

---

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

---

15 December 2023

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

**Dated 15 December 2023.**

**Justice Valerie Thean (Co-Chairperson)**

**Mr Jimmy Yim, SC (Co-Chairperson)**

**Justice Andre Maniam**

**Judicial Commissioner Kristy Tan**

**Mr Jason Chan, SC**

**Professor Leslie Chew, SC**

**Ms Rebecca Chew**

**Ms Renita Sophia Crasta**

**Mr Hui Choon Kuen**

**Ms Una Khng**

**Mr Jerry Koh**

**Professor Lee Pey Woan**

**Mr Colin Liew**

**Mr Kenneth Lim**

**Ms Christine Low**

**Mr Mohamed Faizal Mohamed Abdul Kadir, SC**

**Mr Ng Jern-Fei, KC**

**Mr Ng Wai King**

**Emeritus Professor Jeffrey Pinsler, SC**

**Professor Tan Cheng Han, SC**

**Ms Jessie Tan**

**Mr Paul Tan**

**Ms Jasmine Toh**

**Mr Abraham Vergis, SC**

**Mr Gregory Vijayendran, SC**

**Ms Yee Hui Lin Rachel**

## Contents

<b>I.</b>	<b>EXECUTIVE SUMMARY.....</b>	<b>5</b>
	A. Rationale .....	5
	B. List of Interim Recommendations .....	6
	C. The Work Ahead .....	9
<b>II.</b>	<b>INTRODUCTION TO THE INTERIM REPORT .....</b>	<b>11</b>
<b>III.</b>	<b>GLOBAL AND LOCAL CONSIDERATIONS.....</b>	<b>13</b>
	A. The Importance of the Ethical Lawyer .....	13
	B. Global Trends .....	14
	C. Review of Disciplinary Cases.....	18
	D. SAL Young Lawyers' Survey .....	19
	E. Rationale for Interim Recommendations.....	22
<b>IV.</b>	<b>RECOMMENDATIONS RELATING TO ETHOS .....</b>	<b>25</b>
	A. Core Values of the Legal Profession .....	25
	1. Integrity .....	27
	2. Professionalism.....	28
	3. Justice.....	29
	B. Building Shared Vision .....	33
	1. Pledge for University Students.....	33
	2. Declaration for Newly Admitted Advocates and Solicitors.....	34
	3. Creed as a Vision for the Community.....	36
	C. Community Rituals to Entrench Values .....	37
	D. Building Habits and Practices Premised on Aspirational Standards.....	38
<b>V.</b>	<b>RECOMMENDATIONS RELATING TO LEARNING .....</b>	<b>40</b>
	A. Teaching of Ethics in Law Schools.....	40
	1. Education of the Core Values .....	41
	2. Review of Curriculum .....	42
	3. Internships .....	47
	B. Teaching of Ethics in Part A .....	48
	C. Teaching of Ethics in Part B .....	49
	D. Continuing Professional Development .....	50
	E. Structured Training and Specialist Programmes to Incorporate Ethics ...	52

F. Facilitating Life-long Learning through New Technologies, including Generative Artificial Intelligence .....	55
<b>VI. RECOMMENDATIONS RELATING TO MENTORING .....</b>	<b>57</b>
A. Supervising Solicitors .....	57
B. Specialist Communities of Practice .....	58
C. Ethics Line.....	59
<b>VII. THE WORK AHEAD FOR THE FINAL REPORT .....</b>	<b>62</b>
<b>Annex A – Terms of Reference .....</b>	<b>65</b>
<b>Annex B – Members of The Committee, Co-Opted Members of Working Groups and Secretariat .....</b>	<b>67</b>
<b>Annex C – Statistics and Trends in Ethical and Professional Standards .....</b>	<b>70</b>
Introduction.....	71
Methodology .....	71
The throughflow analysis.....	71
Disciplinary cases.....	71
Context .....	75
Findings and observations.....	78
Proportion of dismissed complaints.....	78
Trends in the number of disciplinary cases .....	79
Trends in sanctions imposed in C3J cases .....	80
Profile of legal practitioners involved in disciplinary cases .....	82
Categories of misconduct involved in disciplinary cases .....	89
<b>Annex D – Young Lawyers’ Survey Report.....</b>	<b>96</b>

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

**I. EXECUTIVE SUMMARY**

**A. Rationale**

1. Ethical lawyers are integral to society's access to justice. It is through high professional standards in multiple legal fields that Singapore enjoys its status as a trusted global node and individuals, businesses, social enterprises and government experience the daily benefits of the rule of law.
  
2. This source of common good is, at this time, under unique global and local pressure. While a statistical analysis of disciplinary cases indicates that overall, ethical and professional standards within the profession are resilient, the same analysis highlights weaknesses within the profession that should be addressed. Further, findings from the Singapore Academy of Law ("**SAL**")'s Young Lawyers' Survey and related focus group discussions reflect concerns that require deeper study and review. Young lawyers' discontent with training, mentoring and the workplace environment of traditional law firms may reflect a disjunct in generational mindsets and expectations. Small law firms and sole practitioners, in which the majority of practitioners who were sanctioned after disciplinary proceedings practise, may be challenged by the changing paradigms of business, technology and the economy. Further discussion with stakeholders is required in order to secure a robust long-term landscape, in which high ethical and professional standards are upheld in workplaces where lawyers are guided and empowered to pursue their calling with integrity, passion and purpose.
  
3. In the meantime, and as foundational stones, the Ethics and Professional Standards Committee ("**the Committee**") thinks it important to build mindshare throughout the profession, to instil consistent and pervasive learning, and to provide reinforcing layers of mentoring. In recognition that all meaningful

change requires thoughtful application over time, the Committee proposes to start work on the interim recommendations set out in this report (“**the Interim Report**”), with a view to finetuning the approach in a final report (“**the Final Report**”) which will follow in due course.

## **B. List of Interim Recommendations**

### **4. Recommendations relating to Ethos:**

- a. **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.
  
- b. **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.
  
- c. **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.

- d. **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.

5. In implementing these recommendations relating to Ethos, care must be taken to inspire heart and mind, because these proposals are targeted at behavioural change in individuals. They seek 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.

6. Recommendations relating to Learning:

- a. **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.

- b. **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.
  - c. **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 (“**Part B**”).
  - d. **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 Continuing Professional Development (“**CPD**”) scheme, applicable to lawyers across all seniorities (with effect from CPD Year 2025).
  - e. **Recommendation 9:** To contextualise ethical issues faced in the various 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, including generative artificial intelligence (“**AI**”), to facilitate self-education.
7. Time is required to build up good content, and the implementation of these various proposals will be phased accordingly. Platforms allowing easy access to materials relating to ethics and professional standards, which leverage on developing technologies, will have to be built over time.
8. Recommendations relating to Mentoring:



- a. **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.
  - b. **Recommendation 12:** To promote a culture of lifelong and multi-layered mentoring, specialist communities of practice should be created and developed.
  - c. **Recommendation 13:** To establish a new Ethics Line 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.
9. Seasoned lawyers have a duty to teach and pass on the art and craft of high-quality professional standards, and law firms have a responsibility to nurture environments conducive to such standards. The Committee, in consultation with the relevant stakeholders, will consider how best these recommendations can be implemented to build a constructive environment that facilitates these ideals.

### **C. The Work Ahead**

10. These recommendations recognise that the ethical lawyer is a product of his or her community, and any community is only as robust as the individuals within. The implementation of these interim recommendations will set the foundation for the Committee's further recommendations in the Final Report, which will look more deeply into the application of the ethos, learning and mentoring approaches. The Committee intends for recommendations relating to the following to be areas of focus in the Final Report: (a) support within the legal fraternity for individual lawyers showing early signs of distress; (b) support for

sole practitioners and small law firms;<sup>1</sup> and more generally, (c) the promotion of law firms as sustainable workplaces. The Committee recognises that ethical standards thrive where practices conducive to such standards are nourished, and systemic ethical resilience is cultivated in workplaces where high professional standards are sustainably pursued.

---

<sup>1</sup> For the purposes of this Interim Report, the term “small law firms” refers to firms with between two and five lawyers.

## II. INTRODUCTION TO THE INTERIM REPORT

11. The formation of the Committee was announced by the Honourable the Chief Justice Sundaresh Menon during the Opening of the Legal Year 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.
12. The Committee's Terms of Reference are set out at **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 at **Annex B**.
13. The Committee records its appreciation to multiple stakeholders and many members of the legal community for their time and views leading up to this Interim Report. These include focus groups and other discussions with the Law Society of Singapore ("**Law Society**"), SAL, the Singapore Institute of Legal Education ("**SILE**"), the local law schools, the Legal Services Regulatory Authority of the Ministry of Law, managing directors of boutique law practices, lawyers from small law practices, transactional lawyers, general counsel, young lawyers and law students. In particular, the Committee expresses special appreciation to:
  - a. the Law Society for providing data and assistance that allowed the Committee to conduct (i) an analysis of the trajectory of complaints that had been made to the Law Society against advocates and solicitors between 2018 and 2020 and (ii) a survey of disciplinary cases involving advocates and solicitors between 2018 and 2022, set out at **Annex C**; and
  - b. SAL and PwC Singapore ("**PwC**"), for their support in conducting a survey of young lawyers with between 2 to 10 years of post-qualification

experience (“**PQE**”) (“**the Young Lawyers’ Survey**”) and a further series of related focus groups.<sup>2</sup> PwC’s report is set out at **Annex D**.

---

<sup>2</sup> The objective of the survey was to ascertain how well young lawyers feel that they are being trained, guided and mentored in professional ethics issues in legal practice (this encompasses private practice, in-house practice and practice in the public sector). The intent was to investigate what mentoring practices work, which workplace methods best address young lawyers’ concerns, and to understand what young lawyers would see as key features of ethical and sustainable workplaces.

### **III. GLOBAL AND LOCAL CONSIDERATIONS**

14. Society accesses – through the law, the courts, and ethical lawyers – justice and the common good. Falsehood and injustice are stemmed by the same means. At the same time, global and local trends pose challenges that may be exacerbated by specific factors within the legal profession. This section highlights key considerations arising from the legal ecosystem, statistical data and the Young Lawyers’ Survey that inform the Committee’s approach and recommendations.

#### **A. The Importance of the Ethical Lawyer**

15. The legal profession is an honourable profession,<sup>3</sup> and being one of its members means answering the call to participate in a higher cause – the administration of justice.<sup>4</sup> Lawyers are integral to the day-to-day administration of justice because of the privileges accorded to them, to appear before the courts and to advise others on their legal rights and obligations. Lawyers also have a systemic role in the community’s access to justice – they serve as a bridge between laypersons and the justice system, and as such, they are a key pillar of the endeavour to ensure access to justice for all.
16. To be worthy of the trust placed in them by their clients and others who depend on them, as well as worthy of the role and stature they are accorded in our society, it is imperative that lawyers hold themselves to high standards of ethical and professional conduct. 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

---

<sup>3</sup> See The Honourable the Chief Justice Sundaresh Menon, “The Legal Profession as an Honourable Profession”, Mass Call Address 2022 (23 August 2022).

<sup>4</sup> 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.

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”.<sup>5</sup> A lawyer’s fitness as a professional is therefore “inextricably linked to the ethical imperatives to which [he or she] is bound”,<sup>6</sup> 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.

17. However, legal professionals operate in an environment where they may from time to time be confronted with situations that may (directly or indirectly) make it challenging to adhere to the high standards of ethical and professional conduct that are expected of them. The global and local trends that can be observed within this broader operating environment, and which form the background against which the Committee’s recommendations are made, will now be discussed.

## **B. Global Trends**

18. The Committee notes that the ethical challenges faced by lawyers are not unique to any particular group or demographic, and this is borne out by a review of high-profile ethical infractions across the globe.<sup>7</sup> Tackling these challenges thus requires a strategy that targets the profession as a whole, with an

---

<sup>5</sup> 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 [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 1455.

<sup>6</sup> See The Honourable the Chief Justice Sundaresh Menon, 23<sup>rd</sup> Gordon Arthur Ransome Oration, “Law and Medicine: Professions of Honour, Service and Excellence” (21 July 2017) at para 15; see also *Lim Mey Lee Susan v Singapore Medical Council* [2013] 3 SLR 900 at [35].

<sup>7</sup> 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 examines the failings surrounding the Post Office’s Horizon IT system that led to the wrongful prosecution and conviction of post office operators.

understanding that there may be particular risks and challenges associated with certain types of lawyers or practices. For example:

- a. 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.<sup>8</sup>
  - b. In relation to in-house lawyers, a survey of 400 in-house lawyers in the UK found that 32% 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.<sup>9</sup>
19. There are also emerging trends that may exacerbate existing ethical challenges as well as create new ethical challenges for the legal profession. The Committee highlights two examples:
- a. First, 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 “post-truth era”.<sup>10</sup> Such trends may pose particular ethical challenges for lawyers: as the late former President of the Law Society Mr Adrian Tan observed in his Mass Call 2022 address, a lawyer’s voice has consequence and import, and is “built to speak the truth”; its power is “founded on integrity”.<sup>11</sup> If lawyers’

---

<sup>8</sup> 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.

<sup>9</sup> See Steven Vaughan and Richard Moorhead, “Which Way is the Wind Blowing? Understanding the Moral Compass of In-House Legal Practice” (October 2019).

<sup>10</sup> See The Honourable the Chief Justice Sundaresh Menon, “The Role of the Courts in Our Society – Safeguarding Society”, Singapore Courts – Conversations with the Community Opening Address (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](https://www.rand.org/pubs/research_reports/RR2314.html).

<sup>11</sup> See Adrian Tan, President of the Law Society, “The Lawyer’s Voice: A User’s Guide”, Mass Call Speech 2022.

obligations of honesty and candour are not abided by, the collective voice of the legal profession and the weight it is accorded in our society risks being severely weakened.

- b. Second, the rise of generative AI is poised to create a sea change in the work and role of lawyers, and the legal profession will need to adapt to these changes. The same developments also raise various ethical risks, such as the indiscriminate use of AI-assisted research, which might contain false or misleading information presented in a way that conveys the opposite impression. As the profession adapts and evolves, it must ensure that ethical and professional standards – for example, duties of reasonable competence and diligence, and duties of confidentiality and duties to the court – continue to be maintained.<sup>12</sup>

20. At the same time, other global trends inform how law practices need to approach training and mentorship in new ways. One such trend, which may have been accelerated by the pandemic, is the desire for flexible work arrangements (“**FWAs**”). 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 (i.e. they will help families to better balance work responsibilities and family commitments).<sup>13</sup> The key challenge lies in ensuring that the young are still able to receive sufficient mentorship and training notwithstanding FWAs, bearing in mind that law firms have traditionally utilised an artisanal model of mentorship premised on face-to-face interaction.

---

<sup>12</sup> See The Honourable the Chief Justice Sundaresh Menon, “Answering the Call in the Age of Artificial Intelligence”, Mass Call Address 2023 (21 August 2023) at paras 21–23.

<sup>13</sup> See the Report of the Forward Singapore (Forward SG) Workgroup, “Building our Shared Future” (October 2023) (“**Forward SG Report**”) at p 76, accessible at [https://www.forwardsingapore.gov.sg/-/media/forwardsg/pagecontent/fsg-reports/full-reports/mci-fsg-final-report\\_fa\\_rgb\\_web\\_20-oct-2023.pdf](https://www.forwardsingapore.gov.sg/-/media/forwardsg/pagecontent/fsg-reports/full-reports/mci-fsg-final-report_fa_rgb_web_20-oct-2023.pdf); see also the Tripartite Advisory on Flexible Work Arrangements and the Ministry of Manpower’s announcement that a new tripartite workgroup has been formed to develop a set of guidelines on FWAs, to be launched in 2024, accessible at <https://www.mom.gov.sg/~media/mom/documents/employment-practices/tripartite-advisory-on-fwas.pdf> and <https://www.mom.gov.sg/newsroom/press-releases/2023/0709-tripartite-workgroup-convenes-first-meeting-to-develop-guidelines-on-fwas>.



21. There is also data suggesting that the young are strongly driven to work that is aligned with their values. In a survey published this year,<sup>14</sup> 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 make 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. Further, while a job is still central to their sense of identity (second only to family and friends), there is a strong desire among Gen Z and millennials to achieve better work-life balance. Other key findings from the survey include: (a) stress and anxiety levels are high, and burnout is on the rise; and (b) harassment in the workplace is a significant concern.
  
22. These changing attitudes to work may explain why there is a tendency among the young to actively seek out new opportunities that may be more closely aligned with their values and preferences. It has been reported that three in four Gen Z workers globally plan to leave their jobs within the next two years, and around half plan to leave their job within a year.<sup>15</sup>
  
23. The legal profession will be, and has already been, affected by these trends. In a global survey of 3000 lawyers aged 40 and under conducted by the International Bar Association and published in 2022 (“**IBA Survey**”),<sup>16</sup> more than half of respondents (54%) said they were leaving or thinking of leaving their current legal job. 1 in 5 said they were somewhat or highly likely to leave the legal profession *entirely*. 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%).

---

<sup>14</sup> See the Deloitte Global Gen Z and Millennial Survey 2023, accessible at <https://www.deloitte.com/global/en/issues/work/content/genzmillennialsurvey.html>.

<sup>15</sup> See the report published by human resources platform firm Employment Hero titled “Gen Z at Work: The New Workforce Knocking at our Doors” (April 2023).

<sup>16</sup> See International Bar Association Legal Policy & Research Unit, IBA Young Lawyers’ Report (2022), accessible at <https://www.ibanet.org/document?id=IBA-Young-Lawyers-Report-2022>.

### C. Review of Disciplinary Cases

24. In formulating its recommendations, the Committee compiled two set of statistics relating to disciplinary cases involving advocates and solicitors:
  - a. The first set pertains to a throughflow analysis of complaints made to the Law Society over a two-year period between 1 September 2018 and 31 August 2020.
  - b. The second set pertains to an analysis of disciplinary cases over a five-year period between 1 April 2018 and 31 March 2023.
  
25. The statistics, including a summary of key findings, are set out in **Annex C**. The following are the main insights from the review that are pertinent to the Committee's work at this juncture.
  - a. While the incidence of disciplinary violations has risen from 2018 to 2022 as a matter of absolute numbers, these numbers should be seen in proportion, and in light of the growing numbers of the profession in that same period. In the same vein, no trend can be discerned in terms of the severity of sanctions imposed by the Court of 3 Supreme Court Judges ("**C3J**").
  - b. Of all the reviewed complaints filed with the Law Society between September 2018 and August 2020, which were the years selected for analysis, on average more than 70% of complaints filed were dismissed, with less than 10% of lawyers complained against being sanctioned either by a Disciplinary Tribunal ("**DT**") or the C3J.
  - c. A review of the disciplinary cases between 2018 and 2022 shows that the proportions of sanctioned lawyers that are attributable to (i) lawyers practising in small firms (between two and five lawyers), (ii) lawyers practising as sole practitioners and (iii) lawyers who come within the

senior category (i.e. with more than 15 years' PQE), are higher than their corresponding proportions within the legal profession generally. These groups respectively feature in about 42.4%, 23.2% and 72.8% of the reviewed disciplinary cases, despite them respectively accounting for about 17.7%, 6.6% and 37.7% of the community of legal practitioners in Singapore.

- d. Further, 55.2% of all reviewed disciplinary cases had involved a senior legal practitioner who practises in a small firm or as a sole practitioner. Senior lawyers accounted for 75.5% of disciplinary cases involving lawyers practising in small firms and 82.8% of disciplinary cases involving lawyers practising as sole practitioners. These statistics may be a reflection of the challenges facing small firms and sole practitioners, and in particular, those facing senior lawyers practising in small firms or as sole practitioners. These challenges include being directly responsible for the conduct of files and the management of the practice, the profiles of clients of small firms and sole practitioners, and resource constraints when dealing with practice management issues and in the de-escalation of potential complaints.
- e. The statistics above should also be read in conjunction with the types of infractions that had been involved. An analysis of the infractions across the same period show that the majority of these disciplinary infractions concern issues of professional standards, rather than fundamental ethical breaches or dishonesty. Such infractions may be addressed with training and mentorship. In particular, it is important to understand and address the challenges that small firms and sole practitioners face.

#### **D. SAL Young Lawyers' Survey**

- 26. The young are especially important to the future of the legal profession. To this end, a survey of lawyers of 2-10 years' PQE was conducted. The results of the survey, set out in **Annex D**, reflected an urgency for the legal community to be

intentional and thorough about mentoring, supervision and feedback within ethically-centred workplaces that resonate with the values of young lawyers (all slides referred to in this Report refer to slides at Annex D). In particular:

- a. **Talent Retention:** Only close to 1 in 4 respondents had stayed with the same employer since entering the profession (25.62%) (see slide [9]).<sup>17</sup> The top three reasons for leaving their last employer were career progression (18.54%), workplace culture (18.37%) and salary (15.90%). These reasons are broadly similar to those expressed in the IBA Survey (see [23] above). The Young Lawyers' Survey also suggests that apart from being fairly remunerated, young lawyers are driven to work that is intellectually stimulating and where they are able to contribute to the administration of justice (see slide [8]). In a competitive global marketplace for talent, employers need to create a vision of work that coheres with the goals and aspirations of young lawyers, in order to retain their share of talent. The ideals of the legal profession, if instilled from the start of their interaction with the law, would also serve to anchor them to the profession.
  
- b. **Education and Training:** The Young Lawyers' Survey suggests that there is insufficient education and training relating to ethics and professional standards. Personal values were the main source or reference that informed the respondents' definition of professional standards, with the main source of education being the Part B course (see slide [30]). Reliance on these two sources alone would not be sufficient. There is a need to strengthen the continuum of legal education along its entirety – encompassing law school, the Part A and Part B courses, as well as continuing and specialist education. The reliance on the Part B course also shows that it is important to start introducing young lawyers to ethics at an early stage.

---

<sup>17</sup> 33.02% had changed their employer once, 19.54% had changed their employer twice, 12.90% had changed their employer three times, and 8.92% had changed their employer more than three times.

- c. **Awareness of Ethical and Professional Standards:** Furthermore, only 33.40% of respondents indicated that they were “completely aware” of the professional standards expected of legal professionals, with 57.50% being “moderately aware” and the remaining being “somewhat” or “slightly aware” (see slide [30]). This finding should be seen alongside one of the key findings from the review of the disciplinary cases – the most-commonly occurring cases involved breaches of professional standards,<sup>18</sup> as opposed to breaches relating to fundamental defects of character such as those involving dishonesty (see Annex C at [31] and [37]). These findings affirm the need for an emphasis on professional standards in the continuum of legal education, particularly in continuing education, which the majority of respondents indicated was helpful in developing their knowledge and skills (see slide [41]). This resonates with the national trend on lifelong learning published in the Forward SG Report – 73% of those surveyed agreed or strongly agreed that training was a meaningful use of time.<sup>19</sup>
- d. **Mentoring.** Good leadership and mentoring are key enablers to a conducive work culture (see slide [10]). However, only 1 in 10 had undergone a structured mentorship programme, and the majority of those who did so found it effective (see slide [38]). There is a need to be more deliberate and intentional about mentorship, especially in light of the changes to the working environment arising from FWAs.
- e. **Sustainable Workplace Practices:** Respondents indicated that the top three enablers of a conducive work culture are a balanced lifestyle (15.37%), reasonable workload (12.97%) and good leadership (12.59%) (see slide [11]). On the other hand, the top three issues that affected their ability to practice successfully were harassment (18.79%), excessive workload (18.15%) and a culture of unethical behaviour

---

<sup>18</sup> For an elaboration of the types of misconduct that come within this category, see Annex C at [8(a)].

<sup>19</sup> See the Forward SG Report at p 32.

(17.33%) (see slide [14]). The issue of workplace bullying was also highlighted by respondents during focus group discussions (see slide [17]). Many indicated that their place of employment did not have a protocol or policy to promote ethical values and support the development of high professional standards, or were unsure about the same (see slide [31]). These findings, which relate to sustainable workplace practices, will be studied in greater detail in the lead up to the Final Report.

## **E. Rationale for Interim Recommendations**

27. These insights and global trends provide a normative foundation on which the Committee's work, in upholding and reinforcing ethics and professional standards, should be built. In sum, lawyers across the board face ethical challenges, and emerging trends such as generative AI may exacerbate these challenges or even create new ones. It is in this context that the values, training and mentorship of lawyers throughout their careers assume particular significance. It cannot be assumed that traditional artisanal methods such as asking a fresh lawyer to sit in an older lawyer's room, assigning such a lawyer to a team, or clocking lecture attendance will suffice in light of changing attitudes and preferences toward work.
  
28. The Young Lawyers' Survey, which was completed by 527 respondents, shows that young lawyers want more mentoring, better training and more sustainable careers.<sup>20</sup> Indeed, the responses to the Young Lawyers' Survey reflect a disjunct in generational mindsets, between the expectations of young talent and some of their managers. This is of concern because young legal talent is extremely valuable in many industries outside of the law. The future of the legal profession is at risk if these deeper concerns are not addressed. This dissonance should be discussed at a deeper level.

---

<sup>20</sup> More than 5,000 young lawyers were invited to complete the survey. For a sample of 527 respondents, the margin of error is approximately 4.3% at a 95% confidence level (see slide [3]).

29. In addition, of the statistics on disciplinary cases reviewed by the Committee shows that lawyers practising as sole practitioners and in small firms, and in particular, senior lawyers within that group appear to face greater challenges in the context of their ethical and professional obligations as compared with their other counterparts within the legal profession (see [25(c)] and [25(d)] above). To properly address this, there is a need to understand what these challenges are, which might be unique to the profile of these groups, and how they can be better supported in the context of their ethical and professional obligations.
30. These issues require greater study and need to be looked at more closely. To this end, the Committee intends to conduct a deeper review with targeted focus groups. The Interim Report deals with a first set of recommendations, and will serve as the foundation for a further set of recommendations in the Final Report. The recommendations in the Interim Report may also be further refined in the Final Report.
31. In the interim, the Committee recommends a thorough-going re-orientation of all aspects of a lawyer's education and career to reaffirm the moral centre and values of the legal profession. An intentional and systems-based approach is required. At the very outset, law as a profession should inspire and attract individuals with the right motivations and values. When these individuals embark on the path of pursuing law as a course of study, legal education must then "grow lawyers up" in an ethically directed manner. After formal legal education is completed and these individuals join the ranks of the legal profession, their learning to contextualise ethics must continue to be internalised throughout their careers. At each stage and in specialist areas, the appropriate training and coaching is crucial. To support this, the correct continuous education and mentorship must be provided intentionally within law practices and communities of practice, in an eco-system that is ethically centred.
32. The Committee's recommendations may be summed up by three strands:

- a. *Ethos* – to inculcate the values and habits within the community of legal professionals that exemplify the practice of law as an honourable profession;
  - b. *Learning* – to promote persistent and pervasive lifelong learning of ethics and professional standards; and
  - c. *Mentoring* – to ensure that lawyers receive reinforcing layers of mentoring throughout their careers.
33. In recognition that all meaningful change requires thoughtful application over time, the Committee proposes to start work on the proposed interim recommendations, with a view to finetuning the approach in the Final Report.



#### IV. RECOMMENDATIONS RELATING TO ETHOS

34. The recommendations relating to ethos are aimed at securing candidates with apt mindset and values, and instilling vision in the community through habits and narratives.
35. The Committee reiterates that when respondents to the Young Lawyers' Survey were surveyed on the sources or references that inform their definition of professional standards, personal values emerged as the top selection (see [26(b)] above). It is therefore imperative that any effort to address ethics and professional standards begin by first targeting the values held by lawyers.

##### A. Core Values of the Legal Profession

**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.**

36. A profession's values are "its vision of the moral qualities it wishes its members to embody".<sup>21</sup> The proposed core values are intended to reiterate the importance of the lawyer's calling to serve. As observed by Chief Justice Sundaresh Menon, "[g]etting called to the Bar means so much more than earning a qualification. It means you take on the mantle of service, and commit yourself to learning and the pursuit of excellence, not for their own sakes, but for a higher and far more worthy cause – the administration of justice".<sup>22</sup>

---

<sup>21</sup> See The Honourable the Chief Justice Sundaresh Menon, 23<sup>rd</sup> Gordon Arthur Ransome Oration, "Law and Medicine: Professions of Honour, Service and Excellence" (21 July 2017) at para 42.

<sup>22</sup> See 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.

37. 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.
  - b. 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.
  - c. 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.<sup>23</sup>
38. The core values of the legal profession that resonated strongly with its members are **Integrity**, **Professionalism**, and **Justice**. There was general consensus on these core values in the focus groups and other discussions conducted by the Committee.

---

<sup>23</sup> See Rule 4(1) of the Legal Profession (Professional Conduct) Rules 2015 (“PCR”).

39. 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.

### 1. *Integrity*

40. 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”.<sup>24</sup>

41. “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,<sup>25</sup> opposing parties and/or counsel, the public,<sup>26</sup> and any court or tribunal before whom he or she appears on behalf of a client.<sup>27</sup> 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.<sup>28</sup> 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 the falsehood.<sup>29</sup> 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.

---

<sup>24</sup> 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.

<sup>25</sup> See Rule 5(1)(a) of the PCR.

<sup>26</sup> See Rule 8(1)(a) of the PCR.

<sup>27</sup> See Rules 9(1)(c) and 9(1)(d) of the PCR.

<sup>28</sup> See Rule 10(3) of the PCR.

