

THE LAW SOCIETY OF SINGAPORE

PRACTICE DIRECTION 6.2.2

[Formerly PDR 2013, para 74]

DISTRIBUTION OF FLYERS OR LEAFLETS

A. Distribution of Leaflets/Flyers in Public Places

[Ethics in Practice, Singapore Law Gazette, March 2010; Ethics Committee Guidance 2006]

Distributing flyers or leaflets to the general public in public places can be an act which may be reasonably regarded as touting under rule 43(4) of the Legal Profession (Professional Conduct) Rules 2015 (S 706/2015) ('PCR 2015'), unless the recipients had requested such flyers or had previously indicated a desire to know more about the law practice. Direct, in-person solicitation would also be a breach of rule 39(1) of the PCR 2015. In addition, distribution of flyers in public places is "unbefitting the dignity of the legal profession" under rule 44(1)(b) of the PCR 2015 because it is more commonly associated with the retail of goods and provision of services of a vocational and nonprofessional nature.

However, law practices may have copies of the flyer/leaflet at its premises for existing or potential clients or for third parties to pick up when visiting the premises. It is also permissible for the law practice to display the flyer and/or its contents on the law practice's website.

B. Distribution of Mailers and Calling Cards to HDB Residents

[Ethics Committee Guidance: 27 September 2000]

A law practice is not permitted to distribute mailers and calling cards to HDB residents as this would be a breach of rules 44(1)(a) and 44(1)(c) of the PCR 2015.

C. Flyer Stating "Legal Services", Followed by Law Practice's Contact Number

[Ethics Committee Guidance: 5 October 2009]

Such publicity is reasonably regarded as being misleading (under rule 44(1)(b) of the PCR 2015 read with rule 44(2)(c) of the PCR 2015) as it contains information that cannot be verified, because there is no way for the public to verify whether the advertiser of legal services is in fact a legal practitioner or a law practice. It is also deceptive and unbefitting the dignity of the legal profession under rule 44(1)(b) of the PCR 2015.

Even if such information can be verified by calling the contact number in the flyer, there is nevertheless a potential for abuse as the public is not able to independently verify the *bona fides* of the law practice until a call is made (upon which undue influence may unfortunately be exerted on the caller). At the very least, the name of the law practice should be stated in the flyer.

D. Placing Law Practice's Brochures and Newsletters at Client's Premises

[Ethics Quandary, Singapore Law Gazette, March 1999, page 16]

When a law practice places their brochures and newsletters at the client's premises, the Council may determine that the manner of publicity of the law practice is undesirable under rule 44(1)(c) of the PCR 2015.

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THE COUNCIL OF THE LAW SOCIETY OF SINGAPORE