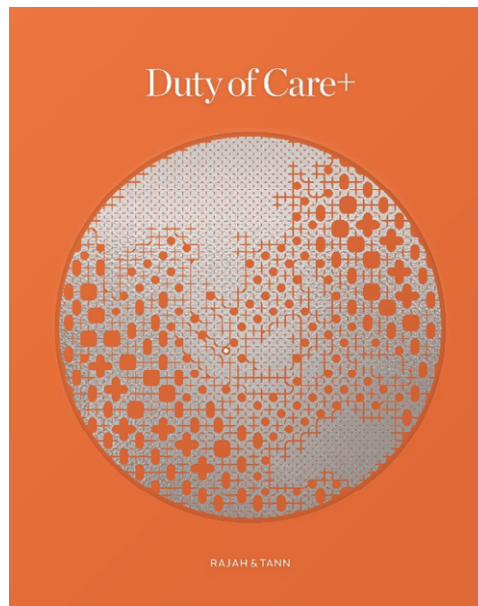


“Duty of Care+” **A Summary**



Author: Cheong Suk-Wai
Published with final edits by Rajah & Tann Singapore LLP

“Duty of Care+” is a 260-page book commissioned by Rajah & Tann Singapore LLP (R&T) and released on the occasion of the firm’s 45th anniversary celebration on 5 May 2022. A total of 101 in-person interviews, via video conference or telephone, and in writing, were conducted in 2020 and 2021.

The book traces the founding of Singapore’s leading law firm and its transformation over four decades into the largest legal network in Southeast Asia. It is a story about leadership that isn’t self-aggrandisement but service for the collective good, about determination and perseverance in the face of adversities and ultimately, a story about a business partnership that transcends profits.

Co-founders TT Rajah and Tann Wee Tiong, both trained in London, were fervent anti-colonialists who were politically active in the 1950s and 60s, first with the PAP and then the Barisan Sosialis. Their relentless quest for justice turned them into heroes to

ordinary folks, many of whom they defended without being paid. Through the rough and tumble of politics and the practice of law, they became the best of brothers, with Wee Tiong defending TT when he was detained in 1974 for allegedly consorting with communists.

The firm's two founders trailblazed a coterie of leaders, educated at elite law schools including NUS, Cambridge, Oxford and Harvard, who saw it as their mission to build an indigenous practice that embodied intellectual heft and professional excellence within a familial milieu.

TT's son, VK Rajah, took over his father's reins in 1986 and ushered in a period of hyper growth and inflow of top talents, lured by VK's formidable reputation and the firm's high-profile handling of the Barings case in 1995. First to decamp from a rival Big Four firm was Sundaresh Menon, the current Chief Justice, who was "Lawyer No.23" and worked the Barings file with VK. Then came Steven Chong, a top shipping lawyer who together with VK and Menon, were nicknamed "The Three Wise Men" by colleagues. Others who joined in quick succession included Quentin Loh, Lee Eng Beng, Patrick Ang, Goh Kian Hwee, Francis Xavier and Andre Yeap.

As Managing Partner Patrick Ang observes: "VK's dynamism was sparked off by Menon joining in 1995 and further sparked off by Steven Chong joining in 1998. I think it would be fair to say without Menon and Steven, it might have taken much longer for us to grow."

VK agrees: "I always say, 'with the right people you will have a multiplier effect.'"

Barings led to a "renaissance" for R&T and the setting up of its restructuring and insolvency practice, the first for any law firm here, and presently ranked top 20 in the world and number one in Asia by Global Restructuring Review. It also paved the way for R&T to become a full-service firm, expanding beyond disputes, restructuring and

insolvency and shipping to other areas including corporate, capital markets, mergers and acquisitions, banking, insurance, technology, media and competition.

The camaraderie among the partners helped newcomers to assimilate. The firm's core values of mutual respect and care helped shape a fairly flat organisation with an informal social culture. Junior lawyers were often encouraged to share opinions and defend their positions. Corporate Partner Danny Lim, who joined in 1998 as a pupil, notes that among the firm's Executive Committee members, "there is an almost religious devotion and conviction to leaving behind a legacy for future generations of lawyers, staff and other stakeholders."

