

**Remarks of The Hon. Marilyn Warren AC
Chief Justice of Victoria to the
Engaging the Asian Economies – Law and Practice
13 October 2010
Banco Court Supreme Court of Victoria**

Looking to Asia

The importance of Asia to the Victorian and Australian economies cannot be underestimated.

Recently, Chief Justice Chan Sek Keong of Singapore visited Melbourne together with Justice VK Rajah of the Supreme Court of Singapore. The occasion provided an important opportunity for Victoria to develop links with Singapore.

In a speech to the Commercial Bar the Chief Justice, at the invitation of the Bar, expressed some views on how the two jurisdictions, Victoria and Singapore, can cooperate in commercial practice to our mutual benefit.

Chief Justice Chan said:

“Melbourne law firms are welcome to set up offices in Singapore to tap this new source of legal work. As India develops in the next few decades, there will be many opportunities for foreign law firms in Singapore

to supply the legal services that Indian businesses will need. India is only one source of legal work, although I think it will be a huge source. The economies of the ASEAN States are also growing, especially that of Indonesia, Malaysia and Vietnam. Australian lawyers can make use of the abundant opportunities in Asia today to make their mark in supplying legal services for businesses in Asia. Singapore, in particular, can be a safe haven or harbour for Australian law firms to supply legal services to Asia. That is, to my mind, the most fruitful co-operation that Singapore can offer, which would be of mutual benefit to both our legal professions."

The Chief Justice's speech is available on the Commercial Bar website. It is compelling reading for all commercial practitioners and barristers in Victoria. It is also significant reading for Victorian judges.

Inspired by the Chief Justice's remarks, last week I visited Singapore and spent time at the Singaporean Commercial Arbitration Centre, Maxwell Chambers. This is a significant facility supported by the Singaporean

government. We do not have a commensurate facility here in Victoria. We should. It is important that the Victorian Bar and legal profession encourage the state government to understand the significant opportunity for contribution to the Victorian economy that commercial arbitration will provide. There is already a facility in Sydney¹ but it is only a beginning of the Australian facility. It is important that there be an Australian grid of commercial arbitration facilities ready to serve domestic and international arbitration. Arbitration is an essential component of the full alternative dispute resolution toolbox. I am speaking to government about the opportunities that await Victoria, now recognised as one of the country's strongest performing state economies, to provide a full service².

It is sometimes suggested that Sydney is the centre of commercial litigation in Australia. It is not. Modern Australia has a national approach. Victoria, through its economic position is recognised as a leader in commercial litigation. A focus towards Asia is the right direction in commercial legal services.

¹ Jointly established by the Federal Government and the NSW Government and ACICA.
² *The Australian* 25 September 2010

I also anticipate that the good relationship established between the Supreme Court of Victoria and the Supreme Court of Singapore will develop to greater things. The courts will show leadership but the ball also lies with the Bar and the profession.

When in Singapore I attended a conference and met Chief Justices and judges from all around Asia. Networking opportunities abound in Asia as reflected in the conference today.

Again, I call upon the remarks of Chief Justice Chan:

“So, what can Singapore do for the barristers of Victoria? I would say, as much as they would dare to venture out of Victoria and plant themselves on Singapore soil. Singapore is always looking out for talent and all of you are welcome to supplement the talent we need.”

Here in Victoria there are special opportunities awaiting through the Commercial Court with its specialist litigation facility, the Commercial Bar and the commercial sector of the profession.

Indeed, demonstrative of the commitment of the Victorian Supreme Court, we will consider establishing an Asian law list within the Commercial Court.

We are privileged this afternoon to have an excellent array of speakers. It is a delight to have everyone here present this afternoon in this special Victorian courtroom.

I congratulate the Commercial Bar Association and Monash University for the vision in convening the conference which I hope will become an annual event here in Melbourne.

It is my pleasure now to formally launch the conference.