

**Candidates Watch Campaign – Replies**  
***Low Beng Choo***

**Question 1**

**In not more than 80 words, please provide a brief introduction about yourself and how you perceive yourself as a legal practitioner.**

I have been in continuous legal practice post admission in January 1983. Presently, I am a consultant. My main areas of practice are in Conveyancing and Banking law, Civil and Commercial law, and Family law.

As my master (Louis Cheah) was, during my pupillage, the Secretary of the Bar Council, I inevitably got involved as a volunteer in various activities of the Bar. Ever since, I have been and continue to be active in numerous Bar Council activities. I remain a committed legal practitioner.

**Question 2**

**Which committee would you seek to chair and what are your aspirations and intentions for the said committee during your tenure? If you do not intend to chair a committee, please state your reasons for the same and tell us what do you intend to achieve during your tenure as a Council Member?**

I was elected to the Bar Council for the term 1996/1997 and have been elected annually since.

I have previously served on various Committees of the Bar Council and currently serve as Deputy Chair of the Conveyancing Practice Committee.

As I have also previously served as Chair of the Conveyancing Practice Committee, Court Liaison Committee, Cultural and Charity Committee and Law Reform and New Legislation Committee, I do not intend to serve as Chair, if so elected to the Bar Council. This is to enable another member to so serve in such capacity.

Serving the Bar all these years has enabled me to learn and gain a wealth of in-depth knowledge and invaluable experience in relation to legal practice. As such, notwithstanding that I do not intend to serve as a Chair, I would like to continue to serve the Bar to share that experience and knowledge. It is akin to "giving back" to the Bar what I have gained and benefitted.

**Question 3**

**The issue of setting a term limit for members serving the Bar Council has attracted many supporters as well as detractors. Do you think that there should be a term limit for members to be in the Bar Council? Please provide reasons for your answer.**

I agree that there should be a term limit for members of the Bar Council. The difficult aspect of this would be to ascribe and quantify the term. It entails striking a balance between the competing propositions.

On the one hand, if a particular member is still able and willing to serve effectively, why impose a prohibition.

Conversely, imposing a term limit would allow "new" and "fresh" participation from members. It would also help dispel the perception and notion of an "old" organisation being served by too many "old" members.

Ultimately, any decision on this would have to be, largely, policy-based so to speak. For now, it is left to the wisdom of the members.

#### **Question 4**

**Based on feedback received, many Young Lawyers are leaving the profession because of perceived deteriorating working conditions at the Bar. What are your views about the working conditions that Young Lawyers are being subjected to and how would you seek to improve these conditions?**

This question seems to be a general and sweeping one. Working conditions differ from firm to firm. There is also the issue of the personal and subjective aspirations of each individual member concerned.

From my experience and vantage point, practice is very much different these days, not just for young lawyers but lawyers in general, especially at present times where competition is prevalent and society more informed. More is expected, and at a quicker pace.

I believe that continuing legal education would be one aspect which can serve to enhance working conditions. If one is sufficiently equipped and knowledgeable, practice becomes "easier". Overall, the Bar Council needs to continue to work to improve the standard of our profession and in particular, the ethical conduct of our members.

This, however, cannot detract from the fact that hard work is commonplace and a necessity in order to rise. Most, if not all, of the top practitioners will attest to this.

Whilst we should continue to campaign for a more efficient and effective Judicial and Legal Service, we must keep our own house in order and equally strive for the highest professional standards and ethical practices at the Bar.

### **Question 5**

**The Johor Bar and the Penang Bar have recently held EGMs, *inter alia*, to obtain feedback in relation to the Fast Track System implemented by the judiciary which places emphasis on a Key Performance Index (“KPI”). Has the quality of justice dispensed by the Courts suffered as a result of the KPI that has been put into place? What would you do to improve the situation?**

As a start, I think the objectives underlying the sweeping changes introduced by the Judiciary are laudable. The problems and concerns lie in implementation.

From feedback, it is apparent that the quality of justice has been adversely affected as a result of the KPI system being tagged to "number of cases disposed", especially in the context of "horror stories" on how cases are being disposed of.

I believe inroads have been made by the Bar Council, through continuous dialogues with the Judiciary. This must continue, with a stronger stance.

At the same time, I think it is also crucial that an open and continuous channel of communication be maintained between members of the Bar and the Bar Council to keep up to speed with the happenings on the ground.

I think it is also important that members also learn to adapt to the changes made, as not all changes are bad so to speak. Deal with the "good" changes. Deal also with the "bad" changes, be it through the Bar Council or the State Bars.

### **Question 6**

**Do you think the Solicitor’s Remuneration Order (SRO) has achieved the objectives it was put in place for? Do you think more should be done by the Bar Council to ensure adherence to the SRO or alternatively, should the SRO be done away with all together?**

To a certain extent, the Solicitors Remuneration Order ("SRO") has achieved its objective of fixed fees for certain Conveyancing and Banking transactions. The problem lies in implementation and enforcement. In no small measures, the Bar Council is hamstrung by resources in terms of manpower and finances, when it comes to investigations. This though has not deterred the various and continued efforts already put in place.

Personally, I believe that it is imperative that the SRO be maintained. However, this is a critical issue as livelihood of members is involved. It would have to be addressed by the Bar as a whole.

### **Question 7**

**What are your views on the failure of the Attorney-General to bring charges against the individuals named by the Royal Commission of Inquiry in their findings on the leaked video-clips *vis a vis* judicial appointments? What action do you propose the Bar Council take?**

I think the failure of the Attorney General to proffer charges is regrettable. But that is the harsh reality. The Bar Council has made and should continue to make its stand and position known, continuously and with a stronger stand.

Whilst the Bar Council can and should remain forceful in its pursuit of greater accountability, it must be realised that in real terms, it is a very long and steep uphill road all the way when "the powers that be" do not share such similar enlightenment.