

Chooi Jing Yen

Partner

LL.B. (*Cum laude*), Singapore Management University (2015)

Admitted to the Singapore Bar (2016)

Graduate Certificate in International Arbitration, National University of Singapore (2022)

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ABOUT JING YEN

A career litigator, Jing Yen regularly advocates at all Court levels and has been endorsed by clients for his “*sharp mind*” and “*calm demeanour*”. He is featured in several reported judgments in the Court of Appeal and has published several commentaries in various publications, including the Singapore Law Gazette. In 2022, Jing Yen was named a recommended lawyer by Doyle’s Guide for Leading Criminal Lawyers and a rising star by Asian Legal Business.

Significant Arbitration Matters:-

- **SIAC arbitration involving a shipping dispute:** A dispute between an American company and a Japanese counterparty over goods that were shipped but are alleged to be of defective quality.
- **SIAC arbitration involving a construction project:** A US\$6m cross-border arbitration involving the jurisdictions of Singapore and Myanmar. At issue was whether the agreements in question were in any way varied by new policies introduced by a change in government in Myanmar, and whether an implied term under Singapore law was consequently introduced into these agreements.
- **SIAC arbitration involving a dispute over legal fees:** A novel dispute engaging the question of whether a dispute over legal fees charged to a Singapore entity by a foreign law practice was arbitrable on the ground of public policy, or should be sent for taxation in the Singapore High Court.

Significant Litigation Matters:-

- **Ang Jian Sheng Jonathan & Anor v Lyu Yan @ Lu Yan [2021] 1 SLR 1091; [2021] SGCA 12:** Mounted a challenge to a USD 3 million claim that was illegal under Chinese law, leading the Court of Appeal to clarify (in some part) the interplay between the *Foster v Driscoll* doctrine ([1929] 1 KB 470) and the *Ochroid Trading* framework ([2018] 1 SLR 363).
- **Amberwork Source Pte Ltd v QA Systems Pte Ltd & Yeo Chow Wah [2023] SGHC 92:** Prevailed against *Senior Counsel* in defending a contractual claim for non-delivery of goods. Following a full trial in the High Court, the Honourable Court accepted our arguments that the goods were delivered and dismissed the plaintiff’s claim.
- **HC/OS 210/2017:** Acted for the Japanese Trustee in Bankruptcy of Masahiko Nishiyama, who had been adjudicated a bankrupt in Japan and who had dissipated his assets worldwide in a bid to thwart recovery by his creditors. Successfully persuaded the High Court, in the first known case of its kind, to recognise a foreign bankruptcy order. Media coverage: [Court okays seizure of \\$124m of bankrupt Japanese director's assets](#)

