
**FINAL REPORT OF THE
ETHICS AND PROFESSIONAL
STANDARDS COMMITTEE**

8 January 2025

The Ethics and Professional Standards Committee is pleased to submit this Final Report for consideration.

Dated 8 January 2025.

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FINAL REPORT OF THE ETHICS AND PROFESSIONAL STANDARDS COMMITTEE

I. EXECUTIVE SUMMARY

A. Rationale and Approach

1. Ethical lawyers who uphold high professional standards are vital to society's access to justice and Singapore's reputation as a trusted global hub. The legal profession's commitment to excellence across diverse practice areas enables individuals, businesses, social enterprises and government entities to reap the benefits of a robust legal system founded on the rule of law.
2. The formation of the Ethics and Professional Standards Committee ("**Committee**") was announced by The Honourable the Chief Justice Sundaresh Menon at the Opening of the Legal Year ("**OLY**") 2023. The Committee, comprising representatives from across the entire legal community, delivered its Interim Report on 15 December 2023. The Interim Report presented 13 recommendations which were accepted by The Chief Justice, as announced at the OLY 2024.¹ A second round of focus groups with stakeholders and members of the legal profession has informed the Committee's implementation and refinement of these initial recommendations. This Final Report of the Committee sets out the work done in implementation and augments the earlier approach with eight new recommendations, which are marked with the prefix "New" in this Executive Summary.

B. Final Report Recommendations

3. Recognising that ethical conduct and high professional standards within the legal profession stem from multiple *systemic* factors, the Committee proposes a three-strand approach:

¹ See The Honourable the Chief Justice Sundaresh Menon, "Response by Chief Justice Sundaresh Menon, Opening of the Legal Year 2024" (8 January 2024) ("**OLY Response 2024**") at para 42.

- a. First, a bedrock of *values* must gird the hearts and minds of lawyers, and those aspiring to join the profession.
 - b. Second, *learning* must be inculcated through education and mentoring, which reinforce each other. Knowledge of the applicable standards and expectations must be instilled through persistent and pervasive education. This must be emphasised at the foundational stage and then reinforced throughout each lawyer's career. At every stage, appropriate mentoring will bring knowledge to life, put education into practice, and ensure that rules are applied with wisdom.
 - c. Third, the deep expertise and support of fellow lawyers, law firms and the relevant professional institutions are crucial to this endeavour. Lawyers must be mentored, supported, and, when necessary, rehabilitated within the *community* of the legal profession.
4. **Ethos:** The recommendations relating to Ethos aim to inspire the hearts and minds of individuals within a fraternity of like-minded professionals and to imbue the community with the intuition, ambition and reflexes that support and reinforce its values.
- a. **Recommendation 1:** The *core values* of the legal profession – identified in the Interim Report as Integrity, Professionalism, and Justice – should be widely communicated in order to: attract suitable candidates to the profession; unify the profession; and sustain its sense of purpose. In essence, it is important that lawyers understand the nature of the mission they are engaged in and why it is important to subscribe to, and work to preserve, the core values of the profession. This will also educate the public at large about the role of lawyers in society.
 - b. **Recommendation 2:** To transmit and entrench the core values of the legal profession as *community narratives*, it is important to build collegiality and common aspiration. Celebrating community rituals and

good role models provide visual and vivid representations of values and help to foster fraternity and commonality within the profession.

- c. **Recommendation 3:** The core values of the legal profession are to be ***articulated in various forms to build shared vision*** – such as the pledge for law students, the revised declaration for advocates and solicitors applying for admission, and the creed for the profession, which serve to explain the core values in a more detailed way and to build consensus on, and deepen understanding of, these values.
 - d. **Recommendation 4:** To sustain long-term behavioural change by ***building habits and practices premised on aspirational standards***, codes and reference guides relating to ethics and professional standards have been developed for specific practice areas, and further codes or reference guides have been proposed.
5. **Learning:** The recommendations relating to Learning address two complementary aspects that reinforce and lend substance to each other: ***education*** and ***mentoring***. A review of disciplinary cases between 2018 and 2023, arising from complaints made against advocates and solicitors under section 85(1) of the Legal Profession Act 1966 (2020 Rev Ed) (“**LPA**”) (“**Review of Disciplinary Cases**”), showed that the majority of breaches related to areas of professional standards and a legal practitioner’s professional duties,² which may be addressed with more intentional and effective training. At the same time, a survey conducted on young lawyers with 2 to 10 years’ post-qualification experience (“**PQE**”) (“**2023 SAL Young Lawyers’ Survey**”)³ reflected a desire for better education on professional standards in university and throughout one’s professional career.

² See Annex D at [24].

³ See Ethics and Professional Standards Committee, *Interim Report* (15 December 2023) (Co-Chairpersons: Justice Valerie Thean and Mr Jimmy Yim SC) (“**Interim Report**”) at Annex D.

6. **Education:** This group of recommendations responds to these observations and seeks to instil consistent, persistent, and pervasive learning so that lawyers are equipped with the required knowledge at every stage of their careers.

- a. **Recommendation 5:** The **local universities** should consider how to select students who will be committed to the ethical practice of law, and to inculcate in law students the unique ethical duties and obligations incumbent upon members of the legal profession, by the following: (i) the education of values, which is to be viewed as a continuous journey; (ii) the inclusion, in the curriculum of law schools, of content on the core ethical duties of lawyers, contextualised in substantive courses; and (iii) the use of internships as an opportunity to expose law students to ethical issues in legal practice.

The local universities have started their review and revision of their syllabus. Separately, a protocol for law firms to use during internships, to focus attention on the application of ethical obligations in legal practice, has also been circulated to law firms.

- b. **Recommendation 6:** To inculcate the same values in the ethical consciousness of **law graduates of overseas universities who seek to practise in Singapore**, the ethics-related content from the law schools, where suitable, will be made available through the Singapore Institute of Legal Education (“**SILE**”) as an online ethics course to be completed by graduates from overseas universities.

To this end, the law schools of the local universities are compiling relevant ethics-related content from the Academic Year (“**AY**”) 2024/2025 for SILE’s use from 2026.

- c. **Recommendation 7:** To ensure that **professional training** at each stage of the ethics education continuum builds on the previous stages, the SILE will review the content relating to ethics and professional standards taught as part of the preparatory course leading to Part B of

the Singapore Bar Examinations (“**Part B**”). For applicants seeking admission as advocates and solicitors of the Supreme Court, the SILE should publish guidelines on admission and draw their attention to the types of misconduct that are to be disclosed and the relevant case law in this area.

- d. **Recommendation 8:** To promote *career-long education* and the continuous instillation of values throughout one’s professional life, ethics and professional standards should be a mandatory 3-point component (“**Mandatory Component**”) of the Continuing Professional Development (“**CPD**”) scheme, applicable to lawyers across all seniorities (with effect from CPD Year 2025).

In tandem with the implementation of this recommendation, a starting calendar of CPD activities in 2025 which lawyers may attend to fulfil the Mandatory Component has been made available on the SILE’s website from 2 December 2024. From 1 January 2025, SILE will also introduce enhancements to its Calendar of Accredited Learning Activities (“**CALAS**”) website so that it operates as an easily accessible one-stop portal for lawyers to find, and for providers to list, their accredited CPD programmes relating to the Mandatory Component.

- e. **Recommendation 9:** To contextualise ethical issues faced in the various *specialist practice areas*, ethics-related content should be incorporated into structured training and specialist programmes.
- f. **Recommendation 10:** To make resources on ethics and professional standards more accessible and to use new technologies to facilitate self-education, the Singapore Academy of Law (“**SAL**”) launched a one-stop *self-education platform* known as the “**Ethics Repository**” on 7 October 2024. Generative artificial intelligence (“**AI**”) capabilities will be added in due course.

7. **Mentoring:** The changing legal landscape, including new ways of working and the expectations of the younger generation, make it crucial for mentoring to be intentional and targeted. Seasoned lawyers have a duty to teach and pass on ethical values and the art and craft of high-quality professional standards. This also ties in with the primary importance of Recommendation 1.
- a. **Recommendation 11:** To ensure that practice trainees acquire the correct values, competencies and skills relating to ethics and professional standards, the Committee has given feedback to the SILE on the new Training Checklists for **supervising solicitors**, who are a primary source of mentorship for practice trainees.
 - b. **Recommendation 12: *Intentional, lifelong and multi-layered mentoring*** is required especially in light of the changing legal landscape and the expectations of the younger generations. Mentorship should be strengthened within both general and specialist fields, and within the legal profession more generally. In particular, the need and relevance of mentorship extends beyond lawyers in private practice, and the in-house legal community is a valuable source of wider career mentoring.
 - c. **New Recommendation 13:** To ensure effective mentorship, the Law Society of Singapore (“**Law Society**”) should complement its mentoring schemes by providing **training for mentors** on the content, structure and skills necessary for a productive mentor-mentee relationship.
8. **Profession:** The Interim Report had earmarked several issues for further study,⁴ including how practitioners experiencing difficulties could receive practical and earlier assistance, and the various challenges facing law firms. These issues are best addressed through measures that leverage upon the deep expertise and experience of *legal practitioners*, the structure of their *workplaces* and the strength of the *institutions* within the profession. In this context, the professional institutions are crucial in providing the support needed for the profession to benefit from a multiplication of the efforts of its individual

⁴ See the Interim Report at [131]–[137].

members. This creates a self-reinforcing virtuous cycle where a robust ecosystem enables ethos and learning to flourish over time. The recommendations relating to the Profession are therefore targeted at two areas: enhanced support within the profession, and law firms.

9. ***Enhanced support within the profession:***

a. **Recommendation 14:** To provide an avenue for lawyers to receive external guidance and mentorship on ethical issues, in a manner that is less formal than a request to the Advisory Committee of the Professional Conduct Council, the Law Society has implemented the ***Ethics Assist Helpline*** with effect from 10 June 2024.

b. **New Recommendation 15:** A peer support mechanism, named the ***Legal Practitioner Support Protocol*** (“**LPSP**”), is recommended. In appropriate circumstances, this could rehabilitate or provide timely assistance to the affected legal practitioner.

10. ***Law Firms:*** Ethical standards thrive in environments that foster practices conducive to high standards. Systemic ethical resilience is cultivated through workplaces that are well-run, and where high professional standards are sustainably pursued. These recommendations therefore address the management of law firms; training and mentorship within law firms; and the preservation of safe and sustainable workplaces.

11. **Management of law firms:** The Committee’s Review of Disciplinary Cases revealed that nearly a quarter of cases involved breaches relating to the management and operations of a law practice.⁵ Feedback from focus group discussions with legal practitioners of different seniorities and firm sizes suggested gaps in the adoption of standardised and clearly defined procedures for routine issues of law firm management, such as protocols for the management of conflicts of interest, client confidentiality and client complaints.

⁵ See Annex D at [24].

- a. **New Recommendation 16:** To equip legal practitioners with practical knowledge on the *sound management of law practices*, the Law Society's Legal Practice Management Course ("LPMC") should:
- i. have its syllabus expanded to encompass the following: (1) all areas of law firm management responsibilities under the LPA and relevant subsidiary legislation (from client confidentiality, conflicts of interest and client monies, to anti-money laundering ("**AML**") processes and data protection); (2) skills on the proper management of client-solicitor disputes; (3) practical guidance on best practices for good law firm management; (4) training on workplace management, including the prevention of workplace bullying and harassment; and (5) training and mentorship for junior lawyers within the firm; and
 - ii. be re-designed on a modular basis with modules of 3 CPD points each, so that it is not merely a foundational course on law firm management, but an avenue for lawyers with the responsibility of practice management to renew their domain knowledge on a regular basis.

In addition, in line with the enhancement of the LPMC, the Law Society's *Practice Management Guide* ("**LPMG**") should be updated and enhanced, to ensure synergy with content taught at the LPMC.

12. Training and mentorship within law firms: Sound management can only be made a reality if there are structures within individual law firms to support and facilitate it. Mentorship and training *within* law firms therefore requires emphasis. In particular, feedback from focus group discussions highlighted that certain issues of ethics and professional standards are best discussed and understood within the context of individual law firms because of the need to protect client confidentiality. Large and medium-sized law practices have a particular responsibility in this area because the overwhelming majority of young lawyers start their legal careers in these firms.

- a. **New Recommendation 17:** To ensure that junior lawyers receive effective mentorship at their workplaces, the Law Society should prepare a syllabus for a ***structured mentoring programme within law firms*** which law firms can adapt for their use, the contents of which are to focus on topics corresponding to the core areas of law firm management and other issues covered in the proposed syllabus of the expanded LPMC. This will complement the LPMC syllabus.
 - b. **New Recommendation 18:** To facilitate ***ethics training within law firms***, experienced lawyers of high professional standing should be encouraged to teach within their own firms. The SAL will curate relevant content on the latest legal developments relating to ethics and professional standards annually and disseminate them to law firms for their use, whether in internal training for their own lawyers, or to organise courses for the wider profession, for which private and public CPD points (respectively) can be awarded to attendees.
13. Safe and sustainable workplaces: The 2023 SAL Young Lawyers' Survey and follow-up focus groups identified two issues which law firms should address as a starting point to create an environment conducive to high ethical and professional standards. First, workplace harassment and bullying, which must have no place in a profession committed to integrity, professionalism and justice. Second, the generation gaps between junior and senior lawyers. While a legal career is one that is demanding, especially in the formative stages where there is undoubtedly a steep learning curve, the realities of a career in the law should not be inconsistent with the legal profession being one in which all involved can pursue rewarding and reasonably sustainable careers aligned with their aspirations. Good workplace culture ensures that lawyers can fully pursue the mission of administering justice, which aligns with the importance of Recommendation 1. This way, lawyers are encouraged to identify with the core values of the legal profession and the obligation to hold themselves to high ethical and professional standards.

- a. **New Recommendation 19:** The Law Society should make the position of the legal profession clear with a ***Policy on the Prevention of Workplace Harassment and Bullying*** (“the Policy”). This could be accompanied by a ***toolkit*** (“**Toolkit**”) that provides guidance to law firms on the basic structures and procedures they can implement to address and manage complaints concerning workplace harassment and bullying. The Toolkit is a model which law firms may adapt to suit their needs and circumstances, and it includes, in particular, guidelines for small law firms on how the model is to be implemented. In due course, the Law Society should consult the Professional Conduct Council to issue a Guidance Note on the Prevention of Workplace Harassment and Bullying. Relevant training on the Guidance Note and the Toolkit may be conducted from 2025. These materials should also be eventually incorporated into the LPMC syllabus so that the relevant knowledge would take root over time.

- b. **New Recommendation 20:** To cultivate and maintain ***sustainable work practices*** and address the generation gaps between junior and senior lawyers on workplace culture and aspirations, the SAL should spearhead a sustained initiative to research the impact of this complex issue on the legal profession and develop a core set of workplace principles with a pilot group of law firms and legal departments. These principles, which are intended to be aspirational and not prescriptive, and which are aimed at maintaining the sustainability of legal practice, will be developed and calibrated over time for wider adoption within the legal profession.

C. The Work Ahead

14. In looking at ethical formation and its attendant values, the Committee dealt with broader issues of training and mentoring, and, in order to best support those efforts, also reviewed the issue of how values-driven lawyering could be sustained within the wider legal community. In this regard, the SAL’s Professional Affairs Committee (“**PAC**”) is proposed to oversee the implementation of the Committee’s recommendations. This is because the PAC

tends to the affairs of the different categories of officers of the court who are subject to ethical and professional obligations under the LPA, and it contains representation from all segments of the wider legal profession, including the Law Society and its various sub-committees.

15. The data collected and trends noted by the Committee, nevertheless, highlight the need in the medium term for Singapore to build on efforts to support and foster sustainably high-quality, values-driven legal service providers and practices, which together undergird Singapore's pole position as a global legal services node and its domestic goal of building a thriving, inclusive and values-based society. As structural industry issues, regulation, legislation and policy intervention are not within the remit of the Committee, the Committee has raised the issue with the Ministry of Law ("**MinLaw**"). MinLaw has monitored these matters closely over the years and has taken steps as necessary, and MinLaw will continue to do so.

- a. **New Recommendation 21:** The SAL's PAC should oversee the implementation of the Committee's recommendations. A periodic review of the work done in implementation of the Committee's recommendations and further recalibration could be undertaken as progress is made.

16. The Committee is grateful to the many individuals and the SAL, the Law Society, the Senior Counsel Forum, MinLaw, the Singapore Corporate Counsel Association ("**SCCA**"), the Association for Corporate Counsel's Singapore Chapter ("**ACC**"), the SILE, the law schools and law firms who have contributed to this Final Report.

II. BACKGROUND AND ACKNOWLEDGEMENTS

17. The formation of the Committee was announced by the Chief Justice at the OLY 2023. The Committee was tasked to develop a strategy to reaffirm the moral centre and values of the legal profession, and to enable lawyers and those who aspire to a career in the law to understand the legal profession as a calling to be answered with honesty, integrity and dedication.
18. The Committee’s Terms of Reference are set out in **Annex A**. The members of the Committee, the co-opted members of the Committee’s Working Groups, and the members of the Secretariat, are set out in **Annex B**.
19. In its delivery of the Interim Report, the Committee benefitted from the views of stakeholders and members of the legal profession through various focus group discussions and the 2023 SAL Young Lawyers’ Survey, the results of which were received on 24 November 2023.⁶ The survey results, in particular, reflected sustainability concerns amongst young lawyers, which the Committee thought necessary to address through further discussions with stakeholders in order to secure a robust long-term landscape.⁷ The Interim Report’s 13 recommendations were therefore proposed as foundational stones for building ethical formation, to be further finetuned through implementation and discussions with stakeholders. This Final Report builds on the further work done and draws on insights gained through further focus group discussions in 2024 with lawyers of different PQE, firm sizes and practice backgrounds, and a diverse range of managing partners and owners of law firms in Singapore (“**2024 SAL Focus Groups**”).⁸

⁶ See the Interim Report at p 96.

⁷ See the Interim Report at [27].

⁸ A list of the focus groups conducted in connection with the Committee’s work in 2023 and 2024 is set out below:

Year	Conducted by	Focus group audience	Date
2023	Committee	1. Managing directors and partners of boutique law practices	31 May 2023
		2. Law students	1 June 2023
		3. Young lawyers	7 June 2023
		4. Lawyers from small law practices	8 June 2023

20. The Committee records its appreciation to multiple stakeholders and members of the legal community for their time and views, which the Committee benefited from in the preparation of the Interim Report and the Final Report. These included, in particular, discussions with different segments of the legal profession and with institutional stakeholders such as the Law Society,⁹ the SAL, the Senior Counsel Forum, the SILE, the local law schools, the SCCA and the ACC. The Committee also records its appreciation to the Legal Services Regulatory Authority of MinLaw (“**LSRA**”) and the Supreme Court’s Information, Technology and Transformation Division (“**ITXD**”) for their support in the work of the Committee.¹⁰

		5. Transactional lawyers	7 July 2023
	PwC Singapore (“ PwC ”) for SAL (before the quantitative research for the 2023 SAL Young Lawyers’ Survey)	1. Young Lawyers Working Group of the PAC	19 June 2023
		2. Public sector lawyers and in-house counsel	19 June 2023
		3. General counsel	27 June 2023
	PwC for SAL (after the quantitative research for the 2023 SAL Young Lawyers’ Survey)	A. Two focus groups with survey respondents who volunteered to contribute to the research	4 and 6 September 2023
		B. Interviews with four groups of thought leaders across Singapore, Australia and New Zealand	
2024	Committee	Focus group with the Ministry of Health’s National Wellness Committee for Junior Doctors	25 March 2024
	2024 SAL Focus Groups	1. Mixed – lawyers from s/ns 2 to 5 below	23 May 2024
		2. Young lawyers	23 May 2024
		3. Mid-career / middle seniority lawyers	27 May 2024
		4. Lawyers from small firms	28 May 2024
		5. Senior lawyers	30 May 2024
		6. Managing partners of mid-size/large firms	23 July 2024
		7. Managing partners of small firms	24 July 2024
SAL	Criminal lawyers	11 November 2024	

⁹ The Committee expresses its appreciation to the Law Society for providing data and assistance that allowed the Committee to conduct (a) an analysis of the trajectory of complaints that had been made to the Law Society against advocates and solicitors under section 85(1) of the LPA between 2018 and 2021, set out at Annex E; and (ii) a review of disciplinary cases arising from complaints against advocates and solicitors under section 85(1) of the LPA between 2018 and 2023, set out at Annex D.

¹⁰ The LSRA and the ITXD provided data and assistance that allowed the Committee to conduct an analysis of the composition of the legal profession in Singapore, set out at Annex D at [9]–[13].

III. RATIONALE AND APPROACH¹¹

21. Through the law, the courts, and ethical lawyers, society accesses justice and the common good. This section sets the context which has informed the Committee's work and recommendations. It first elaborates on the vital role of ethical lawyers in the administration of justice, which ought to be seen against wider societal trends and the specific challenges that lawyers and law firms face today. It also discusses the opportunities which the Committee's recommendations seek to leverage, and which informs its proposed approach: a systemic, sustainable and multi-factorial approach centred on *ethos*, *learning* and the *profession*.

A. **The Vital Role of Ethical Lawyers in the Administration of Justice**

22. The legal profession is an honourable profession,¹² and being one of its members means answering the call to participate in a higher cause – the administration of justice.¹³ While the administration of justice is the joint endeavour of various key stakeholders,¹⁴ lawyers in particular have an integral role because of the privileges accorded to them to appear before the courts and to advise others on their rights and obligations. They are key to the endeavour to ensure that justice is reasonably accessible to all, so that the rule of law can be sustained.¹⁵

23. This source of common good is, however, contingent upon lawyers acting in accordance with high ethical and professional standards. Our society's commitment to the rule of law rests on the premise that they can trust and have

¹¹ This section draws and builds upon Section III of the Interim Report.

¹² See The Honourable the Chief Justice Sundaresh Menon, "The Legal Profession as an Honourable Profession", Mass Call Address 2022 (23 August 2022).

¹³ See The Honourable the Chief Justice Sundaresh Menon, "Response by Chief Justice Sundaresh Menon, Opening of the Legal Year 2023" (9 January 2023) at para 22 and The Honourable the Chief Justice Sundaresh Menon, "The Legal Profession Amidst the Pandemic: Change and Continuity", Mass Call Address 2021 (23 August 2021) at para 8.

¹⁴ See *Re Mohamed Shafee Khamis* [2024] SGHC 274 at [1].

¹⁵ See The Honourable the Chief Justice Sundaresh Menon, "Reimagining the Rule of Law: A Renewed Conception", speech delivered at the final session of the Singapore Courts' Conversations with the Community (20 September 2024) ("**Reimagining the Rule of Law**") at para 7.

confidence that lawyers act with integrity and professionalism, and in accordance with the interests of justice.

24. Trust is an inherent element of the relationship between each lawyer and his or her client.¹⁶ In 1971, the Ormrod Committee in the United Kingdom (“UK”) observed that a profession involves a particular kind of relationship where the complexity of the subject matter “renders [the client] to a large extent dependent upon the professional man”, and that “[a] self-imposed code of professional ethics is intended to correct the imbalance in the relationship between the professional man and his client and resolve the inevitable conflicts between the interests of the client and the professional man or of the community at large”.¹⁷ A lawyer’s fitness as a professional is therefore “inextricably linked to the ethical imperatives to which [he or she] is bound”,¹⁸ and the broader “code of professional ethics” – which may find concrete expression in the myriad forms of laws and regulations, guidelines, norms and practices that govern the ethical conduct of legal professionals – ensures that the legal profession remains an honourable one.

B. Wider Societal Trends

25. There are also wider societal trends that make it ever more important for lawyers to conduct themselves ethically and with high professional standards. The Committee highlights two such trends:
- a. The first is the breakdown of *truth* in society. In recent years, the world has increasingly witnessed the proliferation of disinformation and the devaluation of truth in public discourse, in what has been termed as the

¹⁶ See *Law Society of Singapore v Chia Chwee Imm Helen Mrs Helen Thomas* [2022] SGHC 214 at [44] and [45].

¹⁷ See the Ormrod Committee (United Kingdom), Report of the Committee on Legal Education (Cmnd 4595, 1971), cited in Chelva R Rajah SC, “Ethics and Etiquette” in *Modern Advocacy: Perspectives from Singapore* (Academy Publishing, 2008) at para 17.007. See also Carol Rice Andrews, “Standards of Conduct for Lawyers: An 800-Year Evolution” (2004) 57(4) *Southern Methodist University Law Review* 1385 at p 1455.

¹⁸ See The Honourable the Chief Justice Sundaresh Menon, “Law and Medicine: Professions of Honour, Service and Excellence”, 23rd Gordon Arthur Ransome Oration (21 July 2017) at para 15. See also *Lim Mey Lee Susan v Singapore Medical Council* [2013] 3 SLR 900 at [35].

“post-truth era”.¹⁹ It is precisely in these circumstances that society requires that lawyers act with integrity.²⁰

- b. The second trend is the general decline of *trust* in institutions. While local statistics indicate that the vast majority of Singaporeans have trust and confidence in our legal system,²¹ this should not be taken for granted at a time when distrust was recently said to be “society’s default emotion”, and where surveys in many democratic societies have shown a decline in trust in institutions like the government and the media.²²

C. Specific Challenges Faced by Law Firms and Lawyers

26. In addition, there are specific challenges that law firms and lawyers face today that impact the promotion and maintenance of high ethical and professional standards. The Committee highlights three of those challenges.

1. *The changing operational landscape for law firms*

27. The first challenge arises from the vastly different landscape that law firms operate in today. Three aspects are highlighted.

¹⁹ See The Honourable the Chief Justice Sundaresh Menon, “The Role of the Courts in Our Society – Safeguarding Society”, speech delivered at the opening session of the Singapore Courts’ Conversations with the Community (21 September 2023) at para 33. See also Jennifer Kavanagh & Michael D Rich, RAND Corporation, “Truth Decay: An Initial Exploration of the Diminishing Role of Facts and Analysis in American Public Life”, accessible at https://www.rand.org/pubs/research_reports/RR2314.html.

²⁰ As the late former President of the Law Society Mr Adrian Tan observed in his Mass Call Address 2022, a lawyer’s voice, which has “consequence and import”, is “built to speak the truth” and its power is “founded on integrity”: see Adrian Tan, President of the Law Society, “The Lawyer’s Voice: A User’s Guide”, Mass Call Speech 2022 (August 2022).

²¹ See Minister for Home Affairs and Minister for Law Mr K Shanmugam’s Oral Answer to Parliamentary Question on attracting legal talent to the Singapore Judiciary (21 March 2018) at para 10. In a survey conducted by the Ministry of Law in late 2015, 92% of respondents said they had trust and confidence in our legal system and 96% agreed that Singapore was governed by the rule of law.

²² See The Honourable the Chief Justice Sundaresh Menon, “The Role of the Judiciary in a Changing World”, inaugural Supreme Court of India Day Lecture (4 February 2023) at para 24.

i. *Commoditisation of legal practice*

28. The first aspect is the “*commoditisation*” of *legal practice*. As observed by the Chief Justice, there appears to be a trend of the more financially successful law firms operating ever more like high-performing businesses rather than as values-based purveyors of justice.²³ This is reflected in the emphasis on billable hours and profitability. By way of illustration, according to a survey conducted by PricewaterhouseCoopers of the top 100 law firms in the UK, 95% of respondents viewed billable hours as a *primary* metric in determining the bonuses of their associates, together with other criteria such as firm performance, business development and adherence to company values.²⁴ In environments with an excessive focus on profitability and billable hours, there is a concern that this may have implications on the promotion of ethical values and professional standards, and the training, development and mentoring of young lawyers.²⁵ In relation to large law firms, it has been observed in other jurisdictions that their policies for deciding whether to act in situations of potential conflict, and their use of information barriers when they decide to do so, may be inadequate.²⁶ In relation to in-house lawyers, a survey of 400 in-house lawyers in the UK found that 32% of respondents were sometimes asked “to advise or assist on things that made them uncomfortable ethically”. Further, 45% of respondents stated that they had been asked to advise on proposed action by an organisation which was ethically debatable.²⁷

²³ See The Honourable the Chief Justice Sundaresh Menon, “Maintaining the Effective Functioning of the Judiciary”, speech at the 37th LAWASIA Conference (13 October 2024) (“**Maintaining the Effective Functioning of the Judiciary**”) at para 25.

²⁴ See Caroline Byrne, “The Price of Time: Should Law Firms Sell Minutes or Value”, *Law.com International* (27 October 2024).

²⁵ See Maintaining the Effective Functioning of the Judiciary at para 25. See, for example, *European Natural Resources Corporation Ltd v Dechert LLP & Ors* [2022] EWHC 1138. The case involved a former senior partner from a large international law firm who had leaked a client’s privileged and confidential information to the press, in order to generate more work for the firm. See also the inquiry into the conduct of lawyers arising from the UK Post Office’s Horizon IT Inquiry, which examined the failings surrounding the Post Office’s Horizon IT system that led to the wrongful prosecution and conviction of post office operators.

²⁶ See Christine Parker *et al*, “The Ethical Infrastructure of Legal Practice in Larger Law Firms: Values, Policy and Behaviour” (2008) 31 UNSWLJ 158 at 161. See also *Harsha Rajkumar Mirpuri (Mrs) née Subita Shewakram Samtani v Shanti Shewakram Samtani Mrs Shanti Haresh Chugani* [2018] 5 SLR 894.

²⁷ See Steven Vaughan and Richard Moorhead, “Which Way is the Wind Blowing? Understanding the Moral Compass of In-House Legal Practice” (October 2019).

29. Relatedly, unsustainable and high-pressure workplaces may result in what has been described as “ethical fading”, where individuals lose sight of ethics in decision-making as a result of ill-conceived goals which create cognitive biases that negatively skew their behaviour.²⁸
30. Against this backdrop, the findings from the 2023 SAL Young Lawyers’ Survey are of concern. Of the surveyed respondents who worked in private law firms, only 27.71% were able to confirm that their place of employment had a protocol or policy to promote ethical values and support the development of high professional standards as a legal professional (see **Figure 1**).²⁹ Law firms are where ethics and professional standards interface with the practice of law. The perception of the surveyed respondents may reflect more generally that the existing systems and processes instituted as part of law firm management do not place sufficient emphasis on the development of ethical and professional standards; or, at the very least, that these systems and processes have not percolated through to the junior ranks of firms, resulting in a lack of awareness about the same.

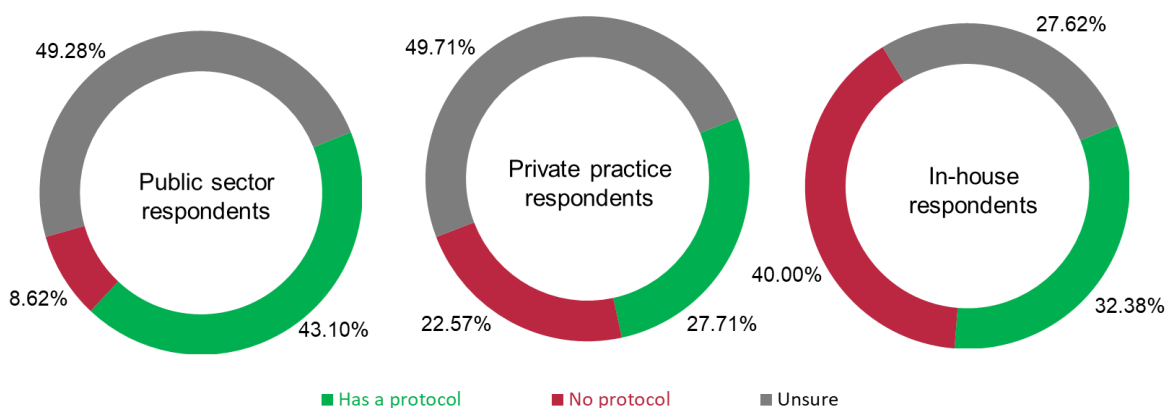


Figure 1. Results from the 2023 SAL Young Lawyers’ Survey on whether respondents were aware of a protocol or policy at their workplace to promote ethical values and support the development of high professional standards as a legal professional

²⁸ See Reimagining the Rule of Law at paras 32–33. See also Tenbrunsel, A.E. & Messick D.M. “Ethical Fading: The Role of Self-Deception in Unethical Behaviour” (2004) 17:2 Social Justice Research 223–236 at 234.

