

BENJAMIN JOSHUA ONG

Assistant Professor of Law

Director, Undergraduate Admissions

Yong Pung How School of Law, Singapore Management University

BA (Jurisprudence) (Oxon); BCL (Oxon)

benjaminjong@smu.edu.sg

Benjamin Joshua Ong is an Assistant Professor of Law at the Yong Pung How School of Law, Singapore Management University, where he currently serves as Director, Undergraduate Admissions.

Benjamin aims to produce and share meaningful research on both cutting-edge and enduring topics relating to the regulation of discretionary powers, both public and private, in civil and criminal settings, and through legal and non-legal means. His work has been published in a variety of academic, professional, and popular fora. He has written on matters of contemporary interest such as Town Councils in Singapore, legal approaches toward COVID-19 in Singapore, ouster clauses in the UK, and judicial approaches toward constitutional liberties in Malaysia.

In his teaching activities, Benjamin aims to contribute toward students' growth through interactive seminars that combine foundational knowledge, the development of analytical skills, and exploration of the latest legal developments.

Benjamin joined SMU in July 2017, having been awarded the Singapore Teaching and Academic Research Talent (START) Early Career Award. He was admitted as an Advocate and Solicitor of the Supreme Court in August 2017. Prior to that, he read law at the University of Oxford, from which he graduated with the degrees of Bachelor of Civil Law and Bachelor of Arts (Jurisprudence).

Appointments

Academic appointments

- Jan 2019-present: Assistant Professor of Law, Singapore Management University
- July 2017-Dec 2018: Lecturer of Law (FDS), Singapore Management University

Administrative appointments

- Feb 2021-present: Member, Institutional Review Board, Singapore Management University
- Aug 2020-present: Director, Undergraduate Admissions, Yong Pung How School of Law, Singapore Management University

Other committee work

- August 2024-present: Member, Undergraduate Curriculum and Branding Committee, Yong Pung How School of Law, Singapore Management University
- 2020: Member, Futures Committee, Yong Pung How School of Law, Singapore Management University
- 2020: Member, Curriculum Review Committee, Yong Pung How School of Law, Singapore Management University

Education

- 2014-2015: Bachelor of Civil Law, Regent's Park College, University of Oxford
- 2011-2014: Bachelor of Arts (Jurisprudence) (First Class), St Edmund Hall, University of Oxford
- 2012: ACCA Advanced Diploma in Accounting and Business

Professional Qualifications

- August 2017-present: Advocate and Solicitor, Supreme Court of Singapore

Honours and Awards

- SMU Yong Pung How School of Law Dean's Teaching Excellence Award (Academic Year 2022-2023)
- SMU Yong Pung How School of Law Teaching Awards – Most Promising Teacher Award (Academic Year 2020-2021)
- SMU School of Law Teaching Awards – Top LGST [Legal Studies] Teacher Award (Academic Year 2018-19)
- Singapore Law Gazette Awards 2017 – Best Feature Article by a Young Lawyer
- MOE-START Early Career Award, 2017
- Singapore Law Gazette Awards 2015 – Best Feature Article by a Young Lawyer
- Slaughter & May Prize for Legal History, 2014
- Wronker Prize for Tort, 2014
- St Edmund Hall Open Scholarship, 2012-2014

Teaching Experience

LLB Courses at SMU

- *Singapore Legal System* (an introductory core course for first-year law students): 2022-2024
- *Constitutional & Administrative Law* (a core course for law students): 2018-2024

Courses for Other Degree Programmes at SMU

- *Governance Through Law in Singapore: Institutions, Jurisprudence, and Values* (a core course for social science students majoring in Politics, Law and Economics): co-designed the course with Eugene K B Tan; taught as single or co-instructor, 2021-2024
- *Business Law* (a core course for business students and accountancy students): 2018-2019

Other Teaching at SMU

- *Law Kickstarter* (an introductory series of modules, formerly known as ‘Week 0’ or ‘Introduction to Law’, to ease incoming SMU law students and social science students majoring in Politics, Law and Economics into their studies of law): contributed to organisation of the inaugural run of the programme; taught as part of the first three runs, 2022-2024

