number of other changes to make the Legal Service even more attractive than before. The first change is competition from the private sector for a limited pool of law graduates. The current banking crisis has reduced but not eliminated the competition. As a result, we have been able to recruit more mid-career lawyers into the Service in the latest recruitment exercises. The second change is that many law graduates do not view a lifelong career in the Legal Service as a desirable occupation or vocation. They see the grass as being greener on the other side. Since I am addressing, I hope, the converted, and also some who may be biding their time to make up their minds, I only need to point out the obvious fact that grass withers when there is a drought. Basically, it is each to his ambition, temperament and what he wants in life. At the age of 25, it may be too early to tell; at 35, it is still not too late.

8 Let me now enumerate some of the initiatives to make the Legal Service competitive. First, we have enhanced our performance appraisal framework to ensure (a) that LSOs will be assessed as fairly and objectively as possible for potential and performance, (b) that their potential is developed to the fullest, and (c) that they will be rewarded accordingly through promotions and performance bonuses. To this end, the Legal Service has :

- (i) convened performance appraisal workshops for officers at all levels,
- (ii) launched the Milestone Career Counselling Programme,
- (iii) established a Rotational Posting Exercise system to expose officers to the wide spectrum of challenging and interesting work available in the Service, and
- (iv) set up a Talent Management Scheme and Succession Planning framework to better groom and develop capable officers.

9 In addition, the Legal Service introduced, in October 2006, a formal twice-yearly review session for heads of departments, supervisors and reporting officers with officers under their charge. I understand that the Public Service Division adopted a similar framework in 2007, and made it compulsory for supervisors in the Civil Service to conduct face-to-face work review sessions with their direct reportees at least every six months.

10 Second, we have broadened the suite of training and developmental programmes. For instance, we introduced the Attachment Scheme to Barristers' Chambers in London, with 2 officers on this programme last year. In this connection, I would mention that a young advocate and solicitor in the private sector would have given an arm and a leg to work under leading QCs like Michael Brindle QC, and I would strongly encourage our eligible LSOs to seize the opportunity and to participate in the Scheme. We also made various milestone programmes more accessible, such as revising the age criteria to allow more officers the opportunity to attend such programmes.

11 We also have in place the scheme to second the better and promising officers to undertake policy work in posts typically assumed by Administrative Officers. Ten officers have since 2002 benefited from this scheme. One is now on secondment at the Ministry of Health. Two of the 10 were transferred to the Administrative Service. Such

secondments are positive for the contributions of the Legal Service to the nation in the longer term.

12 Third, we completed a salary review last September to ensure that Legal Service salaries remain competitive with the private sector. Two new remuneration components, the Legal Professional Allowance and the Long-Term Incentive Plan, were introduced. Today, the Legal Service remuneration package has a basic component consisting of basic pay, 13<sup>th</sup> month pay, mid-year bonus, year-end bonus, growth bonus and annual variable increment, and a number of other variable components which are applicable to the officers' grade of service and performance.

13 The salary ranges of the Timescale and Superscale Grades were expanded. An additional benchmark was introduced to closely track the salaries of young officers in the first 7 years in Service with their counterparts in the private sector. The purpose is to track the market and to peg our officers at the prescribed percentiles, and to ensure that our officers are not disadvantaged. The payment of Additional Increments, or AI, are made in April each year to the young officers whose salaries are behind the prescribed percentiles. This year, 116 Timescale officers were considered by the Senior Board, with the AI awarded to those whose salaries were behind the prescribed percentiles.

14 We have also increased the percentage of officers' total annual remuneration that is variable and dependent on both the performance of the individual officer and the economy, to as high as 47%, depending on the officer's substantive grade. The enhanced Variable Increment framework, to be fully implemented in March 2009, will also ensure that Legal Service pay will match private sector pay. Despite these refinements, the fundamental 95P25 and 95P35 – percentile and age - benchmarks remain, to allow the Legal Service to closely track salary levels in the private sector and to adjust Legal Service pay accordingly.

15 In my view, and having regard to the uncertainties and vicissitudes of private practice, the Legal Service not only provides an attractive and rewarding career in the law, not only in terms of job satisfaction and remuneration, it is really a safe harbour for those who work hard and who want to do their best for their fellow citizens on the legal side of public administration.

16 Today, the Legal Service comprises a diverse and young corps of officers: with more than 60% of the officers in their 20s and 30s, and 25% in their 40s. Of these, 58% are male and 42% female. Seventy nine per cent studied at the NUS Law Faculty; 4% at Oxford University; 6% at Cambridge University; 6% at the University of London; while 5% are from the other universities in England. We also have an officer from the University of Melbourne in Australia. One hundred and thirty-one officers, or 44%, have studied for a Masters or BCL, with another 8 completing their studies this year. Of the 295 Officers as at 1 April 2008, 43 or 15% are mid-career officers with at least 5 years of prior relevant legal experience. The diversity in profile and experience of our officers enables the Legal Service to deploy them flexibly across a broad spectrum of jobs, departments, ministries and statutory boards.

17 We recognize that in today's economic and social environment the level of pay is more important to young LSOs than the virtue of public service. Hence, the LSC has endeavoured to inculcate the second by matching the first to the private sector. There is a prevalent temptation for young LSOs to compare their pay with the best in their cohort in the private sector. This is to be expected, but those who feel that they have made a mistake, only for this reason, in remaining in the Legal Service should remember that private practice is a series of ups and downs whilst Legal Service is always, in good times and in bad, an ascent to the top. More importantly, and not to be discounted, is the personal satisfaction in having played a role in building and maintaining a strong legal system that is one of the pillars of Singapore as a nation and a successful global economy. In the private sector, you work for your own personal interest. In the Legal Service, you work for the people and the nation, but without making an unacceptable sacrifice to yourself and your family in terms of material rewards. Your social rewards are even greater, especially when you reach the upper echelons of the Legal Service. The public has greater respect for public prosecutors and judicial officers than for private sector lawyers. I would hope that wherever you are in the Legal Service, you should hold your head high and be proud of your contribution to the legal system and the rule of law in nation building.