²⁹ See the Interim Report at p 111.

ii. Law firm management

31. The second aspect is that law firms today not only face the conventional issues of management, but also come under increasing pressures from new and complex issues such as cybersecurity, data protection and AML risks. The Review of Disciplinary Cases shows that cases involving the breach of duties relating to law firm management constituted approximately 24.5% of all disciplinary cases between 2018 and 2023.³⁰ Seen in the abstract, this statistic may not be alarming. However, sound law firm management is ultimately foundational to other areas of ethics and professional standards, especially in areas such as client care.
32. This issue may be more acutely felt in smaller-sized law practices, which may lack the required scale and resources to institute and implement good systems and processes that can respond to these challenges. Two findings are highlighted. First, in the 2023 SAL Young Lawyers' Survey, a smaller proportion of surveyed respondents practising in smaller law firms were able to confirm the existence of a protocol or policy to promote the development of ethical values and professional standards, as compared with their counterparts from larger firms – 35.26% of surveyed respondents from large firms could confirm the existence of such a protocol, as compared with 20.71% for medium-sized firms and 24.07% from smaller sized firms. Correspondingly, the percentage of respondents in smaller law firms who indicated that no such protocol existed was higher than that in larger law firms – 44.44% of surveyed respondents from small law firms indicated that no such protocol existed, as compared with 30.00% for medium-sized firms and 8.33% for large firms (see **Figure 2**).

³⁰ See Annex D at [24].

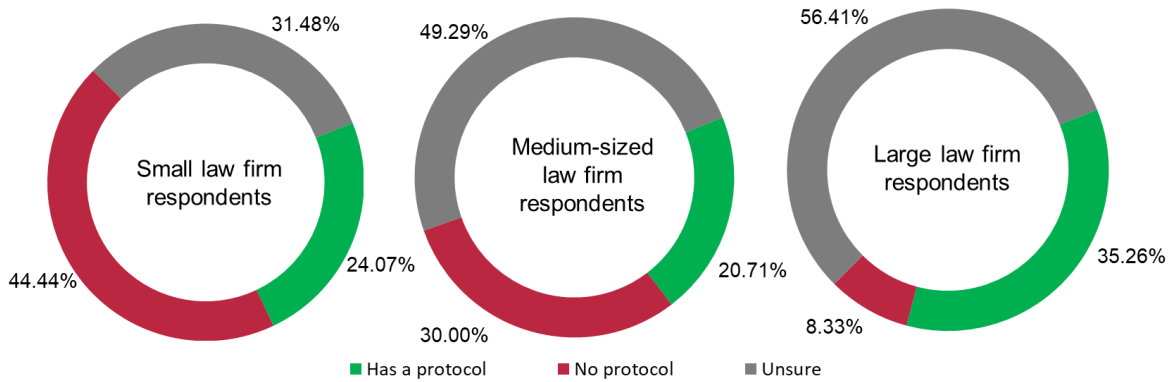


Figure 2. Results from the 2023 SAL Young Lawyers’ Survey on whether respondents were aware of a protocol or policy at their workplace to promote ethical values and support the development of high professional stands as a legal professional, broken down by the firm size of respondents

33. Second, the Review of Disciplinary Cases suggests that senior lawyers (i.e., those with more than 15 years’ PQE) practising in small firms or as sole practitioners may require greater support in dealing with practice management issues. Between 2018 and 2023, these senior lawyers were involved in 44.6% of all cases involving the breach of duties relating to law firm management, and 70% of all cases involving the breach of client care standards.³¹ The representation in these case types of senior lawyers practising in small firms or as sole practitioners come in excess of their corresponding proportions within the legal profession.³² In the context of smaller-sized law practices, senior lawyers are often the ones directly responsible for both the management of the law practice as well as the conduct of files. The incidence of breaches associated with this category of lawyers may be indicative of a lack of sound management processes within their law practices to support them in upholding the required ethical and professional standards.

iii. New ways of working

34. The third aspect is the emergence of *new ways of working*, which have displaced old traditions and everyday practices. The most notable of these has been the trend towards flexible working arrangements (“**FWAs**”), which can take the form of flexi-place (e.g., remote working), flexi-load (e.g., part time

³¹ See Annex D at [26].
³² See Annex D at [11]–[12].

work) or flexi-time (e.g., staggered hours) arrangements.³³ This ought to be seen in a positive light as FWAs have been observed to be an important way to achieve more family-friendly workplaces, and there has also been a national emphasis in this area.³⁴ But this will have implications on certain traditional aspects of the legal profession – such as our artisanal model of training and mentorship, which relies heavily on physical observation and face-to-face interaction.

35. Amidst the changing landscape in which law firms operate, there is a need for an intentional and structured approach to maintain and promote ethical and professional standards, especially in critical areas such as the transmission of values, education and mentoring, and establishing internal and external support structures for lawyers.

2. ***Mental wellbeing***

36. An associated challenge that has been seen globally is the mental wellbeing of lawyers, which is closely related to the issue of the sustainability of values-based legal practice. The International Bar Association (“**IBA**”) was among the first to call global attention to mental wellbeing within the legal profession in 2021.³⁵ Over a third of legal professionals surveyed then felt that work negatively affected their mental wellbeing. A similar study conducted in 2023 by the American Bar Association also revealed significant proportions of its lawyers as struggling with some level of depression and anxiety.³⁶ These trends in the legal profession coincide with the more general concern of a mental

³³ See the Report of the Tripartite Workgroup on the Tripartite Guidelines on Flexible Work Arrangement Requests, “Maximising Our Workers’ Potential and Business Productivity through Workplace Flexibility” (April 2024) at para 1.1, accessible at <https://www.tal.sg/tafep/-/media/tal/tafep/employment-practices/files/twg-report.ashx>.

³⁴ See the Report of the Forward Singapore (Forward SG) Workgroup, “Building our Shared Future” (October 2023) at p 76, accessible at https://www.forwardsingapore.gov.sg/-/media/forwardsg/pagecontent/fsg-reports/fullreports/mci-fsg-final-report_fa_rgb_web_20-oct-2023.pdf.

³⁵ See International Bar Association, “Mental Wellbeing in the Legal Profession: A Global Study” (October 2021).

³⁶ See Jeffrey Tan, “Mental health of lawyers: an unspoken crisis or opportunity for change?”, *The Business Times* (31 July 2024); Amanda Robert, “Mental health initiatives aren’t curbing lawyer stress and anxiety, new study shows”, *ABA Journal* (19 May 2023).

health crisis among the young. Jonathan Haidt, for example, argues that the prevalence of social media and smartphones have resulted in a surge in mental health issues among our youth.³⁷ In Singapore, the Institute of Mental Health recently published the findings of its latest National Youth Mental Health Study, which found that about one in three young people aged between 15 and 35 years reported experiencing severe or extremely severe symptoms of depression, anxiety and/or stress.³⁸

37. Locally, a survey conducted by Mindful Business Singapore (“**MBS**”)³⁹ found that three in ten respondent lawyers screened positive for depression. The survey responses were analysed with the assistance of a clinical psychiatrist, and it identified a significant proportion of respondents as suffering from depression or anxiety (see **Figure 3**).⁴⁰

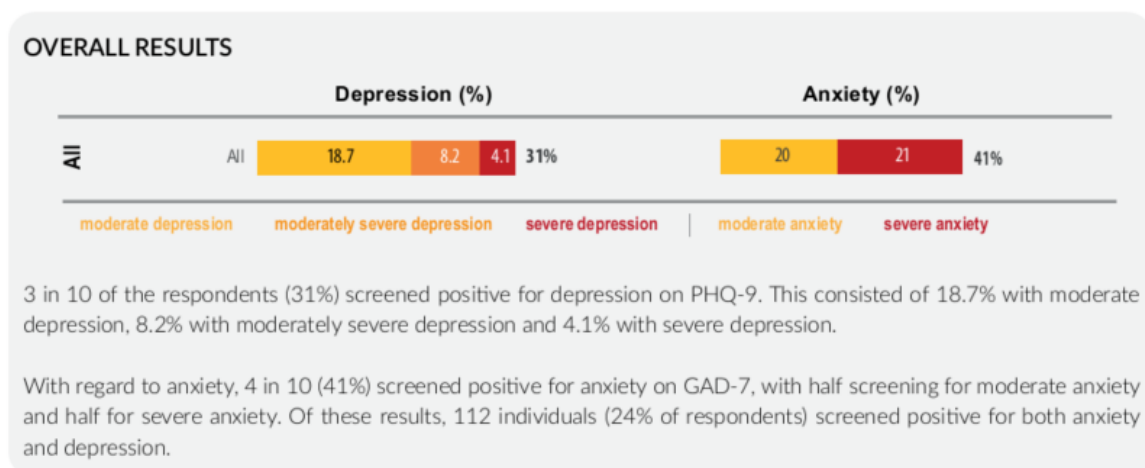


Figure 3. Results of survey reproduced with the courtesy of MBS

3. Sustainability of values-based legal practice

38. The above concerns coalesce in growing concerns over the sustainability of values-based legal practice.⁴¹ This issue is significant because high ethical and

³⁷ See Jonathan Haidt, *The Anxious Generation* (Penguin Press, 2024).

³⁸ See Joyce Teo, “Key takeaways from IMH’s National Youth Mental Health Study” (19 September 2024), *The Straits Times*, accessible at <https://www.straitstimes.com/singapore/health/key-takeaways-from-imh-s-national-youth-mental-health-study>.

³⁹ MBS is a group of Singapore lawyers advocating the removal of unnecessary sources of stress and the promotion of mental health and wellbeing in the workplace: see [176] below.

⁴⁰ MBS, “Lawyers’ Sustainability Report 2023” (January 2023) at pp 2–6.

⁴¹ See Maintaining the Effective Functioning of the Judiciary at para 16.

professional standards are best pursued in *sustainable* environments that provide the necessary conditions for these standards to flourish.

39. In 2022, the IBA observed, based on a global survey of over 3,000 young lawyers, that a significant majority of young lawyers surveyed were leaving or thinking about leaving their current legal job. 54% of young lawyers surveyed indicated that they were somewhat or highly likely to move to a new but comparable workplace in the next five years, while 20% indicated that they were somewhat or highly likely to leave the legal profession entirely.⁴² Approximately half cited salary as the most significant reason for wanting to leave their current jobs (49%), with other reasons including lack of progression (38%) and concerns over workload and work-life balance (36%).
40. These trends appear to similarly affect the legal profession in Singapore. In a survey administered by the Supreme Court on applicants at Mass Call 2024 (“**Mass Call Survey**”), over 66% of 234 respondents indicated that they were “highly likely” or “somewhat likely” to move to a new workplace within the next five years, while nearly 37% of respondents indicated that they were “highly likely” or “somewhat likely” to move out of the legal profession entirely within the same period (i.e., not moving to other non-practising roles in the legal profession, such as in-house roles and academia).
41. At the outset, it should be recognised that a law degree is a valuable one, resulting in a multiplicity of options beyond the legal profession. The competition for talent is global and comes from sectors outside the legal profession.
42. Lawyers who leave the profession have fulfilling careers and benefit economy and society. Nevertheless, the calibre and number of lawyers in the profession must remain sufficient to sustain domestic needs and national ambitions. The results of these surveys are concerning not only because they reflect the views of those who have just started their careers in the law, but also because these

⁴² See International Bar Association, Legal Policy & Research Unit, “IBA Young Lawyers’ Report” (January 2022) at p 18.

responses appear to have been motivated by “push” rather than “pull” factors.⁴³ In particular, 81.2% of respondents who indicated that they were likely to leave their current roles within the next five years cited “excessive workload or poor work-life balance” as one of their primary reasons (see **Figure 4**).

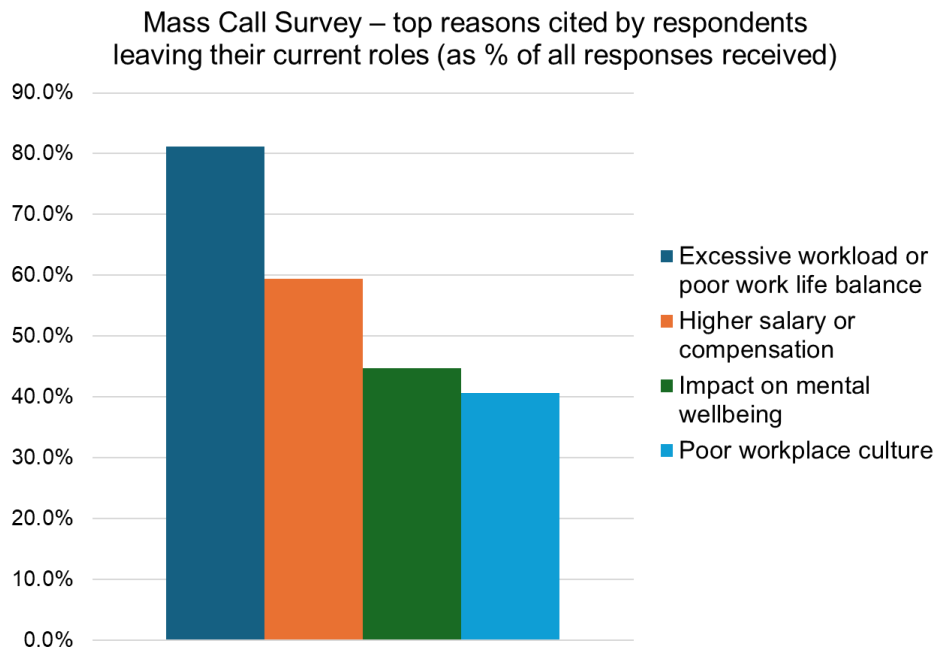


Figure 4. Top four reasons cited by respondents at Mass Call Survey as to why they intended to leave their current roles

43. On a related note, in the 2023 SAL Young Lawyers’ Survey, respondents were asked to cite the key issues that negatively impacted work culture, and which affected their ability to practise successfully as a legal professional (see **Figure 5**).⁴⁴ The most commonly cited factor was workplace bullying and harassment, and the second was excessive workload. On the flipside, a balanced lifestyle and a reasonable workload were cited by respondents as the top two enablers of a conducive work culture that allowed them to practise successfully as a legal professional (see **Figure 6**).⁴⁵

⁴³ See Reimagining the Rule of Law at para 31.

⁴⁴ See the Interim Report at p 102.

⁴⁵ See the Interim Report at p 101.

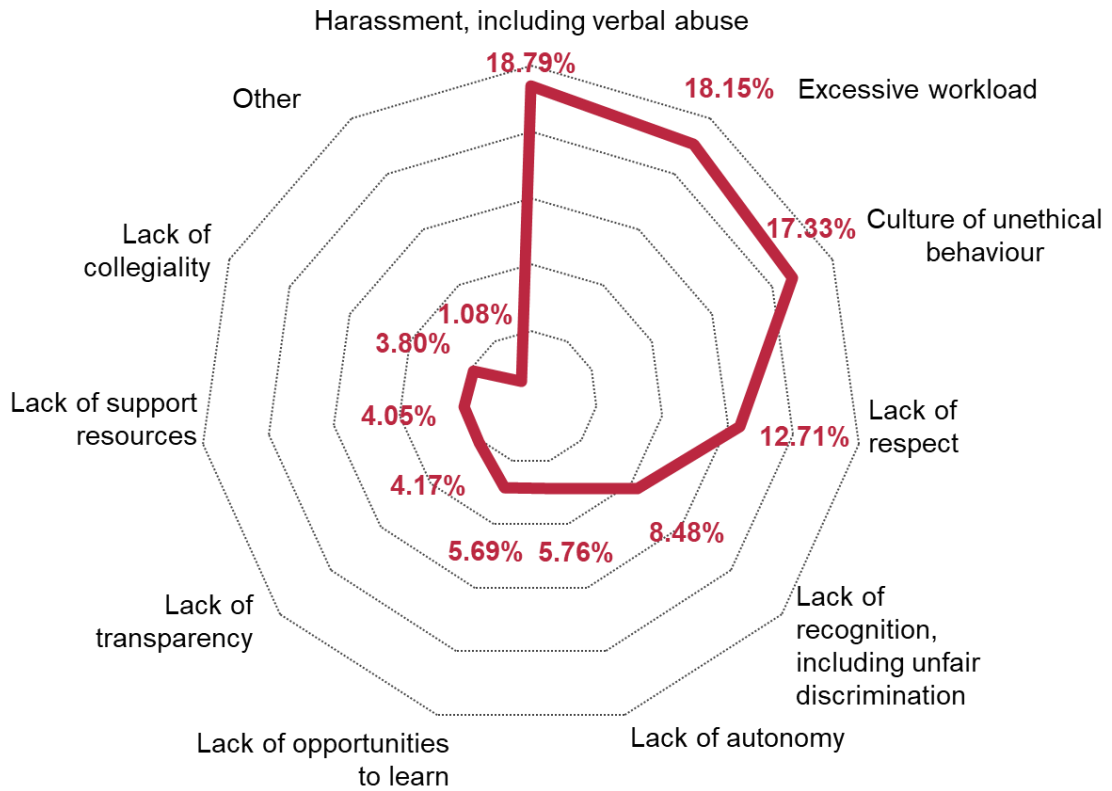


Figure 5. Results from the 2023 SAL Young Lawyers' Survey on what respondents perceived to be the key issues that negatively impacted work culture

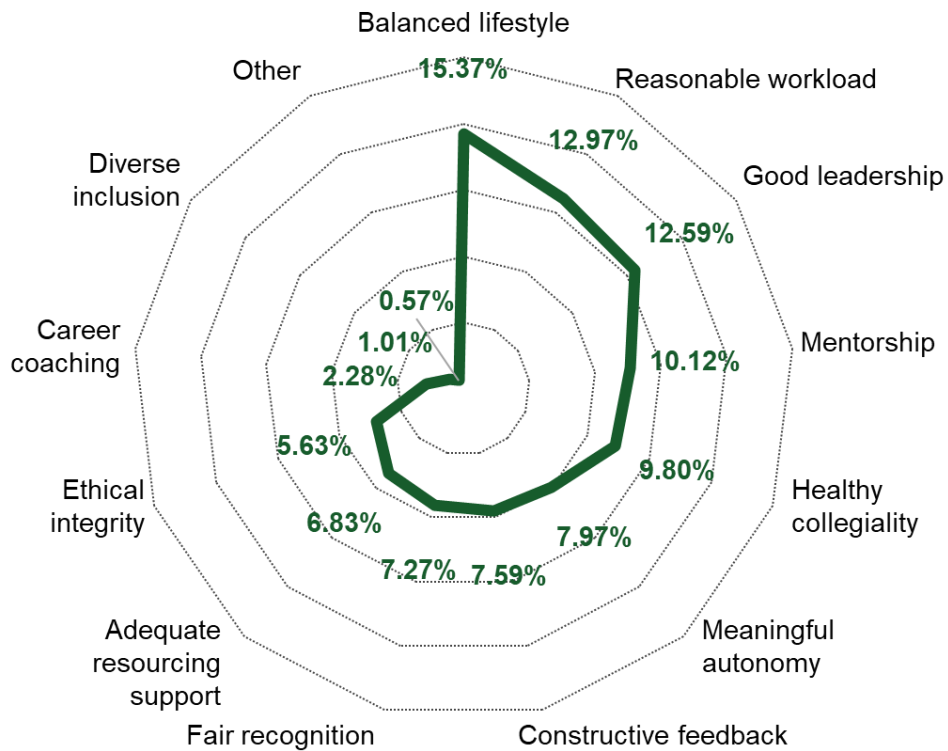


Figure 6. Results from the 2023 SAL Young Lawyers' Survey on what respondents considered to be the key enablers of a conducive work culture

44. The indications of the responses received at the Mass Call Survey are consistent with the general trend of a leakage of lawyers from the practising community in Singapore.

a. From 2017 to 2023, the proportion of SAL members occupying in-house positions grew from 34.3% to 40.6% (see **Figure 7**), while the population of young lawyers in private practice fell by 7% between 2021 and 2022.⁴⁶

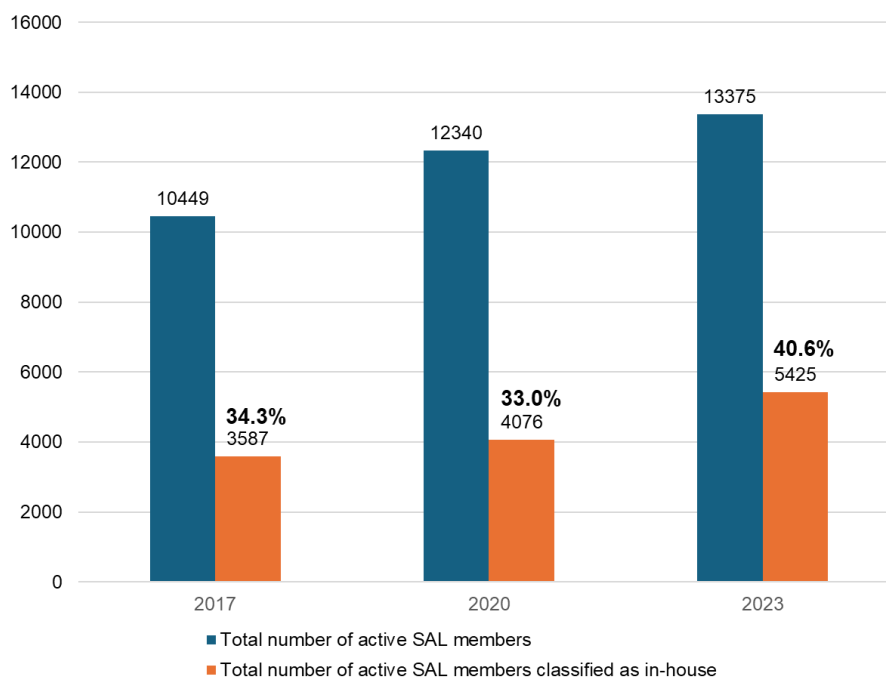


Figure 7. Statistics maintained by the SAL showing the proportion of its members classified as in-house or corporate counsel

b. The number of newly called lawyers has also fallen over the years, with the numbers in 2022 falling to their lowest (below 600) for the first time in half a decade (see **Figure 8**).⁴⁷

Year	Number of practising advocates and solicitors	Change from previous year	Number of admissions
2019	5920	555	695
2020	5955	35	714
2021	6333	378	613

⁴⁶ See Adrian Tan, President of the Law Society, Address at the Opening of the Legal Year 2023 (9 January 2023) ("**Law Society President's OLY 2023 Address**") at paras 13 and 14.

⁴⁷ See Law Society President's OLY 2023 Address at paras 15–18.

Year	Number of practising advocates and solicitors	Change from previous year	Number of admissions
2022	6273	-60	584
2023	6512	239	569
Average		229	635

Figure 8. Table showing change in number of practising advocates and solicitors and number of admissions from 2019 to 2023

45. The local surveys also reflected generation gaps within local law firms. Four very different generations coexist within our workplaces today – “Baby Boomers”, “Gen X”, “Millennials”, and “Gen Z” – each with different aspirations, expectations, attitudes and communication styles.⁴⁸ In Singapore, these gaps may be more pronounced because Singapore is a young country. Many successful Baby Boomers or Gen X lawyers have succeeded through hard, unstinting work, while Gen Z lawyers have generally grown up in more comfortable circumstances, and – having lived through the Covid-19 pandemic early in their lives – may ascribe greater value to experiences, family and relationships. While the trend is a general one, large multi-national corporations or larger international law firms may have greater resources to manage such expectations.
46. There is a need, therefore, to foster a strong community of private practitioners committed to the values of the profession. The trends, if not abated, may in the medium term lead to a much smaller pool of private practitioners that may be both professionally and ethically weaker. This is of concern because the quality of the legal profession supports the strength of our institutions and laws, the independence and effectiveness of the courts, and the robustness of the rule of law.

⁴⁸ See Brittany Johnson, “Generation Gap Widens as New Lawyers Redefine Success” *Bloomberg Law* (6 September 2023). See also Jonathan Sim, “Rudeness is everywhere! Or are we misunderstanding each other?” (18 October 2024), CNA, accessible at <https://www.channelnewsasia.com/commentary/rude-society-text-email-social-media-complaints-misunderstanding-communication-4657136>.

D. Opportunities Arising from the Changing Landscape

47. At the same time, the Committee’s research has highlighted opportunities offered by the current circumstances. The particular traits and skills of young lawyers reflect that we must look anew at the areas of (a) values, (b) learning, and (c) how the profession as a whole may better support itself.

1. Values

48. Young lawyers today are values- and purpose-oriented, which should be encouraged. In this regard, Gen Z has been described as the “most purpose-driven generation yet”, and research has found that it is very important to them to work for employers that share their values.⁴⁹ Indeed, the Committee notes that values were ranked by a significant proportion of respondents in the 2023 SAL Young Lawyers’ Survey as their most or second-most important goal and aspiration (among nine options) as a legal professional (see **Figure 9**):⁵⁰



Figure 9. Results from the 2023 SAL Young Lawyers’ Survey on what respondents considered their main goals and aspiration as a lawyer

⁴⁹ See, for example, Dena Trujillo, “Engaging Gen-Z, Our Most Purpose-Driven Generation”, *Forbes* (15 September 2023) at <https://www.forbes.com/councils/forbesnonprofitcouncil/2023/09/15/engaging-gen-z-our-most-purpose-driven-generation> (citing a 2021 survey conducted by Ernst & Young). See also the Deloitte Global Gen Z and Millennial Survey 2023, accessible at <https://www.deloitte.com/global/en/issues/work/content/genzmillennial-survey.html>. Deloitte gathered feedback from more than 22,000 Gen Z and millennial respondents in 44 countries to explore their attitudes about work and the world around them. The survey found that many Gen Zs and millennials made career decisions based on values – approximately 4 in 10 said that they had rejected assignments due to ethical concerns, while a similar proportion had turned down employers that did not align with their values.

⁵⁰ See the Interim Report at p 99.

2. **Learning**

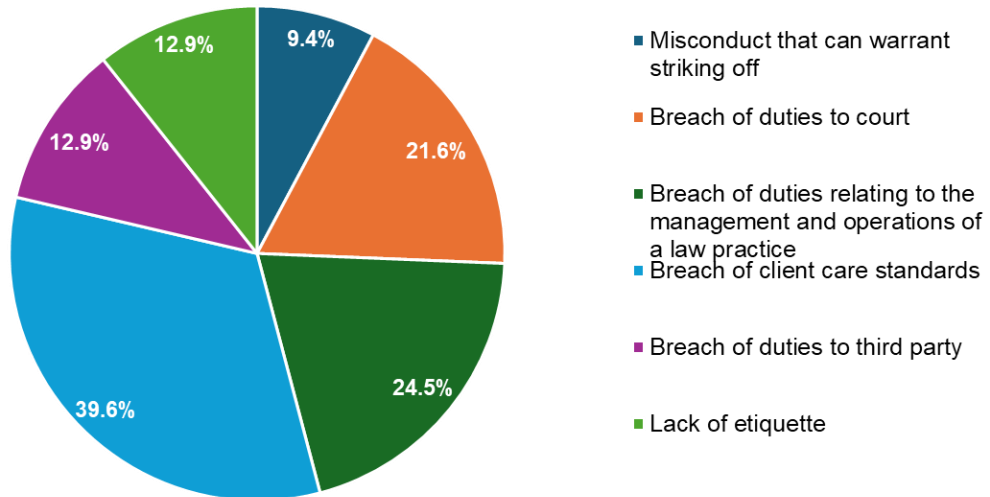
i. Education

49. The Committee's work has shown that education may potentially yield large returns, and this is informed by the following five observations which underscore the importance of more intentional and effective ethics education and training.

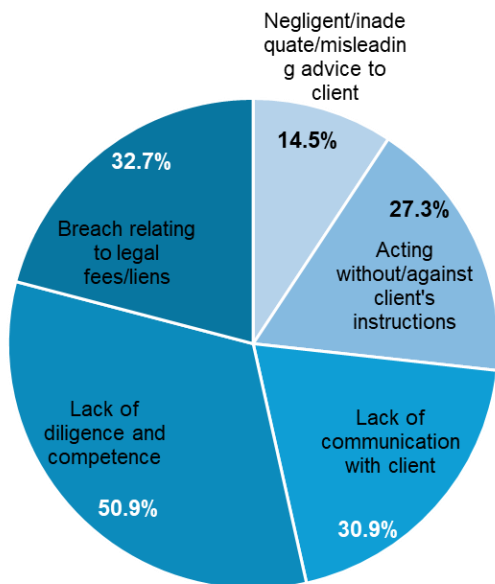
- a. First, the Review of Disciplinary Cases shows that the majority of breaches in disciplinary cases did not relate to fundamental character defects, but instead related to areas of *professional standards* and a legal practitioner's *professional duties*, which may be addressed by a greater emphasis on education and training in the relevant areas. On average, the most common categories of breaches were: (i) breach of client care standards (39.6%); (ii) breach of duties relating to the management and operations of a law practice (24.5%); (iii) breach of duties to court (21.6%); (iv) lack of etiquette (12.9%); and (v) breach of duties to third parties (12.9%) (see **Figure 10**).⁵¹

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⁵¹ See Annex D at [24].



Cases involving breach of client care standards



Cases involving breach of duties relating to the management and operations of a law practice

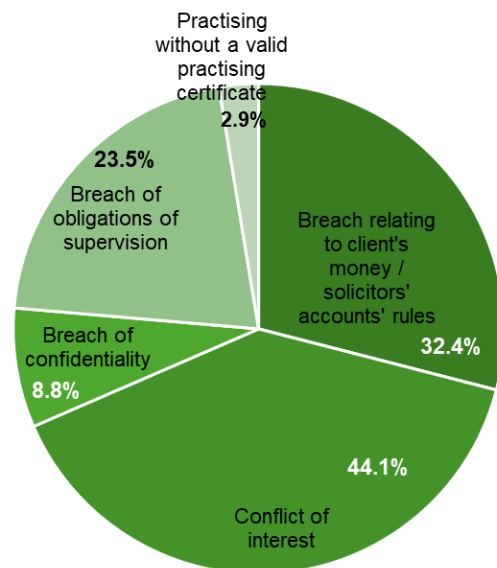


Figure 10. Pie chart showing breakdown by type of misconduct in the Review of Disciplinary Cases

- b. Second, the Review of Disciplinary Cases shows that the majority of legal practitioners involved in disciplinary cases were lawyers within the senior PQE category.⁵² The Committee recognises that senior lawyers are often the ones with ultimate responsibility for the management and conduct of a matter and, therefore, may be more likely to be the subject of a complaint for professional misconduct. This, however, does not detract from the broader point that training on ethics and professional standards should be reinforced across *all* seniorities within the legal

⁵² See Annex D at [20].

profession, even for those who might be perceived as being more experienced.