Professional Education

- *Part A Bar Course* (offered by the Singapore Institute of Legal Education): seminar facilitator for the Singapore Legal System course, 2020-2024; co-course coordinator (with Kenny Chng and Lau Kwan Ho), 2023-present
- *Data and Digital Economy Law Course for Legal and Industry Practitioners* (offered by the Singapore Academy of Law for candidates seeking to become Data and Digital Economy Law Accredited Specialists): taught a module on Media Law, 2022

Publications

Longer Journal Articles (refereed)

- Benjamin Joshua Ong, “How Can Malaysian Courts Consistently Perform Meaningful Constitutional Rights Review? Lessons from Past Case, and the Way Forward” (2024) 19 *Asian Journal of Comparative Law* 255-293 <<https://www.cambridge.org/core/journals/asian-journal-of-comparative-law/article/how-can-malaysian-courts-consistently-perform-meaningful-constitutional-rights-review-lessons-from-past-cases-and-the-way-forward/68FC1F70C02A7A6B76CA46FEBD472C9B>>
- Benjamin Joshua Ong, “The Unmeritorious ‘Legality’/‘Merits’ Distinction in Singapore Administrative Law” (2021) 16 *Asian Journal of Comparative Law* 1-32 <<https://doi.org/10.1017/asjcl.2021.10>>

- Benjamin Joshua Ong, “Standing Up for Your Rights: A Review of the Law of Standing in Judicial Review in Singapore” [2019] *Singapore Journal of Legal Studies* 316-350 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3508483>
- Benjamin Joshua Ong, “Government Funding of Town Councils: The Role of Private Law” (2019) 31 *Singapore Academy of Law Journal* 944-986 <<https://journalonline.academypublishing.org.sg/Journals/Singapore-Academy-of-Law-Journal/e-Archive/ctl/eFirstSALPDFJournalView/mid/495/ArticleId/1455/Citation/JournalsOnlinePDF>>
- Benjamin Joshua Ong, “The Doctrine of Severability in Constitutional Review: A Perspective from Singapore” (2019) 40 *Statute Law Review* 155-174 <<https://doi.org/10.1093/slr/hmx030>>
- Benjamin Joshua Ong, “Enforcing Town Councils’ Duties of Financial Prudence: Problems Addressed by the Town Councils (Amendment) Act 2017” (2018) 30 *Singapore Academy of Law Journal* 923-948 <<https://journalonline.academypublishing.org.sg/Journals/Singapore-Academy-of-Law-Journal/e-Archive/ctl/eFirstSALPDFJournalView/mid/495/ArticleId/1357/Citation/JournalsOnlinePDF>>

Shorter Journal Articles and Notes (refereed)

- Benjamin Joshua Ong, “Judicial review of prosecutorial discretion: missed opportunities” (2025) *Law Quarterly Review* (forthcoming)
- Benjamin Joshua Ong, “Constitutional supremacy, inherent powers, and orders that damages or costs be paid in instalments: *Tan Meow Hiang v Ong Kay Yong* [2023] SGHC 286” (2024) 43 *Civil Justice Quarterly* 106-119 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4837203>
- Benjamin Joshua Ong, “The New System of Civil Appeals: What ‘Constitutional or Administrative Law’ Is; Whether to Appeal to the Appellate Division or the Court of Appeal; and Proposals for Broader Reform - *Tan Beng Hui Carolyn v Law Society of Singapore* [2023] SGCA 7” (2023) 35 *Singapore Academy of Law Journal* 421-438 <<https://journalonline.academypublishing.org.sg/Journals/Singapore-Academy-of-Law-Journal/Current-Issue/ctl/eFirstSALPDFJournalView/mid/494/ArticleId/1876/Citation/JournalsOnlinePDF>>
- Benjamin Joshua Ong, “Compensation for Abused Foreign Domestic Workers: A Problem of Enforcement: *Tay Wee Kiat v Public Prosecutor* [2018] 5 SLR 438; *Tay Wee Kiat v Public Prosecutor* [2019] SGHC 224” (2020) 32 *Singapore Academy of Law Journal* 1200-1218 <<https://academypublishing.org.sg/Journals/Singapore-Academy-of-Law-Journal/e-Archive/ctl/eFirstSALPDFJournalView/mid/495/ArticleId/1545/Citation/JournalsOnlinePDF>>
- Benjamin Joshua Ong, “The ouster of Parliamentary sovereignty?” (analysis of *R (Privacy International) v Investigatory Powers Tribunal* [2019] 2 WLR 1219) (2020) *Public Law* 41-49 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3661091>