Significant Criminal Matters:-

- **(Murder) *Public Prosecutor v Azlin Binte Arujinah & Anor* [2022] SGCA 52:** A landmark judgment on murder with common intention, issued by five judges of the Court of Appeal on Section 300(c) read with Section 34 of the Penal Code. An *amicus curiae* was also appointed. Successful in the defence of Ridzuan Bin Mega Abdul Rahman, who was original charged with the murder of his son alongside his wife. He was acquitted of murder after a High Court trial. Media coverage: [Father of 5-year-old boy who died from abuse gets life sentence, mother convicted of murder after appeal](#)
- **(Rape) *Public Prosecutor v Wee Teong Boo* [2020] 2 SLR 533:** A doctor (who was a general practitioner) accused of raping and molesting his patient was completely acquitted, following arguments on appeal before the Court of Appeal. Media coverage: [Court of Appeal acquits doctor of sexually assaulting and molesting patient in clinic](#)
- **(Professional Misconduct) *Singapore Medical Council v Wee Teong Boo* [2023] SGHC 180:** A landmark judgment on the circumstances under which a medical practitioner can be struck off the Register of Medical Practitioners. The doctor, who was a general practitioner (GP), had overprescribed medication and failed to keep legible notes of his patient consultations, in breach of the Singapore Medical Council guidelines. The Court of 3 Judges considered and departed from the framework set out in the previous landmark case of *Wong Meng Hang v Singapore Medical Council* [2019] 3 SLR 526. Media coverage: [Doctor acquitted of rape gets struck off for overprescribing medications, improper patient records](#)
- **(Drink Driving) *Wu Zhi Yong v Public Prosecutor* [2022] 4 SLR 587; [2021] SGHC 261:** A landmark judgment on drink driving and reckless driving under the Road Traffic Act 1961. This case was heard by the Honourable Chief Justice. A young *amicus curiae* was appointed to assist the Court and a new sentencing framework was laid down.
- **(Schizophrenia) *Public Prosecutor v Soo Cheow Wee* [2023] SGHC 204:** A landmark judgment on how to account for an offender's underlying psychiatric conditions when meting out a sentence for criminal offences. The offender was schizophrenic and actively psychotic when he committed the offences. The Prosecution nevertheless sought a lengthy imprisonment sentence, taking the position that this was irrelevant. The Honourable Chief Justice disagreed, allowing our appeal and reducing the sentence. Media coverage: [Court cuts jail term for man shot by police in Clementi stand-off due to his mental conditions.](#)
- **(Fetishism) *Public Prosecutor v Low Ji Qing* [2019] 5 SLR 769; [2019] SGHC 174:** A landmark judgment on how to sentence a criminal offender labouring under a psychiatric condition. Defended an appeal brought by the prosecution against a sentence of 10 months' imprisonment meted out to a repeat theft offender suffering from Fetishism. The judgment written by the Honourable Chief Justice grapples with the principles of proportionality and specific deterrence and is now an important part of the jurisprudence on criminal sentencing. Media coverage: [Chief Justice dismisses appeal for higher sentence for man with fetish for stealing women's wallets](#)
- **(Corruption) *Public Prosecutor v Wong Chee Meng & Chia Sin Lan* [2020] 5 SLR 807:** Reported in the media as the Ang Mo Kio Town Council corruption case, the judgment by the Honourable Chief Justice set out a new sentencing framework for corruption offences. Media coverage: [Jail terms increased for ex-GM of Ang Mo Kio Town Council and company director in corruption case](#)

Selected Publications:-

- **October 2021, Lexis Advance® Annotated Laws of Singapore:** Annotations to the *Misuse of Drugs Act 1973* (co-authored with Mervyn Cheong)
- **September 2021, Lexis Advance® Annotated Laws of Singapore:** Annotations to the *Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act 1992* (co-authored with Mervyn Cheong)
- **September 2021, Singapore Law Gazette:** [Reasonable doubt, guilt and the new hybrid of composition: A commentary on Teo Seng Tiong v Public Prosecutor \[2021\] SGCA 65](#)
- **July 2021, Eugene Thuraisingam LLP publication:** [The 2005 Hague Convention on Choice of Court Agreements: Boon or Bane?](#)
- **January 2021, Singapore Law Gazette, The Young Lawyer:** [Moving from Second to First Chair: How to Fail at it](#)
- **September 2020, Eugene Thuraisingam LLP publication:** [Recognition of Indonesian bankruptcy orders in Singapore, Insolvency Case Update: Paulus Tannos v Heince Tombak Simanjuntak and others \[2020\] SGCA 85](#)
- **September 2019, Singapore Law Gazette:** [Legal Unsustainability and Order 18 Rule 19 of the Rules of Court](#)

Selected Media:-

- **20 December 2022, TODAY:** [Rapists above 50 exempted from caning: Any change to law needs 'serious debate', chemical castration an option, say lawyers](#)
- **22 January 2022, TODAY:** [The Big Read: Burnt out and disillusioned, young lawyers head for the exit – and the industry is worried](#)
- **25 April 2021, TODAY:** [Should accused persons in Singapore be named before conviction? Lawyers, media academics have split views](#)

Appointments:-

- Lead Counsel, Legal Assistance Scheme for Capital Offences (LASCO)
- Counsel, Criminal Legal Aid Scheme (CLAS)
- Member, CLAS sub-committee, Law Society of Singapore