- c. Third, there is significant room to further strengthen lawyers’ awareness of ethical values. According to the 2023 SAL Young Lawyers’ Survey, of the respondents surveyed who worked in law firms, only 34.72% considered themselves as being “completely aware” of the ethical values expected of a legal professional. Of all the respondents surveyed, only 33.40% considered themselves as being “completely aware” of the professional standards expected of a legal professional (see **Figure 11**).⁵³

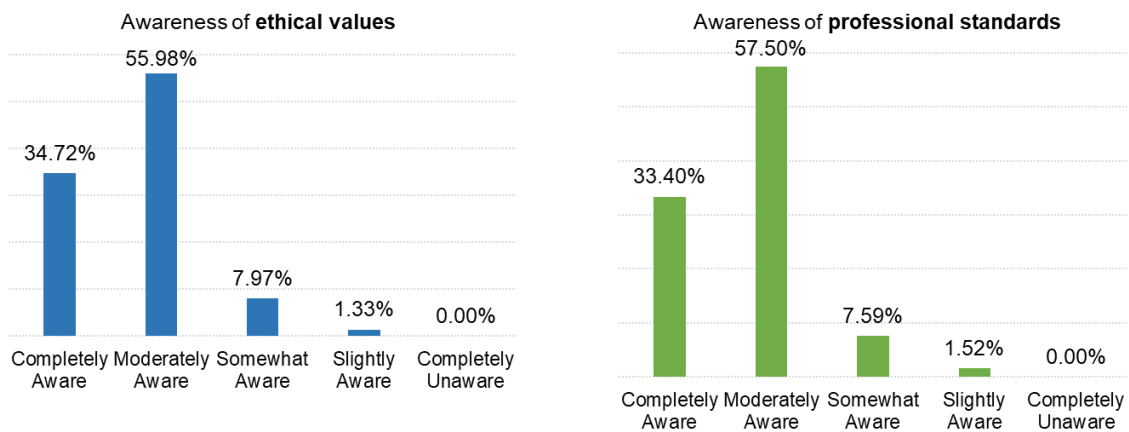


Figure 11. Results from the 2023 SAL Young Lawyers’ Survey on awareness of (a) ethical values and (b) professional standards that are expected of legal professionals

- d. Fourth, there is room for ethics and professional standards training for lawyers to be further strengthened.
 - i. The CPD framework can be made more effective as an avenue for education on ethics and professional standards. In the 2023 SAL Young Lawyers’ Survey, 52.36% of survey respondents indicated that they did not consider CPD programmes as being helpful *in upholding/uplifting ethical and professional standards* among practising lawyers.⁵⁴ In focus group discussions, participants also

⁵³ See the Interim Report at pp 106 and 110.

⁵⁴ See the Interim Report at p 116.

expressed a desire for CPD programmes that would keep them up to date on the topical developments relating to ethical and professional standards that were more immediately relevant and useful to them, as opposed to theoretical and general knowledge.

- ii. Apart from CPD, there is also room to further strengthen the other avenues for ethics education and training. In the 2023 SAL Young Lawyers’ Survey, respondents cited “personal values” as the top source or reference which informed their definition of professional standards, as opposed to other sources which ought to have featured more prominently as their primary point of reference, such as “Part B”, “the Law Society” or “Internal training” (see **Figure 12**).⁵⁵

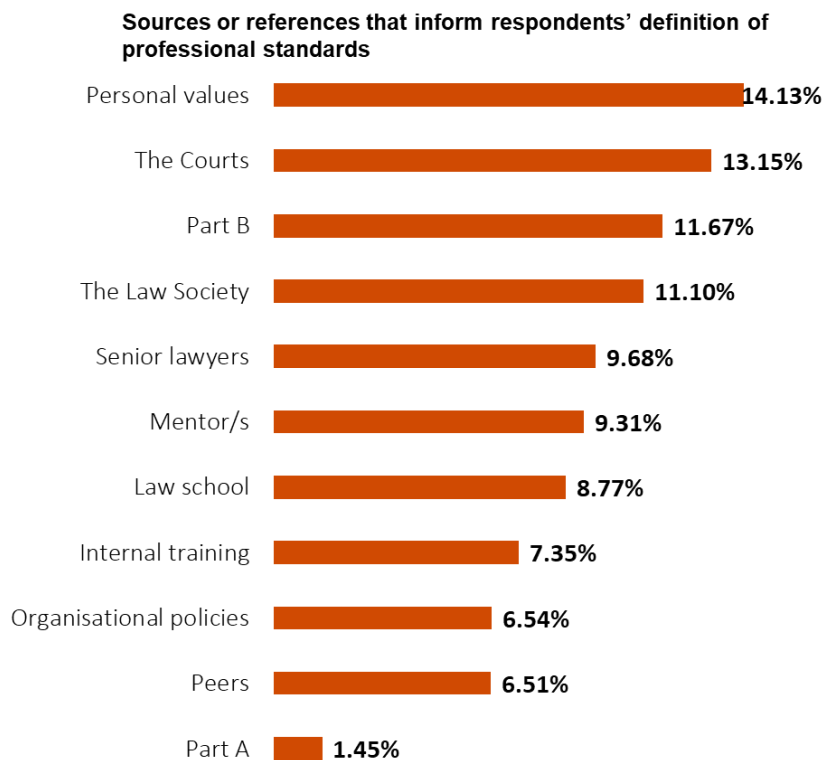


Figure 12. Results from the 2023 SAL Young Lawyers’ Survey on what respondents identified as the sources or references which informed their definition of professional standards

- e. Finally, the legal profession expressed a strong desire for self-education on ethics to be made more accessible. At focus group discussions

⁵⁵ See the Interim Report at p 110.

conducted in 2023, lawyers expressed the view that ethics education should be delivered through platforms and resources which provide easy access and deliver up to date information in a concise manner, a view which was reiterated at the 2024 SAL Focus Groups. In this day and age of digitalisation, relying on traditional educational models like lectures and workshops alone will not be sufficient. There needs to be a repository of information which lawyers can quickly and easily access to refresh their knowledge on ethics and professional standards whenever needed.

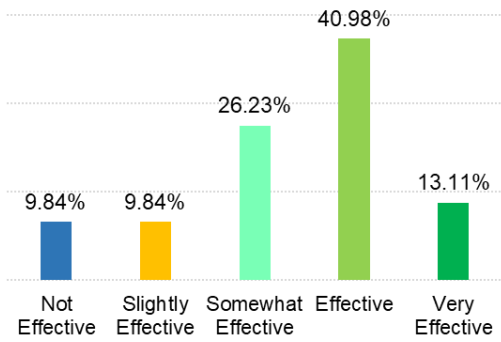
ii. Mentoring

50. Persistent and pervasive education, both at the foundational stage and throughout each lawyer's career, will instil knowledge of the applicable standards. But this must be complemented by mentoring, which is what brings knowledge to life, puts education into practice and ensures that rules are applied with wisdom.
51. The Committee notes that there is a strong desire among younger lawyers for more structured and intentional mentoring. In the 2023 SAL Young Lawyers' Survey, across all firm sizes, only 11.57% of respondents indicated that they had participated in a structured mentorship programme. For those who had participated in a structured mentorship programme,⁵⁶ a significant proportion of them indicated that they had benefitted from it, both in terms of developing their knowledge and skill sets as a legal professional and in terms of embedding a strong sense of ethical values and professional standards (see **Figure 13**).⁵⁷

⁵⁶ The Committee acknowledges that the term "structured mentorship" could be viewed differently by different people, but by-and-large, based on feedback gathered from focus group discussions, mentorship within the legal profession reflects its artisanal nature, the approach to which depends on the immediate supervisor or team.

⁵⁷ See the Interim Report at p 114.

Effectiveness of mentorship programmes in developing knowledge and skill sets in the legal profession



Effectiveness of mentorship programmes in embedding a strong sense of ethical values and professional standards

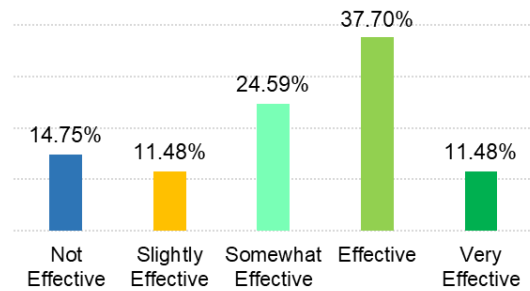


Figure 13. Breakdown of results from the 2023 SAL Young Lawyers’ Survey showing private practice respondents’ feedback on the effectiveness of structured mentorship programmes

52. All these must be seen against the statistic that a very significant proportion of the legal profession in Singapore consists of young lawyers with less than 5 years’ PQE. On average, between 2019 and 2023, 37.5% of advocates and solicitors of the Supreme Court comprised lawyers within this category (see **Figure 14**).⁵⁸ This segment, which forms the future of the legal profession, benefits the most from having good mentors in their development.

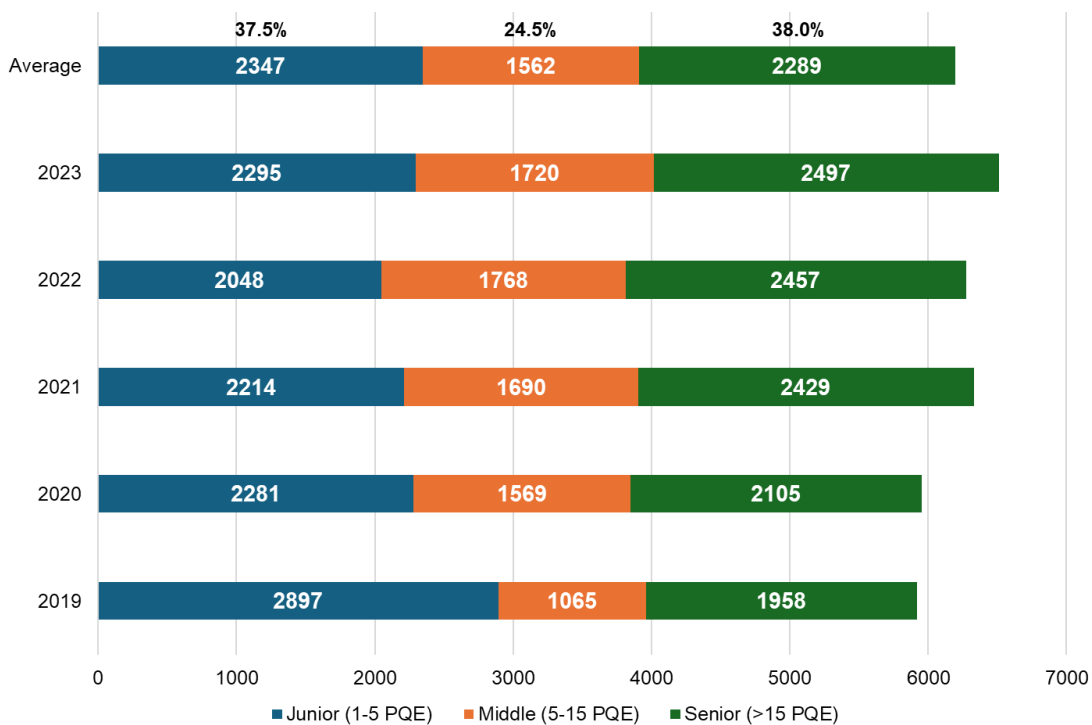


Figure 14. Distribution of advocates and solicitors of the Supreme Court by PQE from 2019 to 2023

⁵⁸ See Annex D at [11].

53. In this context, the growing in-house community also provides a valuable source of mentoring. As there is no registration requirement, the precise number is not available; but statistics maintained by the SAL show that from 2017 to 2023, the percentage of its members who were classified as in-house or corporate counsel grew from approximately 34.3% to 40.7% (see **Figure 7**).⁵⁹ The SCCA's number of individual members increased from 411 in 2020 to 540 in 2024. ACC's membership numbers have grown from 415 in 2020 to 576 in 2024. In-house counsel do not automatically become ordinary members of the SAL unless they have been admitted as advocates and solicitors; and memberships in SCCA and ACC are voluntary. Many of these in-house counsel are sited within global corporations with well organised systems, who value long term relationships with their legal advisors who understand their history and context. With this segment of the legal fraternity brought into the fold, mentoring can provide practising lawyers with lessons on organisational management as well as understanding client needs. The in-house community could also be an important part of the solution in terms of shaping the behaviour and priorities of law firms, by tying empanelment to considerations such as sustainability and mentorship, and thus setting standards that may offer an example for the broader legal profession.

3. *The strengths of the profession*

54. The effectiveness of the strategies adopted to harness the areas of opportunity presented by values and learning will be limited if they are not systemically supported by law firms and professional institutions. First, the deep expertise found within experienced members of the legal profession may be harnessed by the Law Society to provide practical assistance to legal practitioners facing ethical dilemmas. Second, law firms hold significant opportunity as places where taught ethics and standards interface with the practice of law. Sustainable workplaces also contribute to productivity: a study of more than 1.8

⁵⁹ This number was provided by the SAL and was computed using: (a) the number of SAL members registered as in-house counsel; and (b) the number of fee-paying SAL members less SAL members who (i) did not have a practising certificate; (ii) did not belong to a law school faculty; (iii) were not Legal Service Officers or Judicial Service Officers; and (iv) were not registered foreign lawyers.

million employees across 73 countries found that there was a strong positive correlation between employee wellbeing, productivity and firm performance.⁶⁰ Two particular areas of opportunity are emphasised.

55. **Law firm management:** The first area is sound law firm management, which is critical in securing high ethical and professional standards within the legal profession. At the 2024 SAL Focus Groups, a point that resonated strongly with lawyers with more than 20 years' PQE from firms of different sizes, who either had experience in the management of a law firm or who were law firm owners themselves, was the importance of sound operating processes within law firms to ensure individual lawyers' compliance with their ethical and professional obligations, however ethically challenging a situation they may be presented with. As things stand, however, this is an area which can be further strengthened to ensure systemic ethical resilience. The feedback gathered at the 2024 SAL Focus Groups suggested that there was room for more standardised and clearly defined procedures for routine issues of law firm management, such as protocols for the management of conflicts of interest, client confidentiality, and the management of client complaints. As explained at [31]–[33] above, the Review of Disciplinary Cases also shows that law firm management was one area in which law practices (and in particular smaller-sized law practices) were challenged and could be better supported.
56. **Training and mentorship in law firms:** The second area is the development of mentorship structures within law firms, which yields organisational and systemic benefits. At the *organisational* level of law firms, it ensures that junior lawyers come to appreciate, and therefore mindfully adhere to, the operating procedures that are put in place at their firms. Indeed, it appears that junior

⁶⁰ See Christian Krekel, George Ward and Jan-Emmanuel De Neve, "Employee wellbeing: the impact on productivity and firm performance", *CentrePiece Summer 2019*, accessible at <https://cep.lse.ac.uk/pubs/download/cp556.pdf>. Similarly, McKinsey analysed 1,800 large companies and reported that the companies which performed better and which were more resilient over the long-term were also those that prioritised their "organisational capital", which they described as the management practices, systems and culture within each company: see McKinsey Global Institute, "Performance through people: Transforming human capital into competitive advantage" (2 February 2023), accessible at <https://www.mckinsey.com/mgi/our-research/performance-through-people-transforming-human-capital-into-competitive-advantage>.

lawyers are keen to be engaged at a deeper level on these practice-related issues, beyond the immediate deliverables expected of them. At the 2024 SAL Focus Groups, young lawyers with 2 to 10 years' PQE expressed interest to be involved in the process of how checks for conflicts of interests are performed and what goes on behind the scenes, as opposed to only being notified (and assigned to a file) after conflicts have been cleared. At the *systemic* level, law firms bear the important responsibility of nurturing the future of our legal profession. On-the-job training received by junior lawyers is foundational to their subsequent practice of law and – for some of them – the management of law firms, as they rise through the ranks to become senior members of the profession. In particular, the Committee notes that, on average between 2017 and 2023, large and medium-sized firms respectively employed 58.2% and 30.1% of all junior lawyers with 1 to 5 years' PQE (see **Figure 15**).⁶¹ It is therefore critical for these large and medium-sized firms, which are better resourced, to provide proper training for junior lawyers by ensuring that they have avenues for effective mentorship on practice-related issues at their immediate workplaces.

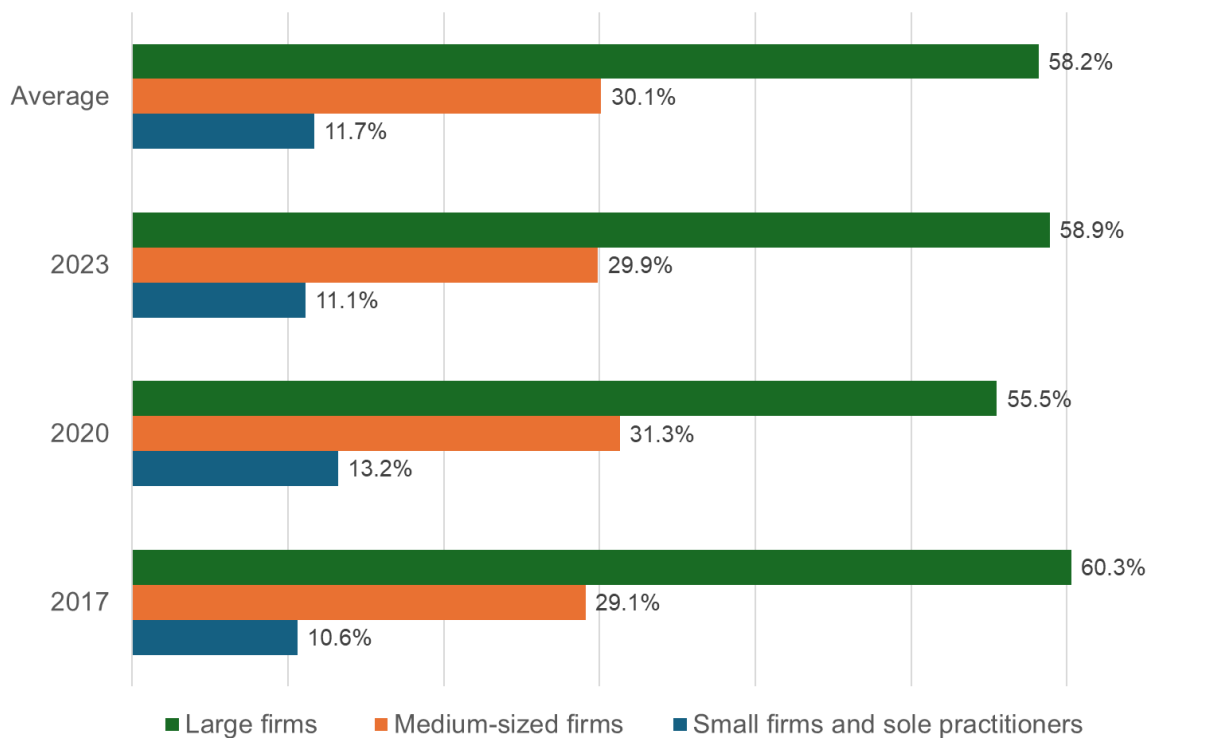


Figure 15. Bar chart showing the distribution of junior lawyers with 1 to 5 years' PQE practising in small firms or as sole practitioners, in medium-sized or large firms

⁶¹ See Annex D at [12].

E. The Committee's Approach

57. The analysis above sheds light on the fact that the legal profession is a system of multiple actors, and the issues confronting it are complex. The Committee therefore proposes the following three-strand approach that addresses systemic factors and is *iterative*, in that each strand supports and strengthens the others:
- a. **Ethos:** A bedrock of values must gird the hearts and minds of lawyers and those aspiring to join the profession. The core values of the profession must be widely propagated, and then entrenched through stories, narratives, community celebrations, a shared vision, and habits and practices congruent with these values. This ensures that the community, as a whole, espouses a culture of integrity, professionalism and justice.
 - b. **Learning:** Learning must be inculcated through education and mentoring, which reinforce each other. Values-centred lawyers must acquire knowledge of the applicable standards and expectations. Persistent and pervasive education must be emphasised at the foundational stage and then reinforced throughout each lawyer's career. At every stage, appropriate mentoring will bring knowledge to life, put education into practice, and ensure that rules are applied with wisdom.
 - c. **Profession:** The legal community, including fellow lawyers, law firms and the relevant professional institutions, is crucial to this endeavour. Lawyers must be mentored, supported, and, when necessary, rehabilitated within the community of the legal profession. The Committee's recommendations reflect that lawyers may be assisted by other lawyers within the legal community, within their law firms and the institutions within the profession.
58. The Committee sets out its recommendations in these three strands in the remainder of this Final Report.

IV. **ETHOS**

59. The starting point for encouraging a culture of ethical behaviour and high professional standards within the legal profession is to build mindshare by inculcating the correct values and habits that exemplify the practice of law as an *honourable profession* guided by the pursuit of higher aspirations and ideals. Behavioural change cannot be secured and sustained by rules alone; it requires, as its foundation, *values and habits* which encourage and reinforce that behaviour throughout the lifespan of a career in the law. The Committee's Ethos-related recommendations are therefore aimed at attracting those with the right mindset and values to embark on a career in the law, and thereafter sustaining and reinforcing that mindset and those values over the course of one's career. The objective is to motivate individuals within a fraternity of like-minded professionals, and to imbue the community with the intuition, ambition and reflexes that support and reinforce the values of the profession. This is essential because the legal profession must be at least primarily populated with such individuals in order to maintain the quality of the profession as a whole, and in turn, the strength of Singapore's legal system and position as a leading hub for legal services.
60. In the Interim Report, four Ethos-related recommendations were made. These were accepted for implementation and refinement.

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Interim Report Recommendation 1:

To distil core values of the legal profession that will be clearly communicated and explained to members of the profession, aspiring entrants and the public. The core values will reiterate the importance of the calling to serve, and their communication will also serve to (i) attract the correct candidates to the profession; (ii) unify the profession and sustain its sense of call; and (iii) educate the public at large, so that they can appreciate the premise from which lawyers act, as the respect of society for the law as an institution is central to its legitimacy.

Interim Report Recommendation 2:

To build a shared vision for the legal profession as a community, the following are proposed: (i) a pledge for university students (to be implemented from academic year 2024/2025); (ii) a revised declaration for newly admitted advocates and solicitors of the Supreme Court (to be implemented beginning in Mass Call 2024); and (iii) a creed for all members of the legal profession. This will serve to explain the legal profession's core values in a more detailed way and to build consensus on and deepen understanding of these values.

Interim Report Recommendation 3:

To entrench values as narratives through community rituals. As a start, the Mass Call experience should be enhanced to affirm the importance of ethics and professional standards at the outset of one's career, with enhancements implemented from Mass Call 2024. The start of and graduation from university, and the occasion of the annual Opening of the Legal Year, could be other opportunities to emphasise shared values. Community rituals provide visual and vivid representations of values and help to build up a sense of fraternity and commonality within the profession.

Interim Report Recommendation 4:

To build habits and practices premised on aspirational standards, codes and reference guides relating to ethics and professional standards should be promulgated for specific practice areas. As a start, (i) the *Code of Practice for the Conduct of Criminal Proceedings by the Prosecution and the Defence* ("**Criminal Code of Practice**") and (ii) the etiquette guide titled *A Civil Practice – Good Counsel for Learned Friends* (2011) ("**A Civil Practice**") should be updated; and (iii) a new Ethical Best Practices in Dispute Resolution Guide is proposed. The building of habits and practices premised on these aspirational standards will sustain long-term behavioural change.

61. The Committee now outlines the work that has been undertaken to implement the Ethos-related recommendations and where applicable, the refinement of these recommendations, which has benefited from feedback gathered at the 2024 SAL Focus Groups with the broader profession on what best inspires hearts and minds to engender aspirational conduct. These are elaborated on further in Final Report Recommendations 1–4 below.

A. Core Values of the Legal Profession

Final Report Recommendation 1: The *core values* of the legal profession – identified in the Interim Report as Integrity, Professionalism, and Justice – should be widely communicated in order to: attract suitable candidates to the profession; unify the profession; and sustain its sense of purpose. In essence, it is important that lawyers understand the nature of the mission they are engaged in and why it is important to subscribe to, and work to preserve, the core values of the profession. This will also educate the public at large about the role of lawyers in society.

62. The core values of the legal profession were distilled and proposed in the Interim Report as Integrity, Professionalism, and Justice. These core values were further elaborated on in the Interim Report,⁶² and the relevant extracts are reproduced in **Annex C**.

63. These core values reiterate the importance of a lawyer’s calling to serve, and their communication will also serve to attract candidates aligned with these values to the legal profession; to unify the profession and sustain its sense of call; and to educate the public at large so that they can appreciate the premise from which lawyers act, as the respect of society for the law as an institution is central to its legitimacy.⁶³ The Committee notes that there has been general consensus within the profession on these core values.⁶⁴

B. Entrenching Values as Community Narratives

Final Report Recommendation 2: To transmit and entrench the core values of the legal profession as *community narratives*, it is important to build collegiality and common aspiration. Celebrating community rituals and good role models provide visual and vivid representations of values and help to foster fraternity and commonality within the profession.

⁶² See the Interim Report at [40]–[55].

⁶³ See the Interim Report at [36]–[37].

⁶⁴ These core values were found to resonate with participants at focus groups and discussions conducted by the Committee in the lead-up to the delivery of the Interim Report, as well as with participants at the 2024 SAL Focus Groups. This is also consistent with the results of the Mass Call Survey, in which 99% of respondents agreed that integrity, professionalism and serving the ends of justice are foundational and important to the practice of law.

64. Beyond distilling the core values of the legal profession, Recommendation 1 of the Interim Report also contemplates that these should be clearly communicated and explained to members of the profession, aspiring entrants and the public, in order to systematically inculcate these values throughout the legal profession and raise awareness of these values among the wider public.
65. To this end, the Committee highlights the following plans for 2024 and 2025.

1. Enhancing the call experience

66. Being called to the Bar is a milestone and important rite of passage for the legal profession. Starting from Mass Call 2024, the call experience⁶⁵ has been enhanced in the following ways, to affirm the importance of ethics and professional standards at the outset of one’s career:
- a. Refining the declaration for newly admitted advocates and solicitors (see [78] below).
 - b. The first version of *A Civil Practice* has been updated and now takes the form of a reflection journal – “*A Civil Practice – Good Counsel for Learned Friends: A Reflection Journal*” (“**A Civil Practice (2nd Ed)**”) (see [87] below) – and it was distributed to all applicants at Mass Call 2024.
 - c. The Singapore Advocate & Solicitor pins (“**Singapore A&S Pins**”) will be featured more prominently in the call experience.
67. The Singapore A&S Pins⁶⁶ were introduced at Mass Call 2023, and they serve as a constant and tangible reminder of the obligation of every lawyer to uphold

⁶⁵ This applies not only to Mass Call, but also to monthly and ad hoc calls.

⁶⁶ The Singapore A&S Pin is a unique pin issued to each person admitted as an Advocate and Solicitor of the Supreme Court of Singapore and it is inscribed with the SAL’s motto, “*Honor est in Honorante*” and laser-etched with the unique Advocate and Solicitor admission number of the individual admitted. For more information, see Singapore Academy of Law, the Singapore Advocate & Solicitor Pin, accessible at <https://www.sal.org.sg/index.php/members/aas-pin>. Guidance is provided on when and how the Singapore A&S Pin should be worn.

the high standards and ethics of the profession. Bearing in mind the significance and symbolism of the Singapore A&S Pin, changes were introduced at Mass Call 2024 to provide a special occasion for each newly admitted lawyer's Singapore A&S Pin to be pinned by his or her loved ones, as a physical manifestation of the expectations and responsibilities that attach to the privileges of being admitted as a lawyer (akin to the ritual of a "white coat ceremony" for medical students).

68. Starting from 2025, the SAL will be introducing two new traditions for each cohort⁶⁷ of lawyers as "book-ends" to mark significant milestones of their professional journey:
- a. a Mass Call Dinner;⁶⁸ and
 - b. a Cohort Valedictory Dinner.⁶⁹

2. Celebrating good examples of ethical behaviour

69. The Committee recognises that a strong culture of high ethical and professional standards must be built on a positive foundation, where good examples of ethical behaviour are publicised and celebrated as qualities and practices to aspire to. To this end, the Law Society and the SAL will be celebrating good examples of ethical behaviour in a more sustained and systematic manner, including by: (a) raising the profile of the C.C. Tan Award;⁷⁰ and (b) publishing stories of ethical lawyers, and ethical practices, more regularly.

⁶⁷ The Committee understands that a lawyer's cohort will be determined based on the year of his or her birth.

⁶⁸ To be held on each of the two days of the annual Mass Call.

⁶⁹ To be held towards the end of each year to celebrate each cohort's service upon reaching their statutory retirement age, where a suitable speaker from the cohort will be invited to deliver a speech.

⁷⁰ The C.C. Tan Award is an annual award conferred by the Law Society recognising members who exemplify the virtues of honesty, fair play and personal integrity. It is normally presented at the Law Society's Annual Dinner and Dance, and is accompanied by a citation followed by a short acceptance speech delivered by the recipient. See Citation and Acceptance Speech, C.C. Tan Award 2022, accessible at <https://lawgazette.com.sg/news/events/cc-tan-award-2022>.

70. The Law Society has plans to raise the profile of the C.C. Tan Award by: (a) inviting one or more C.C. Tan Award winners to participate in a fireside chat at a Law Society ethics seminar; (b) profiling the C.C. Tan Award winners at international conferences organised by the Law Society, where appropriate; (c) publishing a ‘coffee table book’ on all the C.C. Tan Award winners; and (d) asking the C.C. Tan Award winner to perform an “ambassador” role for ethics, which will include giving talks to law students and members of the legal profession.
71. Beyond the C.C. Tan Award, stories of ethical lawyers and ethical conduct should be publicised on a more regular basis, to motivate and inspire the profession as a whole to hold themselves to similarly high standards of ethical and professional conduct in their day-to-day professional lives. Such stories should be drawn from all sectors of the profession as far as possible (including the in-house community), and from lawyers of all seniorities. To this end, the Committee proposes that the Law Society establish mechanisms for various sectors of the profession to submit such stories for consideration over the course of each year, and for the consent of the lawyers featured to be obtained before these stories are published. These stories can be published on various platforms⁷¹ and shared on various occasions throughout the calendar of events⁷² to ensure maximum outreach to the profession.
72. The SAL also plans to expand its oral history project to include a further theme – “The legal profession as an honourable profession”.⁷³ Interviews, to be helmed by Mr Jimmy Yim SC in 2025, will be conducted to spotlight stories of ethical lawyers and ethical conduct, which could then be archived under this theme on the SAL’s oral history project webpage. Over time, this could also

⁷¹ For example, the Law Society’s *Singapore Law Gazette*, the SAL’s Singapore Law Watch, *Asian Legal Business*, and the *In-House Community* magazine.

⁷² For example, the Law Society’s Litigation Conference 2024 and Annual Ethics Day, the SAL’s Legal Profession Symposium, the SCCA’s Asia-Pacific Legal Congress, the Law Society’s Young Lawyers’ Conference, and fireside chats and other events organised throughout the year by entities such as the SAL’s Professional Values Chapter.

⁷³ The SAL’s oral history project currently focuses on two themes: (a) the development of Singapore’s legal system; and (b) Covid-19 and its impact on Singapore’s legal community.

develop into a rich and inspiring resource showcasing the ethics of Singapore's legal profession.