- Benjamin Joshua Ong, “The constitutionality of ouster clauses: *Nagaenthran a/l K Dharmalingam v Attorney-General* [2018] SGHC 112” (2019) 19 *Oxford University Commonwealth Law Journal* 157-178 <<https://doi.org/10.1080/14729342.2019.1610303>>
- Benjamin Joshua Ong, “Premature Service of Payment Claims Under the Building and Construction Industry Security of Payment Act: *Audi Construction Pte Ltd v Kian Hiap Construction Pte Ltd*” [2018] *Singapore Journal of Legal Studies* 128-139 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3315131>
- Benjamin Joshua Ong, “New Approaches to the Constitutional Guarantee of Equality Before the Law: *Lim Meng Suang v Attorney-General* [2015] 1 SLR 26 (CA); [2013] 3 SLR 118 (HC); *Tan Eng Hong v Attorney-General* [2013] 4 SLR 1049 (HC); [2012] 4 SLR 476 (CA)” (2016) 28 *Singapore Academy of Law Journal* 320-353 <<https://journalonline.academypublishing.org.sg/Journals/Singapore-Academy-of-Law-Journal/e-Archive/ctl/eFirstSALPDFJournalView/mid/495/ArticleId/1124/Citation/JournalsOnlinePDF>>

Academic Articles (non-refereed)

- Benjamin Joshua Ong, “Tackling Fake News and Promoting a Culture of Truth: A Proposal from Singapore” (submitted to the Parliamentary Select Committee on *Deliberate Online Falsehoods: Causes, Consequences and Countermeasures* in 2018) <<https://www.parliament.gov.sg/docs/default-source/sconlinefalsehoods/written-representation-84.pdf>>

Contributions to Books

- Halsbury’s Laws of Singapore – Volume 1: Administrative Law (with Eugene K B Tan and Kenny Chng) (2022, LexisNexis; 2025, LexisNexis)
- Halsbury’s Laws of Singapore – Volume 6(3): Constitutional Law (with Eugene K B Tan and Kenny Chng) (2020, LexisNexis; 2025, LexisNexis)

Book Chapters

- ‘The Basic Structure Doctrine in Malaysia: Less Than Meets the Eye’ (forthcoming)
- Benjamin Joshua Ong, “Singapore’s 2023 Presidential Election: The Presidency Continues to Evolve”, *Southeast Asian Affairs 2024* (2024, ISEAS Publishing) <<https://bookshop.iseas.edu.sg/publication/7910>>
- Benjamin Joshua Ong, “The ideals of law in a health crisis: Singapore’s legislative responses to COVID-19”, in Aurelio Gurrea-Martínez, Mark Findlay, and Goh Yihan (eds), *Law and COVID-19* (2020, Singapore Management University School of Law) <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3686357>

- Benjamin Joshua Ong, “Proportionality in Malaysia: new dawn or ‘merely obiter?’”, in Po Jen Yap (ed), *Proportionality in Asia* (2020, Cambridge University Press) <<https://doi.org/10.1017/9781108862950>>

Opinion-Editorials and Commentaries

- Ong Siow Heng and Benjamin Joshua Ong, “Black or white? Wrong or right? Don't rush to take sides on complex issues such as Israel-Hamas conflict”, *TODAY* (17 October 2023) <<https://www.todayonline.com/commentary/commentary-black-or-white-wrong-or-right-dont-rush-take-sides-complex-issues-such-israel-hamas-conflict-2283106>>
- Eugene K B Tan and Benjamin Joshua Ong, “The new law on foreign interference – what’s next for businesses?”, *The Business Times* (9 October 2021) archived at <<https://news.smu.edu.sg/news/2021/10/09/new-law-foreign-interference-whats-next-businesses>>
- Eugene K B Tan and Benjamin Joshua Ong, “FICA: What checks & balances are needed against powers being used inappropriately?”, *Mothership* (4 October 2021) <<https://mothership.sg/2021/10/fica-checks-and-balances/>>
- Benjamin Joshua Ong, “Singapore will soon have workplace anti-discrimination laws. Here’s what you need to know”, *TODAY* (8 September 2021) <<https://www.todayonline.com/commentary/singapore-will-soon-have-workplace-anti-discrimination-laws-heres-what-you-need-know>>
- Benjamin Joshua Ong, “How to talk about racism”, *The Straits Times* (24 June 2021) archived at <<https://news.smu.edu.sg/news/2021/06/24/how-talk-about-racism>>
- Benjamin Joshua Ong, “How should maid abusers be punished?”, *CNA* (2 September 2019) <<https://www.channelnewsasia.com/news/commentary/how-maid-abusers-be-punished-foreign-domestic-workers-11853990>>
- Benjamin Joshua Ong, “Looking beyond the vague terms in Singapore’s fake news laws”, *TODAY* (14 May 2019) <<https://www.todayonline.com/commentary/looking-beyond-vague-terms-fake-news-laws>>