<sup>29</sup> See Rule 10(4) of the PCR.

42. 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.

## 2. *Professionalism*

43. 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.

44. 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.

45. 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.

46. 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.

### 3. **Justice**

47. 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:<sup>30</sup>

*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]

48. Lawyers, in particular, are called to be “ministers in the temple of justice”,<sup>31</sup> and they are officers of the court “charged with the unique responsibility of upholding the legal system and the quality of justice”.<sup>32</sup> In particular, the core value “Justice” reflects the lawyer’s obligations to promote the broader administration

---

<sup>30</sup> See Roscoe Pound, *The Lawyer from Antiquity to Modern Times* (St. Paul, Minn.: West Publishing Co, 1953) at p 5.

<sup>31</sup> See *Re Tay Quan Li Leon* [2022] 5 SLR 896 at [1].

<sup>32</sup> See *Wong Keng Leong Rayney v Law Society of Singapore* [2006] 4 SLR 934 at [84].

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.<sup>33</sup>

49. 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”.<sup>34</sup> 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,<sup>35</sup> and promotes the fair and efficient administration of justice.
50. 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 and *pro bono* work.<sup>36</sup> This is consistent with the PCR, which provides that “[a] legal practitioner must facilitate the access of members of the public to justice”.<sup>37</sup> It also finds expression in the mission statement of the Law Society, which reads: “To serve our members and the community by sustaining a

---

<sup>33</sup> 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. .

<sup>34</sup> See Rule 9(1)(a) of the PCR.

<sup>35</sup> See The Honourable the Chief Justice Sundaresh Menon, “A Conscientious Bar”, Mass Call Address 2017 (28 August 2017) at para 16.

<sup>36</sup> 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.

<sup>37</sup> See Rule 4(e) of the PCR.

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.<sup>38</sup>

51. 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.
52. 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.<sup>39</sup> Laws are applied equally to everyone and there are mechanisms or institutions to ensure that the law is impartially enforced.
53. 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 characterised as one founded on a commitment to the rule of law,<sup>40</sup> 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.<sup>41</sup> It has been observed that what defined Singapore were shared ideals and aspirations such as

---

<sup>38</sup> See Rule 3 of the Legal Profession (Mandatory Reporting of Specified Pro Bono Services) Rules 2015.

<sup>39</sup> See Brian Tamanaha, “The History and Elements of the Rule of Law”, *Singapore Journal of Legal Studies* [2012] 232-247.

<sup>40</sup> 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.

<sup>41</sup> 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).

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.

54. 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.<sup>42</sup> There is a public interest in ensuring that society's trust and confidence in the legal profession continues to be maintained. As the C3J explained in *Law Society of Singapore v Ravindra Samuel* [1999] 1 SLR(R) 266:<sup>43</sup>

*The administration of justice can only proceed on the basis that solicitors can place reliance upon the honesty of the solicitors with whom they deal. The public too must be able to repose confidence in a profession which plays so indispensable a part in the administration of justice. Similarly, the courts of this country must be able to depend on the honesty and integrity of all practitioners appearing before them and to expect that they will maintain the highest standards of personal honesty and integrity in their dealings with the courts.*

55. This was reiterated by the C3J in *Law Society of Singapore v Ahmad Khalis bin Abdul Ghani* [2006] 4 SLR 308:<sup>44</sup>

*The legitimacy of the administration of justice in the eyes of the public cannot be gainsaid. Respect for the law as viewed through the lenses of the public is an indispensable element in the fabric of the system of justice. Indeed, the public constitutes the ultimate body of individuals for whose benefit the law and the legal system exist. To this end, anything which undermines public confidence in the competence and/or professionalism of lawyers must not – indeed, cannot – be permitted. ... the focus should be the precise opposite – to enhance the standing and (more importantly) accessibility of the legal profession in the eyes of the public.*

---

<sup>42</sup> See The Honourable the Chief Justice Sundaresh Menon, "The Legal Profession as an Honourable Profession", Mass Call Address 2022 (23 August 2022) at [7].

<sup>43</sup> See *Law Society of Singapore v Ravindra Samuel* [1999] 1 SLR(R) 266 at [12].

<sup>44</sup> See *Law Society of Singapore v Ahmad Khalis bin Abdul Ghani* [2006] 4 SLR 308 at [5].



## B. Building Shared Vision

**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.**

56. The core values are required to be brought to life through a larger vision within imagination and textualised within reality. The Committee recommends summarising the core values in the form of a creed, which would function as a shared vision for the community. In the earlier stages of an aspiring lawyer's career, this vision should also be reflected in the pledge that all university students take and the declaration made by every person admitted as an advocate and solicitor of the Supreme Court.

### 1. *Pledge for University Students*

57. A law student's journey in the legal profession begins when he or she first steps into law school. It is important that they start with the right mental model. The Committee proposes that freshmen in the local law schools take a pledge at the start of university, to cultivate their awareness and sensitivity to the obligations they will have to observe as future members of an honourable profession. This is not dissimilar to the approach in the local medical schools, where medical students take a pledge at the commencement of their tertiary education. A suitably modified pledge should be repeated at graduation.

58. The law schools have agreed in principle with this recommendation, with a view to implementation for the academic year 2024/2025. Further, activities and components sensitising law students to the idea and concept of the law being an honourable profession could be introduced into the law schools' freshmen orientation programme.

59. The proposed pledge for law students 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.

## 2. ***Declaration for Newly Admitted Advocates and Solicitors***

60. Rule 30 of the Legal Profession (Admission) Rules 2011 (“**the Admission Rules**”) requires every person admitted as an advocate and solicitor to make a declaration in the form set out in the First Schedule to the Admission Rules. It has been observed that the declaration embodies values that are universal and timeless, and binds the individual lawyer taking it for the entire length of his or her career.<sup>45</sup>
61. To better encapsulate the core values, the Committee recommends that the current declaration can be refined in the following manner, with a view for implementation beginning in Mass Call 2024 (the proposed declaration has been refined with input from the Senior Counsel Forum).

Existing declaration (see rule 30 of the Admission Rules)	Proposed declaration
I [name and IC number] do solemnly and sincerely declare and	I [name and IC number], recognising the privilege and responsibility of

<sup>45</sup> See *Law Society of Singapore v Rasif David* [2008] 2 SLR 955 at [59].

<p>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.</p>	<p>being a member of an honourable profession, do solemnly and sincerely declare and affirm/swear that:-</p> <p>I am an officer of the Court;</p> <p>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;</p> <p>I will at all times honour my duties and responsibilities to the Court, to my clients and to fellow members of the legal profession;</p> <p>I will strive to uphold the values and best traditions of the legal profession; and</p> <p>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.</p>
--	---

62. The Committee notes that there will be changes to the regime for the admission of non-practising lawyers and advocates and solicitors, arising from the recommendations of the Committee for the Professional Training of Lawyers. The wording of the declaration is to be further reviewed in due course to accommodate these changes.

**3. Creed as a Vision for the Community**

63. The Committee proposes that the proposed core values explained at [36]–[55] above be encapsulated in the form of a creed, 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.

64. The Committee will further consider, as part of its work in implementing the recommendations in this Interim Report, how the creed may be propagated regularly across the entirety of the legal profession, so as to thoroughly drive home the message that the creed operates as a fundamental bedrock of the legal profession. Suggestions have included encouraging law firms or in-house teams to use the creed as a reminder in their workplaces in a manner best suited to their workplaces; making it a requirement of the annual practising certificate renewal exercise that lawyers acknowledge the creed as part of that exercise; for an entity such as the SAL to communicate the creed to all its members on an annual basis at an appropriate juncture, so as to ensure that non-practising lawyers, in-house lawyers and Legal/Judicial Service Officers (who do not participate in the annual practising certificate renewal exercise) are also included; as part of an appropriate medium that would be distributed generally to every newly qualified lawyer, such as *A Civil Practice* which the Committee proposes to be distributed to all new entrants of the legal profession at Mass Call; or to utilise occasions such as the Opening of the Legal Year, which from the perspective of the general public, would serve as a powerful symbol of the profession's commitment to this creed.

### C. Community Rituals to Entrench Values

**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.**

65. The development of community rituals is an important way to promote an ethical mindset and moral compass. For example, the Valedictory References held on the retirement of Justice Chao Hick Tin and Justice Andrew Phang Boon Leong, Vice-Presidents of the Court of Appeal, lauded good values and conduct.<sup>46</sup> It is proposed that the Law Society and the SAL consider creating and entrenching community rituals that become occasions and platforms to bring the profession together and help lawyers self-identify as members of the profession. Developing a spirit of fraternity and *esprit de corps* within the profession is an essential part of imparting good values and a sense of duty in lawyers. These community rituals help to remind lawyers that they are part of an honourable profession and serve a greater cause. The importance of such rituals should be emphasised by having senior luminaries and members of the judiciary attend in support.
66. In this regard, and as a start, the Mass Call is an important rite of passage for all lawyers, and should affirm the importance of ethics and professional standards at the outset of their careers. The Committee recommends the following non-exhaustive enhancements to be implemented from Mass Call 2024:
- a. Refining the declaration for newly admitted advocates and solicitors (see [61] above).

---

<sup>46</sup> The Valedictory Reference for Justice Chao Hick Tin was held on 27 September 2017 and the Valedictory Reference for Justice Andrew Phang Boon Leong was held on 28 November 2022.

- b. Senior practitioners and Senior Counsel should be invited to a reception to interact with new entrants to the profession. A senior practitioner who has been identified as a role model to the profession may also be invited to deliver a speech at the reception.
- c. An updated version of *A Civil Practice* should be distributed to all applicants (see [68.b] below).

#### D. Building Habits and Practices Premised on Aspirational Standards

**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 Criminal Code of Practice and (ii) the etiquette guide titled *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.**

67. A profession's habits and practices can be built through aspirational standards espoused by its members that reflect the best of their legal traditions. The Committee recommends non-binding guiding principles for specific practice areas, which would (a) communicate the expectations relevant to particular specialisations; and (b) through adoption, build good community habits. These aspirational codes, although non-binding, should be continuously reviewed and updated.<sup>47</sup> Some examples of existing codes and reference guides include:
- a. the Criminal Code of Practice, jointly issued by the Attorney-General's Chambers ("**AGC**") and the Law Society;
  - b. the Art of Family Lawyering, published by the Law Society;

---

<sup>47</sup> More generally, the Law Society's ethics resources can be accessed at <https://www.lawsociety.org.sg/for-lawyers/ethics-resources/>. An overview of its ethics resources and support schemes can be accessed at <https://law-society-singapore-prod.s3.ap-southeast-1.amazonaws.com/2023/12/Law-Society-Ethics-Resources-Factsheet-As-at-December-2023.pdf>.

- c. the Singapore Corporate Counsel Association (“**SCCA**”)’s Code of Ethics and Standards of Professional Conduct for In-House Counsel.
68. The Committee proposes the following initiatives, in collaboration with the relevant stakeholders, with work to commence in 2024:
- a. The AGC and the Law Society can update and review the **Criminal Code of Practice**. For instance, it should be considered whether the relevant principles in the PCR should be incorporated in the Criminal Code of Practice as well as principles relating to the Prosecution’s duties of disclosure.
  - b. **A Civil Practice** provides guidance on the conduct becoming of a member of the legal profession. In particular, it provides guidance on courtesy and etiquette both within and outside the courtroom. SAL will be working on a second edition of *A Civil Practice*. The Committee recommends that this second edition incorporate inputs from judges and practitioners across a variety of areas of practice, so that its guidance will be widely applicable to all members of the profession.
  - c. A new **Ethical Best Practices in Dispute Resolution Guide** will be developed to set out best practices and ideal standards specific to disputes work. This may extend to arbitration practitioners and could be developed in conjunction with the relevant arbitration bodies (the Singapore International Arbitration Centre (SIAC), the Chartered Institute of Arbitrators (CIArb) Singapore Branch and the Singapore Institute of Arbitrators (SIArb)).
69. The Final Report will build on this work. In the course of the Committee’s focus group discussions, some participants expressed support for specialist codes, in recognition of the different practices and professional conventions that may apply in the context of different areas of legal practice. Such codes may also be useful for the purposes of training and reinforcing professional standards.

## V. RECOMMENDATIONS RELATING TO LEARNING

70. The recommendations relating to learning form the backbone of the proposals. The core values must be supplemented by actual knowledge of the applicable standards and expectations. The Young Lawyers' Survey shows that for many, the Part B course is their main source of education relating to professional standards. This is not sufficient. The proposals relating to learning seek to build a strong continuum of ethics education from the moment a student considers the study of law, through to the end of each lawyer's career. The through-train of learning through university, continuing and specialist education must ensure that the system "grows lawyers up" in an ethically directed manner, and is a constant and relevant guide.

### A. Teaching of Ethics in Law Schools

**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.**

71. The Committee includes representatives from the three law schools in Singapore, i.e., 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**") ("**the Law Schools**").
72. The Law Schools agree that there is a need to sensitise law students to the unique ethical duties and obligations incumbent upon members of the legal profession – by providing a foundation for them to make sense and cultivate their awareness of the ethical and professional duties that they will eventually find themselves subject to when they become members of the legal profession.



73. The following recommendations are aimed at developing the ethical consciousness of law students:
- a. education of the **core values**;
  - b. a review of the **law school curriculum** to include content sensitising students to core ethical duties of lawyers; and
  - c. sensitising ethical consciousness during **internships** by exposing law students to ethical issues in legal practice.
74. Although the focus of the Committee's recommendations in this section relates to the Law Schools, ethics education can and should begin even *prior* to university. For example, to the extent possible, content relating to ethics and professional standards can be incorporated in the SAL Junior College Law Programme, Temasek Polytechnic's Diploma in Law & Management, and outreach programmes to pre-tertiary students.

#### **1. Education of the Core Values**

75. The Committee recommends an approach that views the education of values as a continuous journey, where ethics and professional standards are taught and reinforced through a systematic programme of education and training that pervades each person's journey towards, and thereafter through, a career in the law. The education and cultivation of values in members of the legal profession therefore begins from the outset from the time aspiring entrants to the legal profession become law students, through university and throughout their professional life. In time to come, some of them will become senior members of the profession who are in a position to act as mentors and impart their lessons and experiences in respect of these values for the next generation.
76. That values undergird the identity of all members of the legal profession means that they must be communicated beforehand to prospective entrants of the legal profession so that, if they choose to become a member of the legal profession,

they will do so with full awareness of what these values are, and because they identify with these values and share the commitment to uphold the ideals represented by these values.

77. In particular, concepts and notions relating to these values must be emphasised during university, which is a critical foundational phase of the education and cultivation of values. The objective is to imbue aspiring lawyers with the understanding that the legal profession is an honourable profession fit only for women and men of sufficient moral and ethical calibre.
78. In this regard, the Senior Counsel Forum has committed, among other things, to conduct fireside chats or lectures in ethics for students in the Law Schools.<sup>48</sup> This is an example of interactions that can provide an opportunity for students to learn more about the core values of the profession and how they are applied in the context of specific practice areas.

## **2. Review of Curriculum**

79. The Law Schools' curriculum should be reviewed to include content that introduces the students and sensitises them to the core ethical duties imposed upon members of the legal profession. These core ethical duties encompass three facets: (a) duty to the court; (b) duty to the client; (c) duty to the community. Law students should also understand how each of these duties relate to one another.
80. The core ethical duties introduced to law students are distinct from the core values and professional duties that are provided for in the PCR and other rules under the Legal Profession Act 1966 ("**the LPA**"), which are currently taught during the Part B course. These core ethical duties are a more generalised version of the specific professional duties, and they are aimed to sensitise law students to and make them aware of these specific duties and provide them

---

<sup>48</sup> The Senior Counsel Forum has also committed: (a) to conduct annual CPD courses and lectures; (b) to assist in the Ethics Line (see Recommendation 13 below); and (c) to conduct fireside chats or host dinners for small groups of lawyers focusing on ethics and the duties of lawyers.

with a framework for understanding these specific duties in the time to come. In other words, the objective is to shape the law students' ethical consciousness and not to simply duplicate content that will be taught elsewhere. This is consistent with the view that the education of values is a continuous journey, and each stage of the ethics education continuum should build atop one another. The teaching of ethics in the Law Schools is not meant to be a rote-learning exercise for legal ethics, but the starting point of an aspiring lawyer's ethics education journey.

81. The Law Schools have agreed to conduct a review of the law school curriculum to incorporate ethics-related content, based on the following guiding principles. This is with a view to implementation for the academic year 2024/2025.
82. First, ethics should be embedded and contextualised as part of the substantive courses already taught at the Law Schools. This is otherwise known as the pervasive method of teaching ethics.<sup>49</sup> Such an approach could be two-fold: (1) at the level of theory and method, to illustrate the core values of the profession; as well as (2) within the *substantive content* taught, demonstrating to the students how ethical obligations lie within. At a focus group discussion, students explained that most of them would be able to appreciate and understand what the core duties of a lawyer are when taught to them, and as aspiring entrants of the legal profession, they would also subscribe to what is required of them by these core ethical duties. The difficulties which the students faced, as they explained, lie in appreciating how these ethical concepts relate to the substantive knowledge which they acquired as part of their legal education and how these ethical concepts would apply in practice and what it meant for them.
83. Second, to the extent possible, ethics should be a component of the examinations and assessments in the Law Schools (e.g. in courses relating to ethics, legal research and writing, and legal theory). This would emphasise the

---

<sup>49</sup> See David Link, "The Pervasive Method of Teaching Ethics" (1989) 39 *Journal of Legal Education* [1989] 485.

importance of ethics to students at the outset of their journey in the legal profession.

84. Third, the Law Schools could instil ethical consciousness in students outside of the curriculum, for example, by organising debates and essay competitions relating to issues in legal ethics, with prizes to be sponsored by the Law Society or law firms. This would encourage students' interest in ethics and deepen their appreciation and awareness of the lawyers' core ethical duties.
85. The next section outlines what the Law Schools are currently doing and what they intend to do, in light of the guiding principles above.
86. NUS Law already adopts the integrated/pervasive model, which entails different aspects of legal ethics being integrated into an appropriate component of the compulsory and/or elective subjects that are taught across all years of study. The objective is to ensure that students can appreciate legal ethics both in the broader context and in the particular field of study. For example:
  - a. In the first-year "Singapore Law in Context" module, students are provided an introduction and orientation to the key concepts of professional responsibility that distinguish lawyers from laypersons.
  - b. In the first-year "Legal Analysis and Communication" module, students are taught basic principles of professional responsibility, including the duties to court, clients and other legal actors.
  - c. In the second-year "Trial Advocacy" module, students are taught basic legal etiquette as well as ethical issues in litigation.
  - d. In the second-year "Company Law" module, the analogy between directors and lawyers in relation to fiduciary duties is touched upon, with students learning that like directors *vis-à-vis* companies, lawyers must act in the best interests of their clients and ensure that they are not in a position of conflict.

87. NUS Law is also considering the introduction of a 1-2 credit module dedicated to legal ethics for students in their third and fourth years of study, as it considers that the optimal pedagogy is that of a combination of an integrated model with a dedicated course. In addition, this will ensure that all students continue to encounter the subject of ethics in their upper years. NUS Law intends to integrate ethics into more elective courses.
88. SMU Law currently requires all students to take a course on Ethics & Social Responsibility. This course provides students with conceptual frameworks to resolve ethical dilemmas, include those occurring in professional contexts (such as conflict of interests). Going forward, SMU Law proposes to place greater focus on values education and to inculcate in students the notion that lawyers owe a *positive duty* to advance the interests and the community at large. Ethics is also taught to students as a component of various substantive courses that students would take at different junctures of their legal education journey. For example:
- a. In the “Singapore Legal System” module, students are provided a brief introduction on the role of lawyers in the Singapore legal system, in particular, their legal duties to the court and clients, as well as their moral duties to society.
  - b. In the “Legal Research & Writing” module, students are taught legal etiquette in the context of advocacy and the duty of lawyers to assist the court.
  - c. In the “Law of Evidence” module, students are taught concepts of professional responsibility relating to evidence in the litigation context.
  - d. In the “Legal Theory & Philosophy” module, students examine alternative views of lawyering with reference to broad principles encapsulated in the PCR such as the lawyer’s duty to the client and the lawyer’s role as an

officer of the court, and to assist the court in the administration of justice. Students are also asked to consider how the lawyer's role and duties are fleshed out by a broader understanding of what it means to advance justice and the common good.

89. There is also a proposal for students to be exposed to a variety of context-specific ethical issues through the various types of electives available to students, as well as for students to undertake a pre-graduation assessment or exercise to ensure that they are ready to integrate ethical knowledge with practice.
  
90. For SUSS Law, the proposal is to place greater emphasis on a longitudinal curriculum focusing on the development of ethics and morals as core values across all stages of their students' legal education. The objective is to ensure that students understand, internalise and apply the spirit of these concepts, and not merely focus on what is technically permissible under legislation and rules relating to professional conduct. Currently, all first-year students already undertake the "Ethical Legal Practice and Client Care" course, which is a module dedicated to legal ethics that would introduce them to the concepts of professional responsibility. The various other substantive law courses that students take across their years of study would embed within them concepts relating to ethics, with a focus on ethical concerns in specific areas of law or legal practice. For example:
  - a. In the "Family Law and the Family Justice Courts" course, students are taught the duties owed by lawyers and how lawyers ought to conduct themselves in family proceedings.
  
  - b. In the "Criminal Law, Procedure and Evidence" course, students are introduced to the professional and ethical duties of lawyers in criminal practice and introduced to the ethical issues that can arise.

91. There are proposals for a “Dean’s Talk”, which is an exhortation by the Dean to each graduating cohort on the importance of ethics and values. SUSS Law also plans to introduce a post-graduation support and engagement network that allow graduates to stay in touch with one another and allow them to seek advice on ethical challenges or dilemmas outside of their usual support system at work, if and when the need arises.

### **3. Internships**

92. Internships provide law students with the opportunity to be exposed to practical ethical issues in the context of legal practice and be sensitised to what these issues could entail. The instillation of ethical sensitivity is best achieved by having law students observe model ethical behaviour in practice and having the opportunity to ask their supervisors about professional ethical issues that may arise during the course of real-world practice. The Committee proposes that a draft 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. For example, the draft protocol could encourage internship mentors to discuss with their interns at least one ethical situation during the course of each internship.
93. To complement their internship experience, the Law Society has proposed developing a platform for law students to have access to good role models during their internships (e.g. past winners of the Law Society’s C.C. Tan Award).<sup>50</sup> This will comprise interactive sessions where law students can attend to hear these role models share about how they have dealt with ethical issues in practice. Law students can also pose questions on ethical issues or questions that they may have encountered during their internships. The Law Society will compile or convey feedback or points raised from these sessions to the Law Schools. This can help the Law Schools to calibrate their curriculum, attachment/internship programs and briefings to enhance their students’ ethical sensitivity.

---

<sup>50</sup> The C.C. Tan Award is an annual award from the Law Society recognising members who exemplify the virtues of honesty, fair play and personal integrity.

## B. Teaching of Ethics in Part A

**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 through an online module to be completed as a requirement for Part A qualification.**

94. It is convenient at this juncture to outline the process for students to qualify for admission as an advocate and solicitor.
- a. Local students must complete a 4-5 year undergraduate programme or a 2-3 year postgraduate programme in a Singapore law school and attain a prescribed overall grade.
  - b. Overseas students must meet other criteria, set out in the Admission Rules and the Legal Profession (Qualified Persons) Rules 2015, including passing the Part A examinations.
  - c. All students must pass the Part B examinations and complete a specified amount of legal training.
95. Although the Part B course and examinations have an ethics component, the ethics-related content in the Law Schools will be relevant to specific university subjects and it would be ideal if overseas students can benefit from the same exposure as local students would. The Committee recommends that the ethics-related content in the Law Schools be extended to the SILE and made available on the SILE's online site as an online ethics course. Overseas students would be required to complete this online ethics course, as one of the requirements for passing the Part A examinations.
96. The Committee envisages that the content for the online course will take time to build. Its announcement from the outset will enable the Law Schools and



SILE to do this in tandem with the Law Schools' own curriculum review, as outlined in Recommendation 5.

### C. Teaching of Ethics in Part B

**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.**

97. Part B is an important gateway for legal professionals. Currently, Part B candidates are exposed to ethics and professional standards through the following:

- a. First, the “Ethics & Professional Responsibility” module is one of six compulsory modules of the Part B course and Part B examinations which candidates are required to pass as a pre-requisite to admission as an advocate and solicitor of the Supreme Court pursuant to section 13(1) of the LPA. It provides comprehensive coverage of the various aspects of professional legal ethics.
- b. Second, all practice trainees<sup>51</sup> are required to register and complete an online learning course on “Ethics in Practice”. This course is structured as a comprehensive programme using mini-lectures and case-study discussions to provide an in-depth understanding of how complex professional ethics issues arise in a practice environment. Participants learn how to make better ethical decisions and enhance their awareness of ethical issues that are embedded in real-life situations, through interactive roleplaying exercises and videos. A learning assessment is conducted at the end of the programme.

---

<sup>51</sup> Save for practice trainees serving their practice training periods as Legal Service Officers or Judicial Service Officers.

98. To ensure that each stage of the ethics education continuum builds atop one another, the Committee recommends a review of the content relating to ethics and professional standards in the Part B course. The review should be undertaken jointly between SILE and the Law Schools, and can take place in tandem with Recommendation 5 and Recommendation 6 above.

#### D. Continuing Professional Development

**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).**

99. Beyond Part B and the practice training period, the Committee considers that it is important to ensure that lawyers are systematically and routinely exposed to training content relating to ethics and professional standards.
100. The Committee notes that at the level of the inquiry committees and disciplinary tribunals, the most-commonly occurring cases involve breaches of professional standards, as opposed to breaches relating to character defects such as those involving dishonesty. This has remained consistent from 2018 to 2022 (see Annex C at [31(a)] and [37(a)]), and affirms the need for mandatory and constant training to raise and maintain professional standards across the board.
101. The Committee thus recommends that ethics and professional standards should be a mandatory component of the CPD scheme (“**Mandatory Component**”). This should be implemented from CPD Year 2025, which runs from 1 January to 31 December 2025, such that there would be sufficient time for the relevant stakeholders to iron out content.
102. A lawyer's commitment to strong ethics and high professional standards is a lifelong one. Accordingly, the Committee recommends that the Mandatory Component should apply equally to lawyers across all levels of seniorities. The Committee also notes that a significant proportion of the disciplinary cases

reviewed involve senior lawyers (i.e., lawyers of more than 15 PQE) (see Annex C at [24(c)] and [28]) – although the Committee recognises that senior lawyers will often be the subject of disciplinary complaints by virtue of them assuming overall responsibility for their matters. In any event, some aspects of professional standards training may be especially beneficial for more senior practitioners (e.g., in relation to the adoption of new technologies).

103. The proposal is for the Mandatory Component to comprise 3 points and to apply equally to all lawyers. This should be the case at least for the first 3 years following the implementation of the Committee’s report, and a review of the Mandatory Component can be undertaken thereafter.
104. Insofar as the content for the Mandatory Component is concerned, SAL and the Law Society should designate key content and work with designated content creators to ensure the sustainability and relevance of the content taught. These designated content creators should bear in mind the need to vary the content of the courses from year to year (such as by covering different parts of the PCR) so that they do not become repetitive, and should also ensure that there is content covering the different areas of legal practice (so as to avoid too heavy a focus on any one area of practice – such as litigation – which may be less relevant to practitioners in other areas).
105. The Committee recommends that the following non-exhaustive areas could be covered under the Mandatory Component, with SAL and the Law Society taking the lead to enhance existing or develop new initiatives:
  - a. SAL Annual Review seminars currently cover the previous year’s major developments, e.g. changes to the PCR or codes of conduct, new DT and C3J cases. These annual updates can be complemented by longer-term reviews of developments and case law (between 3 to 5 years).
  - b. Seminars on ethics in the context of particular practice areas (e.g. family law and criminal law) with sharing of best practices, as learning must be

contextualised so that ethics is internalised and applied throughout lawyers' career. SAL's Professional Affairs Committee and the Law Society could work together to convene practice leads to develop the annual focus areas.

- c. Seminars on issues relating to fundamental aspects of practice that could be covered on a rotational basis, such as the relationship between client and solicitor, and the relationship between solicitor and court.
- d. Interactive dialogue sessions with the Judiciary, AGC and senior members of the Bar on issues relating to ethics and professional standards, in the context of court proceedings.

106. For in-house lawyers, there is no mandatory requirement to participate in CPD programmes. The Committee considers that this gap can be bridged by having these ethics courses offered under the auspices of CPD also being extended to in-house lawyers, or for SAL to develop courses suited to in-house lawyers together with SCCA.

#### **E. Structured Training and Specialist Programmes to Incorporate Ethics**

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

107. SAL has developed and maintains the Legal Framework for Training and Education ("**LIFTED**"). LIFTED is a general competency framework for the entire legal profession, the objective of which is to identify knowledge, skills and other attributes required by various kinds of legal professionals.

108. In conjunction with SAL, the Committee recommends that the LIFTED competency framework's component on professional ethics be reviewed and updated in line with the recommendations from this report.