73. The Committee is also cognisant of the need to clearly communicate the core values to members of the broader public, to raise their awareness of how lawyers conduct themselves and reinforce their understanding of the profession's core values. Feedback was gathered at focus group discussions that television programmes or new media could be used to spread positive ethical stories. The Committee therefore recommends that the Law Society and/or the SAL could consider working with local content creators and media networks to develop and broadcast programmes featuring examples of work done by the legal profession in Singapore and how lawyers conduct themselves. Such programmes could include fictionalised television programmes, documentary-style series, or video interviews with practitioners. The broadcasts of these programmes could also be timed to coincide with significant events such as the OLY or the Mass Call ceremony each year.

3. Outreach to the in-house community

74. In-house counsel play an essential role in upholding ethical and professional standards in the course of their work at the companies which they advise. In this regard, the SCCA plans to do the following:
- a. The SCCA will incorporate the core values in the next edition of its *Code of Ethics*.⁷⁴ To provide meaningful guidance for in-house counsel, the SCCA's *Code of Ethics* could also include specific illustrations of how the core values are engaged and applied in various scenarios that can arise in the course of the work of in-house counsel.

⁷⁴ The SCCA's *Code of Ethics* is published on the SCCA's website and is intended to provide a general guide for in-house counsel on the ethical and professional standards expected from the in-house community, across industries and jurisdictions. It is shared by the SCCA Secretariat when new members join, as a reinforcement and reminder of the ethos of the profession and the organisation. See SCCA, *Code of Ethics*, accessible at <https://www.scca.org.sg/our-code-ethics>.

- b. The updated *Code of Ethics* could be used at seminars, talks and other events organised by the SCCA, such as the SCCA's Asia-Pacific Legal Congress where speakers from different sectors of the in-house community could be invited to share their experiences and reflections, and at other events such as the SCCA's annual Gala Dinners.

C. Articulating Values in Other Forms to Build Shared Vision

Final Report Recommendation 3: The core values of the legal profession are to be articulated in various forms to build shared vision – such as the pledge for law students, the revised declaration for advocates and solicitors applying for admission, and the creed for the profession, which serve to explain the core values in a more detailed way and to build consensus on, and deepen understanding of, these values.

- 75. In the Interim Report, the Committee proposed the following with a view to building a shared vision for the legal profession as a community:
 - a. a pledge for university students (to be implemented from academic year 2024/2025);
 - b. a revised declaration for newly admitted advocates and solicitors of the Supreme Court (to be implemented beginning in Mass Call 2024); and
 - c. a creed for all members of the legal profession.

- 76. The pledge, revised declaration and creed have since been implemented.

1. *Pledge for university students*

- 77. The pledge, to be taken by first year students in the local law schools at the start of university, is intended to cultivate their awareness and sensitivity to the obligations they will have to observe as future members of an honourable profession. It recognises the importance of building mindshare right from the inception of one's journey in the law, and to impress upon students the unique ethical duties and obligations incumbent upon members of the legal profession.

In August 2024, first-year students in the law schools recited the pledge for law students⁷⁵ for the first time.

2. Revised declaration for newly admitted advocates and solicitors

78. The declaration for newly admitted advocates and solicitors was previously set out in the First Schedule to the Legal Profession (Admission) Rules 2011. This declaration embodies the lawyer's commitment to certain foundational values throughout the course of his or her career. To better reflect the core values of lawyers, the declaration was substantially revised with input from the Senior Counsel Forum and introduced by way of the Legal Profession (Admission) Rules 2024.⁷⁶ The new declaration was taken for the first time at Mass Call 2024.

⁷⁵ The wording of the pledge was finalised in consultation with the law schools, and is as follows:

I, [name], recognising the privilege and responsibility of being a law student, do sincerely pledge that —
I will strive to act with integrity, honesty, fairness and civility in all that I do;
I will strive to understand and hold to the values of the legal profession;
I will respect the rule of law, promote the ends of justice and seek to serve the public good, sincerely and to the best of my ability.

⁷⁶ The new declaration and its previous iteration are set out below:

Previous declaration

I [name and IC number] do solemnly and sincerely declare and affirm/swear that I will truly and honestly conduct myself in the practice of an advocate and solicitor according to the best of my knowledge and ability and according to law.

New declaration

I [name], recognising the privilege and responsibility of being a member of an honourable profession, do solemnly and sincerely declare and affirm (or swear that) —
I am an officer of the Court;
I will truly and honestly conduct myself in the practice of an advocate and solicitor according to the best of my knowledge and ability and according to law;
I will at all times honour my duties and responsibilities to the Court, to my clients and to fellow members of the legal profession;
I will strive to uphold the values and best traditions of the legal profession; and

I will respect and uphold the rule of law, promote the ends of justice and serve the public good sincerely, and to the best of my ability.

79. Pursuant to the recommendations of the Committee for the Professional Training of Lawyers (“CPTL”), there will be a new framework for the admission of a new category of “Lawyers (Non-Practitioner)” with effect from the 2024 session of Part B. These lawyers will take a declaration that is substantially similar to the new declaration for advocates and solicitors set out above.

3. Creed for the legal profession

80. In the Interim Report, the Committee proposed that the core values of the legal profession be encapsulated in the form of a creed.⁷⁷

81. The Committee has considered how the creed may be propagated regularly across the entirety of the legal profession.⁷⁸ In this regard, it was conscious of the importance of ensuring that the creed is propagated and reaffirmed in a way that resonates with lawyers of all seniorities, and in a way that is symbolic while not being perfunctory or performative.

82. Having discussed this issue within various focus groups, the Committee recommends that the creed be propagated in ways that raise awareness of its contents (and the values it encapsulates) while encouraging its use as a catalyst or tool for personal reflection by members of the legal profession throughout their legal careers. To this end, the Committee recommends the following:

- a. Incorporating the creed in *A Civil Practice (2nd Ed)*, which now takes the form of a journal so that personal reflections and observations can be penned in each individual’s copy of the book.

⁷⁷ The wording of the creed (as set out in the Interim Report at [63]) is as follows:

I am a member of the legal profession and I hold as paramount the values of integrity, professionalism, and justice.
In all my dealings with the Courts, clients, fellow legal practitioners, and the public, I will:
act with honesty;
uphold the honour of the legal profession; and
serve the administration of justice.

⁷⁸ See the Interim Report at [64].

- b. Publishing the creed as a pledge on the SCCA's website, which the SCCA's members can affirm and adopt.⁷⁹
- c. Taking suitable opportunities to encourage members of the legal profession to reflect on and internalise the meaning and significance of the creed. For example, the creed's contents and values could be discussed in a general way at a suitable talk conducted as part of the Part B course and highlighted at the SAL's new series of Mass Call Dinners. At other suitable events, members of the profession could also be invited to share their reflections on the creed and how it has been internalised and contextualised in their own practices. As the values espoused in the creed – while universal – can take on additional and specific shades of meaning depending on the contexts in which they are to be understood and applied, law firms (and even departments or teams within a firm) and specialist sectors could also be encouraged to develop their own vision statements reflecting how the values in the creed are applied in the context of their own practice areas and culture.

D. Building Habits and Practices

Final Report Recommendation 4: To sustain long-term behavioural change by *building habits and practices premised on aspirational standards*, codes and reference guides relating to ethics and professional standards have been developed for specific practice areas, and further codes or reference guides have been proposed.

83. Codes and reference guides relating to ethics and professional standards for specific practice areas serve to communicate the expectations relevant to each of those practice areas and build good community habits based on the best traditions of the profession.⁸⁰ In the Interim Report, the Committee identified

⁷⁹ This provides a platform for in-house counsel to declare their commitment to the creed and the core values encapsulated therein and may in time come to provide a form of "trust mark" associated with the maintenance of high ethical and professional standards within the in-house community. The SCCA's website also publishes other pledges for its members' affirmation and adoption, including, for example, the Diversity Pledge (accessible at <https://www.scca.org.sg/form/diversity-and-inclusion-pledge>) and the Pro Bono Pledge (accessible at <https://www.scca.org.sg/form/pro-bono-pledge>).

⁸⁰ See the Interim Report at [67].

three initiatives, on which work has been completed or started. The Committee also recommends, at [90]–[91] below, a further code focusing on ethical practices and principles in corporate legal work. On this note, the Committee further recommends that these codes and reference guides be reviewed (and, where necessary, updated) on a regular basis, to secure their continued relevance over time.

1. Criminal Code of Practice

84. The *Code of Practice for the Conduct of Criminal Proceedings by the Prosecution and the Defence* (or the “**Criminal Code of Practice**”) sets out best practice guidelines in the conduct of criminal proceedings by the Prosecution and the Defence, in terms of: (a) their general duties; (b) best practices in pre-trial proceedings; and (c) best practices in Court proceedings. The first edition of the Criminal Code of Practice was jointly issued by the Attorney-General’s Chambers (“**AGC**”) and the Law Society in 2013.
85. In the Interim Report, the Committee recommended that the Criminal Code of Practice be reviewed and updated.⁸¹ A team comprising representatives from the AGC, the Public Defender’s Office (“**PDO**”), and the Law Society (including the Law Society’s Criminal Law Practice Committee) was formed to work on updating the Criminal Code of Practice. On 15 August 2024, the revised Criminal Code of Practice was disseminated by the AGC, the PDO and the Law Society to their respective members. The revised Criminal Code of Practice has also been published on the websites of the AGC, the PDO and the Law Society.
86. To raise further awareness of the revised Criminal Code of Practice and encourage discussion on how the principles and best practices set out therein should be applied to specific real-world examples, the Committee proposes that training on the revised Code of Criminal Practice be the subject of a CPD course that can be conducted for criminal law practitioners.

⁸¹ See the Interim Report at [68(a)].

2. ***A Civil Practice (2nd Ed)***

87. *A Civil Practice* provides guidance on the conduct becoming of a member of the legal profession, and in particular on courtesy and etiquette both within and outside the courtroom. The first edition of *A Civil Practice* was published by the SAL's Academy Publishing in 2011. The second edition (*A Civil Practice (2nd Ed)*), suggested in the Interim Report,⁸² was published in August 2024. It takes the form of a journal and includes a "Reflections" section that allows for personal reflections and observations to be recorded. This reflects the personal nature of the journey of cultivating and maintaining high ethical and professional standards that each lawyer embarks on at the start of his or her career, and which must continue throughout the course of that career. Having regard to the importance of mentorship in setting and reinforcing ethical standards (see [121] below), *A Civil Practice (2nd Ed)* also includes several pages for a "Note from Your Mentor", to encourage supervising solicitors and other mentors to leave their words of encouragement and advice to younger lawyers, which they can then carry with them throughout their careers. Panel-discussion style training on this was conducted at the SAL's inaugural Legal Profession Symposium on 7 October 2024.

3. ***Ethical Best Practices in Dispute Resolution Guide***

88. In the Interim Report, the Committee recommended that a new *Ethical Best Practices in Dispute Resolution Guide* ("**Dispute Resolution Guide**") be developed to set out best practices and ideal standards specific to disputes work. The Committee noted that this might extend to arbitration practitioners and could be developed in conjunction with the relevant arbitration bodies.⁸³

89. A sub-group within the Committee was formed to work on developing the Dispute Resolution Guide. Following discussions both internally (within the Committee) and externally (with representatives from the Singapore International Arbitration Centre ("**SIAC**") and the Law Society's Court Practice

⁸² See the Interim Report at [68(b)].

⁸³ See the Interim Report at [68(c)].

Chairpersons' Committee (“**CPCC**”)) on the scope and form of the Dispute Resolution Guide, it was decided that, instead of developing an omnibus unitary Dispute Resolution Guide attempting to cover the field, two separate products should be developed on parallel tracks:

- a. A ‘local’ version of the Dispute Resolution Guide (“**local Guide**”), focused on Singapore practitioners. Consultation on the content, drafting and publication of the local Guide is expected to be completed by the second quarter of 2025.
- b. An ‘international’ version of the Dispute Resolution Guide (“**international Guide**”), which could set out suggested best practices for foreign practitioners in the international arbitration space, with a view to creating an opportunity for Singapore to provide thought leadership on ethical best practices in dispute resolution on the international plane. The development of the international Guide coheres with the aims set out in the keynote address of the Chief Justice at the SIAC’s Annual India Conference 2024 and, in particular, the proposed development of a uniform or at least broad-based code of conduct for arbitrators and counsel.⁸⁴ Consultation with local and international stakeholders on the form and content of the international Guide is ongoing.

4. Code for corporate legal work

90. Participants in focus group discussions prior to the delivery of the Interim Report and in the lead-up to the Final Report expressed support for specialist codes, in recognition of the different practices and professional conventions that might apply in the context of different areas of legal practice.⁸⁵ In particular, feedback was received that a code for corporate legal work would be helpful.

⁸⁴ See The Honourable the Chief Justice Sundaresh Menon, “The Pursuit of Justice: Securing Trust in Arbitration”, keynote address at the SIAC Annual India Conference 2024 (6 September 2024) at paras 41–46.

⁸⁵ See the Interim Report at [69].

91. The Committee therefore proposes that a code focusing on ethical practices and principles in the context of corporate legal work be developed, and expresses appreciation to the group of lawyers who have agreed to work on this in 2025.

V. LEARNING

92. The Committee’s recommendations relating to Learning form the backbone of its proposals, and they address two complementary aspects: **education** and **mentoring**. Values, habits and practices must be reinforced with *practical and contextualised knowledge* of the applicable standards and expectations, which is instilled through *consistent, continual and pervasive education*. Knowledge is in turn brought to life through intentional and multi-layered *mentoring*, where lawyers have access to good modelling and advice as they navigate different stages of their career, which puts the education they receive into practice.

A. Education

93. The Committee’s recommendations on education seek to establish a robust continuum of ethics education from the outset of one’s journey in the law in university, and all the way throughout one’s career. It seeks to “grow lawyers up” with a strong ethical foundation and ensure that they receive constant and relevant guidance throughout their careers. In an ever-evolving legal landscape, lawyers will need to keep themselves constantly updated on the applicable standards and expectations, and one prominent example is the appropriate use of AI in legal practice.⁸⁶

94. In the Interim Report, six Learning-related recommendations were made.⁸⁷ These were accepted for implementation and refinement.

⁸⁶ See The Honourable the Chief Justice Sundaresh Menon, “The Transformation of Litigation and the Litigator of the Future”, keynote address at the Litigation Conference 2024 (3 April 2024); The Honourable the Chief Justice Sundaresh Menon, “Legal Systems in a Digital Age: Pursuing the Next Frontier”, opening address at the 3rd Annual France-Singapore Symposium on Law and Business (11 May 2023).

⁸⁷ See the Interim Report at [70]–[118].

Interim Report Recommendation 5:

To inculcate in law students from local universities the unique ethical duties and obligations incumbent upon members of the legal profession, by the following: (i) the education of values, which is to be viewed as a continuous journey; (ii) the inclusion, in law schools' curriculum, of content on core ethical duties of lawyers, contextualised in substantive courses; and (iii) the use of internships as an opportunity to expose law students to ethical issues in legal practice.

Interim Report Recommendation 6:

To inculcate the same values in the ethical consciousness of law graduates of universities outside Singapore, the ethics-related content from the law schools should be made available to candidates of Part A of the Singapore Bar Examinations ("**Part A**") through an online module to be completed as a requirement for Part A qualification.

Interim Report Recommendation 7:

To ensure that each stage of the ethics education continuum builds on the previous stages, there should be a review of the content relating to ethics and professional standards taught as part of the preparatory course leading to Part B of the Singapore Bar Examinations (or Part B).

Interim Report Recommendation 8:

To promote the continuous instillation of values throughout one's professional life, ethics and professional standards should be a mandatory component of the CPD scheme, applicable to lawyers across all seniorities (with effect from CPD Year 2025).

Interim Report Recommendation 9:

To contextualise ethical issues faced in the various practice areas, ethics-related content should be incorporated into structured training and specialist programmes.

Interim Report Recommendation 10:

To make resources on ethics and professional standards more accessible and to use new technologies, including generative AI, to facilitate self-education.

95. Several of these recommendations have since been implemented, as detailed below. Through implementation, the Committee has gathered further feedback from the broader profession and has refined some of these recommendations. These are elaborated on further at Final Report Recommendations 5–10 below.

1. Law schools

Final Report Recommendation 5: The *local universities* should consider how to select students who will be committed to the ethical practice of law, and to inculcate in law students the unique ethical duties and obligations incumbent upon members of the legal profession, by the following: (i) the education of values, which is to be viewed as a continuous journey; (ii) the inclusion, in law schools' curriculum, of content on the core ethical duties of lawyers, contextualised in substantive courses; and (iii) the use of internships as an opportunity to expose law students to ethical issues in legal practice.

96. The Committee included members of the leadership of all three law schools in Singapore: the National University of Singapore Faculty of Law (“**NUS Law**”); the Singapore Management University Yong Pung How School of Law (“**SMU Law**”) and the Singapore University of Social Sciences School of Law (“**SUSS Law**”) (collectively, the “**Law Schools**”). The Committee also conducted a focus group with students from the Law Schools across all years of study. There was consensus on the need to sensitise applicants to law schools and law students at an early stage to the ethical duties and obligations incumbent upon members of the legal profession. The law schools will consider whether the selection process could be finetuned. The objective of a law degree is not to merely duplicate content that may be taught at the Part B course or through CPD programmes, but to develop the ethical consciousness of law students by providing a foundation for them to cultivate their awareness and make sense of the ethical and professional duties that they will be subject to if they become members of the legal profession.
97. To this end, the Committee sets out a three-pronged strategy to develop the ethical consciousness of law students:⁸⁸
- a. to educate law students on the **values** of the profession, which is to be viewed as a continuous journey;

⁸⁸ See the Interim Report at [73].

- b. to include in the **law school curriculum** content on the core ethical duties of lawyers, contextualised in substantive courses;
- c. to use **internships** as an opportunity to expose law students to ethical issues in legal practice.

i. Education of values

98. The Law Schools agreed that it is necessary to communicate and emphasise the values of the legal profession to law students. Increasing awareness of these values will allow law students to have a better appreciation of the expectations of lawyers if they eventually choose to enter the profession. More importantly, this will serve to inculcate in law students a greater sense of obligation and commitment towards upholding these values in the future. The Law Schools' plans include the following:

- a. NUS Law will collaborate with the Senior Counsel Forum to organise two seminars focusing on values in each academic year (starting from AY 2024/2025, Semester 2). The first lecture will be on "Integrity" (for third-year students) and the second lecture will be on "Professionalism" (for fourth-year students). The core value of Justice will be embedded in both lectures. Following the lectures, students will have the opportunity to engage in a dialogue with the participating Senior Counsel and will be required to complete an online quiz, the passing of which will be a requirement for graduation. The seminars will be recorded and made available to students from the other law schools, NUS Law students who are unable to attend in person for valid reasons, and candidates sitting for Part A.
- b. SMU Law runs the "Law Kickstarter" programme for each incoming batch of first-year students, to provide an academic and practical orientation to the study of law. In 2024, the programme concluded with the "Law and Ethics" session, which featured a panel discussion involving the Dean, faculty members, alumni and senior students. Panellists and students

took a deep dive into personal, institutional and professional values, and the programme ended with the recitation of the pledge for law students (see [77] above).

- c. SUSS Law's Legal Clerkship Programme, which is mandatory for students in their final semester, will incorporate a talk on the importance of ethics and values.

ii. *Review of curriculum*

- 99. As stated in the Interim Report, the Law Schools had agreed to conduct a review of their curriculum to incorporate ethics-related content, with effect from AY 2024/2025. Such content would include the duties owed by lawyers to the court, to the client and to the wider community, as well as how they relate to one another.
- 100. The Law Schools have started their review and revision of the curriculum, applying the following guiding principles:
 - a. First, where feasible, ethics should be embedded and contextualised within the substantive courses taught at the law schools (i.e., the pervasive method of teaching ethics).⁸⁹ This allows students to appreciate that ethical concepts and professional standards permeate all areas of the law and practice and should not be seen in abstract. This also reflects the preference of law students at focus group discussions, where they expressed a need for a better appreciation on how ethical concepts related to the substantive knowledge they had acquired and how they would apply in practice.
 - b. Second, to the extent possible, ethics should be a component of examinations and assessments in the Law Schools. Apart from courses relating directly to ethics, this may be appropriate for certain courses

⁸⁹ See David Link, "The Pervasive Method of Teaching Ethics" (1989) 39 *Journal of Legal Education* 485.

such as those relating to legal research and writing, legal theory and advocacy.

- c. Third, ethical consciousness can be instilled through programmes or activities outside of the curriculum, such as debates and essay competitions relating to issues in legal ethics.

101. The efforts that have been undertaken by the Law Schools to review their curriculum in light of the guiding principles are outlined below.

- a. Currently, ethics is taught at NUS Law *via* the pervasive method through integration into appropriate components of compulsory and elective modules across all years of study.⁹⁰ Following the review, NUS Law will deepen the embedding of ethics into more courses. For instance, in “Company Law” and “Equity & Trusts”, the discussions on fiduciary duties will incorporate a discussion of the duties a lawyer owes to his or her client as a fiduciary. For courses which may not directly relate to the ethical duties owed by lawyers, more general notions of ethics will be discussed to provide a broader understanding of ethical notions within a professional setting. For example, in “Principles of Financial Regulation”, ethical issues will be discussed in the context of the regulation of corporate governance principles in financial institutions. Similarly, in “Principles of Civil Law”, ethical considerations will be covered when discussing the topic of the principle of good faith.

- b. In SMU Law, the subject of legal ethics is already given dedicated treatment in two core courses: “Singapore Legal System” and “Legal Theory & Philosophy”, where the role of lawyers is discussed in extensive detail. All students are also required to take a course on

⁹⁰ At NUS Law, ethics is a key component of two foundational modules in the first year: (a) in the “Singapore Law in Context” module, students are provided an introduction and orientation to key principles of professional responsibility that distinguish lawyers from laypersons; (b) in the “Legal Analysis and Communication” module, ethics is taught in conjunction with mootings, by reinforcing the basic principles of professional responsibility, including a lawyer’s duties to the court, clients and other legal actors. Ethics also forms a significant component of other courses such as “Trial Advocacy”, “Mediation”, “International Commercial Arbitration” and litigation clinical modules convened by the Centre for Pro Bono and Clinical Legal Education.

“Ethics & Social Responsibility”, which covers general ethics. Following the review, SMU Law will reinforce specific aspects of legal ethics in other core courses, such as “Legal Research & Writing”, “Law of Torts” and “Criminal Law”, and will ensure that there are adequate touchpoints relating to ethics throughout all academic years. From January 2025, SMU Law will also launch two new initiatives relating to ethics and professional standards: (i) digital training materials for students through a series of videos for ethics education and exposure; and (ii) a pre-internship or graduation assessment to ensure that students are ready to integrate their ethical knowledge with practice, which will take the form of web content and quizzes, and which will cover topics such as the meaning of the law as a profession and the general responsibilities of lawyers.

- c. Currently, SUSS Law’s approach is that of a longitudinal ethics curriculum with measures throughout all years of study. For example, all first-year students at SUSS Law are required to undertake a dedicated ethics course known as “Ethical Legal Practice and Client Care”, which forms the cornerstone of SUSS’s ethics curriculum. Following the review, this will be supplemented by the first two courses of law school (also known as “Bootcamp”), which will each contain at least one seminar relating to ethical content. The various substantive law courses that students take will then embed and contextualise within them concepts relating to ethics. SUSS Law’s Legal Clerkship Programme, which is mandatory for students in their final semester, will expose students to real-life ethical issues and how they are addressed in practice. Finally, SUSS Law will also introduce a pre-graduation ethics assessment with effect from January 2025. Students will be required to attend an online refresher seminar on ethics and to pass an online quiz.

iii. Internships

102. Internships are an important platform for students to be exposed to real-life ethical issues and to understand how practitioners address them. Internships

also provide an opportunity for law students to model ethical behaviour and to discuss with their supervisors ethical issues that had arisen or may arise. To this end, the Committee had proposed in the Interim Report that a protocol be developed for law firms to brief interns at the start of their internships, with a focus on the application of ethical obligations in legal practice.⁹¹

103. In consultation with the Law Society, the Committee has prepared and finalised the protocol which the Law Society has circulated to its members and published on its website.⁹²

2. Graduates from overseas universities

Final Report Recommendation 6: To inculcate the same values in the ethical consciousness of law graduates of overseas universities who seek to practise in Singapore, the ethics-related content from the law schools, where suitable, will be made available through the SILE as an online ethics course to be completed by graduates from overseas universities.

104. Although all candidates of the Part B course will be exposed to ethics through the mandatory “Ethics & Professional Responsibility” module, the Committee considered in the Interim Report that it would be beneficial for overseas law students to receive some of the ethics-related materials that are shared with students in the Law Schools. The Committee thus recommended that the ethics-related content taught in the Law Schools, where suitable, be extended to the SILE and made available on the SILE’s online site as an online ethics course, to be completed by law graduates from overseas universities who seek to practise law in Singapore.⁹³

⁹¹ See the Interim Report at [92].

⁹² See Law Society, “Protocol on Reinforcing Ethics to Interns”, accessible at <https://www.lawsociety.org.sg/for-public/law-practice-interns>. The protocol is intended as a guide in relation to the core and specific ethical values of the legal profession which law practices and legal practitioners should communicate to all interns at the commencement of their respective internships. This should be continually reinforced throughout the internship and the briefed issues should be revisited during check-in sessions in the course of the internship, as well as at the end of the internship. It is also open to law practices to supplement the contents of this document with additional materials concerning ethical values to be conveyed to incoming interns.

⁹³ See the Interim Report at [95].

105. The Law Schools have agreed that, with effect from AY 2024/2025, they will compile relevant materials on ethics to be made available to the SILE for the online ethics module starting in 2026.⁹⁴

3. *Part B*

Final Report Recommendation 7: To ensure that *professional training* at each stage of the ethics education continuum builds on the previous stages, the SILE will review the content relating to ethics and professional standards taught as part of the preparatory course leading to Part B of the Singapore Bar Examinations. For applicants seeking admission as advocates and solicitors of the Supreme Court, the SILE should publish guidelines on admission and draw their attention to the types of misconduct that are to be disclosed and the relevant case law in this area.

106. As recommended in the Interim Report, the SILE and the Law Schools will jointly undertake a longer-term review and refinement of the exposure of Part B candidates to ethics and professional standards, having regard to the Law Schools' curriculum review and the new online course for law graduates of overseas universities. The review of the curriculum for the Part B course will build upon existing modules and courses relating to ethics, particularly the "Ethics & Professional Responsibility" module which provides a detailed and comprehensive coverage of the various aspects of professional legal ethics. In the more immediate term, the Committee recommends that the SILE should also draw the attention of Part B candidates who intend to be called to the Bar to the kinds of misconduct that must be disclosed in the admissions process and the case law on non-disclosure.
107. The Committee understands that the following measures are currently in place:
- a. At the opening of the Part B course, the importance of academic integrity and the duty of candour is highlighted to candidates, including with

⁹⁴ For example, for NUS Law, this will include the session on etiquette in the "Trial Advocacy" module and the two new seminars on values that NUS Law is organising with the support of the Senior Counsel Forum (see [98(a)] above).

reference to the decision in *Attorney-General v Shahira Banu* [2024] SGHC 111.

- b. In the Introductory Lecture for the “Ethics and Professional Responsibility” module, the importance of ethics for aspiring lawyers is highlighted, including discussing the importance of character, honesty and integrity (per the decision in *Re Tay Quan Li Leon* [2022] SGHC 133) and the duty of candour that is applicable to legal practitioners and applicants for admission (per the decisions in *Gabriel Silas Tang Rafferty* [2024] SGHC 82 and *Attorney-General v Shahira Banu* [2024] SGHC 111). Candidates are also required to study the relevant cases which are included in the syllabus.
 - c. During the admissions process (after the completion of Part B), the SILE Mass Call Guide reminds applicants to declare particulars of any facts and circumstances which affect their suitability to practise. Applicants are encouraged to read past precedents on admission cases to understand their duty of disclosure in the admission process. The SILE’s website hosts information and the relevant forms regarding practice training and the admissions process. In addition, if an applicant has any doubts as to whether to disclose any past incidents of misconduct, the applicant should disclose this to his or her supervising solicitor. This would serve the purpose both of ensuring that the training process is tailored to address any issues that might arise in this connection, and of ensuring that decisions on disclosure are made with the appropriate guidance of a more senior member of the profession.
108. Consistent with the Committee’s recommendation, the SILE will be updating its website to include more information on the duty of candour in the admissions process, and this will be published before the first Mass Call for the new category of Lawyers (Non-Practitioner) in 2025.

4. *Career-long education*

Final Report Recommendation 8: To promote *career-long education* and the continuous instillation of values throughout one’s professional life, ethics and professional standards should be a mandatory 3-point component (the Mandatory Component) of the CPD scheme, applicable to lawyers across all seniorities (with effect from CPD Year 2025).

In tandem with the implementation of this recommendation, a starting calendar of CPD activities in 2025 which lawyers may attend to fulfil the Mandatory Component has been made available on the SILE’s website from 2 December 2024. From 1 January 2025, SILE will also introduce enhancements to its CALAS website so that it operates as an easily accessible one-stop portal for lawyers to find, and for providers to list, their accredited CPD programmes relating to the Mandatory Component.

109. In the Interim Report, the Committee recommended that a 3-point mandatory ethics and professional standards component of the CPD scheme (or Mandatory Component) be implemented with effect from CPD Year 2025 (1 January to 31 December 2025) and apply equally to lawyers across all levels of seniorities.⁹⁵ This reflects the observation, from the Review of Disciplinary Cases, that a significant proportion of the cases involve senior lawyers with more than 15 years’ PQE.⁹⁶ In any event, it is crucial for all lawyers (regardless of seniority) to keep themselves updated of the latest applicable standards and expectations.
110. The Committee, together with the SILE, the SAL and the Law Society, has since worked out the implementation of this recommendation, which is explained below.
111. First, the SILE has agreed that of the 3 CPD points going towards the Mandatory Component, up to half of these points may be private CPD points. The Committee, in consultation with the SILE, has also prepared a list of non-exhaustive topics that are “ethics and professional standards-related”, for the

⁹⁵ See the Interim Report at [104]–[105].

⁹⁶ See Annex D at [20].

purposes of determining whether a CPD programme can be attended in satisfaction of the Mandatory Component (see **Annex G**).

112. Second, the SAL will produce a set of core content relating to ethics and professional standards on an annual basis, which will be contextualised to various practice areas, also known as the “**Ethics Curriculum Assets**”. These are to be circulated to law firms for use in their internal training (in which case, attendees can receive private CPD points in satisfaction of the Mandatory Component) or in organising training events for lawyers from other firms (in which case, the event will be eligible for accreditation for public CPD points in satisfaction of the Mandatory Component). This will help to ensure baseline standards and consistency in ethics training across the profession. The Committee further elaborates on this in the context of Final Report Recommendation 18 (see [166]–[167] below).
113. Third, the SAL and the Law Society will each work on incorporating ethics-related content into their existing CPD courses. The number of CPD points that may go towards the Mandatory Component will be specified and this will be proportionate to the time spent in the course on covering ethics-related content. This ensures that practitioners have as many options as possible to satisfy the Mandatory Component requirement. On this note, the Committee suggests that the Law Society could include, as part of its ethics-related training programmes, an annual seminar summarising the main types of complaints made against advocates and solicitors under section 85(1) of the LPA that are received by the Law Society annually. This will go towards increasing the profession’s awareness of the common issues relating to ethics and professional standards that arise in legal practice.
114. Fourth, the Committee, working together with the SAL and the Law Society, has prepared a starting calendar of accredited CPD activities in 2025 relating to ethics and professional standards or which incorporate content on ethics and professional standards, that practitioners can attend in satisfaction of the Mandatory Component requirement (“**Annual Ethics CPD Calendar**”). The Annual Ethics CPD Calendar sets out, among other things, information on the

mode of delivery, target audience, type of ethics-related content, as well as the duration and/or number of CPD points (public or private) that go towards the Mandatory Component, with the aim of assisting practitioners in planning ahead for how they can fulfil the Mandatory Component requirement.