Book Reviews and Other Academic Publications

- Benjamin Joshua Ong, “Can delaying an execution due to COVID-19 amount to unconstitutional discrimination?” [2022] *Public Law* 156-158 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4004358>
- Benjamin Joshua Ong, review of Jaclyn L Neo and Bui Ngoc Son (eds), *Pluralist Constitutions in Southeast Asia* [2019] *Singapore Journal of Legal Studies* 493-498
- Benjamin Joshua Ong, “The sentencing of ‘couriers’ under section 33B of the Misuse of Drugs Act: *Public Prosecutor v Chum Tat Suan and another* [2014] SGCA 59”, *Singapore Law Watch Commentary*, Issue 1/Dec 2014 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3681225>

Articles in Professional Publications

- Benjamin Joshua Ong, “Compensation for Frivolous or Vexatious Prosecution”, *Singapore Law Gazette*, October 2021 <<https://lawgazette.com.sg/feature/compensation-for-frivolous-or-vexatious-prosecution/>>
- Benjamin Joshua Ong, “Illegality and the Civil Law in Singapore: Lessons from the UK? *Patel v Mirza* [2016] 3 WLR 399; [2016] UKSC 42”, *Singapore Law Gazette*, March 2017 <<https://v1.lawgazette.com.sg/2017-03/>>

Blog Posts

- Benjamin Joshua Ong, “Singapore’s Law Banning ‘Gross Indecency’ Between Men: All But Gone?”, *IACL-AIDC [International Association of Constitutional Law] Blog* (12 April 2022) <<https://blog-iacl-aidc.org/new-blog-3/2022/4/12/singapores-law-banning-gross-indecency-between-men-all-but-gone>>
- Benjamin Joshua Ong, “Pre-departure tests for Singapore citizens returning home: possibly constitutionally tricky in theory, but not in practice”, *I-CONnect [Blog of the International Journal of Constitutional Law]* (4 August 2021) <<http://www.iconnectblog.com/2021/08/pre-departure-tests-for-singapore-citizens-returning-home-possibly-constitutionally-tricky-in-theory-but-not-in-practice/>>
- Benjamin Joshua Ong, “Parliamentary debates about POFMA – *Hansard* beyond statutory interpretation?”, *Singapore Public Law* (27 November 2019) archived at <https://ink.library.smu.edu.sg/sol_research/2968/>
- Benjamin Joshua Ong, “‘Insensitive Advertising’ of Foreign Domestic Workers in Singapore: A Violation of Human Dignity”, *Oxford Human Rights Hub Blog* (22 December 2018) <<http://ohrh.law.ox.ac.uk/insensitive-advertising-of-foreign-domestic-workers-in-singapore-a-violation-of-human-dignity/>>
- Benjamin Joshua Ong, “Offences Against Foreign Domestic Workers in Singapore: Vindicating the Victim’s Rights to Dignity”, *Oxford Human Rights Hub Blog* (17 November 2017) <<https://ohrh.law.ox.ac.uk/offences-against-foreign-domestic-workers-in-singapore-vindicating-the-victims-right-to-dignity/>>
- Benjamin Joshua Ong, “Live Music during Thaipusam Processions in Singapore: Developments in the Law on Freedom of Religion”, *Oxford Human Rights Hub Blog* (17 November 2016) <<http://ohrh.law.ox.ac.uk/live-music-during-thaipusam-processions-in-singapore-developments-in-the-law-on-freedom-of-religion/>>
- Benjamin Joshua Ong, “Restricting Publication of False Statements Using Section 15 of the Protection from Harassment Act”, *Singapore Law Gazette*, May 2016 <<https://v1.lawgazette.com.sg/2016-05/>>
- Benjamin Joshua Ong, “The Basic Structure Doctrine in Singapore: A Reply”, *Singapore Law Gazette*, November 2014 <<https://v1.lawgazette.com.sg/2014-11/>>