109. Consequently, for structured training programmes offered under the LIFTED competency framework, ethics-related content can be incorporated into the programme. For instance, in the area of family law, SAL, in collaboration with SUSS, runs the Family Therapeutic Justice Certificate Programme (“**FTJCP**”) with the support of the Family Justice Courts and the Law Society. Ethics-related content can be incorporated into the FTJCP curriculum in a manner that is contextualised to family law.
110. The Committee notes that SAL is developing a voluntary certification programme for young lawyers, the Junior Lawyers Practice Certification Programme (“**JLPCP**”), which will be offered from 2025 onwards. The certification programme will offer courses that provide more personalised instruction for young lawyers to link law and practice, learning through scenario-based training. It is envisaged that participants in the initial years of practice will focus on developing substantive legal and technical skills, with content based on true scenarios and aimed at problem solving (for example, drafting of affidavits for lawyers in dispute resolution, and drafting of contracts for corporate lawyers). The Committee recommends that professional ethics courses or contents in line with the competency framework for junior lawyers should be developed and offered as part of this programme, such as through integration into the scenarios featured in the JLPCP.
111. The Committee also notes that there are further plans to extend similar voluntary certification programmes eventually to lawyers in the middle to senior category. With increasing seniority, the programme will introduce specific components relating to leadership, project management and business management, building upon current programmes such as the SAL-INSEAD Legal Leadership Programme (SILLP). Ethical challenges can also arise when leading teams and in the course of business development. The Committee recommends that ethics can be incorporated into the courses offered to middle and senior category lawyers in the certification programme to provide lawyers leading teams, departments and law practices with the necessary awareness, skills and tools that will enable them to provide an environment that mentors

and nurtures their team members. This extends beyond how middle and senior category lawyers conduct themselves as managers or when engaging in business development activities. As leaders of teams, middle and senior category lawyers will also play a role in providing guidance and mentorship. These are dimensions of leadership skills which can be imparted and learnt.

112. Ethical challenges, particularly those that stem from market practices in the relevant industries, introduce different levels of complexities. Practitioners in these areas often have to deal with industry players from outside the legal fraternity who are not expected to uphold the same set of professional ethics. The introduction of ethics-related content to such structured training programmes allows for more in-depth discussion and training on the ethical issues that are more commonly faced in certain practice areas. SAL will be reviewing these structured training programmes with a view to incorporating more ethics-related content. Further, in relation to specialist accreditation schemes, the Committee understands that SAL runs accreditation schemes for the following practice areas: Building and Construction Law, Maritime and Shipping Law, Data and Digital Economy Law (D2E). There are plans to expand the scheme to other practice areas. In the accreditation criteria, the Committee recommends that SAL can consider incorporating the demonstration of ethics-related competencies.
113. Similarly, the Law Society organises structured CPD courses in different practice areas through its various Practice Committees (for example, “Arbitration 101 – An Introduction to Arbitration and Its Fundamental Concepts”). Going forward, the Law Society should incorporate more ethics-related content in these tailored courses.
114. Finally, the Committee also notes that there are ethics-related training programmes already in place for Legal Service Officers at the AGC and Judicial Service Officers within the judiciary which are specialised to the roles and functions of these officers:

- a. Within the AGC, AGC Academy runs the “Ethics and Professional Responsibility as a Public Sector Lawyer” course for new Legal Service Officers in the AGC. This encompasses (i) ethics and professional responsibility generally; (ii) duty as officers of the court; (iii) duty as prosecutors; and (iv) duty as legal advisors.
- b. Within the judiciary, the Singapore Judicial College has a three-pronged approach for Judicial Service Officers: (i) judicial ethics in relation to the ethics and behaviour of judges outside of the courtroom; (ii) judicial ethics in relation to the work of judges in the courtroom; and (iii) in relation to the second strand, an understanding of lawyers’ ethical and professional standards, as judges should be enforcing such standards in the courtroom.

**F. Facilitating Life-long Learning through New Technologies, including Generative Artificial Intelligence**

**Recommendation 10: To make resources on ethics and professional standards more accessible and to use new technologies, including generative AI, to facilitate self-education.**

115. An important aspect of education relates to *self-education*. Independent learning, and in particular the accessibility of resources on ethics and professional standards, must be made easier. The Committee recommends the creation of a new resource platform relating to ethics and professional standards that will ease independent learning and access to material. This repository will be accessible to all lawyers, and will encompass a comprehensive collection of rules, regulations, codes of conduct, practice directions, decisions from DTs and the C3J, and commentaries, including the revised *A Civil Practice*.
116. This repository would serve as an invaluable tool for self-learning, discovery, and research, enabling lawyers to readily access and navigate the intricacies of ethics and professional standards. The repository would be curated and

maintained by SAL, ensuring that the information provided is updated. As ethical challenges are often scenario-based, the portal should go beyond keyword searches to explore new techniques of interactive queries, such as using question-and-answer interfaces tapping on generative AI capabilities. This allows lawyers to efficiently locate specific information on scenarios posing ethical dilemmas. As lawyers provide feedback on their question-and-answer pairs, these can be used to improve the AI's responses through reinforcement learning. Through this collective effort, lawyers will be able to enhance their understanding of ethics.

117. A collaborative approach with contributions from law firms and the Law Society to support the upkeep and continuous development of the repository would ensure the sustainability of the repository and its continued relevance to the rapidly evolving landscape of ethics and professional standards.
118. The Committee recognises that experimentation with and the proper utilisation of appropriate new technology will take time.



## VI. RECOMMENDATIONS RELATING TO MENTORING

119. The last set of recommendations in the Interim Report relate to mentoring. Mentorship is an essential component in creating communities where lawyers access good modelling and advice. Mentorship ought to be viewed as fundamental to the development of a junior lawyer's exoskeleton of ethical consciousness and professional standards. In this regard, the legal profession has always had a strong vocational component. Juniors pick up the technical skills of their seniors by close observation. Academic study alone would not be sufficient to prepare juniors for the practice of law; juniors rely on seniors to impart values and receive guidance on ethical issues.<sup>52</sup> Concomitant with this, seasoned lawyers have a duty to teach and mentor the young; and law firms have a responsibility to create environments conducive to guiding them.
120. The object of the following recommendations is to encourage and instil a culture of mentorship in the profession, with a view to further recommendations in the Final Report.

### A. **Supervising Solicitors**

**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.**

121. Mentorship first starts with the supervising solicitor during a lawyer's training contract. In particular, supervising solicitors should take on a more active role in ensuring that they mentor their practice trainees on managing the ethical issues that can arise in practice. As noted by the C3J in *Law Society of Singapore v Lun Yaodong Clarence* [2022] SGHC 269 at [49], "[t]rainees depend on their supervising solicitors to acquire the values, competencies and skills necessary to become members of a noble and honourable profession".

---

<sup>52</sup> See The Honourable the Chief Justice Sundaresh Menon, "A Conscientious Bar", Mass Call Address 2017 (28 August 2017) at para 5.

122. There should be a systematic and intentional effort to ensure that trainees receive adequate training from their supervising solicitors. The Committee notes that SILE has incorporated ethics-related issues such as client care, duties of care and court etiquette in the checklist for supervising solicitors. The Committee recommends that this be supplemented by a more detailed protocol to be introduced by SILE. The protocol should provide guidance to supervising solicitors on how they can be intentional in bringing up and discussing ethical issues encountered during practice. The protocol could provide examples of common ethical situations which could be highlighted to trainees, and how and when the supervising solicitor can best convey the learning points. In educational parlance, these are referred to as “teachable moments”. Recognising that trainees may not necessarily encounter the same types of situations during their training period, the protocol should provide indicative, rather than prescribed, competencies and values that supervising solicitors should aim to impart to their trainees during the practice training period.

## **B. Specialist Communities of Practice**

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

123. The Committee notes the recent announcement by the Law Society in October 2023 of the Law Society Mentorship Scheme, which is a comprehensive and remodelled mentoring programme that consolidates previous mentorship schemes. This scheme, which is for new lawyers, is a useful start. Mentoring relationships can also be developed through specialist communities of practice as a lawyer develops his or her career. This is a reflection of two principles.

- a. First, mentoring ought to be a lifelong pursuit and should not be limited to the foundational stage of one’s career. This complements the concept of lifelong learning.

- b. Second, mentoring should not be limited to one’s place of practice, or to one-to-one relationships. Communities of practice allow for reinforcing layers of mentoring, revealing different facets of applicable concepts.
124. Such communities allow participants to broaden their networks, exchange domain knowledge and deepen subject-matter expertise. They also build up *ethos* – by providing the relations to build camaraderie and *esprit de corps* in the profession – and support specialist *learning* that is contextualised to specific practices.
125. For example, to supplement the communities of practice through its Professional Affairs Committee, SAL is working on the creation of communities of practice for lawyers who have attained specialist accreditation, ie Data and Digital Economy (D2E), Maritime and Shipping, and Building and Construction, or who show interest in such practice area(s).
126. The Law Society should also build similar communities of practice into its various specialist committees, such as its criminal practice and civil practice committees. Similar communities of practice should also be built in respect of other areas, so to create networks for mentoring. One such example is the Law Society’s Women in Practice Committee (“**WIP Committee**”), which has in place a mentoring programme for junior women lawyers. Female practising lawyers who have less than ten years of PQE are encouraged to join to promote peer learning amongst women practitioners.<sup>53</sup>

### C. Ethics Line

**Recommendation 13: To establish a new Ethics Line for lawyers to receive external guidance and mentorship on ethical issues, in a manner that is less**

<sup>53</sup> In 2019, the WIP Committee launched a group mentoring roundtable for junior women lawyers. In 2022, a Group Mentoring Programme was established with 13 lawyers as volunteer mentors and 8 groups of 10 women mentees each. The sessions take place on a quarterly basis, and participants are encouraged to raise issues of concern and draw on one another’s perspectives on practice-related questions.

**formal than a request to the Advisory Committee, and which is able to provide more immediate advice.**

127. Together with the Law Society, the Committee proposes the establishment of the “Ethics Line” as 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, and which is able to provide more immediate advice on a specific difficulty. It is anticipated that the Ethics Line will be implemented shortly after the Opening of the Legal Year 2024.
128. The Ethics Line is intended to fall under the umbrella of the Law Society’s Members’ Assistance & Care Helpline (“**MACH**”). MACH is a one-stop referral and information service for members of the Law Society. It provides members with a forum to turn to for help or assistance when faced with issues at work or problems which may affect their work. Under MACH, the existing practice is that if a member requires advice or guidance on an ethical issue, the query will be referred to the Advisory Committee.<sup>54</sup> During the 5-year period from 2019 to 2023, the Advisory Committee received approximately 170 requests for guidance from legal practitioners and law practices, averaging between 30 to 40 requests for guidance per year.<sup>55</sup> The Advisory Committee provides *written guidance* that is usually in the form of a letter to the enquirer which includes detailed research on the ethical issues raised.<sup>56</sup>
129. The Committee has received feedback that there is a need for a mechanism that provides more immediate advice than the current available channel under the Advisory Committee. The Ethics Line is intended to *complement* the work of the Advisory Committee. Under the Ethics Line, guidance will be provided by

---

<sup>54</sup> The Professional Conduct Council is constituted pursuant to section 71(1) of the LPA. The Advisory Committee is appointed by the Professional Conduct Council pursuant to section 71(10) of the LPA.

<sup>55</sup> The Advisory Committee is supported by the Secretariat of the Law Society. Requests to the Advisory Committee for guidance are required to comply with the Law Society’s Practice Direction 2.1.3.

<sup>56</sup> The Advisory Committee has published two volumes of anonymised queries it has received (Professional Ethics Digest), which are available on the Law Society’s website.

senior practitioners, and the Senior Counsel Forum has committed to lending their support in this regard. In brief terms, the proposed process is as follows:

- a. A lawyer who requires advice and guidance on ethical issues can call or email the Ethics Line and outline the issue.
- b. The Secretariat of the Law Society will anonymise the details and contact a senior practitioner for advice.
- c. The senior practitioner will render the advice through the Law Society, which will be conveyed to the lawyer.

## VII. THE WORK AHEAD FOR THE FINAL REPORT

130. The recommendations in the Interim Report are intended to serve as a foundation for the recommendations in the Final Report. This section outlines the areas that the Committee intends to focus on for the Final Report.
131. The ethical lawyer is a product of his or her wider community, and the common theme underlying these focus areas is how lawyers can be better supported by their communities – both within their workplaces and by the legal fraternity generally.
132. First, the Committee will discuss how practitioners experiencing difficulties can be better trained and mentored at an earlier stage. One possible recommendation is to create a formal avenue for the Courts and members of the profession to highlight situations of concern with the object of *aiding and assisting* the practitioner (such as by mentoring, training or counselling). Such situations of concern (for example, where there is serious mental or physical illness) may not necessarily warrant the initiation of disciplinary proceedings, but may result in breaches if the practitioner is left unsupported.
133. Such a recommendation would build upon the existing Protocol for Implementing the Judicial Feedback Framework on Inappropriate Conduct in Court (“**ICC Protocol**”). In 2015, an ad-hoc Study Committee under the SAL’s Professional Affairs Committee was formed in response to an increasing incidence of lapses in courtesy and inappropriate conduct in court (“**ICC**”). The Study Committee, chaired by a High Court Judge and comprising representatives of the Law Society, noted that the disciplinary framework contemplated a binary approach where one could make a formal complaint or take no action. The Study Committee noted the variations of ICCs in issue, and that disciplinary proceedings may not always address the root causes of ICC. The Study Committee thus agreed to institute a non-regulatory and non-statutory protocol between the Courts and Council of the Law Society where ICC by legal practitioners could be rectified informally. The ICC Protocol operates as follows:

- a. Where the ICC Protocol is activated, the relevant court registry will write to the Law Society's Director of Representation and Law Reform. The letter will contain details of the court's feedback of the perceived incident of ICC and request the assistance of the Law Society to reach out to the lawyer for the purpose of (i) giving the feedback, and/or (ii) requiring the lawyer to consider going for training or counselling by a senior lawyer (as may be appropriate), and reminding that lawyer of his or her duties to the court.
  - b. As the ICC Protocol is purely voluntary, it is up to the lawyer to agree or not agree to undergo the required training or counselling. If the lawyer agrees, the Law Society will inform the relevant registry in writing. If the court is satisfied with the remedial steps taken by the lawyer, the matter will likely be considered resolved and no further steps will be taken.
  - c. If the lawyer disagrees, the Law Society will inform the court of the decision. The court will then decide if it wishes to proceed with a complaint under s 85(1) or s 85(3) of the LPA.
134. Although the ICC Protocol was implemented with effect from 1 September 2016, it has only been activated on two occasions in 2018. The Committee's discussion presents an opportunity to re-energise and augment the ICC Protocol.
135. Second, the Committee will consider how the challenges faced by small law firms and sole practitioners can be better addressed in the context of ethical and professional obligations.
136. Third, the Committee will consider how healthy and sustainable workplace practices can be promoted. The Committee recognises that these recommendations alone cannot be complete without healthy sustainable workplaces where lawyers can be guided and empowered to pursue their

calling with integrity, passion and purpose. Ethical standards thrive where practices conducive to such standards are nourished, and systemic ethical resilience is cultivated in workplaces where high professional standards are sustainably pursued. The area of sustainable workplaces is relevant to the wider future of the legal profession, with which the issue of professional standards is inextricably linked. It is in ensuring that high professional standards are well-sustained into the future that lawyers can remain of service to society. There is much at stake in the effort to retain and groom our fair share of talent within the legal profession into the future. On the domestic front, we need good minds assisting individuals, families, our social entities, businesses, government, and shaping the framework in which our society operates. On the international front, if Singapore is to continue to thrive as a trusted global node, the best legal advice will be foundational to international commerce, Singapore's relations with other nations, and international negotiations of all kinds.

137. An intentional and systematic effort to strengthen the legal profession's ethical and professional standards will require the cooperation and coordination of all stakeholders. It is with this spirit of collaboration that the Committee invites all members of the profession to participate in the upcoming focus groups leading up to the Final Report.

Date: 15 December 2023



## **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

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

Mr Jason Chan SC	Partner, Allen & Gledhill LLP President, 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	Chief Executive, 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	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 Mohamed Faizal Mohamed Abdul Kadir SC	Second Chief Prosecutor, Attorney- General's Chambers
Mr Ng Jern-Fei KC	JFN Chambers LLC
Mr Ng Wai King	Chairman & Managing Partner, WongPartnership LLP
Emeritus Professor Jeffrey Pinsler SC	National University of Singapore
Professor Tan Cheng Han SC	Chief Strategy Officer, Faculty of Law, National University of Singapore
Ms Jessie Tan	Director, Legal Industry Division, Ministry of Law
Mr Paul Tan	Partner, Gibson, Dunn & Crutcher LLP
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

*\*Alternate members*

### **Co-opted members of Working Groups**

Mr Shawn Toh	Chief Executive Officer, Law Society of Singapore
Mr Alvin Chen	Chief Legal Officer, Law Society of Singapore
Ms Jean Wong	Singapore Institute of Legal Education
Mr Malcolm Tan	Chairperson, Continuing Professional Development Committee, Law Society of Singapore
Ms Rachel Wong	Vice-Chairperson, Continuing Professional Development Committee, Law Society of Singapore

### **Secretariat**

Mr Edwin San	Former Senior Assistant Registrar, Supreme Court of Singapore (up to 30 June 2023)
Mr Bryan Ching	Assistant Registrar, Supreme Court of Singapore
Ms Wee Yen Jean	Assistant Registrar, Supreme Court of Singapore
Mr Perry Peh	Assistant Registrar, Supreme Court of Singapore
Mr Joel Fun	Justices' Law Clerk, Supreme Court of Singapore
Ms Sarah Banton	Justices' Law Clerk (Designate), Supreme Court of Singapore

## **Annex C – Statistics and Trends in Ethical and Professional Standards**

### **Summary of key findings:**

- (a) An analysis of the throughflow of complaints made to the Law Society between September 2018 and August 2020 reflect that the proportion of complaints against advocates and solicitors of the Supreme Court which are eventually dismissed at each stage of the disciplinary process under Part 7 of the LPA is significant. The proportion of cases that are dismissed at each of the RC and IC stages is significant (on average, **45.6%** for the RC stage, and **45.9%** for the IC stage). The proportion of dismissed cases as a whole is also significant (on average, **73.0%**). The proportion of cases which resulted in the imposition of a sanction at the DT stage are low (on average, **3.4%**). Similarly, the proportion of such complaints that eventually result in referral to C3J (on average, **4.9%**) and/or imposition of sanctions is low (on average, **3.9%**).
- (b) There is no discernible trend in the number of disciplinary cases arising from complaints made against advocates and solicitors of the Supreme Court. The increase in the number of cases from 2018 to 2022 has been accompanied by a year-on-year increase in the number of advocates and solicitors holding practising certificates in the same period.
- (c) There is no discernible trend in the severity of the sanctions imposed by the C3J.
- (d) Of the disciplinary cases reviewed, on average: (i) lawyers practising in **small firms** were involved in **42.3%** of IC and DT cases, and **42.9%** of C3J cases; (ii) lawyers practising as **sole practitioners** were involved in **21.6%** of IC and DT cases, and **28.6%** of C3J cases; and (iii) **senior lawyers** were involved in **69.1%** of IC and DT cases, and **85.7%** of C3J cases. Lawyers in each of these categories (lawyers practising in **small firms**, lawyers practising as **sole practitioners** and **senior lawyers**) respectively represent **17.7%**, **6.6%** and **37.7%** of all registered legal practitioners in Singapore. The proportion of sanctioned lawyers attributable to these groups of lawyers is higher than their representative proportions within the legal profession.
- (e) Of the disciplinary cases reviewed, on average, **55.2%** of all disciplinary cases had involved senior legal practitioners who practise in small firms or as sole practitioners. More specifically, on average, **senior lawyers** accounted for **75.5%** of disciplinary cases involving **small firms** and **82.8%** of disciplinary cases involving **sole practitioners**. For context, as at 31 October 2023, 40% of senior lawyers in Singapore practise as sole practitioners or in small firms.<sup>1</sup>
- (f) At the IC and DT level, the most-commonly occurring cases involve breaches of professional standards, and that has remained consistent from 2018 to 2022. There has been an increase in the number of cases involving breaches of solicitor's duties to client or third parties. At the C3J, most of the cases involve misconduct revealing a fundamental defect in the solicitor's character, which is in line with the need for the C3J to deal with the most severe cases of misconduct. These cases at the C3J level are also evenly balanced by cases involving other types of misconduct.

<sup>1</sup> The historical breakdown of the proportion of senior legal practitioners who practise in small firms or as sole practitioners corresponding to the relevant time periods of the reviewed disciplinary cases is unavailable due to data source limitations.

## Introduction

- 1 In formulating its recommendations, the Committee compiled two sets of statistics:
- (a) The first set pertains to a **throughflow analysis** of complaints made to the Law Society of Singapore (“**the Law Society**”) under s 85(1) of the Legal Profession Act 1966 (2020 Rev Ed) (“**the LPA**”) over a two-year period between 1 September 2018 and 31 August 2020.
  - (b) The second set pertains to an analysis of **disciplinary cases** arising from complaints made to the Law Society under s 85(1) of the LPA over a five-year period between 1 April 2018 and 31 March 2023.
- 2 The complaint process under s 85(1) of the LPA applies to both regulated foreign lawyers and advocates and solicitors of the Supreme Court.<sup>2</sup> Consistent with the Committee’s emphasis on the ethics and professional standards of Singapore lawyers, the subject of analysis in the complaints and disciplinary cases in both sets of statistics is limited to advocates and solicitors of the Supreme Court (hereafter referred to as a “**legal practitioner**”).

## Methodology

### *The throughflow analysis*

3 The **throughflow analysis** traces the trajectory of complaints made to the Law Society against legal practitioners under s 85(1) of the LPA and in respect of which a Review Committee (“**RC**”) had been constituted pursuant to s 85(6) of the LPA. The focus is to identify, of all such complaints, the proportion of those (a) that were dismissed and/or withdrawn at each of the subsequent stages of the disciplinary process or (b) which eventually resulted in the appointment of a disciplinary tribunal (“**DT**”), referral to the Court of Three Supreme Court Judges (“**C3J**”) or the imposition of sanctions.

4 The throughflow analysis is limited to a two-year period between 1 September 2018 and 31 August 2020 because complaints received by the Law Society after 31 August 2020 might not have completed their trajectory through the subsequent stages of the disciplinary process under Part 7 of the LPA.

### *Disciplinary cases*

5 The analysis of **disciplinary cases** arising from complaints made against a legal practitioner under s 85(1) of the LPA is divided into two categories:

(a) The **first category** includes cases where a *determination of misconduct* was made at the conclusion of proceedings before the Inquiry Committee (“**IC**”) (such a case is referred to as an “**IC case**”) or at the conclusion of DT proceedings (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 of the Law Society (“**the Council**”) following its consideration of the IC’s report pursuant to s 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 s 87(1)(c) of the LPA. This exclusion

---

<sup>2</sup> See the definition of a “regulated legal practitioner” (to which s 85(1) of the LPA applies) in s 2(1) of the LPA.

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 under s 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 s 93(1)(c) that cause of sufficient gravity for disciplinary action exists under s 83 of the LPA and in respect of which an application is subsequently made under s 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 s 85(3)(b) of the LPA.<sup>3</sup>

(b) The **second category** includes cases where a determination of misconduct had been made by the C3J (such a case is referred to as a C3J case), meaning that the C3J had found, on an application brought under s 98 of the LPA, that there is due cause for disciplinary action shown pursuant to s 83(2) of the LPA.

6 A distinction is drawn between the **first category** (IC and DT cases) and the **second category** (C3J cases) because cases in the first category will be qualitatively different from cases in the second category, with regard to the severity of the nature of misconduct.

7 The disciplinary cases are analysed over a **five-year period** between 1 April 2018 and 31 March 2023. 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 and DT cases and C3J cases have been obtained, a different methodology is used in the temporal classification of these cases:

(a) For the **first category** (IC 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 s 86(1) of the LPA within that year (as defined at [7] above), irrespective of when the determination of misconduct (whether by Council following consideration of IC’s report or the DT) had been made.<sup>4</sup>

(b) For the **second category** (C3J cases), a case comes within the year under review if the C3J made the determination within that year (as defined at [7] above) that due cause for disciplinary action under s 83 of the LPA had been shown, irrespective of when the application to the C3J under s 98 of the LPA had been made.<sup>5</sup>

8 To facilitate categorisation, the following parameters are used to analyse the disciplinary cases:

(a) **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

---

<sup>3</sup> This follows since all disciplinary cases analysed in the second set of statistics arise only from complaints made against an advocate and solicitor of the Supreme Court under s 85(1) of the LPA.

<sup>4</sup> To illustrate, a case would fall within the year 2019 if the IC had provided its report to the Council on 1 April 2019, even if the DT only made a determination of misconduct after 31 March 2020.

<sup>5</sup> To illustrate, a case would fall within the year 2021 if the C3J had made its determination on 1 April 2021, even if the application to the C3J had been brought in January 2019.



a more *general* classification of the misconduct (divided into six main categories). Each general classification brings within its fold the specific types of misconduct that are of similar nature. The classification is as follows:

Category of misconduct	Type of misconduct
Fundamental defect in the legal practitioner's character	Conviction for a criminal offence
	Dishonest/fraudulent conduct
	Harassment/sexual misconduct
Breach of rules relating to professional fees and handling of client monies	Breach relating to legal fees/solicitor's liens
	Breach relating to client's money/Solicitors' Accounts Rules
Breach of professional standards	Lack of etiquette
	Negligent/inadequate/ misleading advice to client
	Acting without/against client's instructions
	Lack of communication with client
	Lack of diligence and competence
Breach of duties to court	Breach of duties to court
	Breach of undertakings
Breach of legal practitioner's duties owed to client or third parties	Conflict of interest
	Breach of confidentiality
	Breach of duties to third party
Breach of legal practitioner's own duties under the LPA	Breach of obligations of supervision
	Practising without a valid practicing certificate

*Table 1: Classification of misconduct*

(b) **Post-qualification experience ("PQE") of the legal practitioner involved:** 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.

(e) In respect of C3J cases, **sanctions** that were imposed by the C3J under s 83(1) of the LPA. These sanctions are set out in Table 2 below, in decreasing order of

severity for each type of case. This parameter is not analysed in respect of IC and DT cases because: (i) every such case would have involved a determination of misconduct (see [5(a)] above) and necessarily a sanction would have been imposed pursuant to s 87(1)(b) or s 93(1)(a) read with ss 94(3)(a) and (3A)(a) of the LPA; and (ii) given the nature of the infractions involved in IC and DT cases, it is also not meaningful to distinguish the sanctions in terms of their severity.

Type of case	Sanction
IC and DT cases	Penalty under s 87(1)(b)(i) or s 93(1)(b)(i) of the LPA.
	Reprimand under s 87(1)(b)(ii) or s 93(1)(b)(ii) of the LPA.
C3J cases	Striking off under s 83(1)(a) of the LPA.
	Suspension from practice under s 83(1)(b) of the LPA, which has been subdivided into the following categories to distinguish the severity of infractions involved: (i) 5 years; (i) 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 s 83(1)(c) of the LPA.
	Censure under s 83(1)(d) of the LPA.

Table 2: Classification of sanctions

## Context

- 9 These statistics should be read in the context of the following:
- (a) Distribution of Singapore Law Practices by **practice type**. These include law corporations, sole proprietorships, limited liability law partnerships or partnerships.
- (b) Distribution of Singapore Law Practices by **practice size**. These include **sole practitioners**, **small firms** (between two and five lawyers), **medium-sized firms** (between six and 30 lawyers) and **large firms** (31 and more lawyers). Sole practitioners are law practices run by a single lawyer and can be structured either as a sole proprietorship or a law corporation. A sole proprietorship however can be run by two or more lawyers and so not all sole proprietorships are necessarily run by sole practitioners.
- (c) Distribution of advocates and solicitors of the Supreme Court holding valid practising certificates by their **seniority**, namely, whether they are come within the **junior** (between one and five years of PQE), **middle** (between five and 15 years of PQE) or **senior** (more than 15 years of PQE) category.
- (d) Distribution of advocates and solicitors of the Supreme Court holding valid practising certificates by their **practice size**, namely, whether they practise as a sole practitioner, or in a law practice that is classified as a small, medium-sized or large firm.

10 The following is an estimated distribution of **Singapore law practices**<sup>6</sup> licensed with the Legal Services Regulatory Authority by **practice type** as at **31 December** of each year, from 2017 to 2022:<sup>7</sup>

Year	Total number of Singapore law practices	Law Corporations		Sole Proprietorships		Limited Liability Law Partnerships		Partnerships	
2017	910	352	<b>38.7%</b>	374	<b>41.1%</b>	79	<b>8.7%</b>	105	<b>11.5%</b>
2018	934	381	<b>40.8%</b>	368	<b>39.4%</b>	83	<b>8.9%</b>	102	<b>10.9%</b>
2019	965	421	<b>43.6%</b>	360	<b>37.3%</b>	81	<b>8.4%</b>	103	<b>10.7%</b>
2020	998	473	<b>47.4%</b>	349	<b>35.0%</b>	80	<b>8.0%</b>	96	<b>9.6%</b>
2021	1013	499	<b>49.3%</b>	342	<b>33.8%</b>	82	<b>8.1%</b>	90	<b>8.9%</b>
2022	1029	527	<b>51.2%</b>	337	<b>32.8%</b>	81	<b>7.9%</b>	84	<b>8.2%</b>
<b>Average</b>	975	442	<b>45.4%</b>	355	<b>36.4%</b>	81	<b>8.3%</b>	97	<b>9.9%</b>

*Table 3: Breakdown of Singapore law practices (practice type)*

<sup>6</sup> These numbers exclude all other practice types, save for Singapore law practices, that are defined as a “law practice entity” in s 2(1) of the LPA.