115. The Annual Ethics CPD Calendar will be made available on the SILE’s website. The Committee understands that the SILE will enhance the Calendar of Accredited Learning Activities (or CALAS) website in the following manner by 1 January 2025, so that it operates as an easily accessible one-stop portal for lawyers to find, and for providers to list, accredited CPD programmes relating to the Mandatory Component.⁹⁷

5. Structured training and specialist education

Final Report Recommendation 9: To contextualise ethical issues faced in the various *specialist practice areas*, ethics-related content should be incorporated into structured training and specialist programmes.

116. In the Interim Report, the Committee recommended that, to contextualise the ethical issues faced in various practice areas or by different types of lawyers, ethics-related content should be incorporated into structured training and specialist programmes.⁹⁸ This would not only facilitate the fulfilment of the Mandatory Component, but also recognise the complexities and nuances that underlie the ethical challenges faced by lawyers.
117. This recommendation has been implemented in the context of the work relating to the Mandatory Component. The following are non-exhaustive examples of

⁹⁷ First, an extra filter will be introduced on CALAS for lawyers to easily identify courses eligible for CPD points fulfilling the Mandatory Component. Second, each course listing on CALAS will indicate the number of CPD points going towards the Mandatory Component. As with the current practice, where all SILE-accredited CPD courses run by event providers are placed on the website, this will likewise be the case for SILE-accredited law firm courses that relate to ethics and professional standards. The Committee understands that the SILE intends to introduce further enhancements to CALAS going forward.

⁹⁸ See the Interim Report at [107]–[114].

structured training and specialist programmes that will incorporate content relating to ethics and professional standards from CPD Year 2025:

- a. By subject matter: (i) In the area of family law, a 1.5-hour session will be allocated for ethics in the two-day Family Therapeutic Justice Certificate Programme run by the SAL in collaboration with SUSS Law and with the support of the Family Justice Courts and the Law Society, and a 1-hour session on ethical issues in family law will be incorporated in the Family Conference organised by the Law Society; and (ii) in the area of corporate law, the Law Society's Corporate Law Day will include a 0.5-hour discussion on ethical issues.
- b. By seniority: (i) The Junior Lawyers Practice Certification Programme, which the SAL is developing for young lawyers,⁹⁹ will include a 1-hour standalone component on ethics at the start of the programme, and ethics will be further discussed in the context of hypotheticals throughout the course of the programme; (ii) up to 12 hours of ethics content will be incorporated into the LPMC (see [155] below), which is mandatory for lawyers who wish to practice on their own account or as a partner or director of a firm; and (iii) up to 1 hour of ethics content will be incorporated in the SAL-INSEAD Legal Leadership Programme and the SAL-INSEAD Legal Strategy Programme.

6. *Self-education platform*

Final Report Recommendation 10: To make resources on ethics and professional standards more accessible and to use new technologies to facilitate self-education, the SAL launched a one-stop *self-education platform* known as the “Ethics Repository” on 7 October 2024. Generative AI capabilities will be added in due course.

118. In the Interim Report, the Committee recommended the creation of a new resource platform relating to ethics and professional standards, that will

⁹⁹ The SAL's Junior Lawyers Practice Certification Programme is a new voluntary certification programme for young lawyers that offers courses which provide more personalised instruction for young lawyers to link law and practice, as well as learning through scenario-based training.

facilitate independent learning and access to material.¹⁰⁰ Such a platform received broad support during the 2024 SAL Focus Groups.

119. To this end, the SAL launched the “Ethics Repository” on 7 October 2024, which consolidates ethics and professional standards-related resources, including Guidance Notes, legislation, judgments, training assets, monographs, journal articles and other thought leadership materials into a one-stop repository for ease of access. It is free for all members of the SAL and law student Associate Members.
120. The materials for the Ethics Repository will be contributed by the courts, the SAL, the Law Society, the Law Schools and the SILE, and will be curated by the SAL. It is hosted on LawNet and is categorised into topical areas. Significantly, the Ethics Repository will, by the end of Financial Year 2025, feature generative AI-powered search capabilities, such as by exploring new techniques of interactive queries and using question-answer-interfaces. The Ethics Repository will build upon the SAL’s existing efforts to enhance LawNet to make legal research quicker and more efficient.

B. Mentoring

121. The Committee’s recommendations on mentoring seek to establish sound mentorship structures within the profession to provide lawyers with access to reinforcing layers of good modelling and advice as they navigate different stages of their career, and bring to life the knowledge that they receive. These recommendations reiterate the importance of mentorship, as a complement to education, in the development of a lawyer’s understanding on issues of ethics and professional standards.¹⁰¹ Intentionality is the starting point to effective mentoring relationships. Mentors must therefore also be properly trained to

¹⁰⁰ See the Interim Report at [115].

¹⁰¹ As the Chief Justice noted in His Honour’s address at Mass Call 2024, mentors facilitate the transmission of skills to younger colleagues and, through their conduct, they serve as role models and help them to internalise the profession’s values and best traditions (see The Honourable the Chief Justice Sundaresh Menon, “The Legal Profession – A Community of Learned Friends”, Mass Call Address 2024 (19 August 2024)).

ensure that they are well-placed to provide guidance to fellow members of the profession.

122. In the Interim Report, two recommendations were made as a starting point for encouraging and instilling a culture of mentorship within the profession.¹⁰² These were accepted for implementation and refinement.

Interim Report Recommendation 11:
To assist supervising solicitors in ensuring that their trainees acquire the required values, competencies and skills, a protocol should be introduced and provided to all supervising solicitors.

Interim Report Recommendation 12:
To promote a culture of lifelong and multi-layered mentoring, specialist communities of practice should be created and developed.

123. Following implementation and refinement through feedback from the profession, the Committee has refined its approach and proposes a further recommendation on mentor training. These are explained at Final Report Recommendations 11–13 below.

1. Development of lawyers

i. Practice trainees and supervising solicitors

Final Report Recommendation 11: To ensure that practice trainees acquire the correct values, competencies and skills relating to ethics and professional standards, the Committee has given feedback to the SILE on the new Training Checklists for *supervising solicitors*, who are a primary source of mentorship for practice trainees.

124. Recommendation 11, which originates from Interim Report Recommendation 11, is made with three key considerations in mind:¹⁰³

¹⁰² See the Interim Report at [119]–[129].

¹⁰³ See the Interim Report at [121]–[122].

- a. A trainee’s Practice Training Period (“**PTP**”) is his or her first post-university experience of practice. The supervising solicitor, who is a trainee’s primary source of mentorship, is best placed to give the trainee a good grounding in the values and ethos of the profession.
 - b. Through his supervising solicitor, a practice trainee is able to gain valuable insight on how ethical issues arise and are effectively managed in practice.
 - c. The PTP is therefore a critical juncture in the professional development of practice trainees.
125. Against this background, the Committee recommended that the SILE – as the statutory body overseeing the PTP of lawyers – supplement the then-existing checklist for supervising solicitors with a more detailed protocol, that should provide guidance to supervising solicitors on how they can be intentional in bringing up and discussing ethical issues encountered during practice.
126. After the publication of the Interim Report, the SILE published a revised set of practice training contract checklists (“**Training Checklists**”) for public consultation. The revisions to the Training Checklists were undertaken in view of the new PTP regime that will take effect from 17 July 2024, following the earlier recommendations made by the CPTL. The Training Checklists, when finalised, will be used for training contracts starting in January 2025 onwards.
127. The Committee submitted its proposals to the SILE on 30 May 2024. Broadly, the proposed amendments and additions fell within three main categories:
- a. the express addition of an item on understanding the three core values of the legal profession;
 - b. amendments to ensure that key areas dealt with in the Legal Profession (Professional Conduct) Rules 2015 (“**PCR**”) were covered within the scope of the General Practice Training Checklist (“**GPTC**”); and

- c. amendments and/or additions to ensure that the GPTC was not solely court- or client-centric, and instead also dealt with a lawyer’s interactions with tribunals, other legal practitioners and other persons (such as unrepresented parties).

128. The Committee understands that the SILE has implemented the Committee’s proposals.

ii. Lifelong and multi-layered mentoring within the legal profession

Final Report Recommendation 12: *Intentional, lifelong and multi-layered mentoring* is required especially in light of the changing legal landscape and the expectations of the younger generations. Mentorship should be strengthened within both general and specialist fields, and within the legal profession more generally. In particular, the need and relevance of mentorship extends beyond lawyers in private practice, and the in-house legal community is a valuable source of wider career mentoring.

129. The changing legal landscape and new ways of working, including the prevalence of remote working norms, have resulted in young lawyers having fewer opportunities to learn from working shoulder-to-shoulder with seasoned colleagues and seniors.¹⁰⁴ It is critical to ensure that junior members of the profession continue to have avenues to seek mentorship from their seniors in the way their predecessors had.

130. The Law Society, in October 2023, introduced the Law Society Mentorship Scheme (“**LMS**”), a comprehensive and remodelled 9-month mentoring programme that consolidates previous mentorship schemes.¹⁰⁵ The Committee understands that the first run of the LMS in October 2023 successfully paired 59 mentees with mentors. The majority of the mentees were junior lawyers

¹⁰⁴ See Law Society President’s OLY 2023 Address at paras 27–30. See also the Interim Report at [20].

¹⁰⁵ The LMS aims to help mentees find a volunteer mentor from a pool of lawyers beyond their immediate workplace, and provides a platform for the mentee to discuss various issues, including ethical conundrums, mental well-being and career development with the assigned mentor in full confidentiality. Applicants to the LMS must explain their reasons for seeking a mentor and mentors are actively matched based on the expressed needs of a prospective mentee. While the LMS is not restricted to only mentees of a specific seniority, it would be particularly useful for young lawyers at the start of their careers.

admitted as advocates and solicitors in 2023. Mentees sought mentorship on various areas, including psychological wellbeing, career paths, peer-to-peer support, practice areas, small law firm practice management and business development. The Law Society's feedback showed that mentees were highly satisfied with the mentorship experience, and that their participation in the LMS had positively impacted them in various ways.

131. In the Interim Report, the Committee also recommended that specialist communities of practice could be created and developed to allow for the development of mentoring relationships as a lawyer develops his or her career.¹⁰⁶ This is because mentoring should neither be limited to the foundational stage of one's career nor to one's place of practice. Communities of practice would allow for reinforcing layers of mentoring, revealing different facets of applicable concepts. There would also be synergy with the other recommendations of the Committee, in so far as they support specialist learning that is contextualised to specific practices and build up ethos by fostering camaraderie and *esprit de corps* in the profession. The Committee therefore recommends that the Law Society and the SAL enhance mentorship within their various communities of specialist practitioners, as well as within the legal fraternity more generally.

a. The Law Society's Practice Committees¹⁰⁷ comprise members specialising in particular practice areas, and their primary role is to provide feedback and recommendations on law reform and other issues related to the relevant practice area. Besides its primary function, some of the activities of these Practice Committees (e.g., CPD training programmes) can serve as an informal avenue for knowledge sharing and training, and can allow junior lawyers specialising in a particular practice area to develop domain knowledge on various matters,

¹⁰⁶ See the Interim Report at [123]–[126].

¹⁰⁷ For a full list of the various Practice Committees, see the Law Society, "Practice Areas", accessible at <https://www.lawsociety.org.sg/the-law-society/practice-areas>.

including those relating to ethics and professional standards specific to that practice area.

- b. The SAL should similarly establish mentorship structures within its specialist communities of practice (namely, Data and Digital Economy, Building and Construction, Maritime and Shipping). A pool of volunteer mentors would be drawn from the senior accredited specialists in these domains, and newly accredited specialists in each of these fields would be connected with more experienced accredited specialists. This would foster knowledge exchange and provide domain-specific professional ethics guidance and support to lawyers seeking to advance their careers in each of these specialist fields.¹⁰⁸

- c. As noted previously, the in-house community constitutes an increasingly sizeable proportion of our legal fraternity (see [44] and [53] above). The pursuit of lifelong and multi-layered mentoring within the legal profession would therefore not be complete if they were not also brought into the fold. To this end, the Committee recommends that the SAL collaborate with in-house counsel associations such as the SCCA and the ACC to establish a mentorship scheme pairing members of the in-house and practicing communities as mentors and mentees (and *vice versa*). The scheme aims to provide focused career guidance and support for mentees working within corporate legal environments as well as those who are practicing lawyers. The ultimate focus of the programme would be career development, but it would also provide opportunities for the sharing of perspectives on – among other things – matters relating to ethics and professional standards that are unique and specific to the corporate legal environment.

¹⁰⁸ The Committee understands that the SAL intends to expand its selection criteria for senior accredited specialists to include contributions towards mentoring, and to include mentoring within specialist domains as part of the responsibilities of practitioners appointed as senior accredited specialists.

2. *Mentor training*

Final Report Recommendation 13: To ensure effective mentorship, the Law Society should complement its mentoring schemes by providing *training for mentors* on the content, structure and skills necessary for a productive mentor-mentee relationship.

132. The Committee's mentoring-related recommendations are founded upon effective mentors within the legal profession. To be an effective mentor, one must not only have the requisite professional knowledge, but also the necessary soft skills which make one an effective source of guidance or support. At the 2024 SAL Focus Groups, while some expressed the view that mentor-mentee relationships ought to develop organically, there was generally support for the view that mentor-mentee relationships could benefit from a guiding (but not prescriptive) structure.
133. The Committee therefore recommends that mentorship schemes and programmes within the profession should additionally consist of a component for mentor training, to equip mentors with the content, structure and skills needed for an effective mentor-mentee relationship in the relevant setting and context in which the mentor-mentee relationship is established. Contextualised training is crucial because the objectives which mentorship serves in each setting are unique and may be specific to the purposes for which a mentee seeks mentorship in the first place. Mentor training programmes should also provide an avenue for mentors to provide feedback on the training received, so that these programmes can be continuously fine-tuned.
134. This Committee understands that this recommendation is aligned with Law Society's plans and the LMS, and that the Law Society proposes to implement this.

VI. PROFESSION

135. The Committee's work in 2023 identified two issues for closer and deeper study:

- a. First, the need and desire on the part of young lawyers for structured mentoring, better training and ethical formation, and more sustainable careers that emphasise their involvement in the mission of administering justice within workplace environments that are aligned with their aspirations.¹⁰⁹
- b. Second, the observation, drawn from the Review of Disciplinary Cases, that senior lawyers with more than 15 years' PQE who practise as sole practitioners and/or in small firms appear to face greater challenges in the context of their ethical and professional obligations as compared with their other counterparts within the legal profession.¹¹⁰

136. The Committee's view is that these issues are best addressed through measures that leverage upon experienced legal practitioners, law firms and the institutions within the profession, which collectively represent a wellspring of expertise and experience. In particular, the professional institutions are crucial in ensuring that the profession benefits from a multiplication of the efforts of its individual members. The third limb of the Committee's recommendations seek to leverage on these systemic multipliers within the profession in the pursuit of ethical behaviour and high professional standards.

A. Enhanced Support Within the Profession

137. The Review of Disciplinary Cases shows that the majority of disciplinary cases involved breaches of duties relating to client care standards or duties relating to law firm management, rather than breaches indicative of fundamental defects in the legal practitioner's character.¹¹¹ This is significant because it suggests that the majority of disciplinary breaches stem from misjudgement rather than

¹⁰⁹ See the OLY Response 2024 at para 43.

¹¹⁰ See the Interim Report at [29].

¹¹¹ See Annex D at [24].

a misalignment between a lawyer's values and the core values of the legal profession. Thus, the key to improving the overall health of the profession will lie in better *supporting* lawyers who face challenges in adhering to the ethical and professional standards required of them.

138. The Committee is of the view that experienced legal practitioners or fellow members of the practising legal community constitute a critical source of such support, which takes two forms:

- a. First, by providing an avenue for a lawyer in doubt of his or her ethical and professional obligations to seek guidance and mentorship by a more senior lawyer.
- b. Second, by providing an avenue for fellow members of the practising legal community to alert a lawyer whom they perceive to be at risk of breaching his or her ethical or professional obligations, and facilitate the affected lawyer's early rehabilitation, before further deterioration and escalation.

139. The first aspect of early support is provided through the Ethics Assist Helpline, which the Law Society has implemented pursuant to the Committee's recommendation in the Interim Report.¹¹² This is further elaborated at Final Report Recommendation 14. The second aspect of early support is provided through the LPSP, which the Committee understands the Law Society intends to introduce pursuant to Final Report Recommendation 15. These recommendations also address the feedback and observation from focus group discussions that lawyers practising in small firms or as sole practitioners could be better supported in the context of their ethical and professional obligations by being able to more readily obtain support on these issues from their more experienced peers. Such support is relatively lacking for such lawyers, compared to practitioners from larger firms, because of different operational structures and environments.

¹¹² See the Interim Report at [127]–[129].

1. *Ethics Assist Helpline*

Final Report Recommendation 14: To provide an avenue for lawyers to receive external guidance and mentorship on ethical issues, in a manner that is less formal than a request to the Advisory Committee of the Professional Conduct Council, the Law Society has implemented the Ethics Assist Helpline with effect from 10 June 2024.

140. In the Interim Report, the Committee recommended that a new Ethics Line be established to provide a mechanism for lawyers to receive external guidance and mentorship on ethical issues, in a manner that is less formal than a request to the Advisory Committee of the Professional Conduct Council (“**Advisory Committee**”), and which is able to provide more immediate advice on a specific difficulty. In this way, this recommendation is intended to *complement* the work of the Advisory Committee, which presently provides written guidance to the enquirer – usually in the form of a letter which includes detailed research on the ethical issues raised. This recommendation also took into account feedback from focus group discussions that lawyers practising in small firms or as sole practitioners lacked an immediate pool of colleagues to whom they could turn for advice or a second opinion on the ethical issues they might encounter in practice, unlike their counterparts from larger firms.
141. Pursuant to this recommendation, the Law Society launched the “Ethics Assist Helpline” on 10 June 2024.
142. The Committee understands that, as at 16 September 2024, the Ethics Assist Helpline had received 30 queries; and that the topics on which guidance was sought included, among others, client confidentiality, conflicts of interest and client management. The Committee further understands that 20 senior legal practitioners (of whom 16 are members of the Senior Counsel Forum) have accepted the invitation of appointment to the Ethics Assist Panel to support the Ethics Assist Helpline. The Committee encourages the Law Society to continue publicising the Ethics Assist Helpline, and to review its operations and efficacy on an ongoing basis.

143. The Committee has received feedback that a mechanism like the Ethics Assist Helpline would be useful for in-house counsel. The Committee suggests that, after the Ethics Assist Helpline is more established, it could be considered in the future whether a similar mechanism can be made available for in-house counsel. The Committee understands that the SCCA has expressed in-principle support for working with the SAL on this suggestion.

2. *Legal Practitioner Support Protocol*

Final Report Recommendation 15: A peer support mechanism, named the Legal Practitioner Support Protocol (LPSP), is recommended. In appropriate circumstances, this could rehabilitate or provide timely assistance to the affected legal practitioner.

144. A lawyer could find himself or herself in a situation where he or she is unable to maintain the required ethical and professional standards due to genuine limitations, yet not realise the same. Even where a lawyer does come to realise or recognise his or her inability to maintain the required standards, he or she may be unable to address this problem in the absence of proper support.
145. This concern may be more acutely felt for a sole practitioner or a lawyer in a smaller law practice. First, this group of lawyers – unlike their counterparts from larger law firms – may have fewer colleagues who come into frequent contact with them in the context of their professional conduct and who can help to alert them to any situations of concern that they may have observed. Second, a further dimension of the challenges these lawyers face is that they have to juggle between the practice of law in its conventional sense, and the operational and economic challenges of running a law practice, in connection with which they may also lack the institutional and collegiate support available to their counterparts practising in larger law firms. Recognising situations of concern and providing early support will be a critical plank in securing systemic ethical resilience.

146. The LPSP builds upon a current Protocol for Implementing the Judicial Feedback Framework on Inappropriate Conduct in Court.¹¹³ The LPSP covers: (a) situations of concern relating to a lawyer’s practice where it is appropriate to assist the lawyer; and (b) any inability to practise properly due to health or other reasons. The following considerations underlie the scope of conduct coming within the LPSP:

- a. First, consistent with the LPSP’s intended purpose of identifying ethical situations early and achieving a middle ground by de-escalating matters before a formal complaint against the legal practitioner becomes necessary, the scope of conduct coming within the LPSP avoids reference to disciplinary breaches under the PCR or other rules under the LPA, while still being broad enough to identify possible ethical situations of concern early.
- b. Second, the LPSP is targeted at situations in which it is necessary or appropriate to assist and rehabilitate a lawyer. This is consistent with the LPSP’s intended role as a peer support mechanism (and not a quasi-disciplinary regime) for a lawyer in need of assistance to properly comply with the ethical and professional obligations required of him or her, but who genuinely is unaware of the avenues to seek help. This aspect of the LPSP addresses the root, and not merely the symptoms, of an affected lawyer’s inability to maintain the required ethical and professional standards.

¹¹³ Under the Protocol for Implementing the Judicial Feedback Framework on Inappropriate Conduct in Court (“**ICC Protocol**”), feedback can be given by the Judiciary to the Law Society on lapses in courtesy and inappropriate conduct in court by an affected lawyer and for appropriate remedial measures to be discussed between the Law Society and the affected lawyer. Building on the ICC Protocol, the LPSP could function as a peer support mechanism for members of the practising legal community in Singapore to aid and assist each other. Under this mechanism, all members of the practising legal community (i.e., Judges and Judicial Officers from the courts, Deputy Public Prosecutors or State Counsel from the Attorney-General’s Chambers, Public Defenders from the Public Defender’s Office and fellow legal practitioners) may provide feedback to the Law Society on situations of concern (elaborated on below) relating to the professional conduct of a lawyer. To the extent that Judges and Judicial Officers are able to invoke the LPSP to provide feedback regarding a lawyer *vis-à-vis* his/her conduct in court, the LPSP is meant to subsume the functions served by the ICC Protocol and supersede it.

147. Once feedback is received, a committee comprising designated members from the Law Society overseeing the administration of the LPSP (“**LPSP Committee**”) will decide on the appropriate support measures to be provided to the affected lawyer, which may include mentoring, counselling, training, or referral to an external organisation for professional help. Where a mentor is assigned to the affected lawyer, the mentor would help assess the lawyer’s situation and provide him or her with guidance and supervision, with the aim of rehabilitation. These mentors will be selected from a pool of volunteers comprising: (a) senior practitioners; (b) Senior Counsel from the Senior Counsel Forum; and (c) former office bearers or former members of the Council of the Law Society (“**Council**”). After the mentor has assessed the matter, he or she would then provide the LPSP Committee with his or her recommendations, which the LPSP Committee would consider proposing to the lawyer to assist him or her in rehabilitation.¹¹⁴
148. As the LPSP is intended to be a peer support mechanism, it may not be used to address feedback received from clients, members of the public, or non-practising members of the legal community, such as in-house counsel. The LPSP is also not applicable to non-practising members of the legal community. Importantly, the LPSP is not a channel for formal complaints, which are left to the existing disciplinary channels, and safeguards have been proposed to guard against its abuse.¹¹⁵

¹¹⁴ The Committee and the Law Society recognise that a lawyer who is challenged in adhering to the required ethical and professional standards may not always be comfortable with sharing his or her issues with a senior member of the Bar or may feel that his or her situation is not properly understood. In this regard, the LPSP Committee may, on a case-by-case basis, approve the presence of a legal practitioner who is a friend of the lawyer during these mentoring sessions. It is hoped that this will prompt the lawyer to be more forthcoming about his or her issues and concerns, fostering more productive and effective outcomes under the LPSP.

¹¹⁵ The Law Society has proposed that the following safeguards be incorporated in the LPSP:

- a) The feedback and remedial action discussed as part of the LPSP process will be kept confidential and not raised in subsequent disciplinary proceedings commenced against the affected lawyer (if any), unless waived by the affected lawyer.
- b) Anonymous feedback will not be entertained. The legal practitioner providing feedback must clearly identify themselves when doing so.
- c) The intention of the feedback must be to aid and assist the struggling practitioner, and should not be meant for collateral purposes (e.g., filing feedback on behalf of a client who is not a member of the legal community). In this regard, the legal practitioner must confirm that the feedback is not being provided on behalf of another.

B. Law Firms

149. As explained at [54]–[56] above, law firms are critical to ensuring that strategies aimed at harnessing the areas of opportunity underlying the Committee’s Ethos- and Learning-related recommendations bear fruit. Ethical and professional standards thrive where practices conducive to high standards are nourished, and systemic ethical resilience is cultivated in workplaces where high professional standards are sustainably pursued. There are three ways in which law firms can support this endeavour:

- a. The starting point is to ensure that law firms have sound operational processes in areas where issues of ethics and professional standards interface with legal practice, so that high ethical and professional standards are integrated into the practice of law. As explained earlier, this is an area which can be leveraged upon to better support lawyers practising in small firms or as sole practitioners in the context of their ethical and professional obligations (see [32]–[33] above).
- b. Next, law firms serve as a source of mentorship and training for their lawyers. As institutions where junior lawyers are trained in the art and craft of legal practice, law firms should ensure that their junior lawyers receive adequate mentorship on issues relating to ethics and professional standards, thereby laying a foundation for their practice ahead. Since ethics and professional standards are a developing area that is not set in stone, law firms also have the responsibility of ensuring that their lawyers receive regular training on current issues so that their knowledge is kept up to date.

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- d) In line with the intention set out at (b) above, the legal practitioner providing feedback must confirm that the facts given in the feedback are within their own knowledge and are not based on hearsay information.
 - e) To ensure that a lawyer receiving feedback under the LPSP is not faced with the pressures of having to go through concurrent processes, the legal practitioner providing feedback must confirm whether a formal disciplinary complaint has already been filed against the struggling practitioner; and if so, the LPSP Committee may decide not to act on the feedback.

- c. Finally, law firms must provide a sustainable work environment which supports lawyers' endeavour to successfully practise as legal professionals. To this end, it is critical that law firms offer safe workplaces for all, and that there be meaningful conversations over the adoption of sustainable workplace practices which allow all to pursue a career in the law that is aligned with their personal aspirations and expectations. Together with the emphasis on mentorship and training, the Committee believes that this would equip law firms with the capacity to understand and address the needs of younger lawyers and ensure that the legal profession continues to retain its fair share of purpose-driven individuals, especially amid the increasingly intense global competition for talent.

150. The Committee's recommendations relating to law firms seek to address each of these aspects, and are explained further below at Final Report Recommendations 16–20.

1. *Sound management of law practices*

Final Report Recommendation 16: To equip legal practitioners with practical knowledge on the *sound management of law practices*, the Law Society's LPMC should:

(i) have its syllabus expanded to encompass the following: (1) all areas of law firm management responsibilities under the LPA and relevant subsidiary legislation (from client confidentiality, conflicts of interest and client monies, to AML processes and data protection); (2) skills on the proper management of client-solicitor disputes; (3) practical guidance on best practices for good law firm management; (4) training on workplace management, including the prevention of workplace bullying and harassment; and (5) training and mentorship for junior lawyers within the firm; and

(ii) be re-designed on a modular basis with modules of 3 CPD points each, so that it is not merely a foundational course on law firm management, but an avenue for lawyers with the responsibility of practice management to renew their domain knowledge on a regular basis.

In addition, in line with the enhancement of the LPMC, the Law Society's LPMG should be updated and enhanced, to ensure synergy with content taught at the LPMC.

i. Core areas of law firm management

151. Rule 35 of the PCR identifies three core areas in which the management of a law firm must take reasonable steps to have in place adequate systems, policies and controls to ensure that its legal practitioners (as well as employees with responsibilities in these areas) comply with the relevant law, rules or any applicable practice directions or guidance notes. These core areas are: clients' money; conflicts of interest; and client confidentiality (hereafter referred to as the "**core areas of law firm management**"). The core areas of law firm management provide the foundation for the gamut of a lawyer's ethical and professional obligations under the PCR. As to the systems and processes which the management of a law firm should institute, the general principles in rule 35(1) of the PCR provide guidance:

- (a) A legal practitioner in the management of a law practice must make a reasonable effort to provide a working environment which prioritises competence, professionalism and ethical consciousness on the part of every individual working in the law practice.*
- (b) A legal practitioner in the management of a law practice is responsible for the implementation and maintenance of adequate systems in the law practice to ensure that every legal practitioner working in the law practice complies with the applicable written law, and any applicable practice directions, guidance notes and rulings ..., relating to client's money, conflicts of interests and client confidentiality.*
- (c) A legal practitioner in the management of a law practice must ensure that every system referred to in principle (b) is appropriate to the size and complexity of the law practice, the nature of the work undertaken by the law practice, and the number and qualifications of the employees of the law practice, and enables an assessment of all circumstances relevant to each client of the law practice and each situation.*

[emphasis added]

ii. Management of client-solicitor disputes

152. Besides practice management, another area which ought to be emphasised is the importance of the timely resolution of client-solicitor disputes which may be de-escalated. The Committee observed, from an analysis of the trajectory of complaints made to the Law Society against advocates and solicitors under

section 85(1) of the LPA between 2018 and 2021 (“**Analysis of Complaints**”), that a very significant proportion of these complaints were dismissed.¹¹⁶ Between 2018 and 2020, on average, 70.3% of all such complaints were dismissed without requiring any formal investigation by a Disciplinary Tribunal (“**DT**”) – 45.6% of these complaints were dismissed pursuant to the direction of a Review Committee (“**RC**”) to the Council under section 85(8)(a) of the LPA, while 24.7% of these complaints were dismissed pursuant to the recommendation of an Inquiry Committee (“**IC**”) to the Council under section 86(7)(b)(v) of the LPA. Under Part 7 of the LPA, the RC and the IC are respectively the first and second levels at which complaints received by the Law Society against advocates and solicitors under section 85(1) of the LPA are reviewed, before any formal investigation of the complaint comes to be undertaken by a DT, if so recommended by the IC under section 86(7)(a) of the LPA. The very high proportion of dismissed complaints before any formal investigation was undertaken at the DT stage suggests that the vast majority of complaints made against legal practitioners – often the owner of the firm or the partner with direct managerial responsibility over the relevant file – are without merit.

153. The prospect of being subject to disciplinary proceedings in and of itself hangs over a legal practitioner’s career. The time spent on defending disciplinary proceedings that are based on a complaint which is later found to be unmeritorious encroaches on resources that a legal practitioner could have utilised more productively. The problem is all the more acute for legal practitioners practising in smaller law firms or as sole practitioners, since their practice resources are more limited to begin with. Therefore, an equally important component of sound law firm management is to ensure that client-solicitor disputes are properly managed from an early stage.

iii. The Committee’s recommendations

154. The most effective vehicle for equipping legal practitioners with practical knowledge of the sound management of law practices is the LPMC, which is a

¹¹⁶ See Annex E at [3].

foundational course on law practice management which section 75C of the LPA requires an advocate and solicitor to complete before he or she can practise on his or her own account as a sole proprietor or as a partner or director of any law practice. Currently, the LPMC is structured as a two-day programme open to all legal practitioners, but specifically targeted at rising partners or law firm owners as well as legal practitioners who wish to brush up their skills on law firm management. It covers topics relating to the core areas of law firm management, as well as other topics such as AML, data protection and cybersecurity, business planning and risk management.

