

# DONALDSON & BURKINSHAW

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## ERIC TIN KENG SENG CURRICULUM VITAE

Eric is Donaldson & Burkinshaw's Litigation & Dispute Resolution Practice Partner and Medico-Legal Practice Group Founder/Head. He has been profiled in the *Asia-Pacific Legal 500* for dispute resolution and medico-legal work. In May 2011, in recognition of his work in Singapore's legal sector, he was conferred the Ten Outstanding Young Persons of the World Award (Merit Award) by Junior Chamber International (Singapore).

Prior to joining Donaldson & Burkinshaw, Eric served in the Subordinate Courts between 1996 and 2005 as a District Judge, Magistrate, Coroner, Deputy Registrar, and Referee of the Small Claims Tribunals. He was also a President (NS) of the Singapore Armed Forces General Court Martial. In 1999, his paper on four justice models won the Singapore courts an honourable mention of the Justice Achievement Award conferred by the US-based National Association for Court Management, making the Singapore courts the first in Asia to receive this honour. After obtaining his Master of Laws under a Singapore Legal Service scholarship in 2005, Eric served in the Attorney-General's Chambers between 2005 and 2007 as a Senior Deputy Public Prosecutor and State Counsel. He was also a Financial Action Task Force (FATF) legal expert and an ASEAN legal expert in cross-border mutual assistance in criminal matters. For his loyalty and dedication to the Singapore Public Service, he was conferred the Long Service Award by the Attorney-General in 2006.

Some of Eric's past judgments have been published or cited in the *Sentencing Principles in Singapore*, Academy Publishing (2009), *Sentencing Practice in the Subordinate Courts (2nd edition)*, Lexis Nexis (2003), and *Tax Audit and Investigation Guide*, CCH (2009). His publications of note are "The Four Justice Models: Organised Creativity in Judicial Administration" (1999) 11 SAclJ 377; Singapore Country Paper published in Fabri et al, *Judicial Electronic Data Interchange in Europe: Applications, Policies and Trends*, IRSIG-CNR (2003); "Overcoming Herculean's Task with Pygmalion's Will: Enhancing Access to Justice in the Singapore Context" (1998 country paper presented in India, accessible online); "Leading Change in the Singapore Magistracy: The Seven Working Precepts" (2001 co-authored country paper presented in Australia, accessible online). He has also been credited for the research in these works: Magnus, "The Confluence of Law and Policy in Leveraging Technology: Singapore Judiciary's Experience", 12 Wm. & Mary Bill of Rts. J. 661; Magnus, "Transparent, Fair and Impartial: A Snapshot of Tribunals in Singapore", *Reform*, Issue 84, Autumn 2004, 33.

Eric is an Advocate and Solicitor of the Supreme Court of Singapore and a Solicitor of the Supreme Court of England and Wales. His core practice is appellate and trial advocacy with focus on medico-legal, criminal, civil, commercial, financial, and insolvency cases. Besides an active private practice, he holds the following concurrent appointments:

- *Ad hoc* Referee, Small Claims Tribunals (judicial appointment).
- Member, Criminal Law Advisory Committee, Ministry of Home Affairs.
- Member, Disciplinary Panel, Council for Estate Agencies.
- Adjudicator, Financial Industry Disputes Resolution Centre (FIDReC).

Eric was the counsel for the bankrupt in the landmark Court of Appeal case of *Hong Leong Bank Bhd v. Soh Seow Poh* [2009] 4 SLR(R) 525 which clarified the law on discharge from bankruptcy. The client, who owed S\$31 million to creditors, was unconditionally discharged from bankruptcy. He was the lead counsel in the Court of Appeal case of *Xing Rong Pte Ltd v. VisionHealthOne Corp Pte Ltd* [2010] 4 SLR 607 which clarified the law on striking out of appeal against a discovery order. He was the lead defence counsel in a High Court appeal case involving a top Bboy in Singapore whose 6 weeks' imprisonment term for an offence of voluntarily causing hurt was successfully reduced on appeal to one day's jail and a fine.

Eric's legal opinion on the concept of attorney's fees was sought and used in a case before the United States Federal Court. He has advised or acted for local and foreign clients in civil cases including defamation, breach of contract, commercial disputes, breach of director's duties, and sale of immovable property. He has also represented and defended local and foreign clients in criminal cases including outrage of modesty, rape, drug consumption and possession, drink driving, assault, theft, fraud, possession of offensive weapons and various regulatory offences.

Eric is a panel legal advisor to the Medical Protection Society Ltd (MPS). He advises and represents MPS member doctors in Singapore Medical Council disciplinary proceedings, civil claim cases, criminal matters and Coroner's Inquiries. He has to date assisted and worked with anaesthesiologists, cardiothoracic surgeons, dermatologists, diagnostic radiologists, emergency physicians, gastroenterologists, general surgeons, geriatricians, hand surgeons, general surgeons, colorectal surgeons, neurologists, obstetricians, gynaecologists, occupational physicians, ophthalmologists, paediatricians, psychiatrists, urologists, general practitioners and family physicians of varying seniority both in the public and private sectors in a wide range of medico-legal issues.

Eric is an honorary legal adviser to the Singapore Medical Association (SMA) Task Force on Professional Conduct and Standards. He was a guest lecturer for a professional accountability course at the Duke-NUS Graduate Medical School in 2011. He was a speaker at the Singapore

Society of Aesthetic Medicine conference in 2010 and a speaker at the inaugural SMA-MPS Medical Experts Training Course in 2011. He has co-authored works on medico-legal issues: "Medical Negligence – Understanding the Litigation Process" *SMA News* March 2011, p. 11 and "Proving Informed Consent – Some Lessons from Two High Court Decisions" *SMA News* May 2011, p. 26.

Since 1997, Eric has been a Postgraduate Practice Law Course Consultant of the Board of Legal Education (now Singapore Institute of Legal Education), teaching criminal procedure. He is the Lead Mentor of the Donaldson & Burkinshaw Internship Program which he established in 2009. The Program has to date attracted high calibre applicants from Harvard, Oxford and other reputable universities.

A firm believer that lawyers must give back to society, Eric is an assigned counsel of the Supreme Court's Legal Assistance Scheme for Capital Offences (LASCO), and a senior volunteer counsel of the Law Society's Criminal Legal Aid Scheme (CLAS).

Eric is a member of the Commonwealth Magistrates' and Judges' Association, Law Society of Singapore, Singapore Academy of Law and Medico-Legal Society of Singapore.

(As at 1 June 2011)