<sup>7</sup> This information is derived from data processed by the Legal Services Regulatory Authority (“LSRA”).

11 The following is an estimated distribution of **Singapore law practices** licensed with the Legal Services Regulatory Authority by **practice size** as at **31 December** of each year, from 2017 to 2022:<sup>8</sup>

Year	Total number of Singapore law practices	Sole practitioners (Law Corporations)		Sole practitioners (Sole proprietorship)		Small firms (2 to 5 lawyers)		Medium firms (6 to 30 lawyers)		Large firms (31 or more lawyers)	
		Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
2017	910	86	9.5%	297	32.6%	356	39.1%	150	16.5%	21	2.3%
2018	934	90	9.6%	296	31.7%	373	39.9%	154	16.5%	21	2.2%
2019	965	103	10.7%	285	29.5%	393	40.7%	162	16.8%	22	2.3%
2020	998	124	12.4%	266	26.7%	419	42.0%	166	16.6%	23	2.3%
2021	1013	134	13.2%	261	25.8%	436	43.0%	160	15.8%	22	2.2%
2022	1029	162	15.7%	249	24.2%	435	42.3%	160	15.5%	23	2.2%
<b>Average</b>	975	117	12.0%	276	28.3%	402	41.2%	159	16.3%	22	2.3%

*Table 4: Breakdown of Singapore law practices (practice size)*

12 The following sets out (a) the number of advocates and solicitors holding valid practising certificates issued under s 25 of the LPA as at **31 August** of each year and (b) their distribution by **seniority**, from 2017 to 2022:<sup>9</sup>

Year	Total number of advocates and solicitors holding valid practising certificates	Junior (1–5 PQE)		Middle (5–15 PQE)		Senior (>15 PQE)	
		Count	Percentage	Count	Percentage	Count	Percentage
2017	5191	1825	35.2%	1045	20.1%	2321	44.7%
2018	5365	<i>Data unavailable<sup>10</sup></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%
<b>Average</b>	5840	2253	38.0%	1427	24.1%	2254	38.0%

*Table 5: Breakdown of practising certificate holders (by seniority)*

<sup>8</sup> This information is derived from data processed by the LSRA.

<sup>9</sup> This information is derived from data maintained by the Law Society of Singapore.

<sup>10</sup> For 2018, the breakdown of practising certificate holders by seniority is unavailable due to data source limitations.

13 The following is an estimated distribution of advocates and solicitors holding valid practising certificates by their **practice size** as at 31 December of each year, from 2017 to 2022:<sup>11</sup>

Year	Advocates and solicitors practising as sole practitioners	Advocates and solicitors practising in small firms	Advocates and solicitors practising in medium-sized firms	Advocates and solicitors practising in large firms
2017	7.1%	17.4%	31.3%	44.2%
2018	6.8%	17.9%	32.5%	42.9%
2019	6.6%	17.9%	32.4%	43.1%
2020	6.3%	17.6%	33.3%	42.7%
2021	6.3%	17.8%	32.4%	43.4%
2022	6.5%	17.3%	31.0%	45.3%
<b>Average</b>	<b>6.6%</b>	<b>17.6%</b>	<b>32.2%</b>	<b>43.6%</b>

*Table 6: Distribution of practising certificate holders (by practice size)*

14 As at 8 November 2023, the distribution of advocates and solicitors holding valid practising certificates in Singapore coming within **each category of seniority** by their **practice size** is as follows:

Seniority	Total number of advocates and solicitors holding valid practising certificates	Advocates and solicitors practising as sole practitioners		Advocates and solicitors practising in small firms		Advocates and solicitors practising in medium-sized firms		Advocates and solicitors practising in large firms	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Junior	2219	6	0.3%	252	11.4%	690	31.1%	1271	57.3%
Middle	1824	62	3.4%	295	16.2%	648	35.5%	819	44.9%
Senior	2493	357	14.3%	641	25.7%	765	30.7%	730	29.3%

*Table 7: Further breakdown of practising certificate holders in each category of seniority (by practice size)*

<sup>11</sup> This estimated distribution is prepared with: (a) annual data on the number of advocates and solicitors of the Supreme Court holding practising certificates that are in force, maintained by the Supreme Court; and (b) data on the distribution of Singapore law practices by practice size, processed by the LSRA.

## Findings and observations

### Proportion of dismissed complaints

15 The results of the **throughflow analysis** are set out in the table below:

s/n		1 September 2018 to 31 August 2019	1 September 2019 to 31 August 2020			
<b>Originating cases</b>						
( <i>n</i> = number of cases; % = <i>n</i> as a proportion of the total number of practising certificate holders as at 31 August of the start year)						
		<i>n</i>	%			
1	Total number of originating cases	103	1.9			
<b>Rate of dismissal and withdrawal</b>						
( <i>n</i> = number of cases; % = <i>n</i> as a proportion of the total number of originating cases at the relevant stage for each year)						
		<i>n</i>	%			
2	Withdrawn cases	RC stage	0	0.0	1	1.0
3		IC stage	1	1.7	1	1.9
4		DT stage	1	9.1	3	17.6
5		<b>Total (across all stages)</b>	2	<b>1.9<sup>12</sup></b>	5	<b>5.0</b>
6	Dismissed cases	RC stage	44	42.7	49	48.5
7		IC stage	28	47.5	23	44.2
8		DT stage	4	36.4	1	5.9
9		C3J stage	0	0.0	0	0.0
10		<b>Total (across all stages)</b>	<b>76</b>	<b>73.8<sup>13</sup></b>	<b>73</b>	<b>72.3</b>
<b>Proportion of cases resulting in the imposition of sanctions or the appointment of DT or referral to C3J</b>						
( <i>n</i> = number of cases; % = <i>n</i> as a proportion of the total number of originating cases for each year)						
		<i>n</i>	%			
11	Appointment of DT	11	10.7	17	16.8	
12	Referral to C3J	2	1.9	8	7.9	
13	Sanction imposed	IC stage	17	16.5	9	8.9
14		DT stage	3	2.9	4	4.0
15		C3J stage	2	1.9	6	5.9
16		<b>Total (across all stages)</b>	22	<b>21.4<sup>14</sup></b>	19	<b>18.8</b>

*Table 8: Throughflow analysis*

16 The following salient points may be discerned from the throughflow analysis:

- (a) The proportion of cases that are dismissed at each of the RC and IC stages is significant (between 42.7% and 48.5% for the RC stages, and between 44.2% and 47.5% for the IC stages) (see Table 8, s/n 6 and s/n 7). The proportion of dismissed cases as a whole is also significant (between 72.3% and 73.8%) (see Table 8, s/n 10).

<sup>12</sup> This percentage represents the sum of all dismissed cases as a proportion of the total number of originating cases (*n*) at s/n 1 of Table 8.

<sup>13</sup> See note 12 above.

<sup>14</sup> See note 12 above.

(b) The proportion of cases eventually referred to the C3J are low (1.9% and 7.9% for 2018 and 2019 respectively) (see Table 8, s/n 12). The proportion of cases eventually resulting in the imposition of sanctions by the C3J is also low (1.9% and 5.9% for 2018 and 2019 respectively) (see Table 8, s/n 15).

(c) The proportion of cases which resulted in the imposition of a sanction at the DT stage are low (2.9% and 4.0% for 2018 and 2019 respectively) (see Table 8, s/n 14).

### ***Trends in the number of disciplinary cases***

17 The Honourable the Chief Justice observed in His Honour's Response at the Opening of the Legal Year 2023 that there has been an increase in the number of DTs appointed from 2018 to 2022.<sup>15</sup> The statistics do confirm an increase in the number of disciplinary cases from 2018 to 2022. However, it should be noted that this has been accompanied by a corresponding annual increase in the number of advocates and solicitors holding valid practising certificates across that same period (see Table 5 above). When the number of disciplinary cases is represented as a proportion of all advocates and solicitors holding valid practising certificates in the corresponding period, no significant conclusion may be drawn from the increasing number of disciplinary cases from 2018 to 2022 (see Table 9 and Illustration 1 below).

Year	Number of advocates and solicitors holding valid practising certificates as at 31 August of the preceding year	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% <sup>16</sup>	5	0.10% <sup>17</sup>
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% <sup>18</sup>

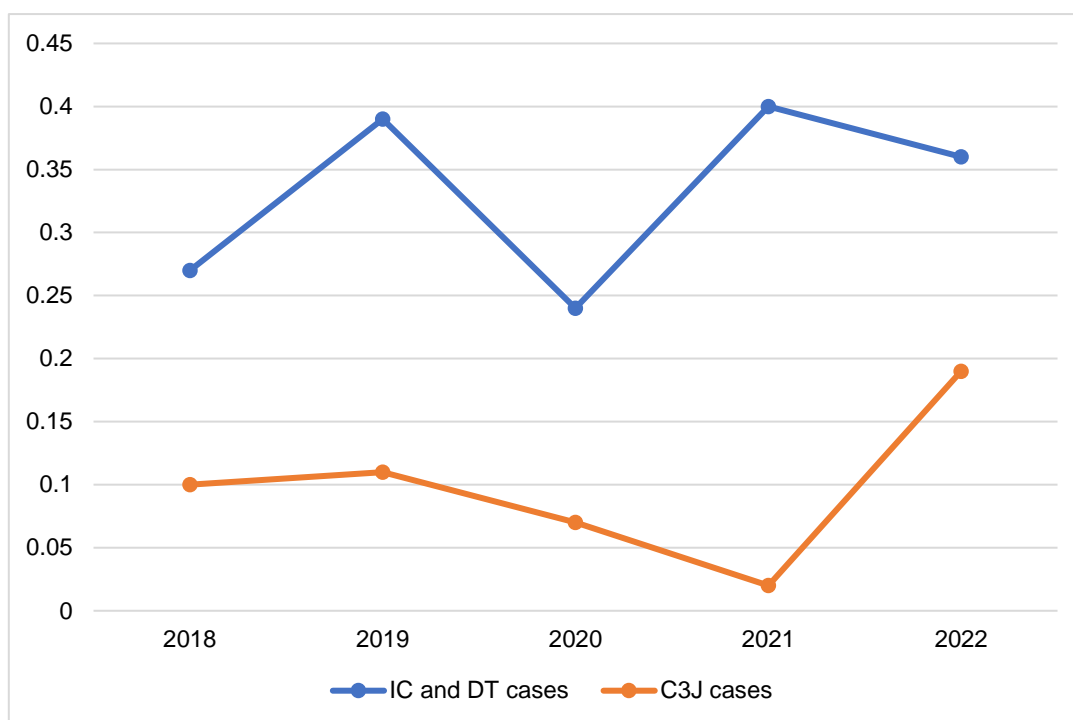
***Table 9: Number of disciplinary cases against total number of practising certificate holders in the corresponding period***

<sup>15</sup> Response by the Honourable the Chief Justice Sundaresh Menon at the Opening of the Legal Year 2023 (9 January 2023) at para 26.

<sup>16</sup> This is the number of IC 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).

<sup>17</sup> See note 16 above.

<sup>18</sup> 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 also [18] below).



*Illustration 1: Number of disciplinary cases represented as a proportion of total number of valid practising certificate holders, from 2018 to 2022*

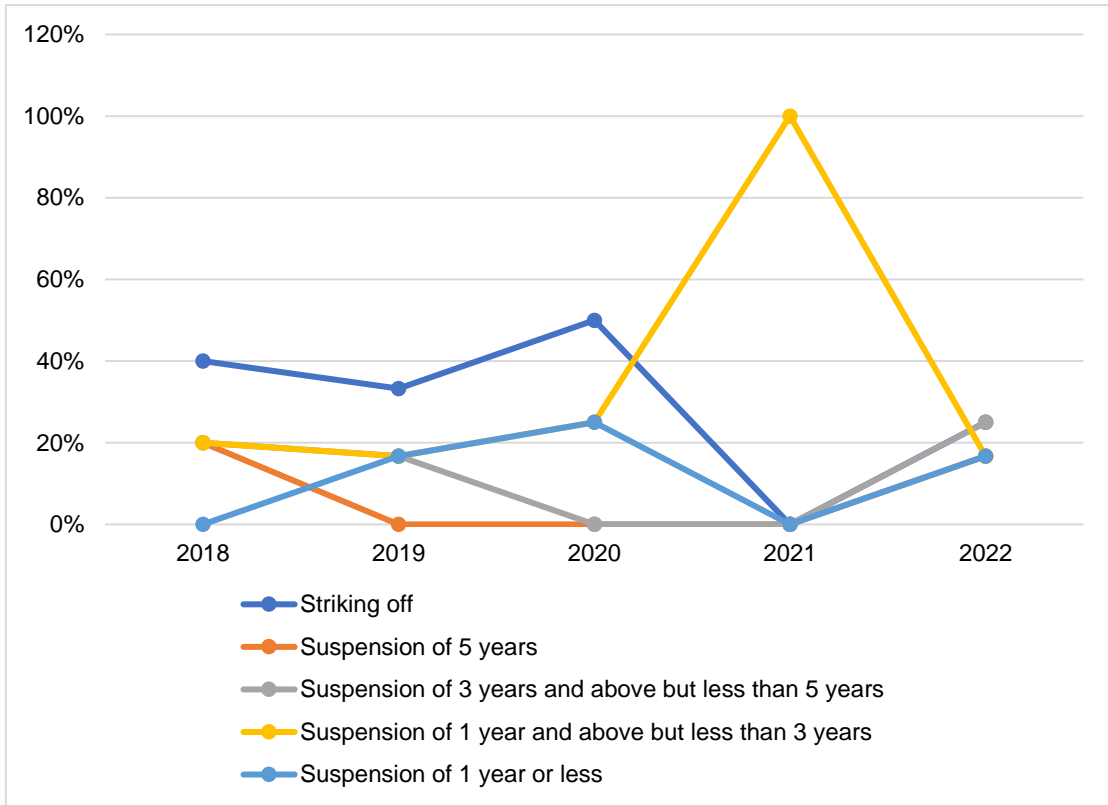
### **Trends in sanctions imposed in C3J cases**

18 Similarly, no trend can be discerned in terms of the severity of sanctions imposed in C3J cases from 2018 to 2022 (see Table 10 and Illustration 2 below). There is a spike from 2021 to 2022 for cases in which striking off and suspension was imposed, but this may be correlated to the significantly higher number of C3J cases in 2022 as compared in 2021.

Year	Number of C3J cases	Striking off		Suspension for 5 years		Suspension for 3 years and above but less than 5 years		Suspension for 1 year and above but less than 3 years		Suspension for 1 year or less	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	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%

*Table 10: Breakdown of C3J cases by sanctions imposed*





*Illustration 2: C3J cases classified in terms of severity of sanctions imposed (as a percentage of all C3J cases in the year under review)*

## Profile of legal practitioners involved in disciplinary cases

### Practice size

19 The following tables set out a detailed breakdown of IC and DT cases (see Table 11) and C3J cases (see Table 12) by reference to the practice size (small, medium, large or sole practitioner) in which the legal practitioner had been in practice at the time of, or last been in practice prior to, the complaint:

Year	% (small firms) <sup>19</sup>	Small firms		% (medium-sized firms)	Medium-sized firms		% (large firms)	Large firms		% (sole practitioners)	Sole practitioners	
2018	17.4%	6 <sup>20</sup>	42.9% <sup>21</sup>	31.3%	5	35.7%	44.2%	0	0.0%	7.1%	3	21.4%
2019	17.9%	9	40.9%	32.5%	7	31.8%	42.9%	0	0.0%	6.8%	6	27.3%
2020	17.9%	5	35.7%	32.4%	4	28.6%	43.1%	2	14.3%	6.6%	3	21.4%
2021	17.6%	11	45.8%	33.3%	7	29.2%	42.7%	1	4.2%	6.3%	5	20.8%
2022	17.8%	10	43.5%	32.4%	6	26.1%	43.4%	3	13.0%	6.3%	4	17.4%
<b>Avg</b>	<b>17.7%</b>	<b>8</b>	<b>42.3%</b>	<b>32.4%</b>	<b>6</b>	<b>29.9%</b>	<b>43.3%</b>	<b>1</b>	<b>6.2%</b>	<b>6.6%</b>	<b>4</b>	<b>21.6%</b>

*Table 11: Breakdown of IC and DT cases by practice size*

Year	% (small firms)	Small firms		% (small firms)	Medium-sized firms		% (large firms)	Large firms		% (sole practitioners)	Sole practitioners	
2018	17.4%	3	60.0%	31.3%	1	20.0%	44.2%	0	0.0%	7.1%	1	20.0%
2019	17.9%	2	33.3%	32.5%	0	0.0%	42.9%	0	0.0%	6.8%	4	66.7%
2020	17.9%	2	50.0%	32.4%	1	25.0%	43.1%	1	25.0%	6.6%	0	0.0%
2021	17.6%	0	0.0%	33.3%	1	100.0%	42.7%	0	0.0%	6.3%	0	0.0%
2022	17.8%	5	41.7%	32.4%	2	16.7%	43.4%	2	16.7%	6.3%	3	25.0%
<b>Avg</b>	<b>17.7%</b>	<b>2</b>	<b>42.9%</b>	<b>32.4%</b>	<b>1</b>	<b>17.9%</b>	<b>43.3%</b>	<b>1</b>	<b>10.7%</b>	<b>6.6%</b>	<b>2</b>	<b>28.6%</b>

*Table 12: Breakdown of C3J cases by practice size*

<sup>19</sup> This is the percentage of advocates and solicitors holding valid practising certificates that worked in small firms (i.e., firms with between two and five lawyers) as at 31 December of the preceding year (see Table 6 above).

<sup>20</sup> This is the number of IC and DT cases for the year 2018 that involved lawyers who practise in small firms.

<sup>21</sup> This is the percentage of IC and DT cases for the year 2018 that involved lawyers who practise in small firms.

20 The following table (see Table 13) is a composite of the breakdown for both IC and DT cases as well C3J cases:

Year	% (small firms)	Small firms		% (small firms)	Medium-sized firms		% (large firms)	Large firms		% (sole practitioners)	Sole practitioners	
2018	17.4%	9	47.4%	31.3%	6	31.6%	44.2%	0	0.0%	7.1%	4	21.1%
2019	17.9%	11	39.3%	32.5%	7	25.0%	42.9%	0	0.0%	6.8%	10	35.7%
2020	17.9%	7	38.9%	32.4%	5	27.8%	43.1%	3	16.7%	6.6%	3	16.7%
2021	17.6%	11	44.0%	33.3%	8	32.0%	42.7%	1	4.0%	6.3%	5	20.0%
2022	17.8%	15	42.9%	32.4%	8	22.9%	43.4%	5	14.3%	6.3%	7	20.0%
<b>Avg</b>	<b>17.7%</b>	11	<b>42.4%</b>	<b>32.4%</b>	7	<b>27.2%</b>	<b>43.3%</b>	2	<b>7.2%</b>	<b>6.6%</b>	6	<b>23.2%</b>

*Table 13: Breakdown of all disciplinary cases by practice size*

21 On average, from 2018 to 2022:

(a) **17.7%** of advocates and solicitors holding valid practising certificates practise in small firms. **42.3%** of IC and DT cases, and **42.9%** of C3J cases, involved legal practitioners practising in small firms. Altogether, **42.4%** of all disciplinary cases involved legal practitioners practising in small firms.

(b) **32.4%** of advocates and solicitors holding valid practising certificates practise in medium-sized firms. **29.9%** of IC and DT cases, and **17.9%** of C3J cases, involved legal practitioners practising in medium-sized firms. Altogether, **27.2%** of all disciplinary cases involved legal practitioners practising in medium-sized firms.

(c) **43.3%** of advocates and solicitors holding valid practising certificates practise in large firms. **6.2%** of IC and DT cases, and **10.7%** of C3J cases, involved legal practitioners practising in large firms. Altogether, **7.2%** of all disciplinary cases involved legal practitioners practising in large firms.

(d) **6.6%** of advocates and solicitors holding valid practising certificates are sole practitioners. **21.6%** of IC and DT cases, and **28.6%** of C3J cases, involved legal practitioners who practise as sole practitioners. Altogether, **23.2%** of all disciplinary cases involved legal practitioners who practise as sole practitioners.

## Seniority

22 The following tables set out a detailed breakdown of IC and DT cases (see Table 14) and C3J cases (see Table 15) by the seniority of the legal practitioner:

Year	% (junior) <sup>22</sup>	Junior		% (middle)	Middle		% (senior)	Senior	
2018	35.2%	2 <sup>23</sup>	14.3% <sup>24</sup>	20.1%	2	14.3%	44.7%	10	71.4%
2019	<i>Unavailable</i> <sup>25</sup>	1	4.5%	<i>Unavailable</i>	1	4.5%	<i>Unavailable</i>	20	90.9%
2020	48.9%	1	7.1%	18.0%	2	14.3%	33.1%	11	78.6%
2021	38.3%	2	8.3%	26.3%	9	37.5%	35.3%	13	54.2%
2022	35.0%	4	17.4%	26.7%	6	26.1%	38.4%	13	56.5%
Avg	39.4%	2	10.3%	22.9%	4	20.6%	37.7%	13	69.1%

*Table 14: Breakdown of IC and DT cases based on seniority*

Year	% (junior)	Junior		% (middle)	Middle		% (senior)	Senior	
2018	35.2%	1	20.0%	20.1%	1	20.0%	44.7%	3	60.0%
2019	<i>Unavailable</i> <sup>26</sup>	0	0.0%	<i>Unavailable</i>	0	0.0%	<i>Unavailable</i>	6	100.0%
2020	48.9%	0	0.0%	18.0%	0	0.0%	33.1%	4	100.0%
2021	38.3%	0	0.0%	26.3%	0	0.0%	35.3%	1	100.0%
2022	35.0%	1	8.3%	26.7%	1	8.3%	38.4%	10	83.3%
Avg	39.4%	0	7.1%	22.9%	0	7.1%	37.7%	5	85.7%

*Table 15: Breakdown of C3J cases based on seniority*

<sup>22</sup> This is the percentage of advocates and solicitors holding valid practising certificates coming within the junior category as at 31 August of the preceding year (see Table 5 above).

<sup>23</sup> This is the number of IC and DT cases for the year 2018 that involved lawyers who come within the junior category.

<sup>24</sup> This is the percentage of IC and DT cases for the year 2018 that involved lawyers who come within the junior category.

<sup>25</sup> See note 10 above.

<sup>26</sup> See note 10 above.

23 The following table (see Table 16) is a composite of the breakdown for both IC and DT cases as well as C3J cases.

Year	% (junior)	Junior		% (middle)	Middle		% (senior)	Senior	
2018	35.2%	3	15.8%	20.1%	3	15.8%	44.7%	13	68.4%
2019	<i>Unavailable</i> <sup>27</sup>	1	3.6%	<i>Unavailable</i>	1	3.6%	<i>Unavailable</i>	26	92.9%
2020	48.9%	1	5.6%	18.0%	2	11.1%	33.1%	15	83.3%
2021	38.3%	2	8.0%	26.3%	9	36.0%	35.3%	14	56.0%
2022	35.0%	5	14.3%	26.7%	7	20.0%	38.4%	23	65.7%
Avg	<b>39.4%</b>	2	<b>9.6%</b>	<b>22.9%</b>	4	<b>17.6%</b>	<b>37.7%</b>	18	<b>72.8%</b>

Table 16: Breakdown of all disciplinary cases by seniority

24 On average, from 2018 to 2022:

(a) **39.4%** of advocates and solicitors holding valid practising certificates come within the junior category. **10.3%** of IC and DT cases, and **7.1%** of C3J cases, involved legal practitioners in the junior category. Altogether, **9.6%** of all disciplinary cases involved legal practitioners in the junior category.

(b) **22.9%** of advocates and solicitors holding valid practising certificates come within the middle category. **20.6%** of IC and DT cases, and **7.1%** of C3J cases, involved legal practitioners in the middle category. Altogether, **17.6%** of all disciplinary cases involved legal practitioners in the middle category.

(c) **37.7%** of advocates and solicitors holding valid practising certificates come within the senior category. **69.1%** of IC and DT cases, and **85.7%** of C3J cases, involved legal practitioners in the senior category. Altogether, **72.8%** of all disciplinary cases involved legal practitioners in the senior category.

---

<sup>27</sup> See note 10 above.

*Further profile breakdown of disciplinary cases involving legal practitioners practising in small firms or as sole practitioners*

25 The following three tables set out a further breakdown of all disciplinary cases (i.e., IC, DT and C3J cases) involving legal practitioners who practise in **small firms** and those who practise as **sole practitioners** by the seniority of the legal practitioner involved:

(a) a composite breakdown for both types of cases, i.e., cases involving legal practitioners who practise in small firms *and* cases involving legal practitioners who practise as sole practitioners (see Table 17); and

(b) a separate breakdown for each type of case (see Table 18 and Table 19).

Year	Number of cases involving legal practitioners practising in <b>small firms</b> or as <b>sole practitioners</b>	Junior		Middle		Senior	
		Count	Percentage	Count	Percentage	Count	Percentage
2018	13	2	15.4%	3	23.1%	8	61.5%
2019	21	0	0.0%	0	0.0%	21	100.0%
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	4.5%	3	13.6%	18	81.8%
<b>Average</b>	16	1	6.1%	3	15.9%	13	78.0%

*Table 17: Further breakdown by seniority of disciplinary cases involving legal practitioners who practise in small firms or as sole practitioners*

Year	Number of cases involving legal practitioners practising in <b>small firms</b>	Junior		Middle		Senior	
		Count	Percentage	Count	Percentage	Count	Percentage
2018	9	1	11.1%	3	33.3%	5	55.6%
2019	11	0	0.0%	0	0.0%	11	100.0%
2020	7	1	14.3%	1	14.3%	5	71.4%
2021	11	1	9.1%	3	27.3%	7	63.6%
2022	15	1	6.7%	2	13.3%	12	80.0%
<b>Average</b>	11	1	7.5%	2	17.0%	8	75.5%

*Table 18: Further breakdown by seniority of disciplinary cases involving legal practitioners who practise in small firms*

Year	Number of cases involving legal practitioners practising as sole practitioners	Junior		Middle		Senior	
		Count	Percentage	Count	Percentage	Count	Percentage
2018	4	1	25.0%	0	0.0%	3	75.0%
2019	10	0	0.0%	0	0.0%	10	100.0%
2020	3	0	0.0%	0	0.0%	3	100.0%
2021	5	0	0.0%	3	60.0%	2	40.0%
2022	7	0	0.0%	1	14.3%	6	85.7%
<b>Average</b>	6	0	3.4%	1	13.8%	5	82.8%

*Table 19: Further breakdown by seniority of disciplinary cases involving legal practitioners who practise as sole practitioners*

26 The following table sets out a further breakdown of all disciplinary cases involving **senior lawyers** by the practice size of the lawyer involved (see Table 20).

Year	Number of cases involving legal practitioners in the senior category	Large firms		Medium-sized firms		Small firms		Sole practitioners	
		Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
2018	13	0	0.0%	5	38.5%	5	38.5%	3	23.1%
2019	26	0	0.0%	5	19.2%	11	42.3%	10	38.5%
2020	15	3	20.0%	4	26.7%	5	33.3%	3	20.0%
2021	14	1	7.1%	4	28.6%	7	50.0%	2	14.3%
2022	23	2	8.7%	3	13.0%	12	52.2%	6	26.1%
<b>Average</b>	18	1	6.6%	4	23.1%	8	44.0%	5	26.4%

*Table 20: Further breakdown by practice size of disciplinary cases involving senior legal practitioners*

27 The following table shows the proportion of all disciplinary cases (i.e., IC, DT and C3J cases) involving **senior lawyers** who practise in **small firms** or as **sole practitioners** (see Table 21).

Year	Total number of disciplinary cases	Senior legal practitioners		Senior legal practitioners who practise in small firms or as sole practitioners		Senior legal practitioners who practise in small firms		Senior legal practitioners who practise as sole practitioners	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
2018	19	13	68.4%	9	47.4%	5	26.3%	4	21.1%
2019	28	26	92.9%	21	75.0%	11	39.3%	10	35.7%
2020	18	15	83.3%	8	44.4%	5	27.8%	3	16.7%
2021	25	14	56.0%	12	48.0%	7	28.0%	5	20.0%
2022	35	23	65.7%	19	54.3%	12	34.3%	7	20.0%
<b>Average</b>	25	18	72.8%	14	55.2%	8	32.0%	6	23.2%

*Table 21: Proportion of all disciplinary cases involving senior lawyers who practise in small firms or as sole practitioners*

28 On average, from 2018 to 2022:

- (a) **55.2%** of all disciplinary cases involved senior legal practitioners who practise in small firms or as sole practitioners (see Table 21). In particular:
  - (i) cases involving senior legal practitioners who practise in small firms represented **32.0%** of all disciplinary cases; and
  - (ii) cases involving senior legal practitioners who practise as sole practitioners represented **23.2%** of all disciplinary cases.
- (b) **78.0%** of disciplinary cases involving legal practitioners who practise in small firms or as sole practitioners had *also* involved a senior legal practitioner (see Table 17). In particular, senior legal practitioners accounted for:
  - (i) **75.5%** of disciplinary cases involving legal practitioners who practise in small firms had also involved a senior legal practitioner (see Table 18); and
  - (ii) **82.8%** of disciplinary cases involving legal practitioners who practise as sole practitioners had also involved a senior legal practitioner (see Table 19).
- (c) Senior legal practitioners were involved in **72.8%** of all disciplinary cases. In particular:
  - (i) **44.0%** of disciplinary cases involving senior legal practitioners had also involved senior legal practitioners who practise in small firms (see Table 21); and
  - (ii) **26.4%** of disciplinary cases involving senior legal practitioners had also involved senior legal practitioners who practise as sole practitioners (see also Table 21).