Presentations at Academic Conferences and Seminars

- “Singapore’s ‘Online Falsehoods’ Law in Action, Five Years On”, *Asian Law and Society Association [ALSA] Annual Meeting* (2024)
- “The Supreme Law is Not the Only Law; ‘Constitutional Law’ and ‘Administrative Law’ Are Not Separate: Right and Wrong Turns in Singaporean and Malaysian Law”, *10th Asian Constitutional Law Forum* (2024)
- “Academic misconduct and Bar admission: the courts’ approaches and implications for regulators, legislators, educators, and students”, *Asian Law Schools Association [ALSA] Legal Education Conference* (2024)
- “The Next Step Forward for Constitutional Rights Litigation in Singapore”, *21st ASLI [Asian Law Institute] Conference* (2024)
- “International Law and Constitutional Cases in Singaporean Courts: The Wrong Question to Ask?”, *International Law in Asian Constitutional Courts* (hosted at the University of Oxford) (2024)
- “Constitutional Protection of the ‘Institution of Marriage’ in Singapore”, *ICON·S [International Society of Public Law] Annual Conference* (2023)
- “Valid, yet unenforceable, yet effective law – for the sake of the rule of law: Singapore’s anti-sodomy legislation before the courts”, *ICON·S [International Society of Public Law] Annual Conference* (2023)
- “The ‘basic structure doctrine’ in Malaysia: less than meets the eye”, *Constitutional Amendments and the Basic Structure in Malaysia* (hosted jointly by Universiti Malaya and the National University of Singapore) (2022)
- “COVID-19 and private contractual relations in Singapore”, *Domestic Approaches to COVID-19: The Philippines and Singapore* (webinar organised by the International Disaster, Emergency and Law Network) (2022)
- “Justifying Inequalities: Singapore’s Risk-Based Approach to COVID-19”, *Law in a Time of Covid: Regional Perspectives on the Role of Law in a Global Pandemic* (online conference organised by the International Disaster, Emergency and Law Network) (2021)
- “How not to protest in Singapore: two models of the protection of the freedom of assembly”, *ICON·S [International Society of Public Law] Annual Conference* (2021)
- “The Rule of Law in a Quasi-Emergency: A View from Singapore”, *Conference on Global Public-Private Law Approaches to the Covid-19 Pandemic* (online conference hosted by Singapore Management University) (2020)
- “Standing Up for Your Rights: A Review of the Law of Standing in Judicial Review in Singapore”, *Conference on Contemporary Issues in Public Law Litigation* (hosted by the National University of Singapore) (2019)
- “Proportionality in Malaysia: Nothing More than ‘Merely Obiter?’”, *Proportionality in Asia Conference* (hosted by the University of Hong Kong) (2018)

- “Religious Identities and the Right to Religious Profession in Indian, Malaysian, and Singaporean Law”, *ICON-S [International Society of Public Law] Annual Conference* (2018)
- “Tackling Fake News and Promoting a Culture of Truth: A Proposal from Singapore”, *15th ASLI [Asian Law Institute] Conference* (2018)

Presentations at Professional Events

- *Public Law Conference on Sustainability* (even organised by the Law Society of Singapore) (2023)
- “Public law in practice: some thoughts about recent cases”, *Hot Topics in Public Law* (seminar organised by the Law Society of Singapore) (2021)
- “Proportionality: A Dirty Word?”, *Public Law Conference* (conference organised by the Law Society of Singapore) (2019)

Submissions to Court

- Made submissions to the General Division of the High Court of Singapore as appointed *amicus curiae* in *Parti Liyani v Public Prosecutor* (Magistrate’s Appeal No 9068 of 2019/01), [2021] 5 SLR 860 (HC), on the topic of compensation for acquitted persons who have been subject to “frivolous or vexatious” prosecution; was commended for “thorough and excellent research” and “detailed submissions” which were of “much assistance to [the] court” <https://www.elitigation.sg/gdviewer/s/2021_SGHC_146>