155. To this end, the Committee, in consultation with the Law Society, recommends that the LPMC's *content* be expanded. The proposed syllabus for the expanded LPMC is set out in full in **Annex F** and it encompasses the following key areas:
- a. The responsibilities in relation to the management and operation of a law practice under rule 35 of the PCR.
 - b. A primer or refresher on selected ethical duties under the PCR, including: duties of honesty, competence and diligence (rule 5); duties in the administration of justice (rules 9, 10 and 13); duties of confidentiality (rule 6); responsibilities of legal practitioners to each other (rule 7); duties of conduct in relation to other persons (rule 8); conflicts of interest (rules 11 and 20–25); supervision of staff (rule 32); and responsibilities to practice trainees (rule 36).
 - c. Client money, including rules on client money and professional fees and costs under rules 16 and 17 of the PCR, the Legal Profession (Solicitors' Accounts) Rules, and best practices on the handling of client money.
 - d. AML and countering the financing of terrorism, including best practices on how know-your-client checks are to be conducted.
 - e. Responsible use of AI and related technology in law practices.

- f. Cybersecurity and personal data protection for law practices.
 - g. The management of legal practitioners and staff in one's law practice, including the prevention of workplace harassment and bullying, as well as best practices in mentorship and human resources in the context of law firms. This will include training for rising partners and law firm owners on how to be effective mentors to junior lawyers within their firm on practice-related issues and topics.
 - h. The handling of client complaints addressed to a legal practitioner or a law practice, including best practices and options for de-escalation. The Committee further elaborates on this at [158] and [160] below.
 - i. Professional indemnity insurance and notification of claims.
 - j. Business planning, budgeting and managing cashflow for law practices.
 - k. Best practices in selecting and implementing appropriate practice management solutions, as well as information about the available technology and tools that can support legal practice.
156. The Committee highlights three specific aspects of the proposed syllabus for the expanded LPMC. First, the Committee envisages the LPMC as providing *holistic* training on law firm management. As such, it goes beyond merely providing legal practitioners with information on the rules and regulatory requirements relating to practice management; it furnishes them with actionable practical guidance on each of these issues through best practices crystallised from the experiences of others, which they can then adopt and adapt to their own needs. It also includes a component on topical issues (such as the emergence of AI and related technology), in recognition of the fact that legal practitioners ought to keep up their practice with changing times.
157. Second, the expanded LPMC includes a component on training for rising partners and prospective law firm owners on how to be *effective mentors* to

junior lawyers within their firms in relation to practice-related issues and topics. As explained at [164]–[165] below, mentorship within law firms is the other crucial aspect of the role of law firms in securing the ethical health of the profession. Partners or law firm owners should therefore be trained not only on their responsibilities *vis-à-vis* the management of the law practice, but also on the mentoring of younger colleagues on practice-related issues and topics.

158. Third, the expanded LPMC includes a component on the proper handling of *client complaints*. As explained with reference to the Analysis of Complaints, this is a subject of importance, and legal practitioners will benefit from being equipped with the skills needed to better manage disputes with their clients. The Committee recommends two areas for emphasis.

a. The LPMC should educate legal practitioners with the responsibility of practice management on the use of a structured approach to the management of client complaints. A structured approach entails the following:

i. Client complaint management must be in focus from the outset of every engagement. Therefore, clauses for the resolution of client-solicitor disputes by mediation (referred to as a “**pre-complaint mediation clause**”) should be incorporated into letters of engagement to make clear to clients how disputes are to be resolved and to introduce an expeditious and confidential process (such as mediation) in the event that a client-solicitor dispute arises.

ii. Besides prescribing mechanisms for the amicable resolution of client-solicitor disputes, it is also important to put in place an internal complaint-handling procedure, which provides a dissatisfied client with a structured avenue to articulate his or her complaint, and ensures that the dissatisfied client feels assured that his or her complaint is being acted upon by a supervising partner of sufficient seniority. Where necessary, smaller firms may use other trusted firms perceived as independent third parties to handle the complaint; it is

important that small firms devise a mechanism despite the challenges, as the likely benefits far outweigh the costs associated with the mismanagement of an unmeritorious complaint.

- b. The LPMC should also educate legal practitioners on soft skills for the management of client-solicitor disputes. These include proper communication between the law practice and the client on the timeline required for the law practice to process a complaint, and for legal practitioners to promptly pick up on the cues when client dissatisfaction is imminent to avoid further escalation of the matter.

159. One example of a pre-complaint mediation clause which law firms may consider adopting is as follows:

1. The engagement shall be governed by the laws of Singapore.

2. Parties agree that if a dispute or complaint arises under, out of, or in connection with the engagement or services provided by us to you, including any question regarding the existence, validity or termination of this engagement or its terms, they shall in good faith try to settle the same through an available mediation process administered by any of the following:

- (a) Singapore Mediation Centre; or
- (b) The Law Society of Singapore; or
- (c) [parties' other choice of alternative dispute resolution methods]

3. In the event that parties fail to reach a settlement on the dispute or complaint even after mediation as provided above, the dispute shall be referred to and finally resolved by _____ [to state the choice of dispute resolution].

160. The Committee notes that the Law Society has previously disseminated resources on the management of client-solicitor disputes.¹¹⁷ In these resources, the Law Society had also put forward two different versions of a pre-complaint

¹¹⁷ See Deborah Koh and Ambika Rajendram, "Nipping Client Issues in the Bud Through Incorporating Mediation Clauses in Letters of Engagement" *Singapore Law Gazette* (June 2015) at pp 38–40; Law Society, *Practice Management Guide* (2017) at Appendix 10 (section 10.7) and Appendix 11C; and Alvin Chen, "Addressing Client Dissatisfaction – A Primer for Law Practices" *Singapore Law Gazette* (March 2021).

mediation clause which law firms could adopt.¹¹⁸ It is ultimately for law firms to choose for themselves whichever clause suits their practice best, but the Committee suggests the pre-complaint mediation clause above with the following considerations in mind. First, the clause should not require that every party to the mediation be represented by counsel. Both clients and solicitors will likely wish to avoid incurring further costs in resolving their disputes, and a requirement of representation can hinder the parties' take-up of mediation. Second, disputing clients and solicitors should have the option of pursuing *further* mediation or settlement of their disputes where mediation fails at the first instance. In some cases, mediation may not immediately achieve a full resolution, but the process of mediation may nevertheless narrow the differences between the parties. For the avoidance of doubt, it is not the Committee's suggestion that a dissatisfied client is bound to mediate a dispute before he/she is entitled to invoke the disciplinary process under section 85(1) of the LPA. What is emphasised here is the need for practitioners to properly manage client disputes if and when they arise, so that these instances are less likely to escalate into formal complaints where they lack basis or are unmeritorious.

161. Besides its content, the LPMC should also be redesigned in terms of its *structure*. The LPMC should not be viewed as merely a *foundational* course for

¹¹⁸ The first sample clause published by the Law Society in the *Singapore Law Gazette* read as follows:

Any dispute arising out of or in connection with this Engagement must be submitted for mediation at the Singapore Mediation Centre (SMC) in accordance with SMC's Mediation Procedure in force for the time being. Either/any party may submit a request to mediate to SMC upon which the other party will be bound to participate in the mediation within [45 days] thereof. Every party to the mediation must be represented by [senior lawyer, of at least the seniority of a Partner] or its equivalent, with authority to negotiate and settle the dispute. Unless otherwise agreed by the parties, the Mediator(s) will be appointed by SMC. The mediation will take place in Singapore in the [English] language and the parties agree to be bound by any settlement agreement reached.

The second sample clause published by the Law Society in the *Practice Management Guide* (2017) read as follows:

All disputes shall first be referred to mediation in Singapore. The Law Society Mediation Rules which are in force at the time shall apply. "Disputes" includes all disputes, controversies or differences arising out of or in connection with this agreement, including any questions regarding its existence, validity or termination.

practice management. It should also operate as an avenue for legal practitioners with the responsibility of practice management to renew their domain knowledge on a regular basis. To this end, the Committee, in consultation with the Law Society, recommends that different segments of the LPMC be re-designed on a modular basis, with each module dedicated to a specific topic offering up to 3 CPD points. This allows legal practitioners to attend specific modules of the LPMC to renew their domain knowledge in particular areas. A modular structure also allows junior lawyers to attend specific components of the LPMC, so that they can be exposed to law firm management issues from an early stage of their career and gain an appreciation for what is needed to secure high ethical and professional standards at the organisational level of a law practice.

162. Finally, as a complement to enhancing the LPMC, the Law Society's *Practice Management Guide* (or LPMG) should be updated and enhanced to operate as a baseline resource for legal practitioners with practice management responsibilities. The LPMG, which was first published in 2011 and last revised in 2017, can be used by law practices as a guide or reference when developing their own practice management systems. It sets out the best practices which law firms can adopt in various areas of practice management, as well as the regulatory requirements imposed on law practices. Currently, the LPMG places more emphasis on the administrative aspects of good law firm management. Going forward, it is recommended that the LPMG incorporate content providing legal practitioners with practical guidance on the required systems and processes which underlie good law firm management, and that there be synergy between the LPMG and the content taught at the LPMC, so that the LPMG can operate as a ready resource for legal practitioners who wish to refresh their knowledge from the LPMC. In particular, the section in the LPMG on the management of client complaints should be refreshed,¹¹⁹ in line with the Committee's recommendations on the soft skills which legal practitioners should be taught regarding the management of client complaints.

¹¹⁹ See the Law Society, *Practice Management Guide* (2017) at section 10.7.

163. The enhanced LPMG will be especially useful for owners of smaller law practices, who may lack the scale and resources to establish the necessary systems or processes from scratch. Instead, they can adopt the relevant section(s) of the LPMG and adapt it to suit their specific needs and circumstances. With a resource like the LPMG, lawyers from smaller law practices do not have to rely on the existing informal practice of consulting their peers from other smaller practices, or rely on anecdotal lessons in deciding how their practice can be best managed. The Committee notes that, at focus group discussions, lawyers from small firms expressed the view that one way they could be better supported was through seeking guidance from the Law Society or professional bodies. The LPMG will be an authoritative resource that they can consider and access easily as a first port of call.

2. *Training and mentorship in law firms*

i. Mentorship within law firms

Final Report Recommendation 17: To ensure that junior lawyers receive effective mentorship at their workplaces, the Law Society should prepare a syllabus for a *structured mentoring programme within law firms* which law firms can adapt for their use, the contents of which are to focus on topics corresponding to the core areas of law firm management and other issues covered in the proposed syllabus of the expanded LPMC. This will complement the LPMC syllabus.

164. As explained at [56] above, strengthening mentorship structures within law firms will yield organisational and systemic benefits. Junior lawyers¹²⁰ who are relatively inexperienced on the interface between practice and issues of ethics and professional standards must have an effective avenue in their immediate workplaces where they can seek guidance and mentorship. Feedback gathered from focus group discussions also highlighted that certain topics on which juniors seek guidance from their seniors, such as those arising out of practice-related issues like conflicts of interest and client confidentiality, are best discussed within individual law firms. Where mentor and mentee come from

¹²⁰ For the purposes of this section, “junior lawyers” will refer to any lawyer in a law practice who does not occupy a managerial position within the firm (i.e., partner or director and above).

different law firms, they will be constrained in discussing these issues freely as they will each be subject to ethical obligations and duties in the context of their own law firms.

165. The Committee, in consultation with the Law Society, recommends the development of a syllabus for a structured mentoring programme that law firms can adapt and tailor to their specific needs and practices. In terms of content, the syllabus should focus on topics corresponding to the core areas of law firm management and other topics covered in the proposed syllabus for the expanded LPMC. This way, the mentorship syllabus will serve as a complement to the expanded LPMC, which already includes a component for rising partners and law firm owners to be trained on how to be effective mentors to junior lawyers within their firm (see [155(g)] above).

ii. Training within law firms

Final Report Recommendation 18: To facilitate *ethics training within law firms*, experienced lawyers of high professional standing should be encouraged to teach within their own firms. The SAL will curate relevant content on the latest legal developments relating to ethics and professional standards annually and disseminate them to law firms for their use, whether in internal training for their own lawyers, or to organise courses for the wider profession, for which private and public CPD points (respectively) can be awarded to attendees.

166. Experienced lawyers have deep knowledge and should be encouraged to teach within their firms. To assist, the SAL will produce the Ethics Curriculum Assets on an annual basis. As explained at [112] above, the Ethics Curriculum Assets are a set of core content relating to ethics and professional standards, contextualised to various practice areas. The Ethics Curriculum Assets are designed to meet the requirements of the Mandatory Component and will cover essential developments relating to ethics and professional standards in the preceding year, such as any changes to the PCR or codes of conduct, as well as published decisions of the Court of 3 Supreme Court Judges (“C3J”) or a DT, and it comprises modules, case studies and practical exercises. The

Committee understands that the Ethics Curriculum Assets will be developed with input from educators and pedagogy experts.¹²¹

167. The Ethics Curriculum Assets will be made available to all law firms by the first quarter of 2025 through the new SAL Ethics Repository (see Final Report Recommendation 10 at [118]–[120] above). The Ethics Curriculum Assets can then be adapted by law firms for internal training on ethics and professional standards, and lawyers attending the programme can receive 1.5 private CPD points that will go towards the satisfaction of the Mandatory Component. Law firms which are better resourced are also encouraged to open their training programmes to lawyers from other firms (especially smaller firms which do not run their own internal ethics-related training for lawyers) to attend. This encourages collegiality within the profession and creates opportunities for building networks of excellence. In these cases, these programmes would also be eligible for accreditation by SILE as public CPD point activities. Finally, for the benefit of law firms who do not run their own internal ethics-related training for lawyers, the SAL will administer an annual seminar featuring the Ethics Curriculum Assets, which lawyers can attend to receive public CPD points that will go towards satisfying the Mandatory Component.

3. *Safe and sustainable workplaces*

168. The legal profession is by its nature a demanding one, with pressures stemming from client expectations, deadlines and business operations. These realities were acknowledged by all segments of the legal profession at various focus group discussions.
169. However, the realities of a career in the law ought not be perceived as inconsistent with the legal profession being one in which all involved can pursue

¹²¹ The Committee understands that the SAL is currently developing Ethics Curriculum Assets in the following practice areas: family law, criminal law, personal injury and property damage and conflicts of interest. The SAL has engaged a consultant with expertise in ethics to work with practitioners from specific practice areas to ensure that the Ethics Curriculum Assets are relevant and effective in addressing the ethical challenges faced by lawyers in specific practice areas.

reasonably sustainable careers aligned with their aspirations. A profession of ethical lawyers is premised not only on formal rules and codes of conduct, but also on a culture of ethical behaviour. It is as much an exercise in education and training as it is an exercise in the shaping of minds. Lawyers who identify with the core values of the legal profession and the duty to hold themselves to high ethical and professional standards are more likely to act with their responsibilities as members of an honourable profession in mind.¹²² This can only be encouraged where lawyers are able to pursue careers within healthy workplaces which allow them to fully appreciate their involvement in the mission of administering justice.

170. Final Report Recommendations 19 and 20 are directed at the two issues which the Committee believes law firms should address as a starting point to encourage safe and sustainable workplaces: (a) workplace harassment and bullying; and (b) sustainable legal careers.

i. Workplace bullying and harassment

Final Report Recommendation 19: The Law Society should make the position of the legal profession clear with a Policy on the Prevention of Workplace Harassment and Bullying. This could be accompanied by a Toolkit that provides guidance to law firms on the basic structures and procedures they can implement to address and manage complaints concerning workplace harassment and bullying. The Toolkit is a model which law firms may adapt to suit their needs and circumstances, and it includes, in particular, guidelines for small law firms on how the model is to be implemented. In due course, the Law Society should consult the Professional Conduct Council to issue a Guidance Note on the Prevention of Workplace Harassment and Bullying. Relevant training on the Guidance Note and the Toolkit may be conducted from 2025. These materials should also be eventually incorporated into the LPMC syllabus so that the relevant knowledge would take root over time.

171. Globally, there has been greater attention on the issue of workplace bullying and harassment in the legal profession,¹²³ though this is a trend observed also

¹²² Research in social psychology shows that ethical action is more likely to occur when individuals feel a sense of personal responsibility for their decisions: see the Ethics & Compliance Initiative Fellows Working Group, "Understanding Ethical Fading: Why Good People Go Astray" (2015).

¹²³ See IBA, *Report on Bullying and Sexual Harassment in the Legal Profession* (May 2019), accessible at <https://www.ibanet.org/MediaHandler?id=B29F6FEA-889F-49CF-8217-F8F7D78C2479>.

in other fields and industries.¹²⁴ Workplace harassment and bullying have no place in a legal profession that espouses the values of respect, dignity and justice.

172. Efforts were previously undertaken by the Law Society to address these issues.¹²⁵ In June 2020, the Law Society published a resource guide for its members on workplace harassment in the legal profession (“**the Resource Guide**”); and in October 2020, 21 law firms representing some of the biggest employers in the legal profession in Singapore joined the Law Society in signing the Law Firm Pledge on Preventing Bullying and Harassment in Singapore’s Legal Profession (“**the Pledge**”) to ensure that law firm staff and colleagues were to be treated with courtesy, respect, dignity and fairness.¹²⁶
173. At the 2024 SAL Focus Groups, participants were in unison in expressing their disapproval of workplace harassment and bullying; the challenge, in their view, lay in the measures which law firms (particularly small firms) could meaningfully implement to ensure that workplace harassment and bullying was surfaced, investigated and properly managed at an early stage. It appears that law firms may be better supported by practical guidance on how to manage workplace harassment, which can also be adapted to suit their own needs and circumstances.
174. To this end, the Committee recommends that the Law Society should reiterate that workplace harassment and bullying have no place in the legal profession, through the issuance of a Policy on the Prevention and Management of Workplace Bullying and Harassment (or the Policy). The Policy is to be

¹²⁴ See Jason Walker, “About a third of employees have faced bullying at work – here’s how to recognise and deal with it” *The Business Times* (25 February 2024), accessible at <https://www.businesstimes.com.sg/working-life/about-third-employees-have-faced-bullying-work-heres-how-recognise-and-deal-it>; and Ludmila N Praslova, Ron Carucci and Caroline Stokes, “How Bullying Manifests at Work – and How to Stop It” *Harvard Business Review* (4 November 2022), accessible at <https://hbr.org/2022/11/how-bullying-manifests-at-work-and-how-to-stop-it>.

¹²⁵ See Gregory Vijayendran, President of the Law Society, Address at the Opening of the Legal Year 2020 (January 2020) at para 26 (emphasising the need to “listen to the voices of the bullied and harassed in the law” and for a “cultural change” to ensure that “[t]he legal profession will be a vanguard of respect for dignity of persons”).

¹²⁶ See the Law Society, “Press Release: Law Society’s Pledge Signing Ceremony Unites Law Firms to Take a Firm Stance Against Workplace Bullying and Harassment” (9 October 2020).

accompanied by a toolkit (or the Toolkit) which provides guidance to law firms on the basic structures and procedures they can implement to address and manage complaints concerning workplace bullying and harassment. The Toolkit provides a basic model which law firms may adapt to suit their unique needs and circumstances, and it includes, in particular, guidelines for small law firms on how these structures and procedures are to be implemented.

175. The Committee further recommends that the Law Society should, after consultation with the Professional Conduct Council under section 59(3) of the LPA, issue the Policy in the form of a Guidance Note. This will set the tone and minimum standards for the legal profession as a whole, and serve as a beacon of the profession's commitment to integrity, professionalism and justice. The Committee further recommends that relevant CPD training on the Guidance Note and the Toolkit be conducted from 2025, and that these materials should eventually be incorporated into the LPMC for knowledge to take root. The LPMC will be an effective vehicle for shaping the minds of those who, as leaders or managers of law practices, will ultimately be responsible for shaping the workplace culture of their firms and thus of the legal profession at large.

ii. Sustainable work practices

Final Report Recommendation 20: To cultivate and maintain *sustainable work practices* and address the generation gaps between junior and senior lawyers on workplace culture and aspirations, the SAL should spearhead a sustained initiative to research the impact of this complex issue on the legal profession and develop a core set of workplace principles with a pilot group of law firms and legal departments. These principles, which are intended to be aspirational and not prescriptive, and which are aimed at maintaining the sustainability of legal practice, will be developed and calibrated over time for wider adoption within the legal profession.

176. The Committee notes that work has been done on the issue of sustainable workplaces by a range of organisations. MBS, for example, has as its mission to call on the legal community in Singapore to prioritise the removal of unnecessary sources of stress and promote mental health and wellbeing in the workplace. It advocates the adoption of the Mindful Business Charter ("**MBC**")

or similar initiatives by the legal community in Singapore.¹²⁷ Temasek Holdings ("Temasek") has launched its own Lawyer Sustainability Guidelines ("Temasek LSG"), which are a set of principles based on the MBC that Temasek adopts within its own organisation, and which around ten of its key law firm partners have also signed up to in connection with their work involving Temasek as a client. Law firms such as Rajah & Tann Singapore LLP,¹²⁸ various international law firms, and the AGC¹²⁹ have implemented similar initiatives. Beyond the practising legal community, the Committee understands that the SCCA and the ACC¹³⁰ have encouraged the adoption of sustainable workplace principles by their members.

177. The SAL is presently working on an initiative to develop a core set of workplace principles ("the Core Principles"). The Core Principles are adapted from the four key pillars of the MBC, and they encompass the following:
- a. Respectful, courteous and clear communication: (i) Treating internal colleagues and external contacts (including opponents and counterparties in any transactions) with respect and courtesy; (ii) discussing upfront with colleagues, clients and contacts their preferred

¹²⁷ The MBC is the product of a UK-based collaborative initiative among three of the UK's biggest banks and nine of the UK's top law firms to discourage avoidable working practices that can cause unnecessary stress which causes mental health and wellbeing issues for employees. The MBC encompasses four key pillars which guide the actions and decisions of an organisation: (a) openness and respect; (b) smart meetings and communications; (c) respecting rest periods; and (d) mindful delegation. See "The Mindful Business Charter: Rehumanising the Workplace", accessible at <https://www.mindfulbusinesscharter.com/the-charter>.

¹²⁸ Rajah & Tann Singapore LLP's *Work Well Guide* sets out various principles on ensuring a culture of mutual respect, to create a workplace where individuals can practice in a sustainable manner and to adopt smart practices so that all can practice efficiently while being mindful of the relevant workload of their colleagues.

¹²⁹ The AGC has adopted a version of the MBC, which contextualises the principles of the MBC to its operations, takes into account the potential stressors which are likely to be experienced by its officers, and sets out suggested actions by which these potential stressors could be overcome.

¹³⁰ The SCCA organised its inaugural "Sustaining Corporate Counsel Conference" in October 2024 exploring sustainability for in-house counsel, including on issues of career longevity, mental wellbeing, mindfulness and personal growth. Temasek was also invited in this conference to share on the Temasek LSG. The ACC has supported MBS in its initiatives since 2020 by having its members participate in MBS's focus groups and surveys, and circulating MBS's "Lawyers' Sustainability Report 2023" to its members.

method of communication; and (iii) ensuring transparent, two-way communication between all team members.

- b. Respect others' time and boundaries: (i) Being considerate when planning meetings and sending out-of-hours communications; (ii) respecting employees' annual leave and rest periods without expecting them to be on call; and (iii) avoiding sending e-mails during weekends and public holidays unless urgent.
- c. Supportive management practices: (i) Discussing and agreeing on deadlines and providing context for tasks; (ii) offering regular feedback and recognising good work; and (iii) monitoring workloads to prevent burnout and ensuring that team members have necessary information.

178. The Committee recommends that the Core Principles be further refined by the SAL in conjunction with a pilot group of law firms and legal departments, so that observations from the implementation of the Core Principles in practice can inform their calibration going forward. The SAL has also taken up a discussion with law firms, institutions or legal departments which have their own workplace sustainability initiatives in place, and their experience and insights will also be considered in the refinement of the Core Principles. The SAL emphasises that the Core Principles are intended to be aspirational and not prescriptive, and are meant to generate meaningful workplace conversations about culture and practices that meet the aspirations and personal expectations of those joining the legal profession today. These conversations will eventually support the wider adoption of the Core Principles within the legal profession over time.

179. The Committee recognises that time will be required for law firms to make changes. The expectations of senior lawyers, as well as client pressures and business realities, may generate resistance to the new practices which the Core Principles are intended to encourage, and generation gaps (see [13] and [45] above) are reflected in the tension between older and younger lawyers. Nonetheless, mindsets and mental models have to adapt to changing conditions, and it makes good business sense for the legal profession to

address the issue of talent leakage and secure the overall wellbeing of those within. As a systemic issue, ethical resilience is best supported in workplaces where employees have the cognitive bandwidth engendered by sustainable practices.

VII. THE WORK AHEAD

Final Report Recommendation 21: The SAL's PAC should oversee the implementation of the Committee's recommendations. A periodic review of the work done in implementation of the Committee's recommendations and further recalibration could be undertaken as progress is made.

180. The initial focus of the Committee had been on ethics and professional standards, with its remit being to develop a strategy to reaffirm the moral centre and values of the legal profession, and to enable lawyers and those who aspire to a career in the law to understand the legal profession as a calling to be answered with honesty, integrity and dedication.¹³¹
181. For the 20 recommendations set out above, implementation on Final Report Recommendations 1–12 and 14 that were accepted at OLY 2024 have commenced. The new recommendations, if accepted, will provide structure and support; implementation may commence in 2025. These initiatives will require recalibration as the work evolves. SAL's PAC is best placed to take charge of the full implementation of the recommendations in this Final Report because it tends to the affairs of the different categories of officers of the court who are subject to ethical and professional obligations under the LPA, and it contains representation from all segments of the wider legal profession, including the Law Society and its various sub-committees. The PAC should establish mechanisms for periodic feedback and review of the work done in implementation, and further recalibration could be undertaken as progress is made.
182. In looking at ethical formation and its attendant values, the Committee dealt with broader issues of training and mentoring; and, in order to best support those efforts, also reviewed the issue of how values-driven lawyering could be sustained within the wider legal community. This expansion of its original remit was driven by various considerations, including the emergence of data (summarised at [27]–[46] above) which pointed to the need in the medium term for Singapore to build on efforts to support and foster sustainably high-quality,

¹³¹ See [17] above.

values-driven legal service providers and practices, which together undergird Singapore's pole position as a global legal services node and its domestic goal of building a thriving, inclusive and values-based society. As structural industry issues, regulation, legislation and policy intervention are not within the remit of this Committee, the Committee has raised the issue with MinLaw. MinLaw has monitored these matters closely over the years and has taken steps as necessary, and MinLaw will continue to do so.

183. In closing, the Committee's recommendations recognise that an ethical legal profession is built upon many resilient individuals living out the values and aspirations of the law with the support of others within the profession. Values and learning are fundamental, but they can only take root where supported by institutions and law firms, which are the systemic anchors and multipliers in this endeavour. The Committee is grateful to the many individuals and the SAL, the Law Society, the Senior Counsel Forum, MinLaw, the SCCA, the ACC, the SILE, the Law Schools and law firms for their commitment to this work that is fundamental to the standing of the legal community and the rule of law in Singapore.

Annex A – Terms of Reference

Object of the Committee and Report: A strategy to reaffirm the moral centre and values of the legal profession; to enable lawyers and those who aspire to a career in the law to understand the legal profession as a calling to be answered with honesty, integrity and dedication.

1. To define the concern. Honesty, integrity and dedication of lawyers are critical to access to justice and the rule of law. To chart trends in the ethical and professional standards of the legal profession; and to pinpoint possible factors that may have caused a degradation in ethical and professional standards.

2. To understand the problem. To assess whether the core values of the legal profession are well understood and whether they are regarded as sacrosanct.

- a. Do the core values need to be clarified and if so, how?
- b. Do those entering the profession understand these core values and possess the commitment to pursue the craft of lawyering?
- c. Do we need to renew and strengthen the commitment to values among existing members of the profession?
- d. Do those within the profession exemplify, transmit and mentor younger members on these core values?

3. To consider how to attract those who aspire to practice law as a profession to study law, and how to imbue the correct values at the inception of the selection process:

- a. How those aspiring to a career in the law could better understand law as a calling.
- b. Whether there is sufficient exposure to these values within junior colleges and polytechnics offering law-related courses.
- c. Whether law schools could consider this in the selection process.

4. To consider how through education, to inculcate the morals and values of the legal profession in new entrants into the legal profession, and to preserve and enhance this throughout the course of their professional careers.

- a. How undergraduate curricula of the local universities, as well as the Parts A and B Courses conducted by the Singapore Institute of Legal Education could better incorporate and foster these values.
- b. How to incorporate greater emphasis on ethics and professional standards in the continuing legal education of legal practitioners.

c. How senior practitioners could contribute practical ethical content within the different segments of legal education.

5. To consider how to build a practice environment and ethos that promotes systemic ethical health and resilience within the legal profession, and fosters values-oriented mentorship and community.

a. Whether legal practitioners facing ethical challenges are well supported in terms of resources, guidance, mentors and role models; whether existing frameworks within the profession for such guidance and mentoring may be refined and enhanced.

b. Within law firms, whether and how employers employ practices to provide close and sustained mentorship to lawyers faced with ethical uncertainties.

c. Whether the existing ethical framework, including rules, practice certificate requirements, practice directions and guidance notes, provides effective guidance and regulation for legal practitioners.

6. To make recommendations to address any additional challenges arising from the Covid-19 pandemic which have further weakened the ethical fabric. A consideration of the possible reforms should include the following:

a. An examination of the increased societal challenges to the ethical climate post-pandemic, and how these challenges may be addressed.

b. An examination of the shifts in the modalities of legal education and legal practice resulting from the pandemic; and how these may be mitigated.

c. An examination of the changes likely to remain a feature of legal education and legal practice into the future, how they affect ethical resilience, and how any challenges may be addressed.

d. An examination of wellness, security and longer-term sustainability issues within the ethical workplace.