(d) For context, as at 31 October 2023, about 40% of advocates and solicitors holding valid practising certificates coming within the senior category practise in small firms or as sole practitioners (see [13] above). 25.7% of these advocates and solicitors in the senior category practise in small firms and 14.3% of them practise as sole practitioners.

### **Categories of misconduct involved in disciplinary cases**

#### *IC and DT cases*

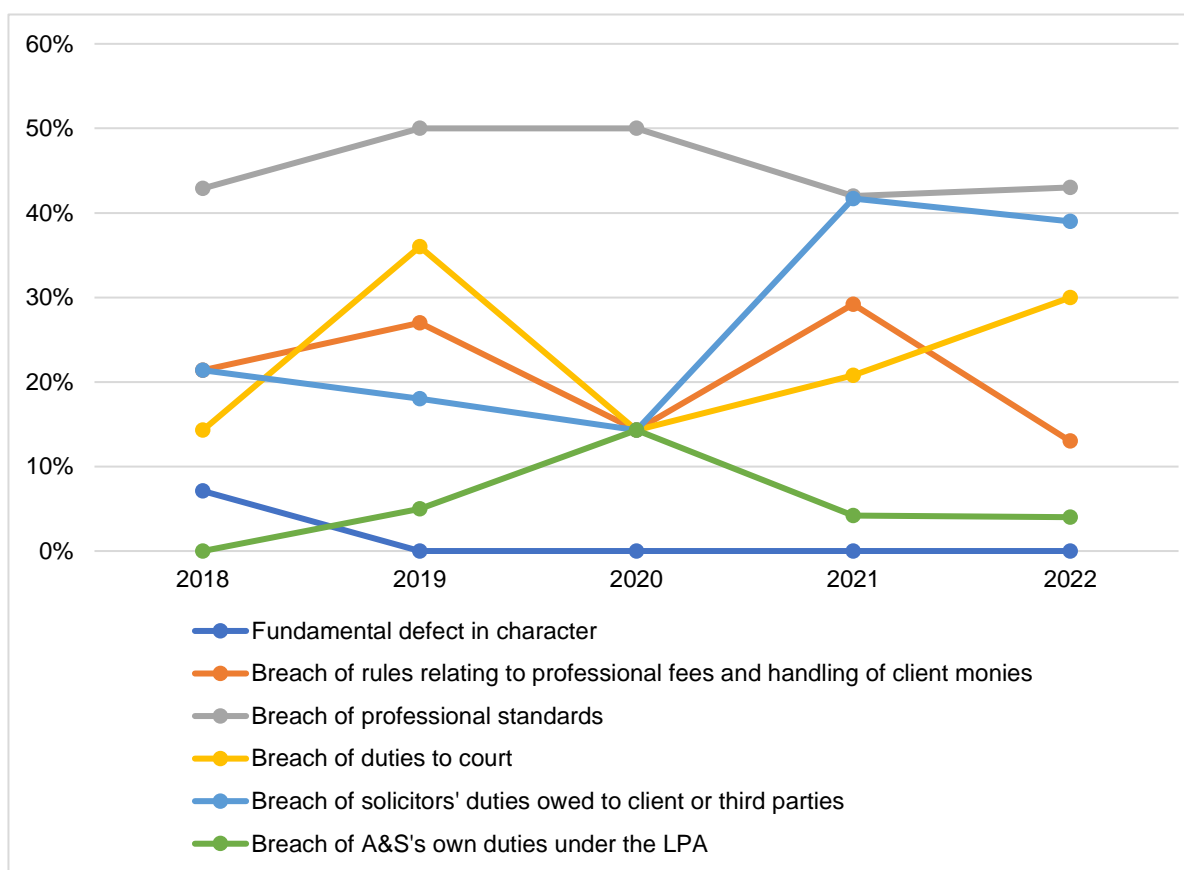
29 The following table sets out a breakdown, by category of misconduct, of IC and DT cases (see Table 22).

Category of misconduct <sup>28</sup>	2018		2019		2020		2021		2022		Average	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
Fundamental defect in the legal practitioner's character	1	7%	0	0%	0	0%	0	0%	0	0%	0	1%
Breach of rules relating to professional fees and handling of client monies	3	21%	6	27%	2	14%	7	29%	3	13%	4	22%
Breach of professional standards	6	43%	11	50%	7	50%	10	42%	10	43%	9	45%
Breach of duties to court	2	14%	8	36%	2	14%	5	21%	7	30%	5	25%
Breach of the legal practitioner's duties owed to client or third parties	3	21%	4	18%	2	14%	10	42%	9	39%	6	29%
Breach of the legal practitioner's own duties under the LPA	0	0%	1	5%	2	14%	1	4%	1	4%	1	5%

**Table 22: Breakdown of IC and DT cases based on category of misconduct**

<sup>28</sup> Where a case involves more than one type of misconduct, it will feature in more than one category. Therefore, the sum total of all cases in each category for a given year may exceed the total number of recorded disciplinary cases for that year.

30 The results above are graphically represented in Illustration 3 below:



*Illustration 3: IC and DT cases broken down based on category of misconduct (represented as percentage of all IC and DT cases in the year under review)*

31 The following may be discerned from the above:

(a) The most commonly occurring category of misconduct involve breaches of professional standards. On average, from 2018 to 2022, 45% of IC and DT cases involved breaches of professional standards. The proportion of cases involving breaches of professional standards has also remained consistently high from 2018 to 2022.

(b) The second-most commonly occurring category of misconduct involves breaches of the legal practitioner's duties owed to client or third parties. On average, from 2018 to 2022, 29% of IC and DT cases involved such breaches. From 2020 to 2022, there has also been a sharp increase in the proportion of cases involving such breaches – from 14% in 2020 to 42% in 2021 and 39% in 2022.

(c) The next-most commonly occurring category of misconduct are (i) breach of duties to court (on average, from 2018 to 2022, 25% of all IC and DT cases); and (ii) breach of rules relating to professional fees and handling of client monies (on average, from 2018 to 2022, 22% of all IC and DT cases).

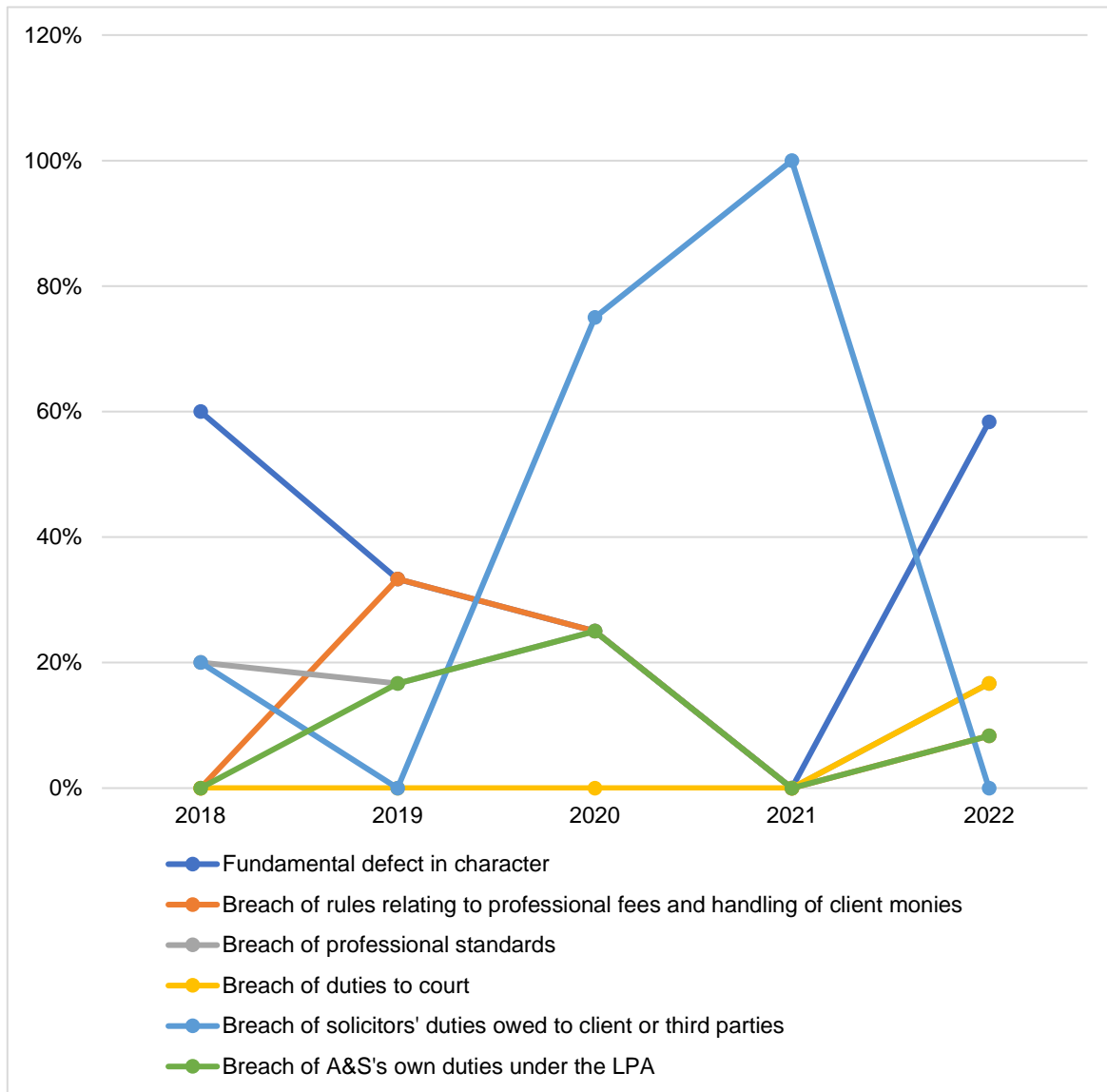
### C3J cases

32 The following table sets out a breakdown, by category of misconduct, of C3J cases (see Table 23).

Category of misconduct	2018		2019		2020		2021		2022		Average	
Fundamental defect in character of the legal practitioner	3	60%	2	33%	1	25%	0	0%	6	50%	2	43%
Breach of rules relating to professional fees and handling of client monies	0	0%	2	33%	1	25%	0	0%	1	8%	1	14%
Breach of professional standards	1	20%	1	17%	1	25%	0	0%	2	17%	1	18%
Breach of duties to court	0	0%	0	0%	0	0%	0	0%	3	25%	1	11%
Breach of the legal practitioner's duties owed to client or third parties	1	20%	0	0%	3	75%	1	100%	0	0%	1	18%
Breach of the legal practitioner's own duties under the LPA	0	0%	1	17%	1	25%	0	0%	1	8%	1	11%

*Table 23: Breakdown of C3J cases based on category of misconduct*

33 The results above are graphically represented in Illustration 4 below:



*Illustration 4: C3J cases broken down based on category of misconduct (represented as percentage of all C3J cases in the year under review)*

34 The following may be discerned from the above:

- (a) Most of the C3J cases involve misconduct revealing a fundamental defect in the legal practitioner's character that potentially warrant striking off. On average, from 2018 to 2022, 43% of all C3J cases involve such misconduct. This is consistent with the fact that cases referred to the C3J are generally more severe. Comparing 2019 (33%) and 2020 (25%) against 2022 (50%), there has been a spike observed in the percentage of cases involving such misconduct.
- (b) The next-most commonly occurring categories of misconduct in C3J cases are:
  - (i) Breaches of the legal practitioner's duties owed to client or third parties (on average, 18% of C3J cases).

- (ii) Breaches of professional standards (on average, 18% of C3J cases).
- (iii) Breaches of rules relating to professional fees and handling of client monies (on average, 14%).

(c) That a significant proportion of C3J cases involve forms of misconduct other than those which reveal a fundamental defect in the legal practitioner's character (on average, about 57%) also suggest that there have been a significant number of infractions involving other types of misconduct which have been sufficiently serious to warrant referral to and determination by the C3J.

### *Composite of IC and DT cases and C3J cases*

35 The following table is a composite of the breakdown by category of misconduct for (a) IC and DT cases (see Table 22 above) and (b) C3J cases (see Table 23 above).

Category of misconduct	2018		2019		2020		2021		2022		Average	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
Fundamental defect in the legal practitioner's character	4	21%	2	7%	1	6%	0	0%	6	17%	3	10%
Breach of rules relating to professional fees and handling of client monies	3	16%	8	29%	3	17%	7	28%	4	11%	5	20%
Breach of professional standards	7	37%	12	43%	8	44%	10	40%	12	34%	10	39%
Breach of duties to court	2	11%	8	29%	2	11%	5	20%	10	29%	5	22%
Breach of the legal practitioner's duties owed to client or third parties	4	21%	4	14%	5	28%	11	44%	9	26%	7	26%
Breach of the legal practitioner's own duties under the LPA	0	0%	2	7%	3	17%	1	4%	2	6%	2	6%

***Table 24: Breakdown of all disciplinary cases based on category of misconduct***

36 The results above are graphically represented in Illustration 5 below:

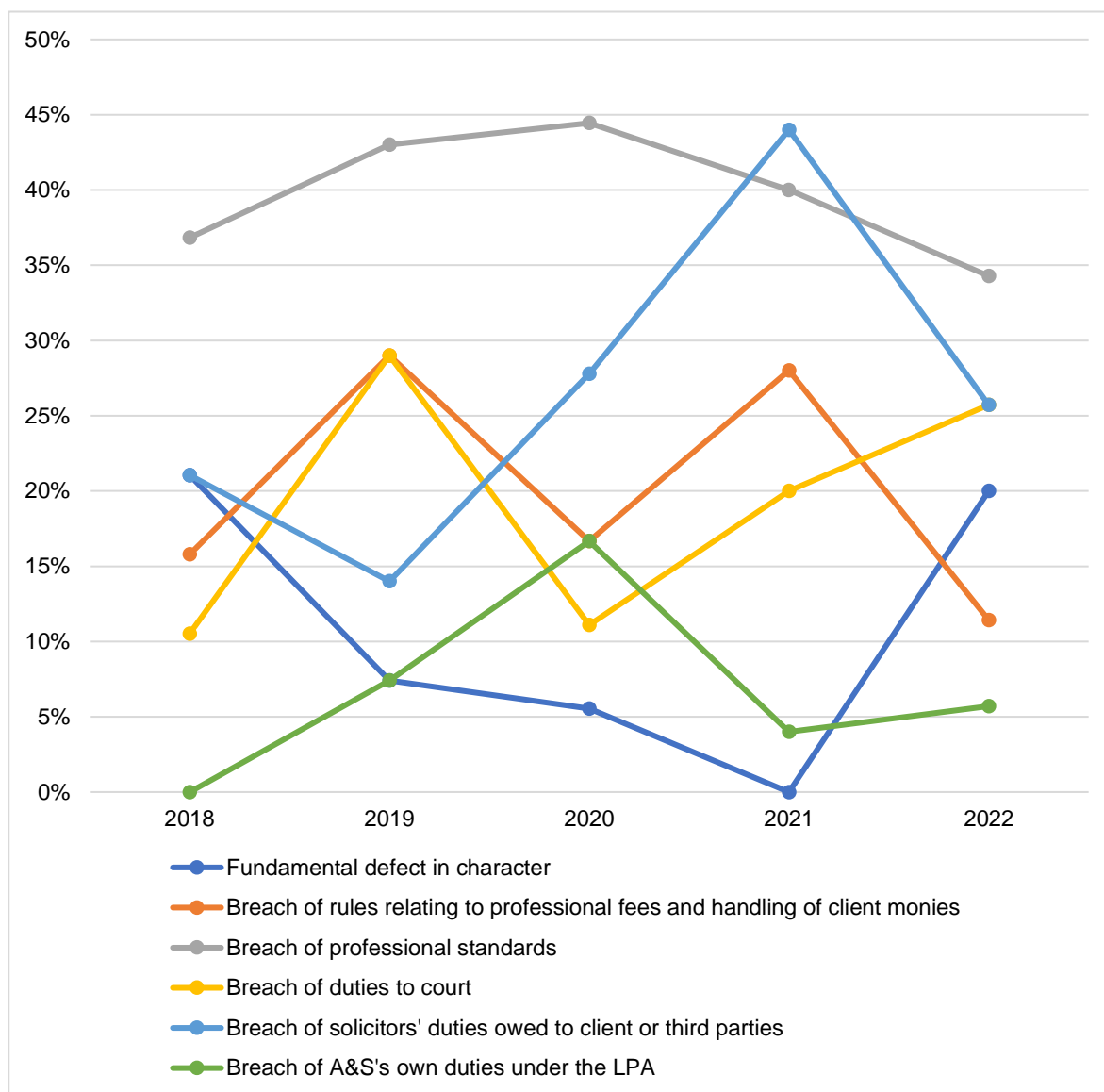


Illustration 5: All disciplinary cases (i.e., IC, DT and C3J cases) broken down based on category of misconduct (represented as percentage of all disciplinary cases in the year under review)

37 When the statistics for IC and DT cases as well as that for C3J cases are seen together, the following may be discerned:

(a) The most commonly occurring category of misconduct involve breaches of professional standards. On average, from 2018 to 2022, 39% of all disciplinary cases involved breaches of professional standards. The proportion of cases involving breaches of professional standards has also remained consistently high throughout that same period.

(b) The second-most commonly occurring category of misconduct involves breaches of the legal practitioner's duties owed to client or third parties. On average, from 2018 to 2022, 26% of all disciplinary cases involved such breaches.

(c) The next-most commonly occurring category of misconduct are (i) breach of duties to court (on average, from 2018 to 2022, 22% of all disciplinary cases); and (ii) breach of rules relating to professional fees and handling of client monies (on average, from 2018 to 2022, 20% of all disciplinary cases).

(d) Consistent with the observation at [34(a)] above, from 2021 to 2022, there has been a sharp spike in the proportion of cases involving misconduct revealing a fundamental defect in the legal practitioner's character that potentially warrants striking off. On average, from 2021 to 2022, 11% of all disciplinary cases involve such misconduct.

=== END ===

## Annex D – Young Lawyers’ Survey Report



### Research report: Background and objectives

## Background and objectives

This research was commissioned to:

- Ascertain how well young lawyers feel they are being guided, mentored, and trained in their places of practice.
- Understand what young lawyers consider to be key features of workplaces that are sustainable and conducive to the cultivation of high ethical and professional standards.
- How well early career lawyers felt they were being trained and developed, from the perspective of gauging overall mentorship and training efforts for those coming into the profession.
- Determine which of the practices early career lawyers have experienced that were most effective in nurturing or reinforcing ethical values and understand how ethical values can best be nurtured and reinforced within the legal profession, in various places of practice and work.
- Understand the state of practice and best practices in embedding ethical values and professional standards.
- Determine early career lawyers’ state of awareness of ethical values, codes, or rules for the legal profession.
- Shed a light on mentorship and guidance provided to young lawyers in their respective workplace (this includes law firm and legal department across different industries).
- Identify the type of practices that were most effective in nurturing and reinforcing ethical values.

To shed a light on these trends, the Singapore Academy of Law commissioned PwC to:

- Conduct an online survey between 14 August 2023 and 1 September 2023 where more than 5,000 early career lawyers were invited to participate in the study.
- Co-facilitate five focus group sessions, with participants across young and senior lawyer stakeholder groups.
- Conduct a number of interviews with significant industry thought leaders from Singapore, Australia, and New Zealand.



# Research methodology

Quantitative and qualitative research methods were deployed to ensure we obtain actionable insights for the Singapore Academy of Law. Quantitative research provides measurable data that can help determine the size, scope, and extent of a particular problem or phenomenon. On the other hand, qualitative research provides a deeper understanding of the problem or phenomenon by exploring the thoughts, feelings, and experiences of the participants. Combining the two methods can provide a comprehensive view of the problem or phenomenon, leading to actionable findings that can be used to develop effective solutions.

A survey was developed for the quantitative research while five focus groups and four interviews were conducted for the qualitative research.

## Quantitative research

- Invited over 5,000 SAL members between 2 to 10 years to the survey
- 527** respondents completed the survey
- For a sample of 527 respondents out of 5,000+ invitees, the margin of error is approximately  $\pm 4.3\%$  at a 95% confidence level.
  - Margin of error** is the measure of accuracy of result, which means that if the survey were repeated many times, the results will be within  $\pm 4.3\%$  of the true population value
  - Confidence level** is the measure of the certainty that we can say the survey results are representative of the population surveyed. Which means that if the survey were repeated many times, 95% of the time the results would fall within the margin of error calculated.

PwC

## Qualitative research

- 5** focus group sessions were organised to collate feedback from participants on this topic
- 3** focus groups were conducted before the quantitative research:
  - Young lawyers
  - Young Lawyers Working Group of the Professional Affairs Committee
  - General counsels**26** contributed to those discussions that helped shaped our hypotheses and the survey questions
- 2** focus groups were conducted post quantitative research with respondents who volunteered to contribute to the research. **28** attended the sessions and contributed to the discussions
- 4** groups of thought leaders across Singapore, Australia and New Zealand were identified to uncover trends and interventions.

3

## Survey profile: PQE, roles, and area of specialisation

# Survey Profile

### Years of post-qualification experience

On average, respondents had 5 years (5.18 years) of PQE

PQE years	%	Count
2	15.18%	80
3	17.46%	92
4	13.28%	70
5	13.47%	71
6	8.16%	43
7	9.49%	50
8	12.52%	66
9	5.31%	28
10	5.12%	27
<b>Total</b>	<b>100%</b>	<b>527</b>

### Area of specialisation

Majority of survey respondents indicated they specialise in Corporate & Commercial and/or Dispute Resolution

Area of Legal Specialisation	%	Count
Corporate & Commercial	24.27%	256
Dispute Resolution	20.47%	216
Criminal	6.45%	68
Family	6.16%	65
Employment & Labour	5.88%	62
Data & Technology	5.02%	53
Probate & Administration	4.93%	52
Building & Construction	3.98%	42
Intellectual Property	3.89%	41
Personal Injury & Property Damage	3.03%	32
Conveyancing & Property Law	2.94%	31
Maritime & Shipping	2.75%	29
Public Law	2.27%	24
Insurance Law	1.90%	20
Tax Law	0.76%	8
Islamic	0.19%	2
Other	5.12%	54
<b>Total</b>	<b>100%</b>	<b>1055</b>

### Current role

Most of the respondents are currently employed in Private Practice (66.41%) followed by In-house/Corporate (19.92%) and Public Sector (11.01%)

Roles	%	Count
Academia	0.95%	5
In-house/ corporate	19.92%	105
Private practice	66.41%	350
Public sector	11.01%	58
Other	1.71%	9
<b>Total</b>	<b>100%</b>	<b>527</b>

### Law firm size

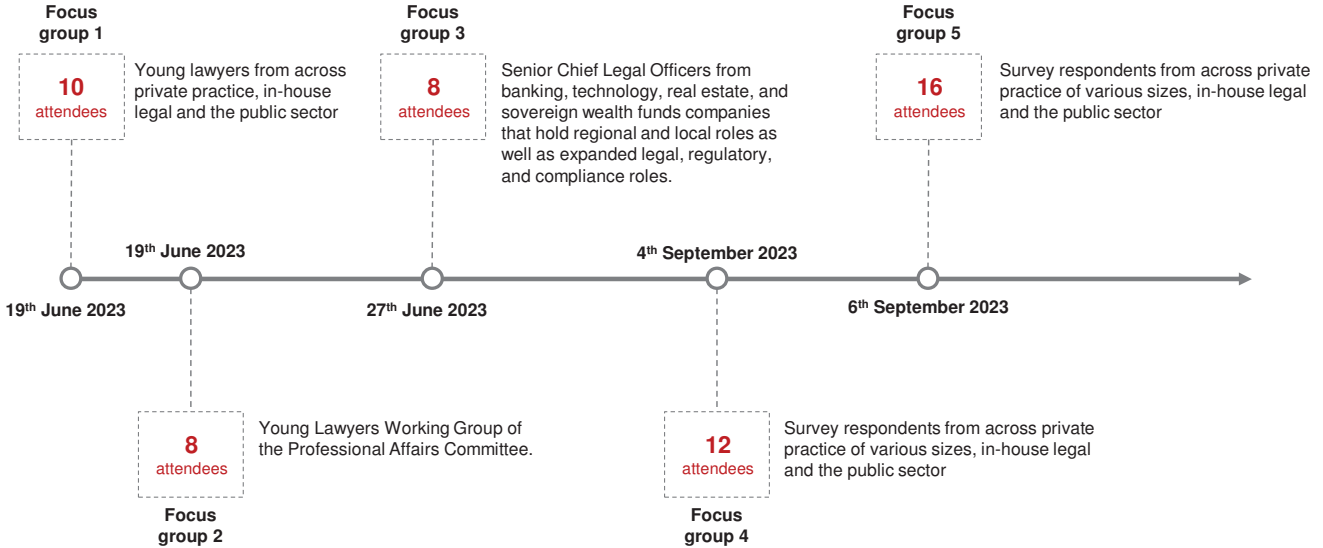
There are similar distribution of private practice respondents employed in large (44.57%) and medium (40%) sized law firms

Roles	%	Count
Small (1-5 lawyers)	15.43%	54
Medium (6-30 lawyers)	40.00%	140
Large (31+ lawyers)	44.57%	156
<b>Total</b>	<b>100%</b>	<b>350</b>

PwC

4

# Focus Groups



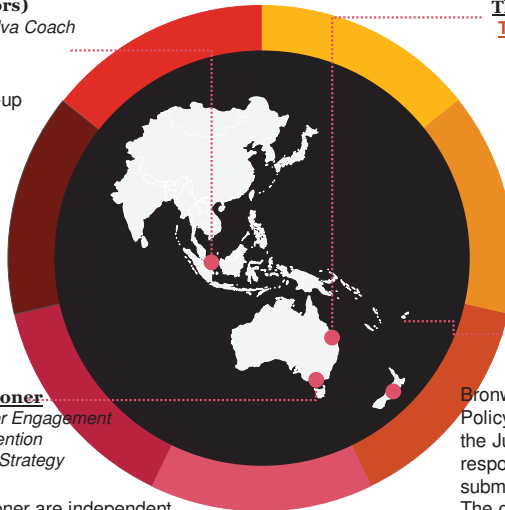
# Thought leaders interviewed

Thought leaders across Singapore, Australia, and New Zealand were identified and interviewed.

### MBS - Lawyer's Sustainability Report (Authors)

**Susan de Silva**, Life & Executive Coach at The Silva Coach  
**Beelee Seah**, Principal at Baker & McKenzie SG  
**Danny Quah**, Director at CHP Law LLC

Mindful Business Singapore (MBS) is a ground-up initiative by a group of lawyers in Singapore, inspired by the Mindful Business Charter which was established by lawyers in the UK with the intention of removing unnecessary sources of stress and promoting better mental health and wellbeing in the workplace.



### The Centre for Legal Innovation at The College of Law

**Terri Mottershead**, Executive Director

The Centre for Legal Innovation is an innovation-focused think tank at the College of Law (Australia, New Zealand and Asia). The Centre provides thought leadership, practical research and opportunities for collaboration to support legal professionals as they navigate the disruption and new technologies transforming the industry. Terri has a holistic market perspective from the College of Law on interventions from an education and program perspective.

### New Zealand Law Society

**Bronwyn Jones**, General Manager Policy, Court and Government  
**Fiona McDonald**, Senior Policy Advisor, Ministry of Justice

Bronwyn is responsible for the leadership of the Law Society's Policy, Law Reform, Advocacy functions and relationships with the Judiciary, and government departments. The group is responsible for providing high level strategic advice and submissions on new and existing laws, policies and protocols. The group is also responsible for the Law Society's rule of law and administration of justice law reform and advocacy. The group supports and advises the Chief Executive, President and the Law Society in relation to stakeholder relationships and management and oversees the Law Society's international work.

### Victorian Legal Services Board + Commissioner

**Jennie Pakula**, Manager, Innovation & Consumer Engagement  
**Alice Duggan**, Manager, Early Detection & Prevention  
**Michelle Marfurt**, Manager, Policy & Regulatory Strategy  
**Georjeana Brennan**, Manager, Licensing

Victorian Legal Services Board and Commissioner are independent statutory authorities responsible for the regulation of the legal profession in Victoria.

NB: All opinions, and views expressed by the thought leaders interviewed are the personal opinions and views of those interviewees and are not provided on behalf or in representation of their respective organisations.

# EXECUTIVE SUMMARY: Research insights on ethical and professional standards

## What motivates young lawyers

The quantitative and qualitative research reveals young lawyers are driven by **justice and fairness**, **intellectual stimulation**, and **salary** as major pull factors to the legal profession.

## Most have switched employers

- 3 in 4 young lawyers that responded to the survey have changed employer at least once.
- Top three reasons for switching employers: **Career progression**, **workplace culture**, and **salary**.

