

Interim Report of the Ethics and Professional Standards Committee

Interim recommendations | 15 December 2023

Recommendations by the Ethics and Professional Standards Committee

The Ethics and Professional Standards Committee has proposed the following recommendations in its interim report. The recommendations can be grouped into three major themes of ethos, learning, and mentoring.



Ethos



Learning



Mentoring

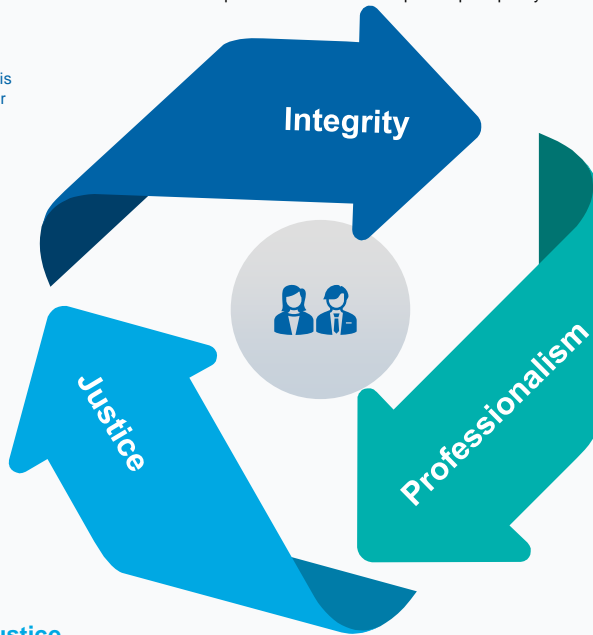
- Recommendation 1: Core values**
 To distil core values of the legal profession that will be clearly communicated and explained to members of the profession, aspiring entrants and the public. The core values will reiterate the importance of the calling to serve, and their communication also serves to (i) attract the correct candidates; (ii) unify the profession and sustain its sense of call; and (iii) educate the public at large on the premise from which lawyers act.
- Recommendation 2: Shared vision**
 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 (to be implemented beginning in Mass Call 2024); and (iii) a creed for members of the legal profession.
- Recommendation 3: Community rituals**
 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.
- Recommendation 4: Codes and reference guides**
 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, (a) the Code of Practice for the Conduct of Criminal Proceedings by the Prosecution and the Defence and (b) the etiquette guide titled *A Civil Practice – Good Counsel for Learned Friends* (2011) could be updated; and (c) a new Ethical Best Practices in Dispute Resolution is proposed.
- Recommendation 5: Continuous education**
 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) 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.
- Recommendation 6: Part A of the Singapore Bar Examinations**
 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.
- Recommendation 7: Part B of the Singapore Bar Examinations**
 To ensure that each stage of the ethics education continuum builds atop one another, 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.
- Recommendation 8: Continuing Professional Development ("CPD")**
 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).
- Recommendation 9: Structured training and specialist programmes**
 To contextualise ethical issues faced in the various practice areas, ethics-related content should be incorporated into structured training and specialist programmes.
- Recommendation 10: Training resources**
 To make resources on ethics and professional standards more accessible and use new technologies, including generative artificial intelligence, to facilitate self-education.
- Recommendation 11: Supervising solicitors**
 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.
- Recommendation 12: Specialist communities of practice**
 To promote a culture of lifelong and multi-layered mentoring, specialist communities of practice should be created and developed.
- Recommendation 13: Ethics Line**
 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, and which is able to provide more immediate advice.

Core values of the legal professional

A profession's values are "its vision of the moral qualities it wishes its members to embody". The proposed core values are intended to reiterate the importance of the lawyer's calling to serve. 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. While aspects of each core value may overlap with the others, the Committee is of the view that each encapsulates a distinct and important principle by which every lawyer must be guided:

Integrity

"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, opposing parties and/or counsel, the public, and any court or tribunal before whom he or she appears on behalf of a client.



Justice

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.

Professionalism

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. The core value "Professionalism" incorporates at least the following three principles:

- i. First, lawyers must be diligent in their three relationships with client, court and fellow counsel.
- ii. Second, lawyers must be fair and courteous, and must conduct themselves professionally, towards every person they interact with in the course of their work.
- iii. Third, lawyers must be committed to lifelong learning, training and development.

Learning And Mentoring Throughout Lawyers' Careers

There is an opportunity to introduce ways to further solidify and encourage the continuous development of lawyers through their learning lifecycle.