An Associates Management Committee was established in 2012 to be the voice for the firm's youngest lawyers, and Associates Town Hall sessions are held for management to give insights to associates into its plans. An Ombudsman was also appointed since 2010 as a channel for grievances about work or colleagues so that disgruntlement does not seep in and erode performance. Gregory Vijayendran, the incumbent Ombudsman who was also the longest serving President of The Law Society of Singapore from 2017 to 2021, says "social quotient" matters greatly at R&T. "It is about learning to get along with different people, learning to work with different personalities and trying to make things work," he elaborates.

From the late-1990s, the firm took off at a frenetic pace. When Lee Eng Beng, Lawyer No. 45, joined in 1998, R&T was in "heavy transition" from medium-sized to a large, full-service outfit, growing from 29 lawyers in the mid-1990s to 120 by the dawn of the new millennium.

Amid the fast-paced growth, two attempts were made to go international – an alliance with Andersen Legal in 1998 and another one with Weil, Gotshal & Manges in 2000.

The firm also later dealt with the successive departures of three Managing Partners – VK, Steven and Menon – who were called to serve on the Bench and as Attorney-

General; as well as former Deputy Managing Partner Quentin Loh who was also elevated to the Bench and is currently Judge of the Appellate Division.

In January 2003, Menon and several lawyers and staff from the firm's international arbitration practice left to join Jones Day.

It was not an easy decision for Menon. "Those were five of the best years of my practising career," he muses.

Eng Beng, who had worked very closely with VK and Menon on the Barings debacle, saw how passionate Menon had long been about specialising in international arbitration. "I think it took a lot for Menon to leave," Eng Beng says. "But he really wanted to be in the international arbitration circle, and you have to appear in the big arbitrations to get a name."

The following year, VK answered the call to public service, taking up Judicial Commissioner appointment. Reacting to the news, Eng Beng, who had worked closely with Patrick Ang to shape and bolster the firm's insolvency practice, recalls: "There were a couple of days when the world was spinning around Patrick and me a bit and we were very unsure about where the firm was going."

It fell upon Steven Chong who succeeded VK as Managing Partner, to steady the ship. Even as confidence within and without was waning, Steven believed that he had the "glue" to hold the firm together – a competent crew, with many among the best in the industry, and the long-held ethos of putting the firm ahead of personal interests.

He asked for one year to prove his mettle. "I went to the Partners and told them, 'Give me a chance. We can do this together,'" he recalls. "And I was able to persuade them to adopt almost like a 'wait and see' mindset. I told them, 'Don't panic. Don't jump ship.'"

Steven launched several initiatives to boost morale and promote bonding and well-being, including setting up an in-house café The Courtyard, which provides free

breakfasts, and continues on a larger, more sophisticated scale today. Such people welfare moves were the primer to the firm's well-recognised people centric working environment which it has earned accolades for, such as the biennial Tripartite Alliance for Fair and Progressive Employment Practices (TAFEP) Work-Life Excellence Award, later relaunched as the Tripartite Alliance Award (TA Award) which R&T has won on multiple occasions.

Fortunately, despite the departures of the top guns, the firm's broad-based institutional clients did not abandon the firm and continued to keep it going.

Menon re-joined R&T in 2007 with his teammates from Jones Day, after a stint as a Judicial Commissioner at the Supreme Court. He immediately took the firm's arbitration practice up several notches. Looking back on his decision to return to R&T, he says "I had some very happy years at the firm and it afforded me the unique space to develop a vision and some ideas, and to work closely with some good friends."

In mid-2009, Steven and Quentin also responded to the call to public service. It became Menon's turn to lead the firm. By now, R&T had burgeoned out of its Bank of China premises at Raffles Place to include a satellite office at Robinson Road. Menon saw that the firm could no longer operate purely as a Singapore practice especially with three or four comparable-sized firms all working in the same end of the market.

He packed the Partners on a three-day retreat in Putrajaya to chart its future direction. Chia Kim Huat who had begun overseeing the firm's corporate practice, recalls: "We were holed up at the Shangri-La...there was no time for any sightseeing or visiting any famous eateries. We literally made the entire journey across the Causeway and back without any detour, 100 per cent focused on the future ahead of us.

"So we all decided at Putrajaya that we would go regional and remain an independent law firm."