## Importance of workplace culture

The importance of workplace culture was further expanded upon through the thought leadership interviews and focus group sessions:

- Top three enablers: **Balanced lifestyle**, **reasonable workload**, and **good leadership**.
- Top three blockers: **Harassment**, **excessive workload**, and **culture of unethical behaviour**.
- Factors that become push (if managed poorly) and factors that become pull (if managed well): **workload**, **career development**, **nature of work**, **culture**, **incentives**, **perception of junior lawyers**, and **work and life balance**.

## Ethical and professional standards

There is also a high level of awareness amongst respondents on the ethical values and professional standards required to practice successfully as a legal professional.

- Respondents' definition for professional standards were informed by: **Personal values, the courts, and Part B**.
- Top 3 ethically challenging situations faced: **Client pressures to cut corners**, **conflict of interest**, and **harassment**.
- There are observable differences in proportion of public sector versus non-public sector respondents reporting ethically challenging situations
  - More respondents who are in private practice and in-house have observed client pressures to cut corners and conflicts of interest than respondents who are public sector lawyers.
  - Private practice respondents have also observed client pressures to cut corners (more from large law firms), conflict of interest (more from small law firms), and harassment (more from large law firms).
- Top three avenues that young lawyers turn to when faced with ethically challenging dilemmas: **Peers**, **mentors within law firm**, and **external mentors**.

## Internal protocols / processes

More respondents in the **public sector** have reported a protocol or policy to promote ethical values and develop high professional standards than **in-house** and **private practice**.

There have also been cases where law firms' internal protocols have failed to address bullying, harassment, conflict of interest, and pressures from clients.

## Structured mentorship programs

The research also reveal that about 1 in 10 have undertaken mentorship program and those that found their programs effective noted importance of:

- Feedback and experience sharing for upskilling
- Regular contact
- Close supervision and commitment from the mentor

## CPD training

Most of the respondents have also indicated CPD training programs are helpful because they:

- Are up to date on current legal developments
- Are learning from experienced lawyers
- Are building knowledge and exposure to different areas of law and technical aspects
- Are great opportunities to network
- Are developing new skillset

However, less than half indicated CPD training was helpful in upholding / uplifting ethical and professional standards



# What motivates young legal professionals

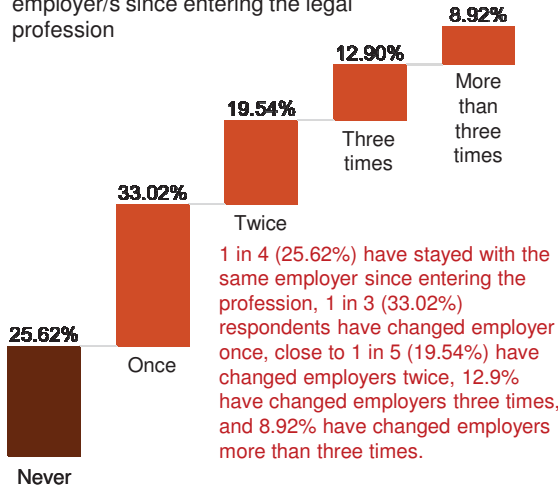
Survey respondents rank ordered their main goals and aspirations as a lawyer from most (1) to least important (9)

## Main goals and aspirations as legal professionals

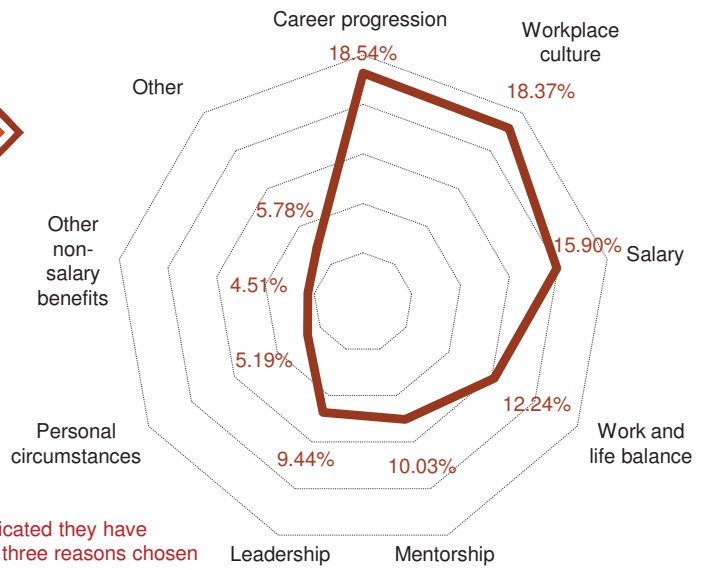


## Reasons for young lawyers moving employers

Number of times respondents have changed employer/s since entering the legal profession



Top three reasons for leaving last employer

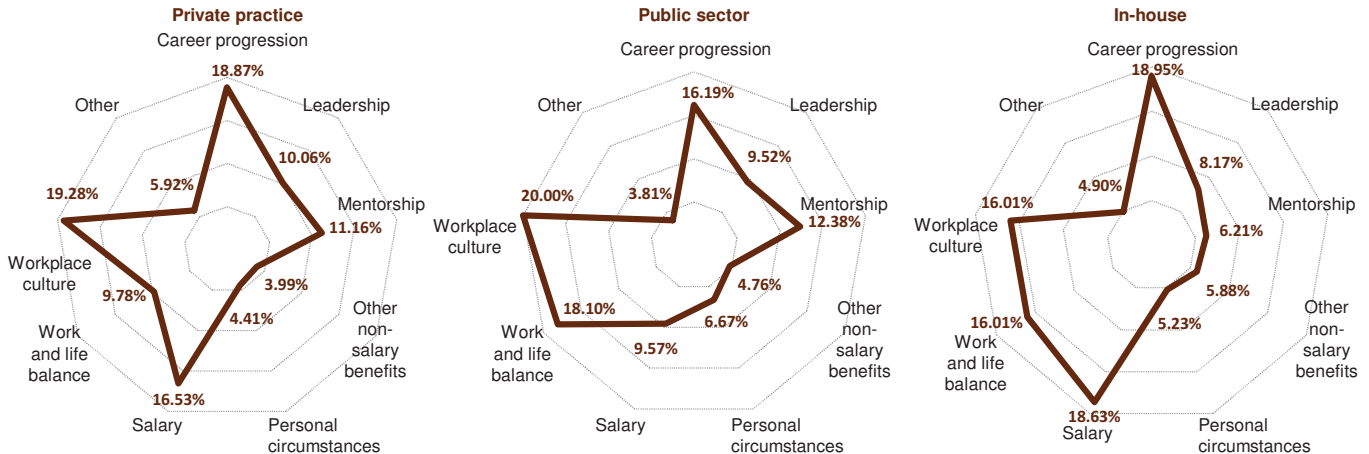


For the respondents that indicated they have switched employers, the top three reasons chosen are career progression (18.54%), workplace culture (18.37%), and salary (15.90%).

## Reasons for young lawyers moving employers by current role

A breakdown of the top three reasons for respondents that indicated they have switched employers by private practice, in-house, and public sector lawyers reveal:

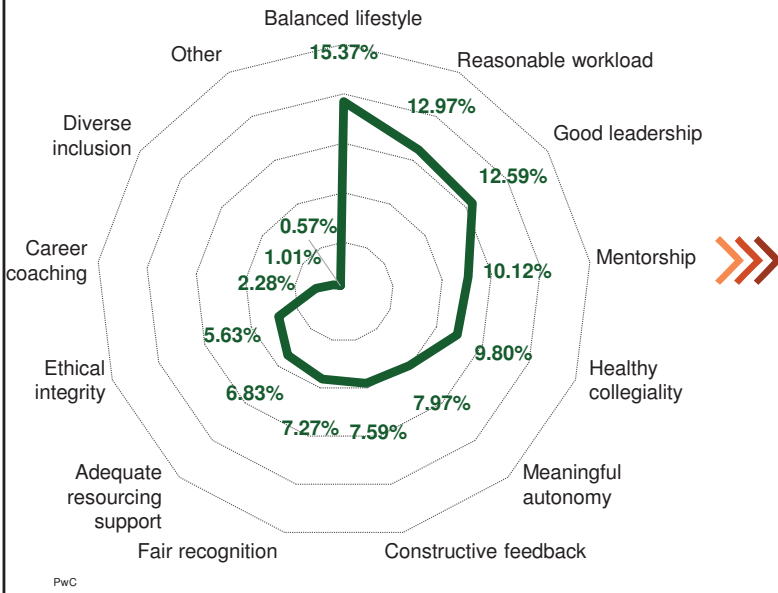
- Private practice lawyers switched employers for better workplace culture (19.28%), career progression (18.87%), and salary (16.53%).
- Public sector lawyers switched employers for better workplace culture (20%), work and life balance (18.1%), and career progression (16.19%).
- In-house lawyers switched employers for better career progression (18.95%), salary (18.63%), workplace culture (16.01%) and work and life balance (16.01%).



Findings: Top three enablers of a conducive work culture

# Top three enablers of a conducive work culture

Top indicators and enablers of a sustainable and conducive work culture in the legal profession



The survey also explored the top indicators and enablers of a sustainable and conducive work culture in the legal profession. The top three indicators and enablers are:

- Balanced lifestyle (15.37%)
- Reasonable workload (12.97%)
- Good leadership (12.59%)

Balanced lifestyle will be firm and workplace dependent and will shift based on policies introduced as well as dominant workplace culture. Reasonable workload is shaped by peak periods and how well young lawyers are briefed by senior lawyers. Good leadership is very important in shaping the practices of the firm as well as how junior lawyers will lead in the future.

A breakdown of the top three enablers of conducive work culture for respondents by private practice, in-house, and public sector lawyers reveal similarities across the industry:

- Private practice lawyers rated balanced lifestyle (15.14%), reasonable workload (11.81%), and mentorship (11.14%) highly.
- Public sector lawyers rated balanced lifestyle (17.82%), good leadership (16.09%), and reasonable workload (12.07%) highly.
- In-house lawyers rated reasonable workload (17.14%), balanced lifestyle (14.6%), and good leadership (13.65%) highly.

PwC

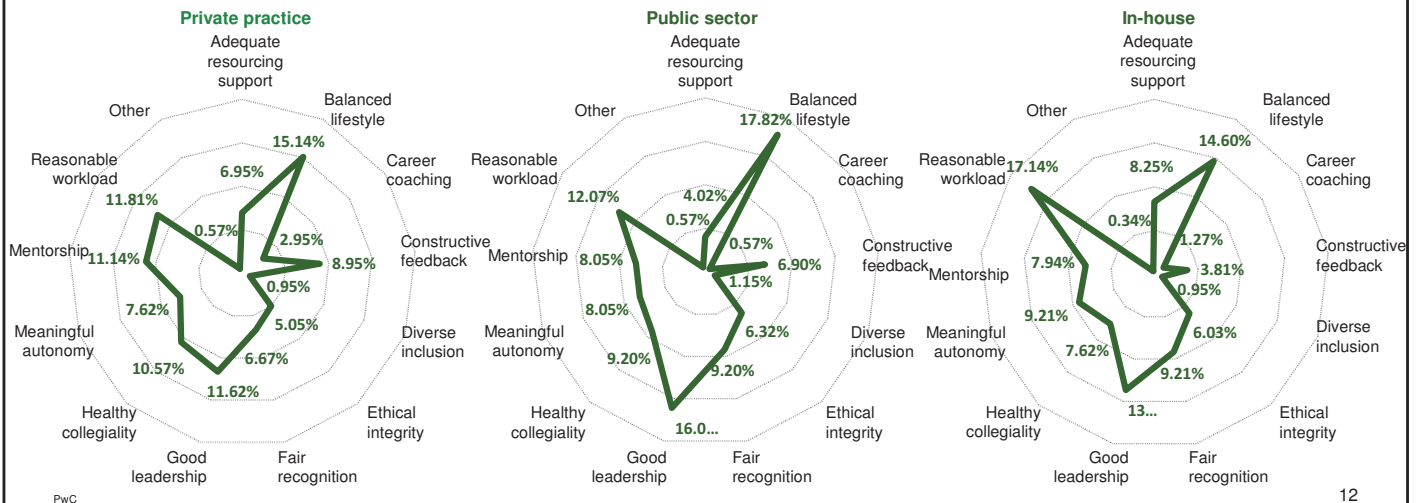
11

Findings: Top three enablers of a conducive work culture by role type

# Top three enablers of a conducive work culture by respondents' current roles

A breakdown of the top three enablers of conducive work culture for respondents by private practice, in-house, and public sector lawyers reveal:

- Private practice lawyers rated balanced lifestyle (15.14%), reasonable workload (11.81%), and mentorship (11.14%) highly.
- Public sector lawyers rated balanced lifestyle (17.82%), good leadership (16.09%), and reasonable workload (12.07%) highly.
- In-house lawyers rated reasonable workload (17.14%), balanced lifestyle (14.6%), and good leadership (13.65%) highly.

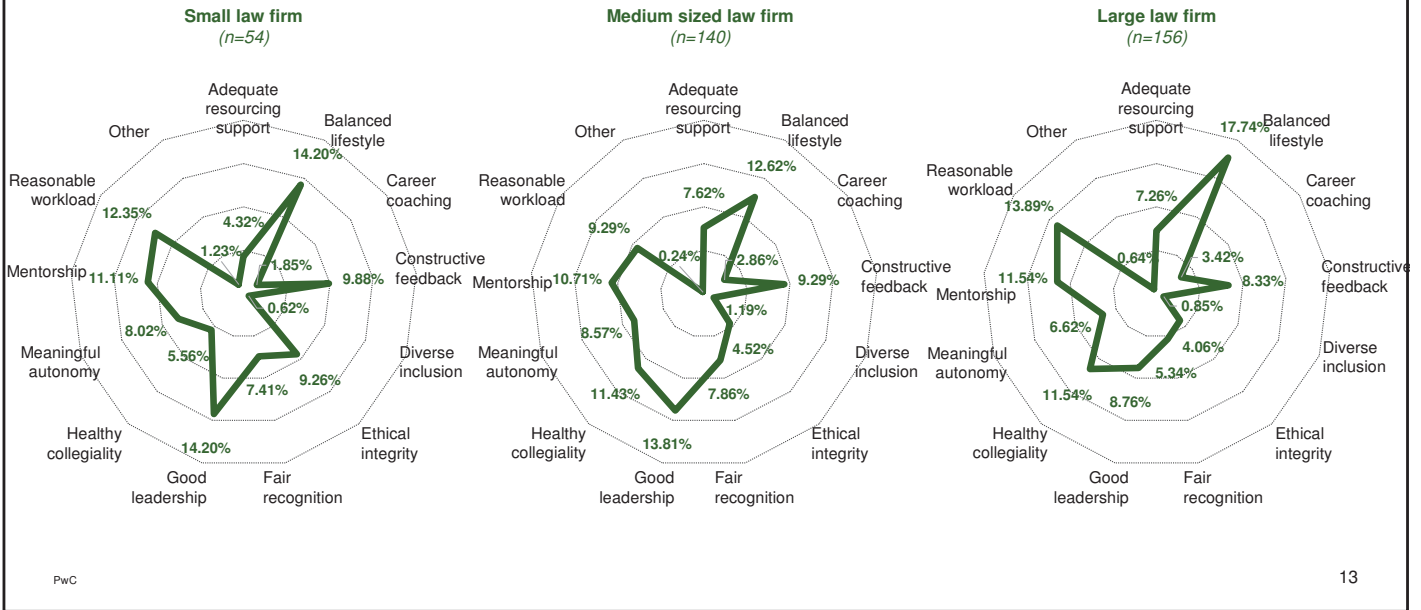


PwC

12

Findings: Top three enablers of a conducive work culture for private practice by size of law firm

# Top three enablers of a conducive work culture for private practice by size of law firm



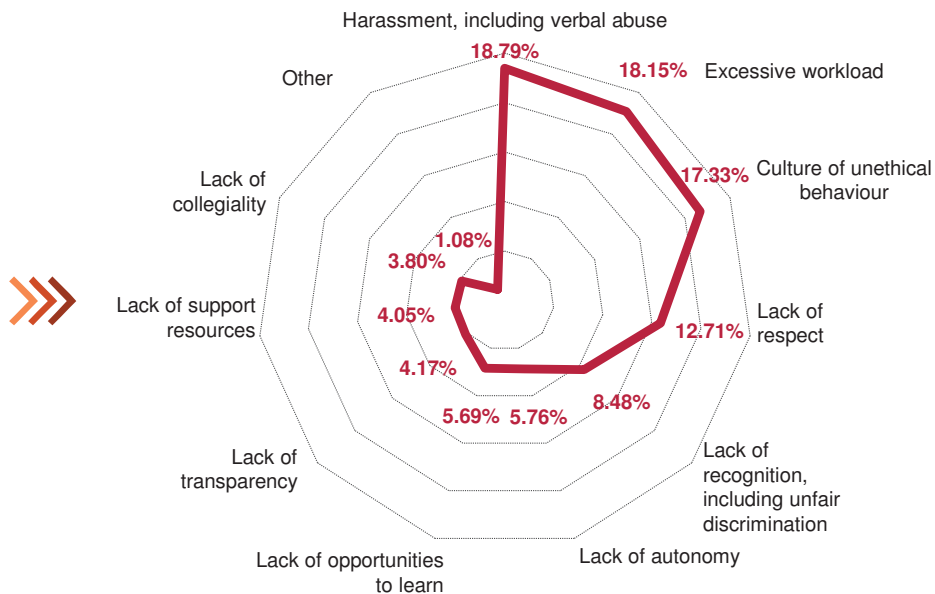
PwC

13

Findings: Top three issues that negatively impact work culture

# Top three issues that negatively impact work culture

Top issues most negatively affecting respondents' ability to practice successfully as a legal professional



PwC

14

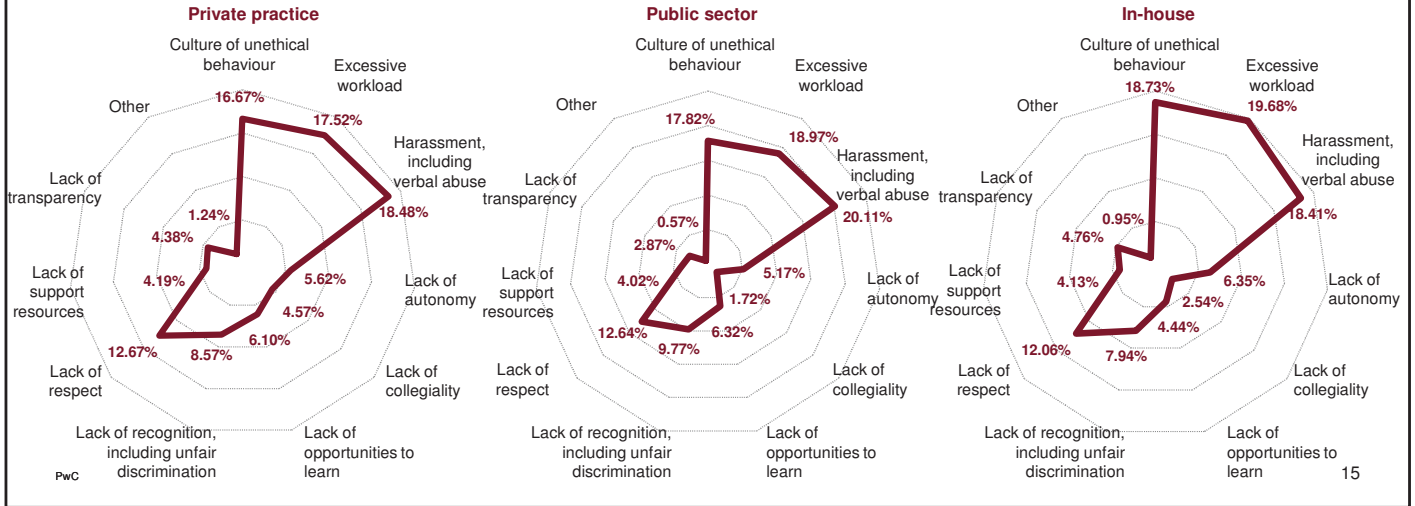


**Findings:** Top three issues that negatively impact work culture by role type

# Top three issues that negatively impact work culture by respondents' current roles

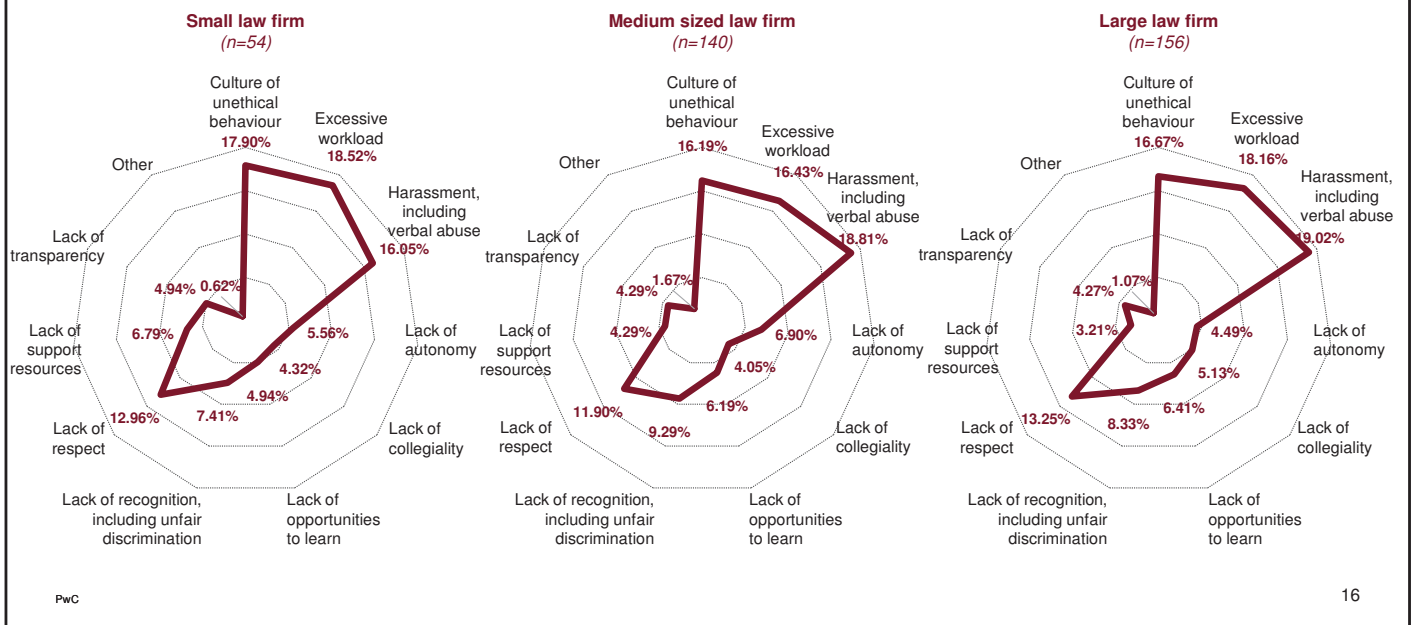
A breakdown of the top three issues most negatively affecting respondents' ability to practice successfully as a legal professional by private practice, in-house, and public sector lawyers reveal:

- Private practice lawyers rated harassment (18.48%), excessive workload (17.52%), and culture of unethical behaviour (16.67%) highly.
- Public sector lawyers rated harassment (20.11%), excessive workload (18.97%), and culture of unethical behaviour (17.82%) highly.
- In-house lawyers rated excessive workload (19.68%), culture of unethical behaviour (18.73%), and harassment (18.41%) highly.



**Findings:** Top three issues that negatively impact work culture for private practice by size of law firm

# Top three issues that negatively impact work culture for private practice respondents by size of law firm



# State of the legal workplace

"The trend that we are seeing is that the younger generation is not prepared to do what the older generation used to do (long hours etc.). There is an unwillingness of younger lawyers to work in models that traditionally existed."

## Culture

Traditional values upheld by senior lawyers are not seen as acceptable standards by next generation

"Traditional workplaces impact lawyers' opportunities to get ahead. You may have no focus on your career development in a law firm. Going to a law firm can be a career limiting move."

"As far as work culture is concerned, I'm worried we are going to be left behind. The mindsets are still very traditional. When you look at the list of roles that can be automated, we're number two. We're not ready for it. As things get inevitably less and tougher, it will spiral down to culture."

"The thing that was identified was that holidays were not taken. Sending emails to team members with the expectation that they respond."

"In problematic workplace behaviour, I've seen younger and younger people not accepting toxic workplaces. I'm not sure people in their 20s will be sticking it out."

As workplace culture is consistently in the top three reasons for respondents leaving their previous employers, we also explored the state of workplace at law firms through the focus group sessions and thought leadership interviews. Three major themes emerge:

- Workplace culture at law firms: traditional values upheld by senior lawyers are not seen as acceptable standards for the next generation
- Hierarchy: legal workplaces have a culture of and tradition of hierarchy through the partnership structure
- Bullying and harassment: Bullying, harassment, and social isolation is still prevalent in the legal profession

PwC The verbatim comments from the focus group sessions and thought leadership interviews illustrates examples of the themes observed.

"There are many solutions to make things better and juniors can raise them to partners but no one really cares. It can become very frustrating."

## Hierarchy

Legal workplaces have a culture/tradition of hierarchy

"The biggest issue in legal is being able to talk and communicate in a psychologically safe way about power imbalance."

"Law firms are definitely hierarchical."

"Change the mindset that young lawyers are not able to add value just because they are young."

"Firms tend to create a culture of isolation for Young Lawyers, especially those they do not want to keep in the firm."

## Bullying & Harassment

Bullying, harassment, and social isolation is still prevalent in the legal profession.

"Law firms try to cover up staff misconduct by threatening junior lawyers to keep quiet."

"It is worse if bullying is informed by a formal power structure."

"The legal profession is very stressed but bullying and harassment has dropped because of the initiatives we have introduced. [...] We have more compliance in the bullying and harassment area now because it's now an official regulator problem. Prior to that it was an employment problem."

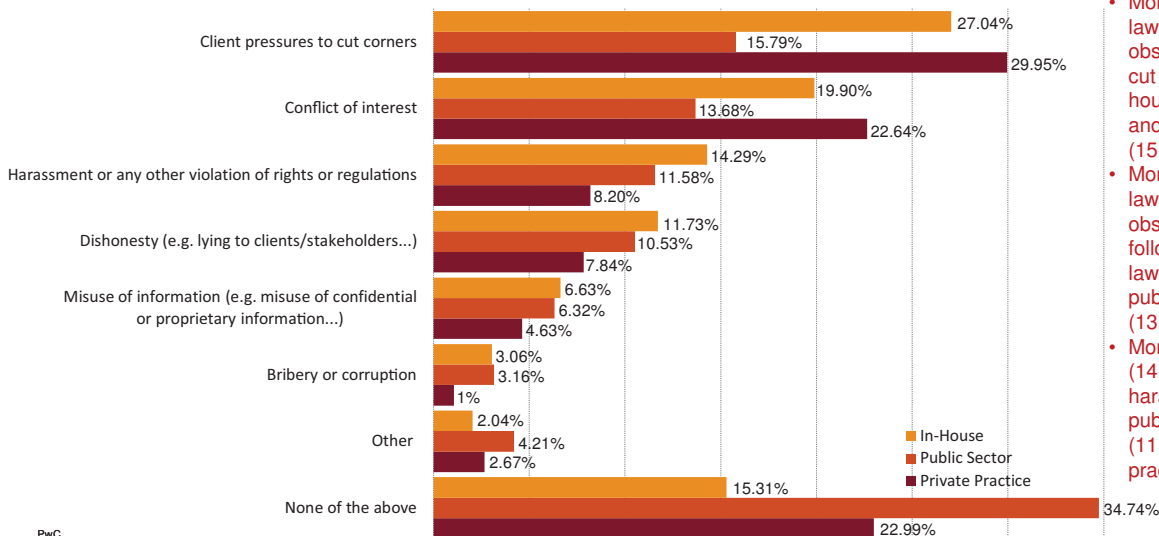
"The focus should be on what the consequence will be after bullying or workplace harassment has happened."

"Aggressive and intimidating behaviour from seniors towards juniors."

# Ethically challenging scenarios witnessed by legal professionals by respondents' current roles

Q: Have you personally witnessed or experienced any of the following in the context of your employment as a legal professional?

Overview of situations witnessed / experienced across current roles



A breakdown of respondents indicating the types of unethical behaviours they have observed or experienced by private practice, in-house, and public sector lawyers reveal:

- More private practice lawyers (29.95%) have observed client pressures to cut corners followed by in-house lawyers (27.04%), and public sector lawyers (15.79%).
- More private practice lawyers (22.64%) have observed conflict of interest followed by in-house lawyers (19.90%), and public sector lawyers (13.68%).
- More in-house lawyers (14.29%) have observed harassment followed by public sector lawyers (11.58%) and private practice lawyers (8.2%).

