

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them

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Tuesday, August 11, 2015

President and Council
Law Society of Singapore
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Singapore 058673
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Fax: 65 33 5700

Re: In the matter of M. Ravi s/o Madasamy (NRIC No. S6913333I)

Lawyers' Rights Watch Canada (LRWC) is a committee of lawyers who promote human rights and the rule of law internationally through education, research and advocacy on behalf of lawyers and other human rights defenders whose rights, safety or independence are threatened as a result of their human rights work. LRWC is an NGO in Special Consultative Status with the Economic and Social Council (ECOSOC) of the United Nations (UN).

LRWC urges the Law Society of Singapore to withdraw all charges against human rights lawyer Mr. M. Ravi, and to support his application for the renewal of his practising certificate.

Mr. Ravi is respected internationally as a prominent member of the Singapore legal community specializing in cases involving human rights. Due to a relapse in Mr. Ravi's bipolar condition, Mr. Ravi has attracted complaints from the Law Society of Singapore. These complaints are currently before the Disciplinary Tribunal, and may ultimately be referred to the Court of Appeal which could impose disciplinary action against Mr. Ravi, including striking him from the roles. Mr. Ravi's performance as a barrister provides ample evidence that he is highly competent to represent clients. LRWC urges the immediate discontinuance of proceedings against Mr. Ravi, and calls upon the Law Society of Singapore to respect its obligation under the *Legal Professions Act* to protect the public's right to proper legal representation and honour Singapore's international law obligations including obligation arising from the United Nations *Convention on the Rights of Persons with Disabilities*.¹

¹ UN General Assembly, *Convention on the Rights of Persons with Disabilities : resolution / adopted by the General Assembly*, 24 January 2007, A/RES/61/106, available at: <http://www.refworld.org/docid/45f973632.html> [accessed 11 August 2015]

Background

Mr. Ravi was admitted to the Singapore Bar in 1997. Since that time, Mr. Ravi has garnered an international reputation as a top-notch human rights lawyer, taking cases protecting freedom of religion and civil and political rights, and advocating against the death penalty in Singapore. Mr. Ravi is recognized internationally as providing a unique and necessary legal service to the people of Singapore and as a credit to the Singapore legal profession. He represents the very best of the legal profession in his readiness to provide excellent legal representation in difficult cases and to indigent clients, often in cases that required him to stand between the state and his client and to call into questions the actions of the state. He fulfills the role of lawyers identified by the *Latimer House Guidelines for the Commonwealth*, (Part VIII Article 3)² which provides that, “[a]n independent legal profession is an essential component in the protection of the rule of law.” Mr. Ravi has been a speaker at international human rights forums around the world and addressed the European Sub-Committee on Human Rights in 2007. Mr. Ravi also participates at the ASEAN Human Rights Mechanism and is engaged in clinical legal education across Southeast Asia.

In February 2015, Mr. Ravi was engaged in a freedom of religion case involving the Hindu festival of Taipusam, and filed an application on behalf of his client on 5 February 2015. On 10 February 2015, the Law Society of Singapore served Mr. Ravi with a letter stating that it had received information that Mr. Ravi’s fitness to practise law was impaired by reason of his mental condition. Mr. Ravi was directed to stop practising law until he had completed a medical examination by Dr. Munidasa Winslow.

Mr. Ravi complied with the Law Society’s direction to suspend his legal practise and seek medical attention. Notwithstanding his compliance, in the subsequent two weeks the Law Society charged Mr. Ravi with four separate allegations of misconduct occurring on 10, 11, 19 and 26 February 2015. All of these incidents involved Mr. Ravi’s response to his suspension. On the final occasion of 26 February 2015, the Law Society of Singapore sought, and obtained, an order from a judge affirming Mr. Ravi’s suspension.

Mr. Ravi completed the requested medical examination with Dr. Winslow, who indicated in a report dated 22 July 2015, that during the material times when the complaints were levied, Mr. Ravi was suffering from Bipolar I Disorder, and experiencing a hypomanic episode. Dr. Winslow concluded that this was a “substantial cause” of Mr. Ravi’s offending conduct.³ An additional letter by Dr. Winslow, dated 11 April 2015, indicated that by April 2015, Mr. Ravi’s condition had stabilized and that there was no further evidence of his bipolar disorder being in relapse. Dr. Winslow indicated that together he and Mr. Ravi were developing a strategy to avoid any episodes in the future. Dr. Winslow concluded that Mr. Ravi “would not be likely to act or behave in ways detrimental to himself or the profession” and proposed a meeting with the Law Society of Singapore to work out a framework to address the Law Society’s concerns.⁴

² The Guidelines are an Annex to the Latimer House Principles. The Latimer House Principles are available at: <http://thecommonwealth.org/sites/default/files/history-items/documents/LatimerHousePrinciples.pdf>.

³ Dr. Munidasa Winslow, Medical Assessment, 22 July 2015.

⁴ Dr. Munidasa Winslow, Letter to Mr. Eugene Thuraisingam, 11 April 2015.

Mr. Ravi's charges are currently before the Disciplinary Tribunal. If the Disciplinary Tribunal finds that the complaints against Mr. Ravi are sufficiently grave for disciplinary action, the matters may be referred to the Court of Appeal, which has the power to strike Mr. Ravi from the roles. While Mr. Ravi is suspended many of his clients are deprived of legal representation: some are unable to find another lawyer due to lack of means and others due to the nature of their cases. LRWC calls upon the Law Society to consider Mr. Ravi's 18-year history of competence and extraordinary contribution as a barrister along with the medical explanation for the impugned behaviour and assurance that the behaviour is not likely to reoccur, and to withdraw all charges against him.

International Human Rights Law

In 2013, Singapore ratified the UN *Convention on the Rights of Persons with Disabilities*. The purpose of this Convention is to ensure the full enjoyment of rights and freedoms by persons with disabilities. Under the Convention, the term "persons with disabilities" includes people with mental impairments (Article 1). In Article 5, States Parties are called upon to take all appropriate steps to ensure that reasonable accommodation is provided to persons with disabilities in order to ensure their equality in society, and in particular, Article 27 requires States Parties to safeguard and promote the realization of the right to work by, among other methods, ensuring that reasonable accommodation is provided to persons living with disabilities.

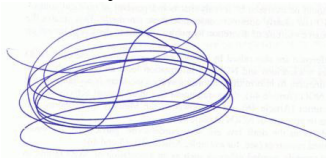
LRWC calls on the Law Society of Singapore to show leadership in the recognition and promotion of Singapore's international commitments by withdrawing its charges against Mr. Ravi and working cooperatively with Mr. Ravi to ensure appropriate accommodations are in place to permit Mr. Ravi to continue to serve the Singapore public by providing legal representation for clients who would otherwise be unrepresented. Such action by the Law Society would accord with its mandatory purpose "to protect and assist the public in Singapore in all matters touching on or ancillary or incidental to the law" (*The Legal Professions Act, s. 38(1)(f)*).

Recommendations

LRWC urges the Law Society of Singapore to ensure the immediate discontinuance of charges against Mr. Ravi, and calls upon the Law Society of Singapore to take all necessary steps to:

1. Ensure that M. Ravi is reinstated as a practising lawyer in Singapore; and
2. Support M. Ravi's application for a practising certificate.

Sincerely,



Gail Davidson, Executive Director, LRWC



Kimberley Hawkins, Barrister & Solicitor

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