Annex B – Members of the Committee, Co-opted Members of Working Groups and Secretariat

Co-Chairpersons

Justice Valerie Thean	Judge, Supreme Court of Singapore
Mr Jimmy Yim SC	Chairman, Drew & Napier LLC

Members

Justice Andre Maniam	Judge, Supreme Court of Singapore
	Co-Chair, Professional Affairs Committee, Singapore Academy of Law
Judicial Commissioner Kristy Tan	Judicial Commissioner, Supreme Court of Singapore
Judicial Commissioner Mohamed Faizal Mohamed Abdul Kadir	Judicial Commissioner, Supreme Court of Singapore

[Remaining members of Committee listed in alphabetical order of family names]

Mr Jason Chan SC (Chair of Working Group 2)	Partner, Allen & Gledhill LLP
Mr Darryl Chew***	Senior Legal Associate, Chia Wong Chambers LLC
	Co-Chairperson, Young Lawyers Committee, Law Society of Singapore
Professor Leslie Chew SC	Dean, School of Law, Singapore University of Social Sciences
Ms Rebecca Chew	Partner, Rajah & Tann Singapore LLP
	Chairperson, Women in Practice Committee, Law Society of Singapore
Ms Renita Sophia Crasta / Ms Yee Hui Lin Rachel*	Singapore Corporate Counsel Association
Mr Hui Choon Kuen	Third Chief Prosecutor, Attorney-General's Chambers
	Chair, Professional Standards & Ethics Working Group, Singapore Academy of Law

Ms Una Khng	Director, Helmsman LLC
Mr Jerry Koh	Managing Partner, Allen & Gledhill LLP
Professor Lee Pey Woan	Dean, Yong Pung How School of Law, Singapore Management University
Mr Colin Liew	Director, Colin Liew LLC
Mr Kenneth Lim	Partner, Allen & Gledhill LLP
	Chairman, Advisory Committee to the Professional Conduct Council
	Co-Chair, Professional Standards & Ethics Working Group, Singapore Academy of Law
Ms Christine Low	Director, Peter Low Chambers LLC
	Chairperson, Small Law Firms Committee, Law Society of Singapore
Mr Ng Jern-Fei KC	JFN Chambers LLC
Emeritus Professor Jeffrey Pinsler SC**	National University of Singapore
Mr Ng Wai King (Chair of Working Group 3)	Chairman & Managing Partner, WongPartnership LLP
Ms Lisa Sam***	President, Law Society of Singapore
Professor Tan Cheng Han SC (Chair of Working Group 1)	Chief Strategy Officer, Faculty of Law, National University of Singapore
Ms Jessie Tan	Director, Legal Industry Division, Ministry of Law
Mr Paul Tan	One Essex Court
Ms Jasmine Toh	Legal Counsel, VocalBeats
	Member, Young Lawyers Committee, Law Society of Singapore
	Member, Women in Practice Committee, Law Society of Singapore
Mr Abraham Vergis SC	Managing Director, Providence Law Asia LLC
Mr Gregory Vijayendran SC	Partner, Rajah & Tann Singapore LLP

Associate Professor Eleanor Wong***	Dean, Singapore Institute of Legal Education
	Associate Professor (Professional Practice), Faculty of Law, National University of Singapore
Mr Yeong Zee Kin***	Chief Executive, Singapore Academy of Law

** Alternate members.*

*** Until 31 December 2023. The Committee expresses its appreciation to Emeritus Professor Jeffrey Pinsler SC for his contributions in 2023 in the work leading up to the delivery of the Interim Report.*

**** From 1 January 2024. This Final Report reflects the work undertaken over a two-year period from January 2023 until 8 January 2025, with the contributions of new Committee members Mr Darryl Chew, Ms Lisa Sam, Associate Professor Eleanor Wong and Mr Yeong Zee Kin starting from January 2024.*

Co-opted members of Working Groups

[Listed in alphabetical order of family names]

Mr Alvin Chen	Chief Legal Officer, Law Society of Singapore
Mr Paul Neo	Chief Operating Officer and Chief Financial Officer, Singapore Academy of Law
Mr Malcolm Tan	Consultant, City Law LLC
	Chairperson, Continuing Professional Development Committee, Law Society of Singapore
Mr Shawn Toh	Chief Communications Officer, Law Society of Singapore
Ms Rachel Wong	Counsel, Eugene Thuraisingam LLP
	Vice-Chairperson, Continuing Professional Development Committee, Law Society of Singapore

Secretariat

[Listed in alphabetical order of family names]

Mr Bryan Ching	Assistant Registrar, Supreme Court of Singapore
Mr Perry Peh	Assistant Registrar, Supreme Court of Singapore
Ms Wee Yen Jean	Assistant Registrar, Supreme Court of Singapore

The Committee also expresses its appreciation to the following individuals who assisted in the Secretariat at various times: Mr Edwin San (January – 30 June 2023), Mr Joel Fun and Ms Sarah Banton (January – 31 December 2023), Mr Victor Choy (January – 8 August 2024), Mr Reuben Tong (January – December 2024) and Mr Adam Goh (July – December 2024).

Annex C – Core Values of the Legal Profession

The Committee’s distillation of the core values in the Interim Report (at [37]–[55]) is reproduced in this Annex for reference.

1. Beyond the reiteration of the calling to serve, the Committee considers that it is necessary to distil and articulate the core values of the legal profession, for the following reasons.
 - a. First, *to attract the correct candidates*. Aspiring entrants to the legal profession should be committed to embarking on a continuous cultivation of the core values. The law may not be a suitable profession for everyone, especially for those who do not resonate with the core values.
 - a. Second, *to unify the profession and sustain its sense of call*. The core values provide a common language for the profession, among juniors and seniors alike. The core values can also serve as a compass or lodestar, to inspire and empower lawyers; to shape their mindsets; and to guide their conduct when they encounter issues relating to ethics and professional standards.
 - b. Third, *to educate the public on the premise from which lawyers act*. The respect of society for the law as an institution is central to its legitimacy. At the same time, society must be able to appreciate the premise from which lawyers act; certain expectations placed on lawyers may not be appropriate. For instance, members of the public should know that a lawyer does not adopt a “win at all costs” approach, because a lawyer owes a paramount duty to the court which takes precedence over his or her duty to the client.¹
2. The core values of the legal profession that resonated strongly with its members are **Integrity**, **Professionalism**, and **Justice**. There was general consensus

¹ See Rule 4(1) of the PCR and The Honourable Justice Valerie Thean, “I Am an Officer of the Court” [2024] SAL Prac 20 at paras 3–4.

on these core values in the focus groups and other discussions conducted by the Committee.

3. While aspects of each core value may overlap with the others, the Committee is of the view that each encapsulates a distinct and important principle by which every lawyer must be guided.

Integrity

4. The core value “Integrity” is a foundational value that relates to the moral character of the individual lawyer. It reflects the lawyer’s status as an officer of the court. As noted by Chief Justice Sundaresh Menon at the Mass Call Address 2022, “lawyers are required, first and foremost, to be persons of integrity. ... admission to the Bar is about character first, and then about competence”.²
5. “Integrity” incorporates the principle that a lawyer must always act with **uncompromising honesty**. This is a multifaceted obligation that encompasses his or her dealings with the client,³ opposing parties and/or counsel, the public,⁴ and any court or tribunal before whom he or she appears on behalf of a client.⁵ In the context of court proceedings, this principle is reflected in the professional conduct rules relating to a lawyer’s ethical obligations in relation to the evidence provided by his or her client. To the extent that a lawyer is able, a lawyer must prevent his or her client from, must not be a party to, and must not assist the client in, suppressing evidence and/or giving false evidence or false information to a court or tribunal.⁶ In addition, where a lawyer knows that his or her client is about to give, or has given, false evidence or false information to a court or tribunal, the lawyer must cease to act for the client, or if the lawyer continues to act for the client, conduct the client’s case in a manner that does not perpetuate

² See The Honourable the Chief Justice Sundaresh Menon, “The Legal Profession as an Honourable Profession”, Mass Call Address 2022 (23 August 2022) at para 4.

³ See Rule 5(1)(a) of the PCR.

⁴ See Rule 8(1)(a) of the PCR.

⁵ See Rules 9(1)(c) and 9(1)(d) of the PCR.

⁶ See Rule 10(3) of the PCR.

the falsehood.⁷ The principle of integrity finds equal expression beyond the courtroom or in contentious settings, and it attaches to lawyers engaging in non-dispute or transactional work.

6. The core value “Integrity” is broader than merely the need for honesty. It also incorporates the principle that the lawyer’s paramount duty is to **assist in the administration of justice** as an officer of the court and a member of an honourable profession. A lawyer must therefore not merely refrain from inappropriate behaviour; instead, he or she must strive to uphold the standing and integrity of the legal system in all he or she does.

Professionalism

7. The core value “Professionalism” reflects the lawyer’s pursuit of excellence in ethical standards and professional competence, and requires lawyers to maintain the highest standards in discharging the duties they owe towards the court, client, fellow lawyers and the public. This core value incorporates at least the following three principles.
8. First, lawyers must be **diligent in their three relationships with client, court and fellow counsel**. They must be diligent in discharging their duties, such as by keeping the client reasonably informed of the progress of their matter and by providing timely advice. While lawyers owe a duty of loyalty or fidelity to their client, in that they are required to advocate and protect their client’s interests, this is also subject to the broader duties they owe as officers of the court.
9. Second, lawyers must be **fair and courteous**, and must conduct themselves **professionally**, towards **every person they interact with in the course of their work**. In particular, lawyers should interact with one another in good faith and in a dignified and courteous manner, in keeping with their roles as members of an honourable profession.

⁷ See Rule 10(4) of the PCR.

10. Third, lawyers must have the requisite knowledge, skill and experience to provide competent advice and representation and thus must be committed to **lifelong learning, training and development**. The importance of lawyers being effective life-long learners and being guided by a continuing commitment to learning is particularly pronounced because of what has been described as the decreasing “half-life of knowledge” today. To be able to discharge their duties with professionalism, lawyers must not only remain up to date with substantive legal developments, but must also adapt and respond to broader societal developments. A case in point is the integration of technology into our legal processes and into the everyday work of legal professionals (such as the use of AI tools offered by business data or analytics solutions service providers to assist with the conduct of due diligence in transactional work and Zoom for remote hearings in disputes work), a shift accelerated by the Covid-19 pandemic. More broadly, lawyers should view their professional development as a continuing and lifelong endeavour, to which they must remain committed at every stage of their careers.

Justice

11. The core value “Justice” reflects the lawyer’s commitment to serve the ends of justice, and conducting himself or herself, and all aspects of his or her work, as a member of an *honourable profession* guided by the pursuit of *higher aspirations and ideals*. An often-cited definition of a profession is that provided by Roscoe Pound, the former Dean of the Harvard Law School:⁸

*The term refers to a group of men pursuing a learned art as a common calling in the spirit of a public service – no less a public service because it may incidentally be a means of livelihood. **Pursuit of the learned art in the spirit of a public service is the primary purpose.** Gaining a livelihood is incidental, whereas in a business or trade it is the entire purpose. [emphasis added]*

⁸ See Roscoe Pound, *The Lawyer from Antiquity to Modern Times* (St. Paul, Minn.: West Publishing Co, 1953) at p 5.

12. Lawyers, in particular, are called to be “ministers in the temple of justice”,⁹ and they are officers of the court “charged with the unique responsibility of upholding the legal system and the quality of justice”.¹⁰ In particular, the core value “Justice” reflects the lawyer’s obligations to promote the broader administration of justice in society, including access to justice – a lawyer’s noble calling that ultimately serves the public. In this sense, “Justice” is also a value unique to the legal profession. The term “Justice” is used here in a broader sense, referring not only to the just adjudication of rights and obligations, but also to the promotion of compromise, conciliation and closure.¹¹
13. First, lawyers are integral in promoting and upholding the day-to-day **administration of justice**, by virtue of the privileges accorded to them. Indeed, the Legal Profession (Professional Conduct) Rules 2015 (“**PCR**”) provide that “[a] legal practitioner has a duty to assist in the administration of justice and must act honourably in the interests of the administration of justice”.¹² Lawyers have the right to appear in court and represent their clients, whether in criminal, civil or family matters. They also act as trusted advisors and counsellors to their clients, helping their clients navigate the justice system and the principles and rules relevant to their legal problems. In both these roles, lawyers serve as the voice for their clients, advancing their client’s cases to the best of their abilities, while conducting themselves in a manner that upholds the standing and integrity of the legal system and the profession,¹³ and promotes the fair and efficient administration of justice.
14. Second, there is an expectation that as members of the profession dedicated to justice, lawyers would be concerned that indigent, vulnerable and needy members of the public have **access to justice** through affordable legal services

⁹ See *Re Tay Quan Li Leon* [2022] 5 SLR 896 at [1].

¹⁰ See *Wong Keng Leong Rayney v Law Society of Singapore* [2006] 4 SLR 934 at [84].

¹¹ See The Honourable the Chief Justice Sundaresh Menon, “Technology and the Changing Face of Justice” (Speech at the Negotiation and Conflict Management Group (NCMG) ADR Conference 2019, 14 November 2019) at paras 49 and 50.

¹² See Rule 9(1)(a) of the PCR.

¹³ See The Honourable the Chief Justice Sundaresh Menon, “A Conscientious Bar”, Mass Call Address 2017 (28 August 2017) at para 16.

and *pro bono* work.¹⁴ This is consistent with the PCR, which provides that “[a] legal practitioner must facilitate the access of members of the public to justice”.¹⁵ It also finds expression in the mission statement of the Law Society, which reads: “To serve our members and the community by sustaining a competent and independent Bar which upholds the rule of law and ensures access to justice”. In this vein, it is mandatory for lawyers, when applying for a practising certificate annually, to make a declaration stating, among other things, whether they have provided any specified *pro bono* service in the immediately preceding practice year, and the total estimated amount of time spent.¹⁶

15. This is in recognition of the fact that lay persons depend and rely on lawyers to access justice, in light of the specialised expertise, knowledge and skill that lawyers possess. Lawyers must thus be cognisant of the fact that they often represent their lay clients’ interface with the justice system, and must conduct themselves with that responsibility in mind. In this way, access to justice is also a key pillar of the broader system for the administration of justice, and is integral to securing public trust in the legal profession and the justice system as a whole.
16. Third, lawyers are key players in ensuring that society continues to be governed by the **rule of law**. While the rule of law does not admit of a fixed or precise definition, one basic definition of the rule of law is that both the government and society at large must be bound by and abide by the law.¹⁷ Laws are applied equally to everyone and there are mechanisms or institutions to ensure that the law is impartially enforced.
17. In Singapore, the rule of law assumes additional significance due to the key role it has played in nation-building. Singapore’s journey as a nation has been

¹⁴ See The Honourable the Chief Justice Sundaresh Menon, Response at the Opening of the Legal Year 2013 (4 January 2013) at para 24; see also The Honourable the Chief Justice Sundaresh Menon, Mass Call Address 2013 (27 July 2013) at para 13.

¹⁵ See Rule 4(e) of the PCR.

¹⁶ See Rule 3 of the Legal Profession (Mandatory Reporting of Specified Pro Bono Services) Rules 2015.

¹⁷ See Brian Tamanaha, “The History and Elements of the Rule of Law”, *Singapore Journal of Legal Studies* [2012] 232–247.

characterised as one founded on a commitment to the rule of law,¹⁸ and the rule of law has also been described as a “universal value” that is the foundation of our society and a key ingredient of our success.¹⁹ It has been observed that what defined Singapore were shared ideals and aspirations such as meritocracy, intolerance of corruption, and equal opportunity for all regardless of economic background, social status, race or religion. The rule of law provided (and continues to provide) the framework for these shared ideals and aspirations to be realised.

18. Lawyers are in a privileged position to promote the administration of justice, access to justice and the rule of law. However, the gravity of these responsibilities means that they should be entrusted only to those capable of discharging them properly and honourably.²⁰ There is a public interest in ensuring that society’s trust and confidence in the legal profession continues to be maintained: see *Law Society of Singapore v Ravindra Samuel* [1999] 1 SLR(R) 266 (at [12]) and *Law Society of Singapore v Ahmad Khalis bin Abdul Ghani* [2006] 4 SLR 308 (at [5]).

¹⁸ See The Honourable the Chief Justice Sundaresh Menon, “The Rule of Law: The Path to Exceptionalism”, Address at the American Law Institute’s 93rd Annual Meeting (16 May 2016) at para 6.

¹⁹ See K Shanmugam, “The Rule of Law in Singapore”, *Singapore Journal of Legal Studies* [2012] 357–365 (adapted from keynote address at the Rule of Law Symposium 2012).

²⁰ See The Honourable the Chief Justice Sundaresh Menon, “The Legal Profession as an Honourable Profession”, Mass Call Address 2022 (23 August 2022) at para 7.

Annex D – Review of Disciplinary Cases

This Annex sets out the key findings from the Committee’s analysis of disciplinary cases arising from complaints made to the Law Society under section 85(1) of the LPA. It builds on the analysis which the Committee had previously set out in its Interim Report in Annex C at [17]–[37].

Summary of key findings

1. While there has been an increase in the number of disciplinary cases from 2018 to 2022, these numbers should be viewed in context of the corresponding annual increase in the number of advocates and solicitors holding valid practising certificates in the same period. There is also no discernible trend in terms of the severity of sanctions imposed by the C3J.
2. A significant proportion of the disciplinary cases reviewed involved legal practitioners with more than 15 years’ PQE (i.e., the senior PQE group), and who practise as a sole practitioner and/or in a small firm.
 - a. Of the disciplinary cases reviewed, 45.2% involved legal practitioners who practise in a small firm and 23.6% involved legal practitioners who practise as a sole practitioner. Of these cases, 78.4% of them involved legal practitioners who come within the senior PQE group.
 - b. Of the disciplinary cases reviewed, 73.8% involved legal practitioners who come within the senior PQE group. Of these cases, 26.5% of them involved a senior practitioner practising as a sole practitioner, and 46.8% of them involved a senior practitioner practising in a small firm.
 - c. For context, on average between 2017 and 2023:
 - i. Sole practitioners and practitioners practising in small firms respectively constitute 5.9% and 17.3% of the legal profession in Singapore. Further, 90.7% of sole practitioners and 59.9% of lawyers practising in small firms are practitioners within the senior PQE group.

- ii. Legal practitioners coming within the senior PQE category constitute 38.0% of the legal profession in Singapore. Of this group, 13.7% practise as sole practitioners, and 26.7% practise in small firms.
3. The top three most common categories of misconduct involved in disciplinary cases are: (a) breaches of client care standards (39.6% of all cases); (b) breaches of duties relating to the management and operations of a law practice (24.5% of all cases); and (c) breach of duties to court (21.6% of all cases). Cases involving misconduct that can warrant striking off were the minority (9.4% of all cases).
4. A significant proportion of disciplinary cases involving the breaches of client care standards and the breach of duties relating to law firm management involved sole practitioners and/or practitioners working in small firms are senior lawyers (70% and 44.6%, for the respective case types).

Introduction and methodology

5. The complaint process under section 85(1) of the LPA applies to both regulated foreign lawyers and advocates and solicitors of the Supreme Court.¹ Consistent with the Committee's emphasis on the ethics and professional standards of Singapore lawyers, the disciplinary cases analysed is limited to those involving advocates and solicitors of the Supreme Court (hereafter referred to in this Annex as a "**legal practitioner**").
6. The disciplinary cases analysed comprise two categories:
 - a. The first category includes cases where a determination of misconduct had been made at the conclusion of proceedings before the Inquiry Committee ("**IC**") (such a case is referred to as an "**IC case**") or at the

¹ See the definition of a "regulated legal practitioner" (to which section 85(1) of the LPA applies) in section 2(1) of the LPA.

conclusion of proceedings before a Disciplinary Tribunal (“**DT**”) (such a case is referred to as a “**DT case**”). To elaborate:

- i. **IC cases** include those where a determination of misconduct had been made by the Council following its consideration of the IC’s report pursuant to section 87(1)(b) of the LPA. However, it excludes those cases where the Council had determined that there should be a formal investigation by a DT pursuant to section 87(1)(c) of the LPA. This exclusion avoids double counting between IC cases and DT cases. As elaborated below, such cases would come under the umbrella of DT cases.
- ii. **DT cases** include those where a determination of misconduct had been made by the DT such that a legal practitioner should be subjected to one of those penalties specified in section 93(1)(b) of the LPA, notwithstanding that no cause of sufficient gravity for disciplinary action exists. However, it excludes:
 - (A) Cases where the DT had determined pursuant to section 93(1)(c) that cause of sufficient gravity for disciplinary action exists under section 83 of the LPA and in respect of which an application is subsequently made under section 98 of the LPA to the C3J. This exclusion avoids double counting between DT cases and C3J cases. As elaborated below, such cases come under the umbrella of “**C3J cases**”.
 - (B) Matters referred to a DT by way of direct referral under section 85(3)(b) of the LPA.²
- a. The second category includes cases where a determination of misconduct had been made by the Court of 3 Supreme Court Judges (“**C3J**”) (such a case is referred to as a “**C3J case**”), meaning that the

² This follows since the disciplinary cases reviewed in this Annex are limited to those which arise from complaints made against an advocate and solicitor of the Supreme Court under section 85(1) of the LPA.

C3J had found, on an application brought under section 98 of the LPA, that there is due cause for disciplinary action shown pursuant to section 83(2) of the LPA.

7. The disciplinary cases are analysed over a five-year period between 1 April 2018 and 31 March 2024. For the purposes of analysis, each year starts from 1 April until 31 March of the next. Because of differences in how the underlying data for IC cases and DT cases and C3J cases have been obtained, a different methodology is used in the temporal classification of these cases:

- a. For IC cases and DT cases, a case comes within the year under review so long as the IC had provided its report to the Council for consideration pursuant to section 86(1) of the LPA within that year, irrespective of when the determination of misconduct (whether by the Council following consideration of the IC’s report or the DT) had been made.
- b. For C3J cases, a case comes within the year under review if the C3J made the determination within that year that due cause for disciplinary action under section 83 of the LPA had been shown, irrespective of when the application to the C3J under section 98 of the LPA had been made.

8. The following parameters are used to analyse the disciplinary cases:

- a. **The classification of misconduct.** Each case is identified by reference to the *specific* type of misconduct that had been engaged (classified into 17 types) as well as a more *general* classification of the misconduct (divided into 6 main categories). Each general classification brings within its fold the specific types of misconduct that are of a similar nature.

Category of misconduct	Type of misconduct
Misconduct that can warrant striking off	Conviction for a criminal offence
	Dishonest/fraudulent conduct
	Harassment/sexual misconduct

Category of misconduct	Type of misconduct
Breach of duties to the court	Breach of duties to court ³
	Breach of undertakings
Breach of duties relating to the management and operations of a law practice	Breach relating to client's money/solicitors' accounts' rules
	Conflict of interest
	Breach of confidentiality
	Breach of obligations of supervision
	Practising without a valid practising certificate
Breach of client care standards	Negligent/inadequate/misleading advice to client
	Acting without/against client's instructions
	Lack of communication with client
	Lack of diligence and competence
	Breach relating to legal fees/liens
Breach of duties to third party	
Lack of etiquette to other practitioners	

Table 1: Classification of types of misconduct used in the analysis of disciplinary cases

- b. **The PQE of the legal practitioner involved** – namely, junior (1–5 years); middle (5–15 years); or senior (15 years and above). This is determined as at the date of the complaint.
- c. **Size of the firm** in which the legal practitioner had practised as at the date of the complaint, or in which the legal practitioner had last practised prior to the date of the complaint (if the complaint had been filed after the legal practitioner had ceased practice).
- d. Whether the legal practitioner in question is a **sole practitioner**. This is determined as at the date of the complaint. If it is not possible to determine this as at the date of complaint due to lack of data, this would be determined as at 31 December of the year preceding the complaint.

³ These include duties concerning a legal practitioner's role in the administration of justice under Rules 9–15B and Rules 27–31 of the PCR.

- e. In respect of C3J cases, **sanctions** that were imposed by the C3J under section 83(1) of the LPA. These sanctions are set out in **Table 2** below, in decreasing order of severity for each type of case.

Type of case	Sanction
C3J cases	Striking off under section 83(1)(a) of the LPA.
	Suspension from practice under section 83(1)(b) of the LPA, which has been subdivided into the following categories to distinguish the severity of infractions involved: (i) 5 years; (ii) 3 years and above but less than 5 years; (iii) 1 year and above but less than 3 years; (iv) 1 year or less.
	Penalty under section 83(1)(c) of the LPA.
	Censure under section 83(1)(d) of the LPA.

Table 2: Overview of the types of sanctions that can be imposed in C3J cases

Profile composition of the legal profession in Singapore

9. The findings in this Annex should be read in the context of the profile composition of the legal profession in Singapore, which encompasses the following four aspects.
10. **Distribution of law firms:** First, the distribution of Singapore law practices licensed with the LSRA by practice size as at 31 December of each year, from 2017 to 2023.⁴

Year	Total number of Singapore law practices	Sole practitioners ⁵		Small firms (2 to 5 lawyers)		Medium firms (6 to 30 lawyers)		Large firms (31 or more lawyers)	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
2017	910	383	42.1%	356	39.1%	150	16.5%	21	2.3%
2018	934	386	41.3%	373	39.9%	154	16.5%	21	2.2%

⁴ The information used to prepare Table 3 is derived from data processed by the LSRA.

⁵ Law practices of sole practitioners can take the form of either a sole proprietorship or a law corporation.

Year	Total number of Singapore law practices	Sole practitioners ⁵		Small firms (2 to 5 lawyers)		Medium firms (6 to 30 lawyers)		Large firms (31 or more lawyers)	
2019	965	388	40.2%	393	40.7%	162	16.8%	22	2.3%
2020	998	390	39.1%	419	42.0%	166	16.6%	23	2.3%
2021	1013	395	39.0%	436	43.0%	160	15.8%	22	2.2%
2022	1029	411	39.9%	435	42.3%	160	15.5%	23	2.2%
2023	1007	412	40.9%	410	40.7%	160	15.9%	25	2.5%
Average	979	395	40.3%	403	41.2%	159	16.2%	22	2.3%

Table 3: Distribution of Singapore law practices by practice type from 2017 to 2023

11. **Distribution of legal practitioners by PQE:** Second, the distribution of advocates and solicitors holding valid practising certificates issued under section 25 of the LPA as at 31 August of each year based on their PQE, from 2017 to 2023.⁶

Year	Total number of advocates and solicitors holding valid practising certificates	Junior (1–5 PQE)		Middle (5–15 PQE)		Senior (>15 PQE)	
2017	5191	1825	35.2%	1045	20.1%	2321	44.7%
2018	5365	<i>Data unavailable⁷</i>					
2019	5920	2897	48.9%	1065	18.0%	1958	33.1%
2020	5955	2281	38.3%	1569	26.3%	2105	35.3%
2021	6333	2214	35.0%	1690	26.7%	2429	38.4%
2022	6273	2048	32.6%	1768	28.2%	2457	39.2%
2023	6512	2295	35.2%	1720	26.4%	2497	38.3%
Average	6031	2260	37.5%	1476	24.5%	2294.5	38.0%

Table 4: Distribution of advocate and solicitors of the Supreme Court by seniority from 2017 to 2023

⁶ The information used to prepare Table 4 is derived from data maintained by the Law Society.

⁷ For 2018, the breakdown of practising certificate holders by seniority is unavailable due to data source limitations.

12. **Distribution of legal practitioners within each PQE group by practice size/type:** Third, the estimated distribution of advocates and solicitors holding valid practising certificates within each PQE group by their practice size/type for the years 2017, 2020 and 2023.⁸

Year	PQE group	Sole practitioners	Small firms	Medium-sized firms	Large firms
2017	Junior	0.3%	10.3%	29.1%	60.3%
	Middle	2.0%	6.8%	23.2%	68.0%
	Senior	13.4%	25.8%	31.7%	29.1%
2020	Junior	0.4%	12.8%	31.3%	55.5%
	Middle	2.5%	11.5%	29.8%	56.1%
	Senior	13.4%	27.7%	31.8%	27.1%
2023	Junior	0.1%	11.0%	29.9%	58.9%
	Middle	2.7%	12.9%	32.8%	51.6%
	Senior	14.3%	26.5%	30.7%	28.5%
Average	Junior	0.3%	11.4%	30.1%	58.2%
	Middle	2.4%	10.4%	28.6%	58.6%
	Senior	13.7%	26.7%	31.4%	28.2%

Table 5: *Distribution of advocates and solicitors of the Supreme Court within each PQE group by practice size/type for 2017, 2020 and 2023*

13. **Distribution of legal practitioners within each practice size/type by PQE:** Fourth, an estimated distribution of advocates and solicitors holding valid practising certificates within each practice size/type, by PQE, for the years 2017, 2020 and 2023.⁹

⁸ The information used to prepare Table 5 is derived from data generated from practising certificates issued by the Supreme Court within each practice year, which is defined in section 25(6) of the LPA as “the period from 1 April in any calendar year to 31 March in the next calendar year”. This information is provided by the ITXD.

⁹ The information used to prepare Table 6 is derived from data generated from practising certificates issued by the Supreme Court within each practice year, which is defined in section

Year	Firm size	Total	Junior	Middle	Senior
2017	Sole practitioners	6.2%	2.1%	2.4%	95.5%
	Small firms	16.9%	29.5%	3.1%	67.4%
	Medium-sized firms	29.8%	47.1%	6.0%	47.0%
	Large firms	47.1%	61.7%	11.0%	27.2%
2020	Sole practitioners	5.6%	2.9%	8.1%	89.2%
	Small firms	18.2%	31.3%	11.5%	57.1%
	Medium-sized firms	31.2%	44.6%	17.3%	38.1%
	Large firms	45.0%	55.0%	22.5%	22.5%
2023	Sole practitioners	5.8%	1.0%	11.4%	87.3%
	Small firms	16.9%	26.5%	18.3%	55.3%
	Medium-sized firms	30.8%	39.3%	25.5%	35.1%
	Large firms	46.4%	51.6%	26.7%	21.7%
Average	Sole practitioners	5.9%	2.0%	7.3%	90.7%
	Small firms	17.3%	29.1%	11.0%	59.9%
	Medium-sized firms	30.6%	43.7%	16.3%	40.1%
	Large firms	46.2%	56.1%	20.1%	23.8%

Table 6: *Distribution by PQE of advocates and solicitors of the Supreme Court within each practice size/type for 2017, 2020 and 2023*

25(6) of the LPA as “the period from 1 April in any calendar year to 31 March in the next calendar year”. This information is provided by the ITXD.

Trends in disciplinary cases

14. **Number of disciplinary cases:** The Honourable the Chief Justice Sundaresh Menon observed in His Honour’s Response at the Opening of Legal Year 2023 that there had been an increase in the number of DTs appointed from 2018 to 2022.¹⁰ As shown in **Table 7** below, the statistics show an increase in the number of disciplinary cases from 2018 to 2022. However, this has been accompanied by a corresponding annual increase in the number of advocates and solicitors holding valid practising certificates across that same period. Overall, the Committee suggests that no significant finding may be drawn from the increase in the number of disciplinary cases in this period.

Year	Number of advocates and solicitors holding valid practising certificates as at 31 August of the preceding year ¹¹	IC and DT cases		C3J cases	
		Number of cases	Percentage of valid practising certificate holders	Number of cases	Percentage of valid practising certificate holders
2018	5191	14	0.27% ¹²	5	0.10% ¹³
2019	5365	22	0.41%	6	0.11%
2020	5920	14	0.24%	4	0.07%
2021	5955	24	0.40%	1	0.02%
2022	6333	23	0.36%	12	0.19% ¹⁴
2023	6273	8	0.13%	6	0.10%

Table 7: *Disciplinary cases between 2018 and 2023 calculated as a percentage of practising certificate holders of the preceding year*

¹⁰ See The Honourable the Chief Justice Sundaresh Menon, “Response by Chief Justice Sundaresh Menon, Opening of the Legal Year 2023” (9 January 2023) at para 26.

¹¹ This information is derived from data maintained by the Law Society (see also Table 4 above).

¹² This is the number of IC cases and DT cases represented as a percentage of all practising certificate holders as at 31 August of the preceding year (i.e., 31 August 2017).

¹³ See note 12 above.

¹⁴ The increase observed between 2021 and 2022 for C3J cases may be a result of the significant increase in the number of C3J cases for 2022 as compared with previous years (see Table 8 below).

15. **Severity of sanctions imposed in C3J cases:** As shown in **Table 8** below, no trend can be discerned in terms of the severity of sanctions imposed in C3J cases from 2018 to 2023. There was an increase from 2021 to 2022 for cases in which striking off and suspension was imposed, but this may be explained by the significantly higher number of C3J cases in 2022 as compared to 2021.