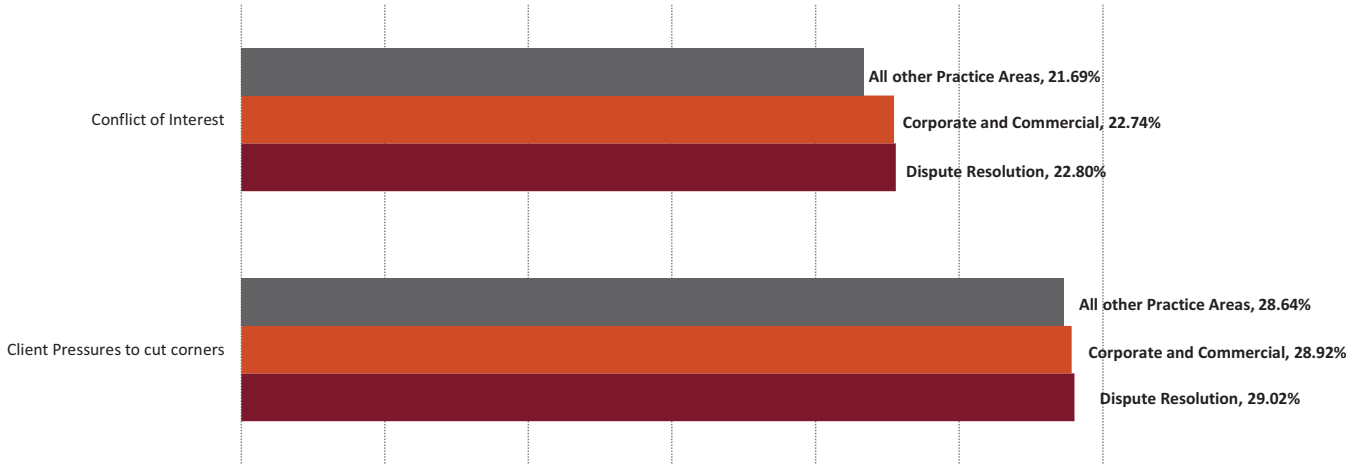


**Findings:** Ethically challenging scenarios witnessed by respondents in dispute vs non-dispute practice areas

## Ethically challenging scenarios witnessed by respondents in dispute vs non-dispute practice areas

Issues Experienced by Legal Professionals:

Dispute Resolution vs. Corporate & Commercial vs All Other Practice Areas



A breakdown of respondents by areas of specialisation reveals marginal difference between dispute and non-dispute practice areas in experiencing both client pressures to cut corners and conflict of interest.

PwC

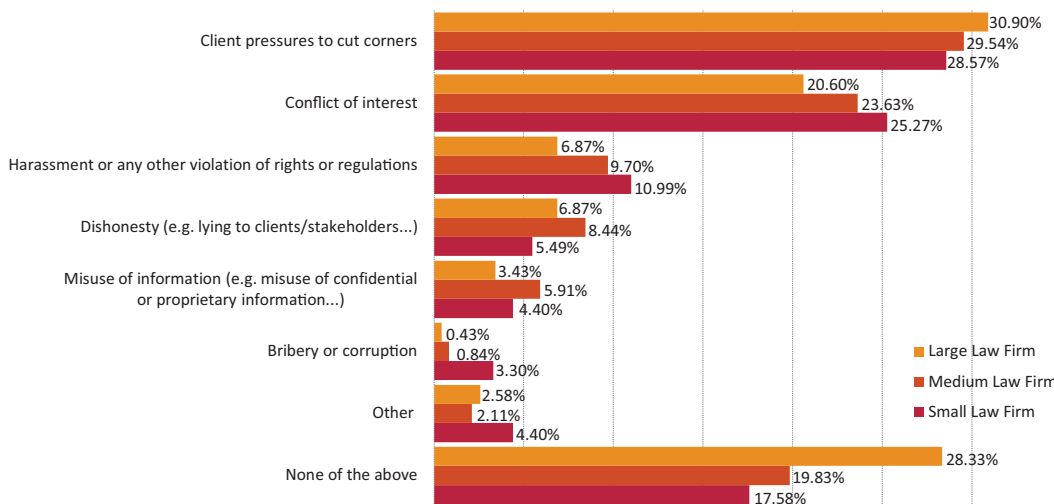
19

**Findings:** Ethically challenging scenarios witnessed by respondents by law firm size

## Ethically challenging scenarios witnessed by legal professionals by respondents' law firm size

Q: Have you personally witnessed or experienced any of the following in the context of your employment as a legal professional?

Overview of situations witnessed/experienced based on size of law firm



A breakdown of respondents indicating the types of unethical behaviours they have observed or experienced by size of law firms reveal:

- More respondents from large law firms (30.9%) have observed client pressures to cut corners than respondents from medium sized law firms (29.54%) and small law firms (28.57%).
- More respondents from small law firms (25.27%) have observed conflict of interest than respondents from medium sized law firms (23.63%) and large law firms (20.6%).
- More respondents from large law firms (29.33%) have not observed any of those situations than respondents from medium sized law firms (19.83%) and small law firms (17.58%).

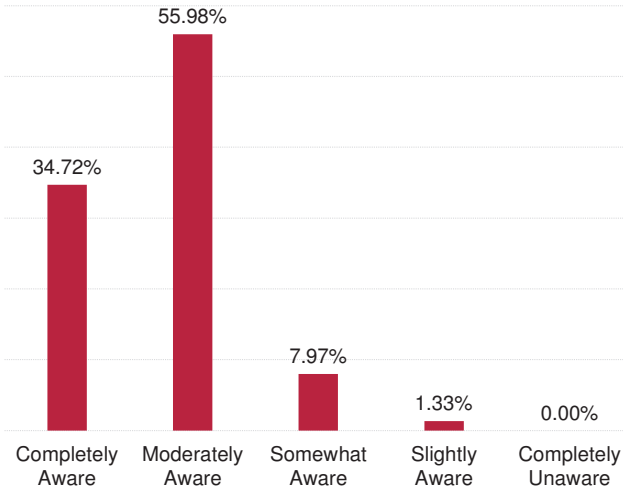
There seem to be some observable difference in controls and protocols as well as client profiles that shape the ethical conundrum and situations faced by respondents from large, medium sized, and small law firms.

PwC

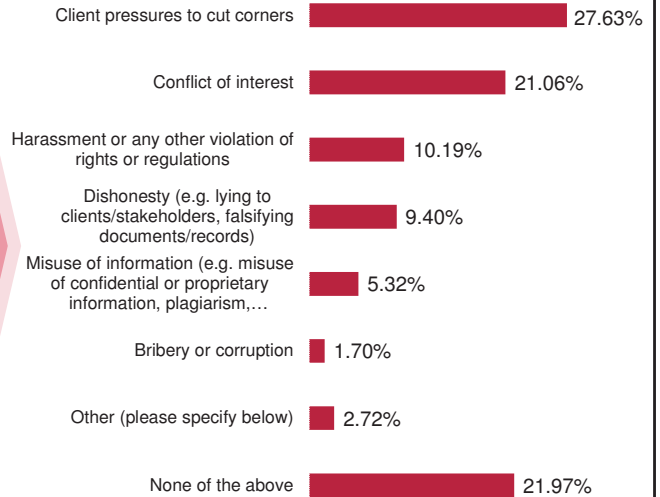
20

## Respondents are aware of ethical values that are expected of legal professionals

Respondents rated their level of awareness of the ethical values that a legal professional is expected to hold.



Q: Have you personally witnessed or experienced any of the following in the context of your employment as a legal professional?



## Type of ethically challenging scenarios witnessed by legal professionals and how they were dealt with

**Client pressures to cut corners**  
**27.63%**

1. Consulted mentor/s within the firm / organisation
2. Consulted peers
3. Consulted mentor/s outside the firm/organisation

**Conflict of interest**  
**21.06%**

1. Consulted mentor/s within the firm / organisation
2. Consulted peers
3. Consulted mentor/s outside the firm/organisation

**Harassment or any other violation of rights or regulations**  
**10.19%**

1. Consulted peers
2. Kept quiet
3. Consulted mentor/s within the firm / organisation

**Dishonesty (e.g. lying to clients, falsifying documents)**  
**9.40%**

1. Consulted peers
2. Consulted mentor/s within the firm / organisation
3. Kept quiet

**Misuse of information (e.g. misuse of confidential information)**  
**5.32%**

1. Consulted mentor/s within the firm / organisation
2. Consulted peers
3. Kept quiet

**Bribery or corruption**  
**1.70%**

1. Consulted mentor/s within the firm / organisation
2. Consulted mentor/s outside the firm/organisation
3. Reported to authorities

Q: Respondents personally witnessed or experienced in the context of employment as a legal professional

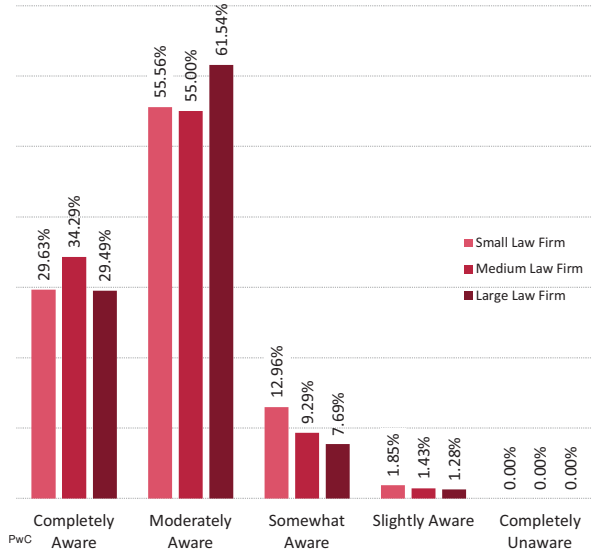
Q: How respondents dealt with the situation

Findings: Awareness of ethical values and ethically challenging situations experienced by respondents' law firm size

## Awareness of ethical values and ethically challenging situations experienced (by respondents' law firm size)

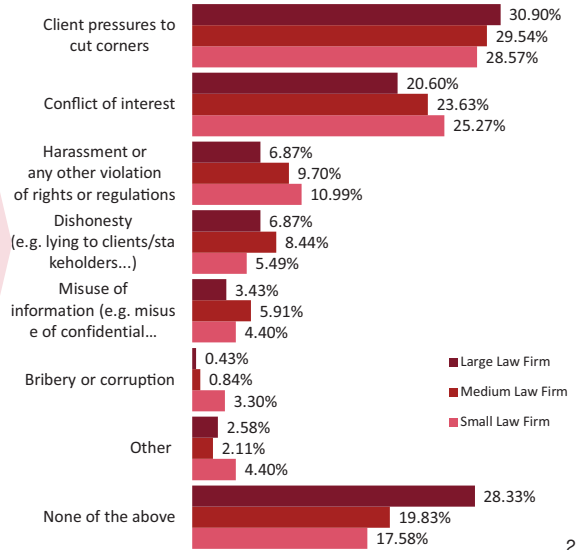
Private practice respondents rated their level of awareness of ethical values that a legal professional is expected to hold

Awareness of ethical values by law firm size



Private practice respondents on the ethically challenging situations they have witnessed or experienced

Situations witnessed / experienced based by law firm size



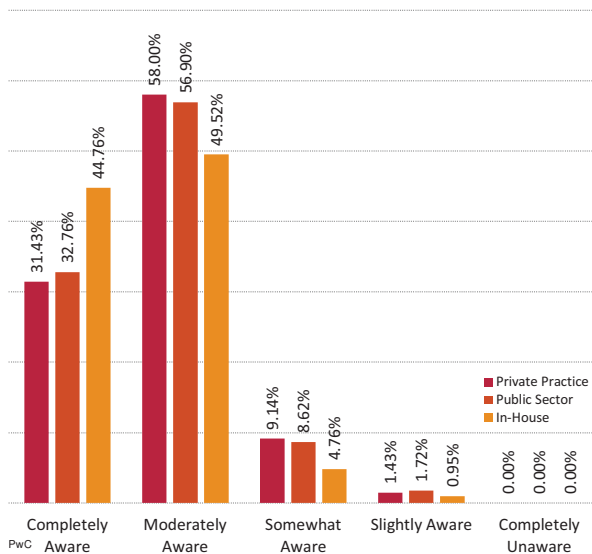
23

Findings: Awareness of ethical values and ethically challenging situations experienced by respondents' current roles

## Awareness of ethical values and ethically challenging situations experienced (by respondents' current roles)

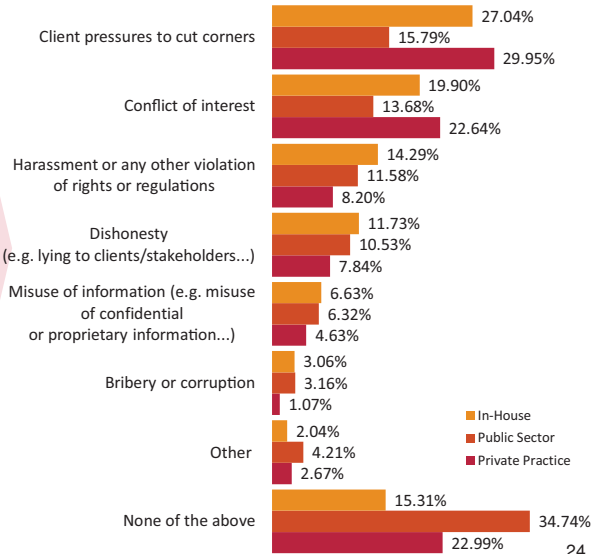
Respondents rated their level of awareness of ethical values that a legal professional is expected to hold

Awareness of ethical values by current roles



Respondents on the ethically challenging situations they have witnessed or experienced

Situations witnessed / experienced based by current roles

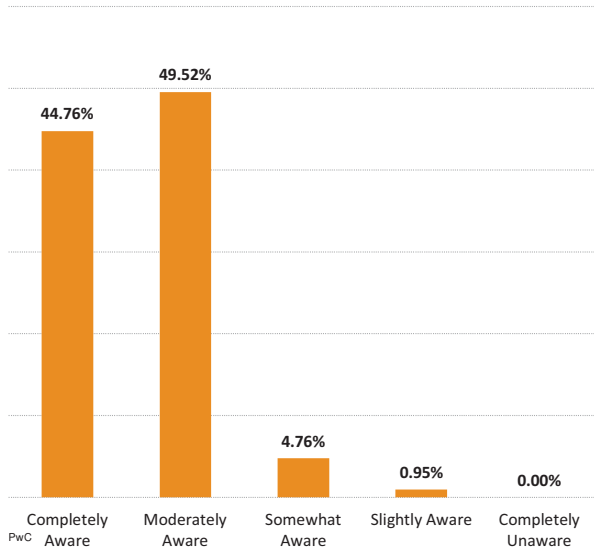


24

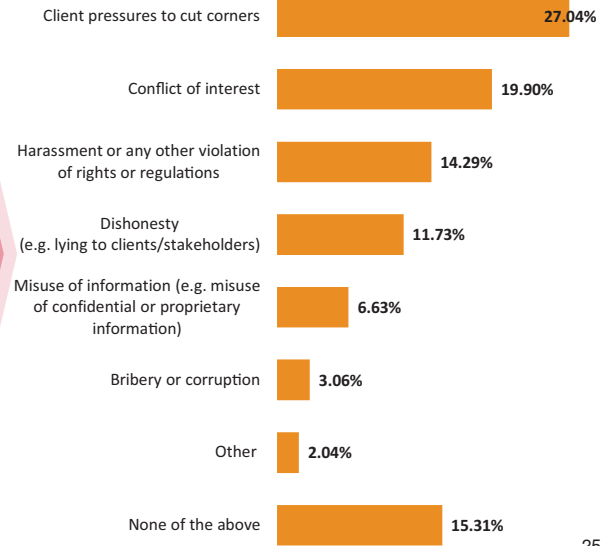
Findings: Awareness of ethical values and ethically challenging situations experienced by in-house respondents

## Awareness of ethical values by In-House legal professionals

In-House respondents rated their level of awareness of ethical values that a legal professional is expected to hold



In-House respondents on the ethically challenging situations they have witnessed or experienced

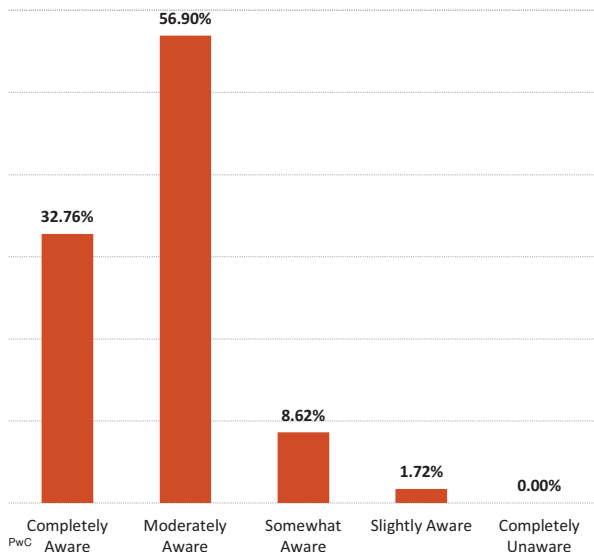


25

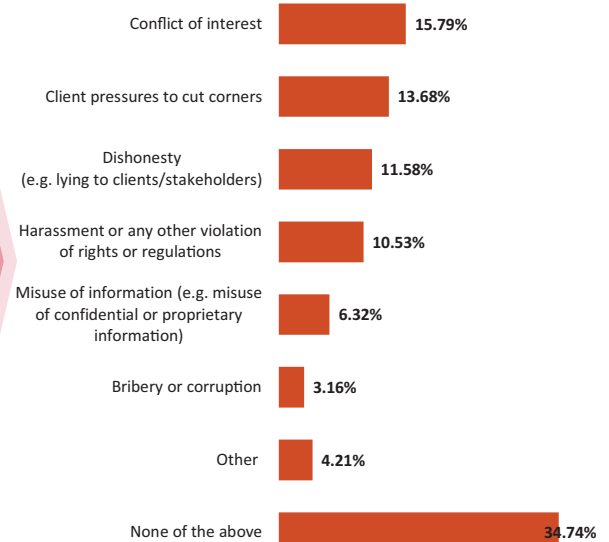
Findings: Awareness of ethical values and ethically challenging situations experienced by public sector respondents

## Awareness of ethical values by Public Sector legal professionals

Public sector respondents rated their level of awareness of ethical values that a legal professional is expected to hold



Public sector respondents on the ethically challenging situations they have witnessed or experienced

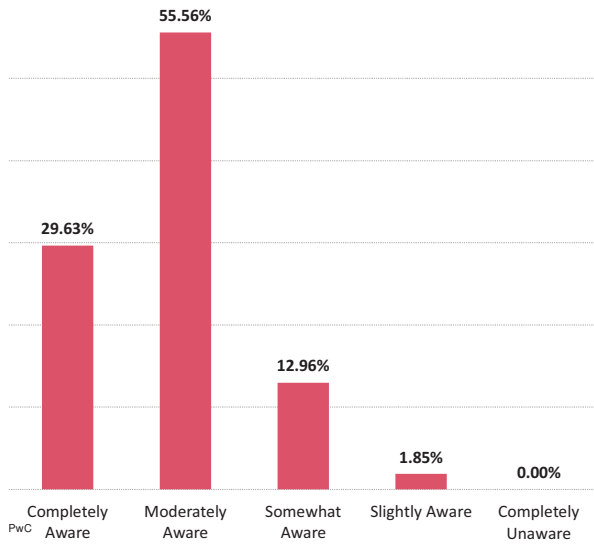


26

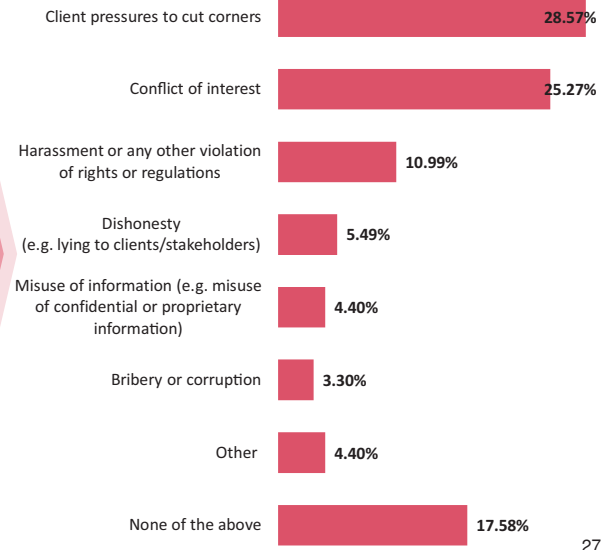
Findings: Awareness of ethical values and ethically challenging situations experienced by small law firm respondents

## Awareness of ethical values by Private Practice legal professionals from small law firms

Small law firm respondents rated their level of awareness of ethical values that a legal professional is expected to hold



Small law firm respondents on the ethically challenging situations they have witnessed or experienced

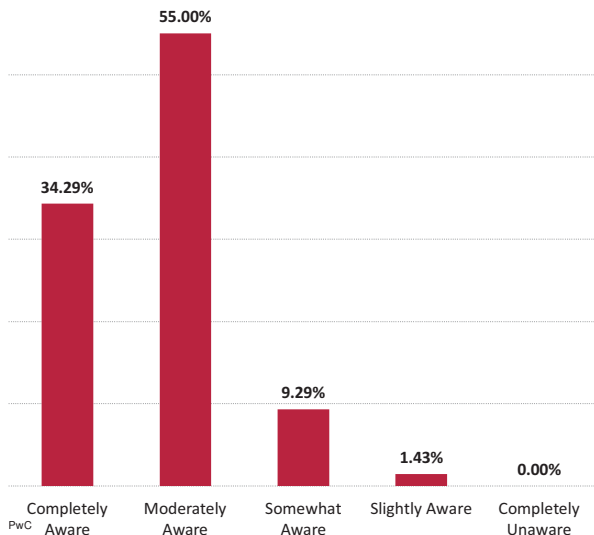


27

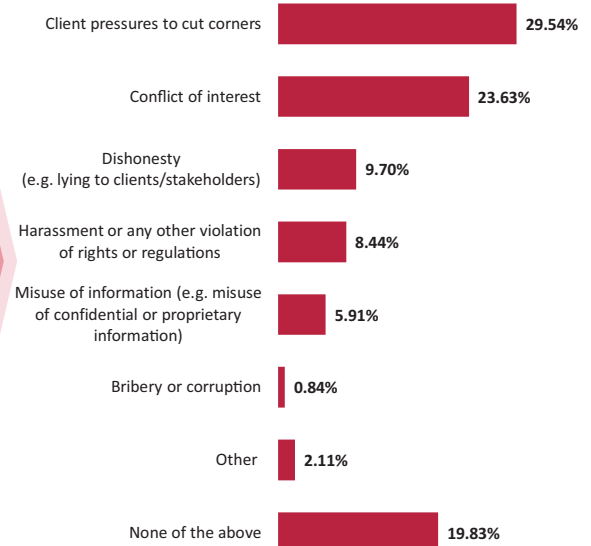
Findings: Awareness of ethical values and ethically challenging situations experienced by medium-sized law firm respondents

## Awareness of ethical values by Private Practice legal professionals from medium-sized law firms

Medium-sized law firm respondents rated their level of awareness of ethical values that a legal professional is expected to hold



Medium-sized law firm respondents on the ethically challenging situations they have witnessed or experienced

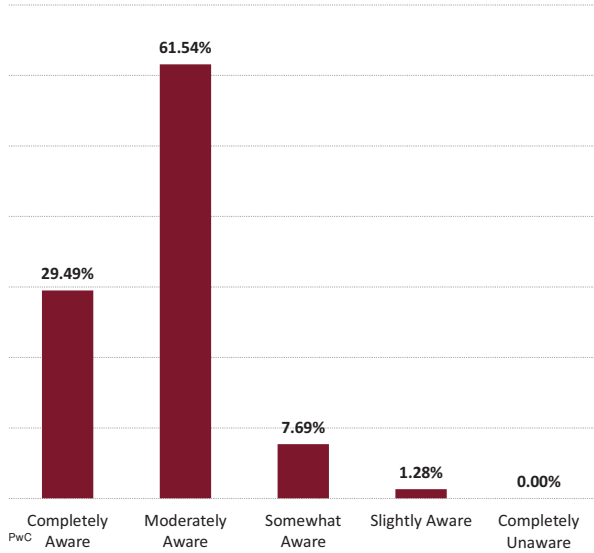


28

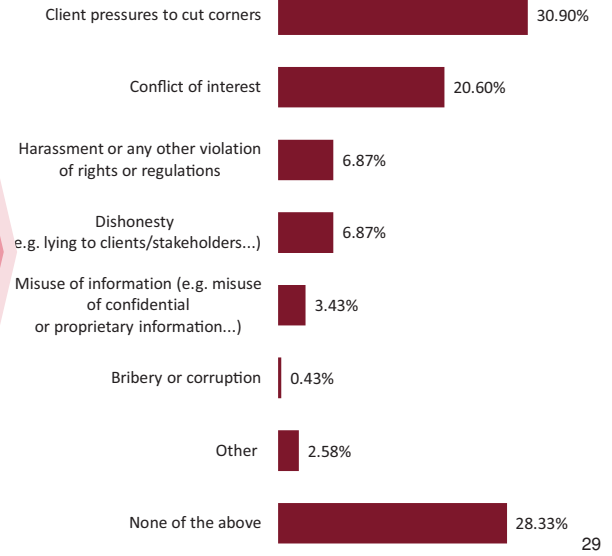
Findings: Awareness of ethical values and ethically challenging situations experienced by large law firm respondents

## Awareness of ethical values by Private Practice legal professionals from large law firms

Large law firm respondents rated their level of awareness of ethical values that a legal professional is expected to hold



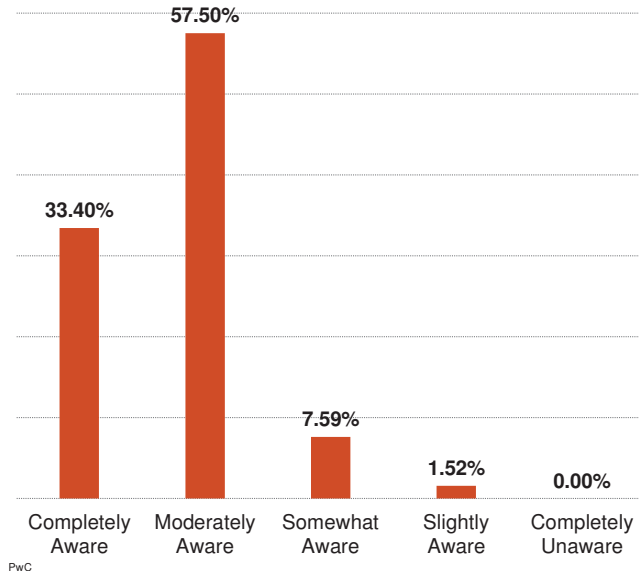
Large law firm respondents on the ethically challenging situations they have witnessed or experienced



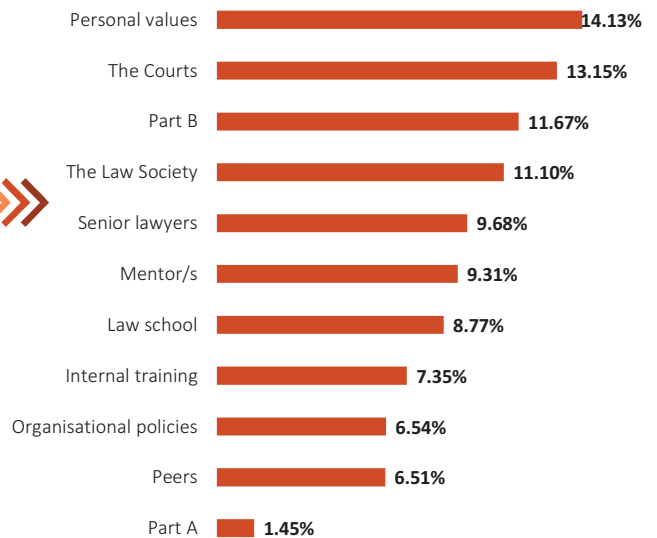
Findings: Respondents are aware of the professional standards expected of legal professionals

## Respondents are aware of the professional standards expected of legal professionals

Respondents rated their level of awareness of professional standards that a legal professional is expected to hold



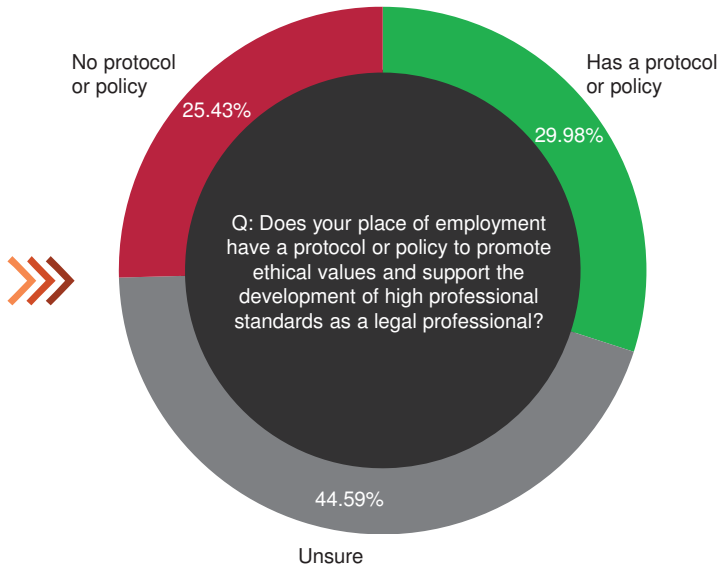
Sources or references that inform respondents' definition of professional standards



PwC

30

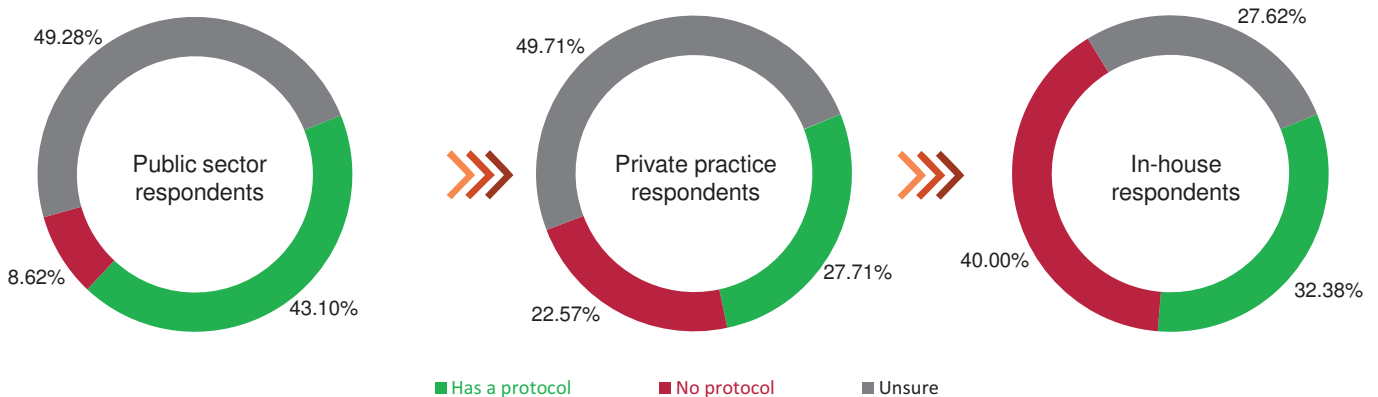
## Respondents are mostly unsure if their employers have a protocol or policy for ethical values and professional standards



The survey reveals more respondents (44.59%) were unsure if their law firm or place of employment has a protocol or policy to promote ethical values and support the development of high professional standards as a legal professional than those that reported that their law firm or place of employment has such a protocol or policy (29.98%) and those that reported that their law firm or place of employment has no such protocol or policy (25.43%).