Months after the Putrajaya retreat, Menon prepared Eng Beng for the possibility of him being called back to public service again. The transition, during which Eng Beng

was made Joint Managing Partner, was, however, truncated. With Menon's sooner-than-planned departure, questions surrounded R&T's regionalisation plan. "Obviously, everyone else in the region whom he met for this was very impressed with him," Eng Beng says. "But if he got them to sign things and then had to leave us, I was not confident that the moves would endure."

Rebecca Chew, the firm's first female Deputy Managing Partner, recalls the Partners feeling "the weight of the firm" on them. As she puts it: "How were we going to take it forward now that the giants have left us?"

Eng Beng and Patrick, then in their early 40s, wasted no time in institutionalising the firm, putting in best practices to ensure firmwide consistency and efficiency. They pressed ahead with Menon's regionalisation plan but scaled back to focus on Southeast Asia rather than the whole of Asia.

The move outwards was timely. ASEAN was coming of age with foreign investments and domestic consumption fuelling many of its economies. Andrew CL Ong who had joined R&T in 2007, was entrusted to implement the regionalisation strategy. As might be expected, there were vigorous and intense discussions on the best way to go about it. Any partner would have understandable and legitimate concerns about such a massive undertaking, given that the cost was high and success not guaranteed. Andrew lauds Eng Beng and Patrick for overcoming the difficulties of galvanising all the partners to accept the risks and underwrite the costs.

Partners agreed that given the region's diversity, there would be no one single approach to building the network. A potential firm from each jurisdiction identified for the network has to be scrutinised and wooed patiently and gradually. Network partners must buy into the vision to build a Southeast Asian law firm of note with the combined strength of the region's best players.

"We don't colonise," Eng Beng says. "It is not R&T going out into the region and saying, 'I am now here', but R&T opening itself up to welcome the region in."

Andrew says a measure of the network's success would be if any colleague within the proposed network could "pick up the phone in front of a client and call a buddy in a regional office to get answers on the client's concerns about doing business in that jurisdiction".

Rajah & Tann Asia (RTA) became the ubiquitous brand name for the regional network. Surasak Vajasit, Managing Partner of the Rajah & Tann Asia member firm in Thailand, says: "After working for UK and US law firms, I actually liked R&T's concept of building a regional law firm; we were talking about the ASEAN Economic Community then, but at the time R&T approached me, no one had successfully founded a regional law firm."

The tagline for RTA – "Lawyers Who Know Asia" – resonated deeply with Surasak because that was an acknowledgement of his and his colleagues' expertise in their home market, as opposed to them playing second fiddle to foreign firms seeking tie-ups with their firm.

In growing the network, R&T was sensitive to, and accommodating of, what Kim Huat calls the "preferences" of each regional firm on how much they want to engage R&T Singapore. Some were more comfortable not conferring with their Singaporean counterparts too often while others looked frequently to R&T for guidance.

RTA is today in 10 countries namely Cambodia, China, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam.

Eng Beng served as Managing Partner for nine years before passing the baton to Patrick in 2019. Among the latter's first priorities was moving the office out of its office in Raffles Place, where it has been for 10 years, to Marina One, into a 70,000 sq ft state-of-the-art office. The new premises was designed with an open layout concept that removes physical walls between senior and junior lawyers as well as support staff to foster deeper collaboration and cohesiveness. It also allows for fewer duplicated facilities such as for photocopying and other paper-centric functions, a larger in-house

café and dedicated collaboration rooms. Shared soundproof booths are scattered over the two floors for confidential client calls and other sensitive communications.

Patrick explains that if Partners stuck with their old ways of going about work – for instance, by continuing to aspire to a big corner room with a view – it would not help R&T’s vision of the future.

Rajah & Tann has always been at the forefront of technology, being the first law firm here to set up a separate legal technology entity, Rajah & Tann Technologies. Among others, it offers cybersecurity services, legal engineering solutions, a contract lifecycle resources management platform, e-discovery and digital forensic services to clients.

R&T is also a key driver and shareholder in Lupl, an open industry unified platform for lawyers, clients, government departments and the judiciary to work more efficiently together.

As many of the firm’s third-generation leaders are currently in their 50s, the need to prepare their successors to assume the mantle of leadership has taken on a sense of urgency. Patrick says: “An important task before me is to continue paving the path for a smooth handing over of the management of the firm to the next generation of leaders. This process has started and will pick up more pace in the next few years.”

- The End -