Year	Number of C3J cases	Striking off		Suspension for 5 years		Suspension for above 3 years but less than 5 years		Suspension for above 1 year but less than 3 years		Suspension for 1 year or less	
		Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
2018	5	2	40.0%	1	20.0%	1	20.0%	1	20.0%	0	0.0%
2019	6	2	33.3%	0	0.0%	1	16.7%	1	16.7%	1	16.7%
2020	4	2	50.0%	0	0.0%	0	0.0%	1	25.0%	1	25.0%
2021	1	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%
2022	12	3	25.0%	2	16.7%	3	25.0%	2	16.7%	2	16.7%
2023	6	1	16.7%	0	0.0%	1	16.7%	0	0.0%	4	66.7%

Table 8: Sanctions imposed in C3J cases between 2018 and 2023

Profile of legal practitioners involved in disciplinary cases

16. **Profile of legal practitioners involved in disciplinary cases (by practice size/type):** As shown in **Table 9** below, on average, between 2018 and 2023:
- a. 23.6% of all disciplinary cases involved a legal practitioner practising as a sole practitioner;
 - b. 45.2% of all disciplinary cases involved a legal practitioner practising in a small firm;
 - c. 21.6% of all disciplinary cases involved a legal practitioner practising in a medium-sized firm; and
 - d. 9.6% of all disciplinary cases involved a legal practitioner practising in a large firm.

Year	Number of cases	Sole practitioners ¹⁵		Small firms		Medium-sized firms		Large firms	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
2018	18	4	22.2%	9	50.0%	5	27.8%	0	0.0%
2019	30	10	33.3%	13	43.3%	7	23.3%	0	0.0%
2020	17	3	17.6%	7	41.2%	4	23.5%	3	17.6%
2021	25	5	20.0%	11	44.0%	8	32.0%	1	4.0%
2022	35	7	20.0%	15	42.9%	8	22.9%	5	14.3%
2023	14	4	28.6%	7	50.0%	0	0.0%	3	21.4%
Average	23	6	23.6%	10	45.2%	5	21.6%	2	9.6%

Table 9: Breakdown of disciplinary cases by reference to practice size/type of the legal practitioner involved

17. For context, on average, in the corresponding period, practitioners practising as sole practitioners, and those practising in small, medium, large firms respectively constitute 5.9%, 17.3%, 30.6% and 46.2% of the legal profession.¹⁶
18. **Figure 1** below is a graphical representation of (a) the data at **Table 9** above, which is viewed in the context of (b) the proportions of legal practitioners of each practice size/type within the profession as a whole.

¹⁵ For this and subsequent columns in this table, the numerical value is the number of cases involving practitioners of the stated practice size/type and the percentage value is the proportion of cases that year involving practitioners of the stated practice size/type.

¹⁶ See Table 6 above.

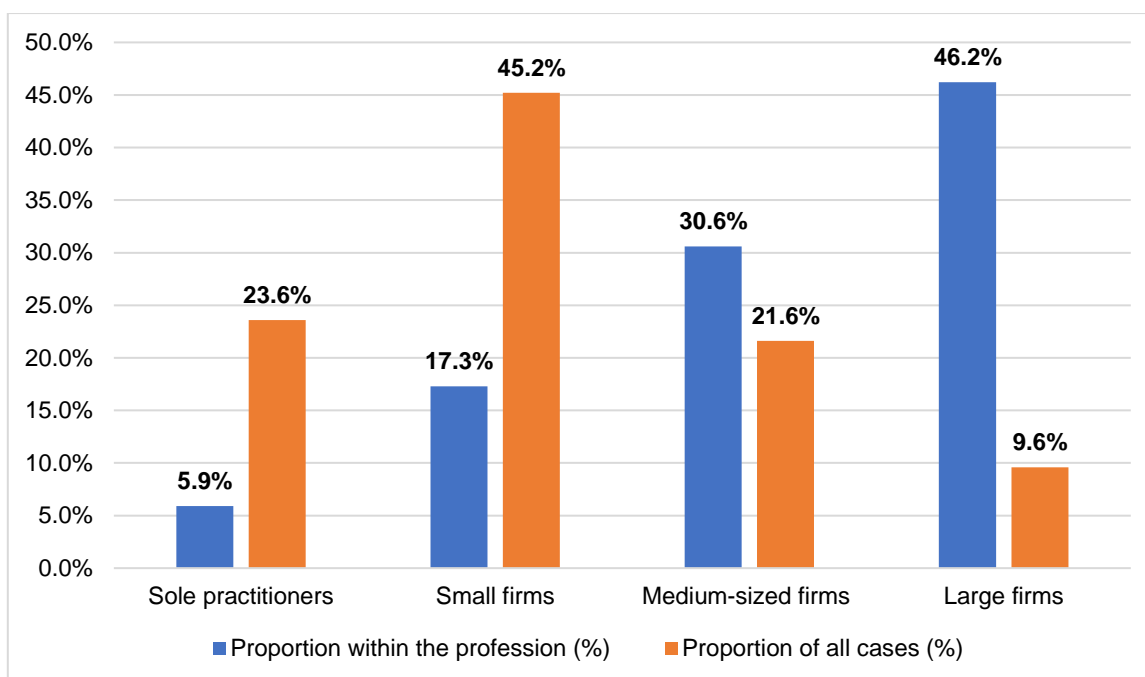


Figure 1: Graphical representation of percentage of disciplinary cases involving legal practitioners of each group (practice size) against their corresponding proportions within the legal profession as a whole

19. **Further analysis of disciplinary cases involving sole practitioners and/or practitioners in small firms:** As the data at **Table 9** above shows, on average between 2018 and 2023, a significant proportion of reviewed disciplinary cases involved legal practitioners who practise as sole practitioners and/or in small firms (68.8%). A further analysis shows that 78.4% of these cases involved legal practitioners who come within the senior PQE group. This breakdown is set out in **Table 10** below.

Year	Number of disciplinary cases involving sole practitioners and/or practitioners in small firms	Junior ¹⁷		Middle		Senior	
		Number	Percentage	Number	Percentage	Number	Percentage
2018	13	2	15.4%	3	23.1%	8	61.5%
2019	23	0	0.0%	0	0.0%	23	100.0%

¹⁷ For this and subsequent columns in this table, the numerical value is the number of cases involving practitioners of the stated seniority and the percentage value is the proportion of cases that year involving practitioners of the stated seniority.

Year	Number of disciplinary cases involving sole practitioners and/or practitioners in small firms	Junior ¹⁷		Middle		Senior	
		Number	Percentage	Number	Percentage	Number	Percentage
2020	10	1	10.0%	1	10.0%	8	80.0%
2021	16	1	6.3%	6	37.5%	9	56.3%
2022	22	1	4.8%	3	13.6%	18	81.8%
2023	11	0	0.0%	1	9.1%	10	90.9%
Average	16	1	6.1%	2	15.6%	13	78.4%

Table 10: Further breakdown of disciplinary cases involving legal practitioners who are sole practitioners and/or who practise in small firms by PQE group

20. **Profile of legal practitioners involved in disciplinary cases (by PQE group):** As shown in **Table 11** below, on average, between 2018 and 2023:

- a. 10.4% of all disciplinary cases involved a legal practitioner coming within the junior PQE category;
- b. 15.8% of all disciplinary cases involved a legal practitioner coming within the middle PQE category; and
- c. 73.8% of all disciplinary cases involved a legal practitioner coming within the senior PQE category.

Year	Number of cases	Junior ¹⁸		Middle		Senior	
		Number	Percentage	Number	Percentage	Number	Percentage
2018	18	3	16.7%	3	16.7%	12	66.7%

¹⁸ For this and subsequent columns in this table, the numerical value reflects the number of cases involving practitioners of the stated PQE and the percentage value reflects the proportion of cases that year involving practitioners of the stated PQE.

Year	Number of cases	Junior ¹⁸		Middle		Senior	
		Count	Percentage	Count	Percentage	Count	Percentage
2019	30	1	3.3%	1	3.3%	28	93.3%
2020	17	1	5.9%	2	11.8%	14	82.4%
2021	25	2	8.0%	9	36.0%	14	56.0%
2022	35	5	14.3%	7	20.0%	23	65.7%
2023	14	2	14.3%	1	7.1%	11	78.6%
Average	23	2	10.4%	4	15.8%	17	73.8%

Table 11: Breakdown of disciplinary cases by reference to the seniority of the practitioner involved

21. For context, on average, in the corresponding period, practitioners within the junior, middle and senior PQE categories respectively constitute 37.5%, 24.5% and 38.0% of the legal profession.¹⁹
22. **Figure 2** below is a graphical representation of (a) the data at **Table 11** above, which is viewed in the context of (b) the proportions of legal practitioners of each PQE group within the profession as a whole.

¹⁹ See Table 4 above.

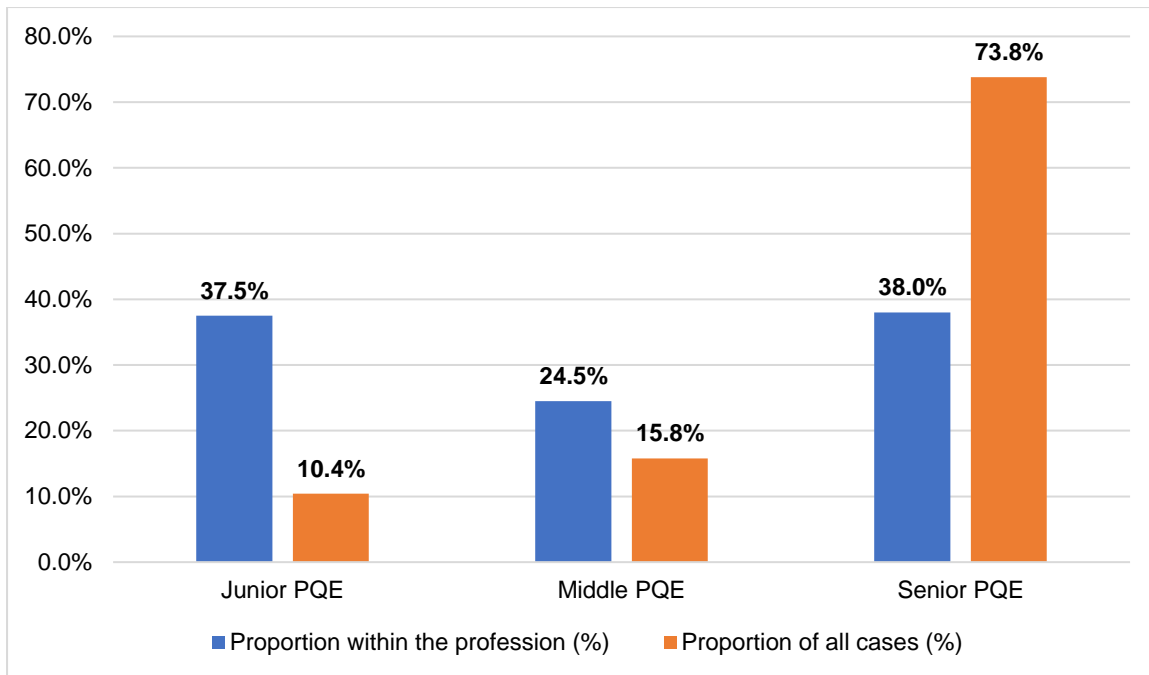


Figure 2: Graphical representation of percentage of disciplinary cases involving legal practitioners of each PQE group against their corresponding proportions within the legal profession as a whole

23. **Further analysis of disciplinary cases involving legal practitioners in the senior PQE group:** As the data at **Table 11** above shows, on average between 2018 and 2023, a significant proportion of reviewed disciplinary cases involved legal practitioners in the senior PQE category (73.8%). A further analysis of these cases showed that 73.3% of these cases involved legal practitioners practising as sole practitioners or in small firms. This breakdown is set out in **Table 12** below. For context, the proportions of senior practitioners practising as sole practitioners and in small firms are 13.7% and 26.7% respectively.²⁰

²⁰ See Table 5 above.

Year	Number of cases involving legal practitioners in the senior PQE group	Sole practitioners ²¹		Small firms		Medium-sized firms		Large firms	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
2018	12	3	25.0%	5	41.7%	4	33.3%	0	0.0%
2019	28	10	35.7%	13	46.4%	5	17.9%	0	0.0%
2020	14	3	21.4%	5	35.7%	3	21.4%	3	21.4%
2021	14	2	14.3%	7	50.0%	4	28.6%	1	7.1%
2022	23	6	26.1%	12	52.2%	3	13.0%	2	8.7%
2023	11	4	36.4%	6	54.5%	0	0.0%	1	9.1%
Average	17	5	26.5%	8	46.8%	3	19.0%	1	7.7%

Table 12: Further breakdown of disciplinary cases involving legal practitioners in the senior PQE category by practice size/type

Categories of misconduct involved in disciplinary cases

24. **Categories of misconduct involved in disciplinary cases:** Table 13 below sets out a breakdown of all reviewed disciplinary cases based on the category and type of misconduct (for the classifications used, see [8(a)] above). The most common category of misconduct involved in disciplinary cases are breaches of client care standards (39.6% of all cases), followed by breaches of duties relating to the management and operations of a law practice (24.5% of all cases), breach of duties to court (21.6% of all cases), lack of etiquette to other practitioners (12.9% of all cases), breach of duties to third parties (12.9% of all cases). Cases involving misconduct that can warrant striking off are the minority (9.4% of all cases).

²¹ For this and subsequent columns in this table, the numerical value is the number of cases involving practitioners of the stated PQE group and the percentage value is the proportion of cases that year involving practitioners of the stated PQE group.

Category/type of misconduct involved	Number and percentage of cases													
	2018		2019		2020		2021		2022		2023		Average	
Misconduct that can warrant striking off	3	16.7%	2	6.7%	1	5.9%	0	0.0%	6	33.3%	1	7.1%	2	9.4%
Conviction for a criminal offence	1	5.6%	0	0.0%	1	5.9%	0	0.0%	2	5.7%	0	0.0%	1	2.9%
Dishonest/fraudulent conduct	2	11.1%	2	6.7%	0	0.0%	0	0.0%	3	8.6%	1	7.1%	1	5.8%
Harassment/sexual misconduct	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	2.9%	0	0.0%	0	0.7%
Breach of duties to the court	3	16.7%	9	30.0%	2	11.8%	5	20.0%	10	28.6%	1	7.1%	5	21.6%
Breach of duties to court	3	16.7%	8	26.7%	2	11.8%	4	16.0%	9	25.7%	0	0.0%	4	18.7%
Breach of undertakings	0	0.0%	1	3.3%	0	0.0%	1	4.0%	1	2.9%	1	7.1%	1	2.9%
Breach of duties relating to the management and operations of a law practice	5	27.8%	5	16.7%	6	35.3%	9	36.0%	5	14.3%	4	28.6%	6	24.5%
Breach relating to client's money/solicitors' accounts' rules	2	11.1%	3	10.0%	1	5.9%	4	16.0%	1	2.9%	0	0.0%	2	7.9%
Conflict of interest	3	16.7%	1	3.3%	3	17.6%	5	20.0%	2	5.7%	1	7.1%	3	10.8%
Breach of confidentiality	0	0.0%	0	0.0%	1	5.9%	1	4.0%	0	0.0%	1	7.1%	1	2.2%
Breach of obligations of supervision	0	0.0%	2	6.7%	1	5.9%	1	4.0%	2	5.7%	2	14.3%	1	5.8%
Practising without a valid practising certificate	0	0.0%	0	0.0%	1	5.9%	0	0.0%	0	0.0%	0	0.0%	0	0.7%

Category/type of misconduct involved	Number and percentage of cases													
	2018		2019		2020		2021		2022		2023		Average	
Breach of client care standards	6	33.3%	14	46.7%	7	41.2%	10	40.0%	10	28.6%	8	57.1%	9	39.6%
Negligent/inadequate/misleading advice to client	0	0.0%	2	6.7%	2	11.8%	2	8.0%	1	2.9%	1	7.1%	1	5.8%
Acting without/against client's instructions	1	5.6%	2	6.7%	1	5.9%	5	20.0%	5	14.3%	1	7.1%	3	10.8%
Lack of communication with client	1	5.6%	3	10.0%	1	5.9%	6	24.0%	2	5.7%	4	28.6%	3	12.2%
Lack of diligence and competence	4	22.2%	3	10.0%	4	23.5%	6	24.0%	5	14.3%	6	42.9%	5	20.1%
Breach relating to legal fees/liens	1	5.6%	6	20.0%	2	11.8%	4	16.0%	3	8.6%	2	14.3%	3	12.9%
Breach of duties to third party	1	5.6%	3	10.0%	1	5.9%	5	20.0%	7	20.0%	1	7.1%	3	12.9%
Lack of etiquette to other practitioners	1	5.6%	5	16.7%	3	17.6%	2	8.0%	5	14.3%	2	14.3%	3	12.9%

Table 13: Breakdown of disciplinary cases based on category/type of misconduct

25. **Further breakdown of disciplinary cases:** As the data at **Table 13** above shows, the two most common categories of misconduct are: (a) breach of client care standards (39.6% of all cases); and (b) breach of duties relating to the management and operations of a law practice (24.5% of all cases). A further analysis of these cases by practice size/type of the legal practitioner involved shows that:

- a. 79.9% of the cases involving the breach of client care standards involved a legal practitioner practising in a small firm or as a sole practitioner (see **Table 14** below); and

- b. 59.8% of the cases involving the breach of duties relating to the management and operations of a law practice involved a legal practitioner practising in a small firm or as a sole practitioner (see **Table 15** below).

Year	Number of cases involving the breach of client care standards	Sole practitioners ²²		Small firms		Medium-sized firms		Large firms	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
2018	6	1	16.7%	3	50.0%	2	33.3%	0	0.0%
2019	14	5	35.7%	5	35.7%	4	28.6%	0	0.0%
2020	7	2	28.6%	3	42.9%	2	28.6%	0	0.0%
2021	10	3	30.0%	6	60.0%	1	10.0%	0	0.0%
2022	10	3	30.0%	5	50.0%	2	20.0%	0	0.0%
2023	8	4	50.0%	4	50.0%	0	0.0%	0	0.0%
Average	9	3	31.8%	4	48.1%	2	20.1%	0	0.0%

Table 14: Further breakdown of disciplinary cases involving the breach of client care standards by practice size of the practitioner involved

²² For this and subsequent columns in this table, the numerical value is the number of cases involving practitioners of the stated practice size/type and the percentage value is the proportion of cases of that year involving practitioners of the stated practice size/type.

Year	Number of cases involving the breach of duties relating to law firm management	Sole practitioners ²³		Small firms		Medium-sized firms		Large firms	
		Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
2018	5	2	40.0%	2	40.0%	1	20.0%	0	0.0%
2019	5	1	20.0%	3	60.0%	1	20.0%	0	0.0%
2020	6	0	0.0%	2	33.3%	1	16.7%	3	50.0%
2021	9	1	11.1%	4	44.4%	4	44.4%	0	0.0%
2022	5	1	20.0%	2	40.0%	2	40.0%	0	0.0%
2023	4	1	25.0%	1	25.0%	0	0.0%	2	50.0%
Average	6	1	19.4%	2	40.5%	2	23.5%	1	16.7%

Table 15: Further breakdown of disciplinary cases involving the breach of duties relating to law firm management by practice size of the practitioner involved

26. A further analysis of the disciplinary cases involving the breach of client care standards and breach of duties relating to law firm management show that a significant proportion of the legal practitioners in these cases who practise in small firm and/or are sole practitioners, also come within the senior PQE group – this constituted 70% of cases involving the breach of client care standards and 44.6% of cases involving the breach of duties relating to law firm management. This further breakdown is set out in **Table 16** below.

²³ For this and subsequent columns in this table, the numerical value is the number of cases involving practitioners of the stated practice size/type and the percentage value is the proportion of cases of that year involving practitioners of the stated practice size/type.

Year	Number of cases involving the breach of client care standards	Sole practitioners who are in the senior PQE category ²⁴		Practitioners working in small firms who are in the senior PQE category		Number of cases involving the breach of duties relating to law firm management	Sole practitioners who are in the senior PQE category		Practitioners working in small firms who are in the senior PQE category	
		Count	Percentage	Count	Percentage		Count	Percentage	Count	Percentage
2018	6	2	33.3%	1	16.7%	5	1	20.0%	0	0.0%
2019	14	5	35.7%	5	35.7%	5	1	20.0%	3	60.0%
2020	7	2	28.6%	3	42.9%	6	0	0.0%	2	33.3%
2021	10	2	20.0%	4	40.0%	9	1	11.1%	3	33.3%
2022	10	3	30.0%	5	50.0%	5	1	20.0%	1	20.0%
2023	8	4	50.0%	3	37.5%	4	1	25.0%	1	25.0%
Average	9	3	32.9%	4	37.1%	6	1	16.0%	2	28.6%

Table 16: Further breakdown of disciplinary cases involving the breach of client care standards or duties relating to law firm management by involving senior practitioners who are either sole practitioners or who practise in small firms

²⁴ For this and subsequent columns in this table, the numerical value is the number of cases involving practitioners in the senior PQE category of the stated practice size/type and the percentage value is the proportion of cases of that year involving practitioners in the senior PQE category of the stated practice size/type.

Annex E – Analysis of Complaints Made to the Law Society of Singapore under section 85(1) of the Legal Profession Act 1966

This Annex sets out the findings of the Committee’s analysis of the trajectory of complaints made to the Law Society against an advocate and solicitor of the Supreme Court under section 85(1) of the LPA and in respect of which a Review Committee (“**RC**”) had been constituted pursuant to section 85(6) of the LPA. It builds on the analysis which the Committee had previously set out in its Interim Report in Annex C at [3]–[4] and [15]–[16].

1. The objective of the analysis is to identify, of all complaints made against a legal practitioner under section 85(1) of the LPA, the proportion of cases that:
 - a. were dismissed and/or withdrawn at each of the subsequent stages of the disciplinary process (and in particular, those which were dismissed without any formal investigation being undertaken by a disciplinary tribunal (“**DT**”), whether pursuant to the RC’s direction to the Council of the Law Society (“**Council**”) under section 85(8)(a) of the LPA, or pursuant to the recommendation of an Inquiry Committee (“**IC**”) to the Council that a complaint be dismissed under section 86(7)(b)(v) of the LPA); and
 - b. resulted in the appointment of a DT, referral to the Court of Three Supreme Court Judges (“**C3J**”) or the imposition of sanctions.
2. The analysis is limited to a three-year period between 1 September 2018 and 31 August 2021 because complaints received by the Law Society after 31 August 2021 might not have completed their trajectory through the subsequent stages of the disciplinary process under Part 7 of the LPA.
3. The results of the analysis are set out in **Table 1** below.

s/n	Period in which complaint was received	1 September 2018 to 31 August 2019	1 September 2019 to 31 August 2020	1 September 2020 to 31 August 2021	Average					
Originating cases										
1	Total number of complaints received	103	101	98	101					
Cases withdrawn										
2	At RC stage	0	1	1	1					
3	At IC stage	1	1	1	1					
4	At DT stage	1	3	3	2					
5	Total number of withdrawn cases	2	5	5	4					
Cases dismissed										
6	Dismissed without any formal investigation by a DT	RC	44	44.4% ²⁵	49	53.8%	34	38.6%	42	45.6%
7		IC	28	28.3%	23	25.3%	18	20.5%	23	24.7%
8		Total	72	72.7%	72	79.1%	52	59.1%	65	70.3%
9	Dismissed after formal investigation by DT	4	4.0%	1	1.1%	1	1.1%	2	2.1%	
10	Total proportion of dismissed cases	76	76.8%	73	80.2%	53	60.2%	67	72.4%	
Cases resulting in the imposition of sanctions, the appointment of a DT or referral to C3J										
11	Appointment of DT	11	11.1%	17	18.7%	18	20.5%	8	16.7%	
12	Referral to C3J	2	2.0%	8	8.8%	6	6.8%	3	5.9%	
13	Sanction imposed	IC stage	17	17.2%	9	9.9%	17	19.3%	7	15.5%
14		DT stage	3	3.0%	4	4.4%	6	6.8%	2	4.7%
15		C3J stage	2	2.0%	6	6.6%	4	4.5%	2	4.4%
16		Total (across all stages)	22	22.2%	19	20.9%	27	30.7%	11	24.6%

Table 1: Throughflow analysis of all complaints under section 85(1) received by the Law Society between 1 September 2018 and 31 August 2021

²⁵ The percentage values are calculated with reference to the total number of complaints received less the total number of withdrawn cases.

4. The key findings that can be drawn from the throughflow analysis of complaints are:
- a. The proportion of complaints dismissed before any formal investigation is undertaken by a DT (i.e., pursuant to the RC's direction to the Council under section 85(8)(a) of the LPA, or pursuant to the IC's recommendation to the Council under section 86(7)(b)(v) of the LPA) is significant – on average, this was 70.3% of all cases.
 - b. The proportion of complaints eventually resulting in the appointment of a DT for formal investigation, or where the DT makes a finding that cause of sufficient gravity for disciplinary action exists under section 83 of the LPA and thus results in a case being referred to the C3J, is low – on average, these constituted 16.7% and 5.9% of all cases.
 - c. The proportion of complaints eventually resulting in the imposition of sanctions is low. On average, sanctions were imposed in 15.5% of cases at the IC stage, 4.7% of cases at the DT stage and 4.4% of cases at the C3J stage.

Annex F – Proposed Syllabus for the Revised Legal Practice Management Course

s/n	Topic	Suggested Duration (hrs) / Continuing Professional Development Points
1.	Responsibilities in relation to management and operation of a law practice (Rule 35, Legal Profession (Professional Conduct) Rules 2015 (“PCR”)) – how to design, draft and implement adequate systems, policies and controls relating to: <ul style="list-style-type: none"> • Client’s money • Conflicts of interest • Client confidentiality 	1.0
2.	Primer / Refresher on Selected Ethical Duties – Part I <ul style="list-style-type: none"> • Honesty, competence and diligence (Rule 5, PCR) • Confidentiality (Rule 6, PCR) • Responsibilities of Legal Practitioners to each other (Rule 7, PCR) • Conduct in relation to other persons (Rule 8, PCR) • Role in the Administration of Justice (Rules 9, 10 and 13, PCR) 	1.5
3.	Primer / Refresher on Selected Ethical Duties – Part II <ul style="list-style-type: none"> • Conflicts of Interest (Rules 11(3), 20, 21, 22, 23, 24 and 25, PCR) 	1.0
4.	Primer / Refresher on Selected Ethical Duties – Part III <ul style="list-style-type: none"> • Unauthorised Persons (Rule 19, PCR) • Supervision of staff (Rule 32, PCR) and Responsibilities to practice trainees (Rule 36, PCR) • Executive appointments (Rules 34, PCR) • Touting and Publicity (Rules 37-49, PCR) 	1.0
5.	Client Money	1.0

s/n	Topic	Suggested Duration (hrs) / Continuing Professional Development Points
	<ul style="list-style-type: none"> • Legal Profession (Solicitors' Accounts) Rules • Client Money (Rule 16, PCR) • Professional Fees and Costs (Rule 17, PCR) • Best practices: policies, safeguards and signatories 	
6.	<p>Anti-Money Laundering and Countering the Financing of Terrorism</p> <ul style="list-style-type: none"> • Legal Profession (Prevention of Money Laundering and Financing of Terrorism) Rules 2015 • Conducting know-your-client (“KYC”) checks: best practices 	1.0
7.	<p>Introduction to licensing and registration requirements for Singapore Law Practices</p> <ul style="list-style-type: none"> • Legal Profession Act 1966 (“LPA”) / Legal Profession (Law Practice Entities) Rules 2015 • Introduction to roles, powers and functions of the Legal Services Regulatory Authority • Overview of selected rules concerning Qualifying Foreign Law Practice, licensed Foreign Law Practices and representative offices which are relevant to Singapore Law Practices • Overview of rules concerning participation of regulated non-practitioners and foreign lawyers in a Singapore Law Practice 	1.0
8.	<p>Cybersecurity and Personal Data Protection for Law Practices</p> <ul style="list-style-type: none"> • Cybersecurity: best practices • Compliance with Personal Data Protection Act 2012: duties and best practices 	1.0
9.	<p>Handling Complaints Against Lawyers and an overview of the Disciplinary Process</p>	1.0

s/n	Topic	Suggested Duration (hrs) / Continuing Professional Development Points
	<ul style="list-style-type: none"> • Handling client complaints addressed to the legal practitioner or law practice – best practices and options for de-escalation • What to do when a client lodges a complaint with the Law Society – overview of relevant processes under Part 7 (Disciplinary Proceedings) of the LPA 	
10.	Professional Indemnity Insurance and Notification of Claims	0.5
11.	Responsible Use of AI and Related Technology for Law Practices	0.5
12.	Managing Legal Practitioners and Staff in Your Law Practice <ul style="list-style-type: none"> • Workplace Bullying and Harassment Prevention and Management • Mentorship and HR best practices in a law firm context 	1.0
13.	Business Planning, Budgeting and Managing Cashflow for Law Practices	0.5
14.	Best Practices in Selecting and Implementing Legal Practice Management Solutions / Overview of Available Technology and Tools <ul style="list-style-type: none"> • Matter management / Client records • Time recording and bookkeeping • Invoicing • Database of current and former clients / conflict check tools • Data retention / Cloud Services 	0.5

Annex G – List of Topics which are “Ethics and Professional Standards-Related” for the Purposes of the Mandatory Component

This Annex sets out the list of topics considered by the SILE as “ethics and professional standards-related” for the purposes of the mandatory 3-point ethics and professional component of the CPD scheme (i.e., the Mandatory Component), pursuant to Final Report Recommendation 8.

1. Legal Profession (Professional Conduct) Rules 2015
2. Client money, including Legal Profession (Solicitors’ Accounts) Rules and best practices
3. Codes and reference guides such as the *Code of Practice for the Conduct of Criminal Proceedings by the Prosecution and the Defence*, the *Art of Family Lawyering*, and *A Civil Practice: Good Counsel for Learned Friends*
4. Values of the legal profession and ethical duties of lawyers
5. Ethical issues contextualised to specific practice areas
6. Decisions of the Singapore Courts, Disciplinary Tribunal Decisions, Decisions of Foreign Courts or Tribunals, relating to Ethics and Professional Standards
7. The regulatory regime and licensing and registration requirements in relation to legal practitioners (Singapore or foreign-registered) and law practices in Singapore under the Legal Profession Act 1966 and the Legal Profession (Law Practice Entities) Rules 2015
8. Legal Profession (Prevention of Money Laundering and Financing of Terrorism) Rules 2015 / Anti-Money Laundering and Combating the Financing of Terrorism / suspicious transaction reporting for legal practitioners and law practices
9. Reputational risk management for legal practitioners and law practices
10. Technology and artificial intelligence risk management for legal practitioners and law practices
11. Environmental, Social & Governance risk management for legal practitioners and law practices

12. Cybersecurity / data protection for legal practitioners and law practices
13. Management of clients (e.g., client confidentiality and handling client complaints) and conflicts of interest for legal practitioners and law practices
14. Professional indemnity insurance / reporting for legal practitioners and law practices
15. Business planning, budgeting and managing cashflow for law practices
16. Best practices in selecting and implementing legal practice management solutions / overview of available technology and tools for legal practitioners and law practices
17. Mentoring or supervising lawyers / practice trainees / allied legal professionals for legal practitioners and law practices
18. Sustainable work practices for legal practitioners and law practices
19. Workplace bullying and harassment prevention and management for legal practitioners and law practices

Notes:

- (1) Portions of an activity relating to a lawyer's knowledge and/or skills for the purposes only of advising clients on the topic (e.g., what the General Data Protection Regulation (Regulation (EU) 2016/679) is) will **not** count towards the Mandatory Component, but the portions which are contextualised for generally acting as a legal practitioner or for a law practice **will** count (e.g., collecting residency information when onboarding a client to determine whether the law practice must comply with the General Data Protection Regulation when offering services to them).*
- (2) This is a non-exhaustive list and other topics may be considered on a case-by-case basis.*