## Workplace protocols or policies for ethics and professional standards by respondents' current roles

Q: Does your place of employment have a protocol or policy to promote ethical values and support the development of high professional standards as a legal professional?



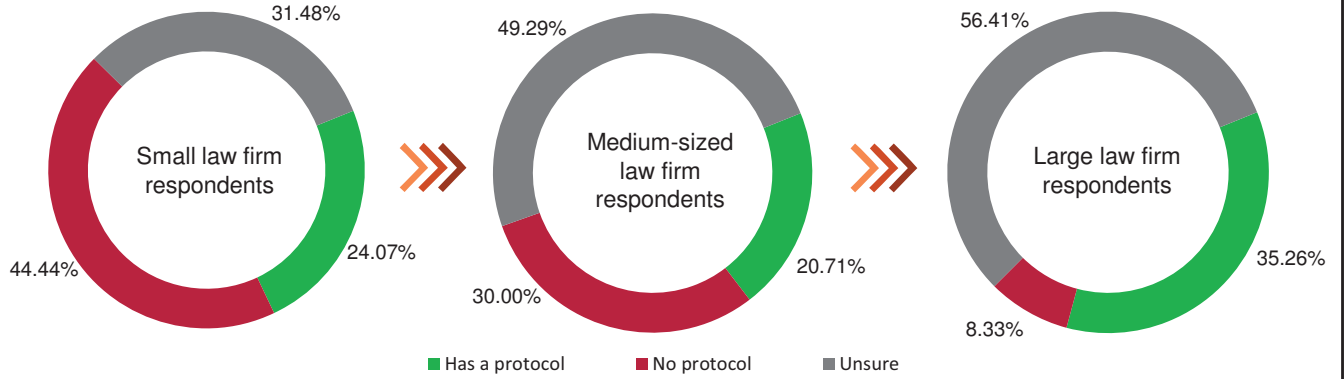
A breakdown of the data by respondents' role reveals that more in the public sector (43.10%) have reported a protocol or policy has been introduced to promote ethical values and support the development of high professional standards as a legal professional than in-house (32.38%) and private practice (27.71%).

40% of respondents from in-house roles have reported that no protocol or policy has been introduced by their Chief Legal Officer or Head of Legal, compared to 22.57% of respondents from private practice and 8.62% of respondents from the public sector.

Findings: Workplace protocols or policies for ethics and professional standards by respondents' law firm size

# Workplace protocols or policies for ethics and professional standards by respondents' law firm size

Q: Does your place of employment have a protocol or policy to promote ethical values and support the development of high professional standards as a legal professional?



A breakdown of the data by law firm size, reveals more respondents from large law firms (35.26%) have reported a protocol or policy has been introduced to promote ethical values and support the development of high professional standards as a legal professional, than respondents from small law firms (24.07%) and medium sized law firms (20.71%).

44.44% of respondents from small law firms have reported that no protocol or policy has been introduced compared to 30% of respondents from medium-sized law firms and 8.33% of respondents from large law firms.

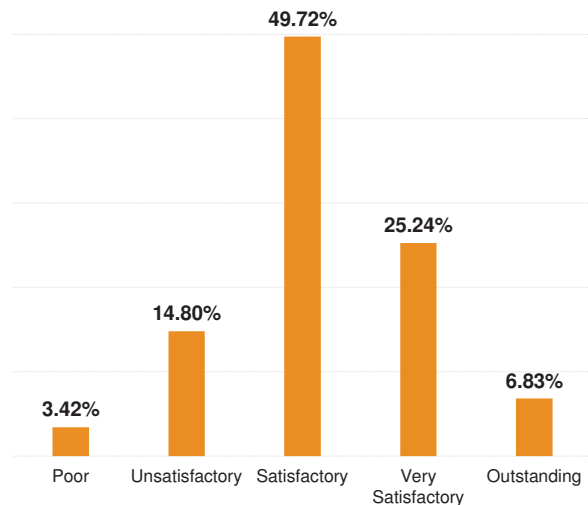
PwC

33

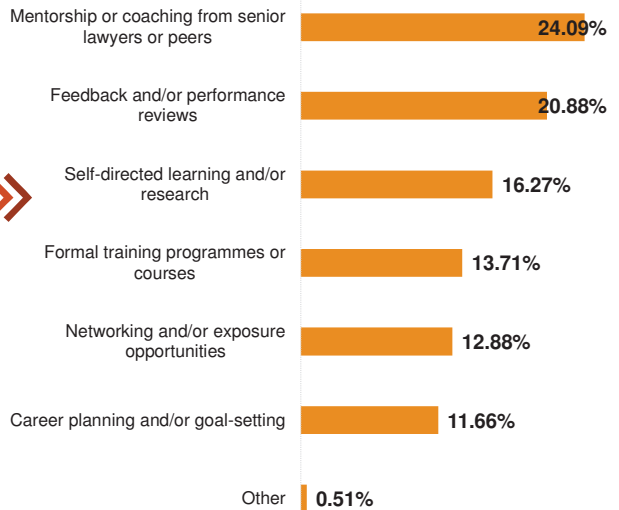
Findings: Respondents' assessment of their employers' management of their professional development

# Respondents' assessment of their employers' management of their professional development

Respondents' assessment of their employers' management of their development as a legal professional



Methods or tools that respondents have experienced or exposed that have supported their development as a legal professional



PwC

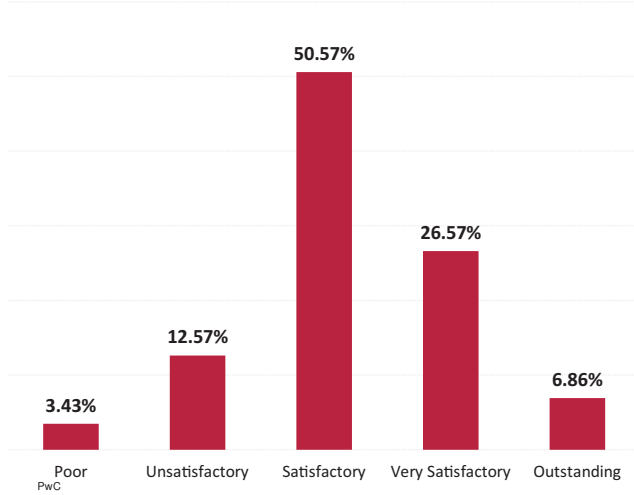
34



Findings: Private practice respondents' assessment of their employers' management of their professional development

# Private practice respondents' assessment of their employers' management of their professional development

Private practice respondents' assessment of their employers' management of their development as a legal professional



Methods or tools that private practice respondents have experienced or exposed that have supported their development as a legal professional

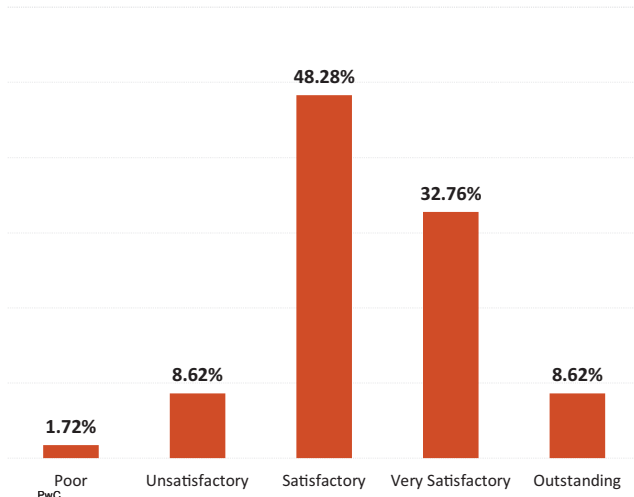


35

Findings: Public sector respondents' assessment of their employers' management of their professional development

# Public sector respondents' assessment of their employers' management of their professional development

Public sector respondents' assessment of their employers' management of their development as a legal professional



Methods or tools that public sector respondents have experienced or exposed that have supported their development as a legal professional

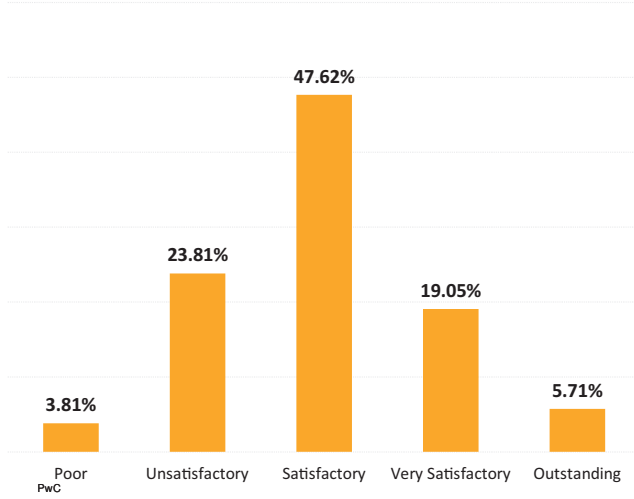


36

Findings: In-House respondents' assessment of their employers' management of their professional development

# In-House respondents' assessment of their employers' management of their professional development

In-House respondents' assessment of their employers' management of their development as a legal professional



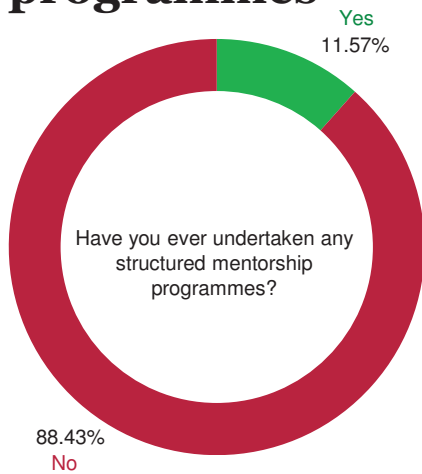
Methods or tools that In-House respondents have experienced or exposed that have supported their development as a legal professional



37

Findings: Structured mentorship programmes

# About 1 in 10 have undertaken structured mentorship programmes

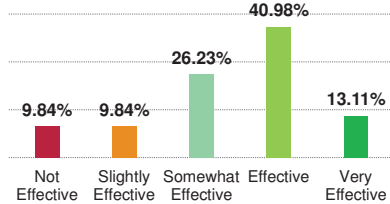


What was effective about the mentorship programme?

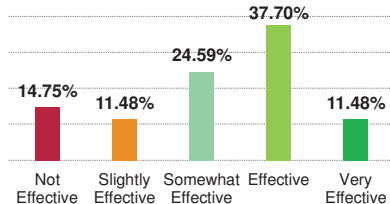
- Feedback and experience sharing
- Regular contact
- Close supervision and commitment from the mentor
- Upskilling

PwC

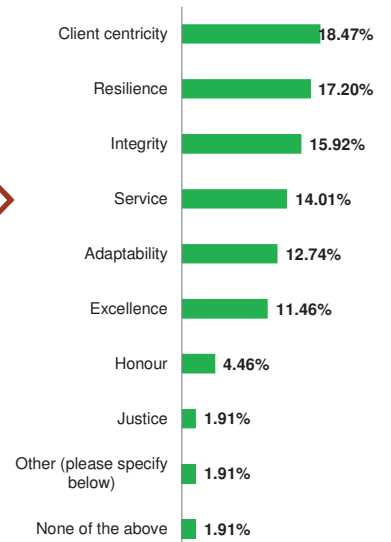
Respondents rated mentorship programmes on average as 'Somewhat Effective' (3 out of 5) for its effectiveness for **developing their knowledge and skill set in the legal profession**



Respondents rated mentorship programmes on average as 'Somewhat Effective' (3 out of 5) for its effectiveness for **embedding a strong sense of ethical values and professional standards**

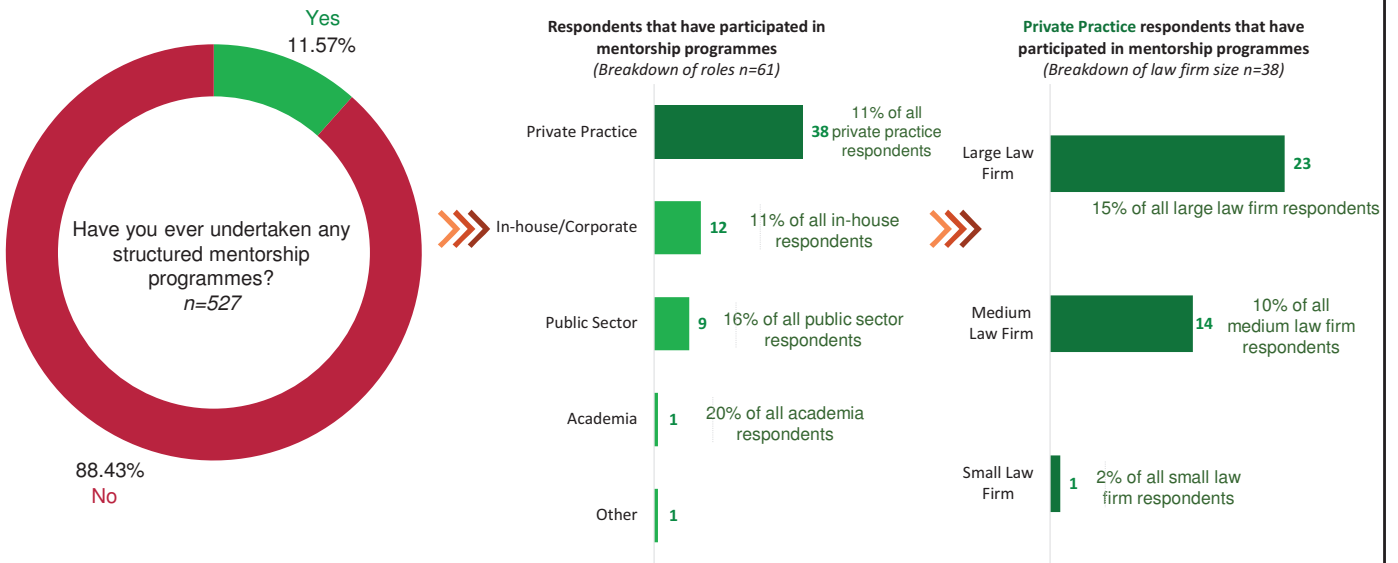


Top 3 values learned from the mentorship programme as rated by survey respondents

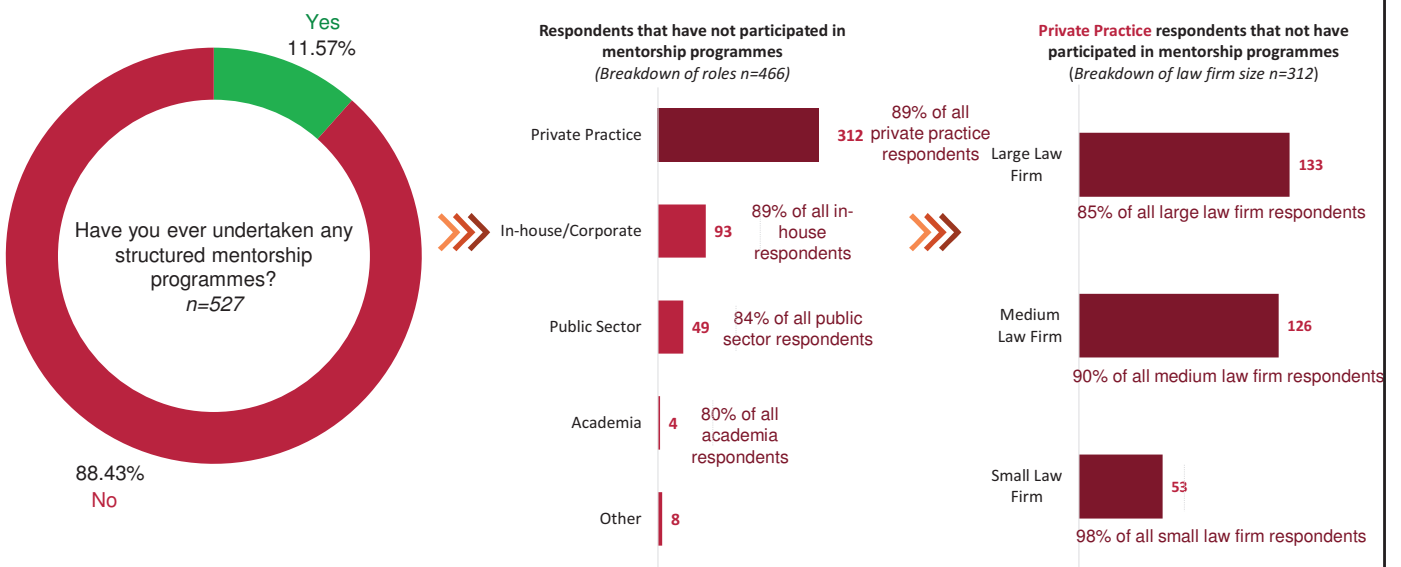


38

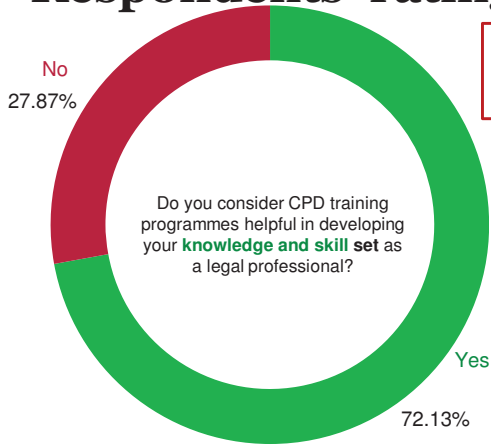
# Breakdown of respondents that have participated in mentorship programmes



# Breakdown of respondents that have not participated in mentorship programmes



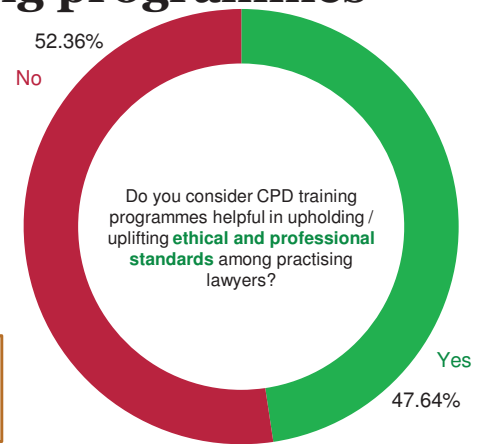
# Respondents' rating of CPD training programmes



"Many felt stressed and pressured to go to CPD and still have to do their work. There's simply no time for it."

"When Lawyers are invited to learn then they have more incentive to learn. But when they go just for points, they are not really motivated."

"Soft skills are more important than technical skills. But soft skills are much harder to learn in a formal setting."



### What did you find useful about CPD training programmes?

- Being informed and up to date on current legal developments
- Having the opportunity to learn from experienced and senior practitioners
- Building knowledge and exposure to different areas of law and technical aspects
- Opportunities to network
- Development of skills

### What did you not find useful about CPD training programmes?

- Can be costly
- Impractical: more theoretical and general knowledge based
- Irrelevant to current practice
- No flexibility: difficult to balance with other priorities
- Mandatory requirement
- Ineffective, inexperienced and underprepared speakers

# Draft best practice checklist for Singapore law firms >>>

Synthesised from the focus group discussions, thought leadership interviews, and survey respondents

Leadership	Professional and career development	Workplace culture
<ul style="list-style-type: none"> <li>• Clearly communicated mission, vision, and values <input type="checkbox"/></li> <li>• Supervised practice and practical guidance by partner/s <input type="checkbox"/></li> <li>• Structured regular check-ins with manager / supervisor <input type="checkbox"/></li> <li>• Assistance from senior lawyers to manage external pressure <input type="checkbox"/></li> <li>• Managers and partners that are accessible <input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li>• Yearly appraisal / feedback conversation <input type="checkbox"/></li> <li>• Structured mentoring programme <input type="checkbox"/></li> <li>• Clearly articulated, structured career pathway (both in traditional legal and non-traditional legal pathways) with role models <input type="checkbox"/></li> <li>• International exposure opportunities for matters and work <input type="checkbox"/></li> <li>• Secondment opportunities <input type="checkbox"/></li> <li>• Reverse mentoring <input type="checkbox"/></li> <li>• Professional development opportunities <input type="checkbox"/></li> <li>• Centre of Excellence on areas of specialisation (peer to peer learning) <input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li>• Focus on wellbeing <input type="checkbox"/></li> <li>• Collegiality <input type="checkbox"/></li> <li>• Empathy <input type="checkbox"/></li> <li>• Purposeful <input type="checkbox"/></li> <li>• Family friendly <input type="checkbox"/></li> <li>• Respect for personal boundaries / time <input type="checkbox"/></li> <li>• Positive reinforcement <input type="checkbox"/></li> <li>• Fostering sustainable behaviour/practices (e.g. resilience building) <input type="checkbox"/></li> <li>• Manageable work hours / work-life balance <input type="checkbox"/></li> <li>• Culture of feedback <input type="checkbox"/></li> <li>• Repercussions for those who are deemed ethically immoral (wrongdoing) <input type="checkbox"/></li> <li>• Time allocated for learning and development <input type="checkbox"/></li> <li>• Overtime is fairly compensated <input type="checkbox"/></li> <li>• Counselling sessions and / or helpline <input type="checkbox"/></li> </ul>
Formal training programs	Resources / materials	Nature of work
<ul style="list-style-type: none"> <li>• Formalised training on ethical standards, with regular refresher, accessible (on demand), practical application, and incentivised. <input type="checkbox"/></li> <li>• Formalised training on professional standards, with regular refresher, accessible (on demand), practical application, and incentivised. <input type="checkbox"/></li> <li>• Legal practice leadership training programs for senior lawyers <input type="checkbox"/></li> <li>• Legal practice mentorship training programs for senior lawyers <input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li>• Code of conduct <input type="checkbox"/></li> <li>• Company handbook/code of conduct <input type="checkbox"/></li> <li>• Overview / handbook of training and resources available to lawyers <input type="checkbox"/></li> <li>• Clear project management of matters (e.g. timelines, project management artefacts) <input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li>• Intellectually stimulating and reasonably challenging work <input type="checkbox"/></li> <li>• Variety of work <input type="checkbox"/></li> <li>• Autonomy <input type="checkbox"/></li> <li>• International client base <input type="checkbox"/></li> </ul>
CPD	Workplace management	
<ul style="list-style-type: none"> <li>• Low-no cost CPD organised by firm <input type="checkbox"/></li> <li>• Accessible (easy to find) CPD programs curated by firm <input type="checkbox"/></li> <li>• Programs that are focused on 'soft' skills training <input type="checkbox"/></li> <li>• Programs that are focused on legal expertise training <input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li>• Balanced scorecard to that recognise importance of ethical and professional standards <input type="checkbox"/></li> <li>• Tracking of attrition rates <input type="checkbox"/></li> <li>• Monitoring workloads of juniors and adapting when necessary <input type="checkbox"/></li> <li>• Inclusive ownership structure (i.e. not just Lawyers) <input type="checkbox"/></li> </ul>	



© 2023 PwC. All rights reserved. Not for further distribution without the permission of PwC. "PwC" refers to the network of member firms of PricewaterhouseCoopers International Limited (PwCIL), or, as the context requires, individual member firms of the PwC network. Each member firm is a separate legal entity and does not act as agent of PwCIL or any other member firm. PwCIL does not provide any services to clients. PwCIL is not responsible or liable for the acts or omissions of any of its member firms nor can it control the exercise of their professional judgment or bind them in any way. No member firm is responsible or liable for the acts or omissions of any other member firm nor can it control the exercise of another member firm's professional judgment or bind another member firm or PwCIL in any way.

**Research report: Important notice to readers**

## Important notice to readers

Please read below for the terms and conditions on which you may read this report. In reading this report you will be deemed to have agreed to the terms and conditions set out below:

- This report has been prepared by PricewaterhouseCoopers Singapore Pte. Ltd. ("PricewaterhouseCoopers") for Singapore Academy of Law (the "Client") in connection with a study into the ethical and professional standards of early career lawyers in Singapore ("Purpose").
- This report was prepared on our Client's instructions and with only our Client's interest in mind; our work was not planned in contemplation of use by you. This report cannot in any way serve as a substitute for enquiries and procedures which you will or should be undertaking for the purposes of satisfying yourselves regarding your Purpose or for any other purpose in connection with your review.
- By reading this report you acknowledge that you enjoy such receipt for information only and accept the following terms:
  1. You accept that in providing you with a copy of this report, PricewaterhouseCoopers, its partners, employees and agents neither owe nor accept any duty or responsibility or liability to you, whether in contract, tort (including without limitation, negligence and breach of statutory duty) or howsoever otherwise arising, and shall not be liable in respect of any loss, damage or expenses of whatsoever nature which is caused by any use you may choose to make of this report, or which is otherwise consequent upon the provision of this report to you;
  2. We are not authorized to give explanations or further information in relation to this report or our Client. However, should any PricewaterhouseCoopers partner, employee or agent provide you with any explanations or further information, you acknowledge that they are given subject to the same terms as those specified herein in relation to this report;
  3. This report was prepared on our Client's instructions and with only our Client's interests in mind; our work was not planned in contemplation of use by you. This report may place particular emphasis on issues that are considered material by our Client. Consequently, the issues covered in this report and the emphasis placed upon them may not address or reflect your specific requirements, interests or circumstances. You should also be aware that this report has been prepared in the light of a number of discussions with our Client for its intended purpose to which you were not a party. This report may not be relied on by you and cannot in any way serve as a substitute for enquiries and procedures which you will or should be undertaking for the purposes of satisfying yourselves for your intended Purpose; and
  4. This report does not incorporate the effects, if any, of events and circumstances which may have occurred or information which may have come to light subsequent to the review period identified in this report. We make no representation as to whether, had we carried out such work or made such enquiries, there would have been a material effect on this report. Further, we have no obligation to notify you if any matters come to our attention which might affect the continuing validity of the comments or conclusions in this report.
- The terms of this notice are governed by Singapore law and each party is to submit to the exclusive jurisdiction of the Singapore courts in connection with any matter relating to this agreement.
- By proceeding to read this report you are confirming that you wish to receive a copy of this report dated 24 November 2023 under the terms set out above

## Important notice to readers



Please read below for the terms and conditions on which you may read this report. In reading this report you are deemed to have agreed to the terms and conditions set out below:

- This report was prepared for the Singapore Academy of Law in connection with research into best practices in nurturing and enforcing ethical values in the Singapore legal profession.
- Third parties and members of the public may read this report for information only. You agree and acknowledge that the Singapore Academy of Law and all of its subsidiaries neither owe nor accept any duty or responsibility or liability to you, whether in contract, tort (including without limitation, negligence and breach of statutory duty) or howsoever otherwise arising, and shall not be liable in respect of any loss, damage or expenses of whatsoever nature which is caused by any use which you may choose to make of this report, or which is otherwise consequent upon the provision of this report to you.
- Any further explanations or further information provided by the Singapore Academy of Law pursuant to this report shall be subject to the same terms as those specified herein in relation to this report.
- The terms of this notice are governed by Singapore law and each party is subject to the exclusive jurisdiction of the Singapore Courts in connection with any matter relating to this notice. By proceeding to read this report, you confirm that you agree to the terms set out above.