

## FACTSHEET

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#### **A. Law Society's Practice Directions and Guidance Notes**

1. A list of the latest 111 Practice Directions and Guidance Notes issued by the Council of the Law Society can be found on the [Law Society's Ethics and Professional Responsibility webpage](#).
2. The Practice Directions and Guidance Notes have been updated/issued as and when required (e.g. March 2017, April 2017, June 2018, January 2019, October 2019, June 2020, December 2020, February 2021, January 2022, April 2022, August 2022 and May 2023).
3. Since January 2018, the Law Society has issued 3 new Practice Directions and 3 new Guidance Notes:
  - (a) **Practice Directions:**
    - (i) PD 3.3.11 – Online Digital Payments from Client Account (First issued on 12 April 2022 and updated on 23 May 2023)
    - (ii) PD 3.14.1 – Unclaimed Money Fund Framework (25 October 2019)
    - (iii) PD 5.3.1 – Use of Electronic Payment Methods and the Treatment of Fees Associated with Payment of Solicitors' Bills of Costs (17 December 2020)
  - (b) **Guidance Notes:**
    - (i) GN 3.15.1 – Use of E-mail Correspondence (15 April 2021)
    - (ii) GN 5.6.1 – Conditional Fee Agreements (1 August 2022)

<sup>1</sup> These do not include the CPD ethics courses organized by the Law Society.

(iii) GN 7.1.2 – Advisory on Dispute Resolution Options for Potential Litigants (22 December 2021)

4. Whenever a Practice Direction or Guidance Note is issued/updated, members would be notified via *JusNews* (the Law Society's weekly e-Newsletter).

#### **B. Law Society's Conveyancing Circulars, Practice Directions and Rulings 2014**

5. The Law Society's Conveyancing Circulars, Practice Directions and Rulings 2014 ("CPDR") was re-published on 17 March 2014. Helpfully curated by the Conveyancing Practice Committee ("**Committee**"), the CPDR includes Practice Directions which are relevant to conveyancing practice, circulars issued by the Committee (and other relevant authorities) and rulings made by the Committee on members' queries in relation to conveyancing practice (e.g. interpretation of the Law Society's Conditions of Sale 2012).
6. The CPDR is available in the [Members' Library](#) of the Law Society's website and can be accessed as follows: <https://www.lawsociety.org.sg/> > Lawyers > Members' Library > Knowledge Management > Law Society's Conveyancing Circulars, Practice Directions and Rulings.

#### **C. Summaries of Disciplinary Tribunal Reports**

7. Under section 93(5) of the Legal Profession Act 1966, the Council of the Law Society is required to publish the findings and determination of the Disciplinary Tribunal in the Singapore Law Gazette or in such other media as the Council may determine which would adequately inform the public of the findings and determination.
8. The summaries of the findings and determination of the Disciplinary Tribunal in each case can be found in the Singapore Law Gazette's [Disciplinary Tribunal Reports](#) section, as well as through a link in the [Ethics Resources](#) section of the Law Society's website and can be accessed as follows: <https://www.lawsociety.org.sg/for-lawyers/ethics-resources/> > General Resources > Disciplinary Tribunal Reports.

#### **D. Law Society's Email Newsletters, Ethics Resources Webpage and Social Media Platforms**

9. Many of the Law Society's ethics resources are disseminated via various regular email communication channels with members, such as *JusNews* and *Weekly Pulse* (the Law Society's weekly e-Newsletters).
10. These ethics resources may also be accessed through the [Members' Library](#) of the Law Society's website (where restricted to members) and/or consolidated on the [Law Society's Ethics Resources webpage](#).
11. From time to time, the Law Society's ethics resources are also publicized on social media via the Law Society's Facebook and LinkedIn pages.

#### **E. Advisory Committee of the Professional Conduct Council**

12. The Advisory Committee of the Professional Conduct Council ("**Advisory Committee**") is the successor to the Law Society's Ethics Committee. Formed on 18 November 2015 together with the establishment of the Professional Conduct Council (the "**PCC**"), the Advisory Committee's Terms of Reference are:
  - (a) to advise the Council in providing guidance on the ethical obligations of legal practitioners;

- (b) to collect, organise and publish, with the assistance of the Council, from time to time in such form as it thinks fit the advice and guidance given under paragraph (a) above;
  - (c) to keep under review the ethical obligations of legal practitioners and to make recommendations for the development, codification, amendment or reform of such ethical obligation from time to time to the PCC and/or the Council; and
  - (d) to work with the Council and/or Committees of the Law Society to raise awareness and knowledge amongst lawyers of their ethical obligations.
13. The Advisory Committee comprises Singapore legal practitioners and foreign lawyers, appointed by the Chief Justice. Members of the Advisory Committee are appointed for a two-year term.
  14. The Representation & Law Reform department of the Law Society, which supported the Law Society's Ethics Committee in the past, functions as the Secretariat to the Advisory Committee. Members seeking guidance from the Advisory Committee can write to [ethics\\_enquiry@lawsoc.org.sg](mailto:ethics_enquiry@lawsoc.org.sg). Part C of [Practice Direction 2.1.3](#) contains the guidelines on submissions of requests to the Advisory Committee for guidance.
  15. From 2015 to date, the Advisory Committee has issued more than 100 written guidances to members.

#### **F. Professional Ethics Digests**

16. The Professional Ethics Digest 2019 and Professional Ethics Digest 2020 are compilations of the Advisory Committee's guidance on the Legal Profession (Professional Conduct) Rules 2015 ("**PCR 2015**"). They contain relevant anonymised illustrations on the application of the PCR 2015 based on actual queries submitted by lawyers to the Advisory Committee.
17. Both the 2019 and 2020 editions of the Digest are available in the [Members' Library](#) of the Law Society's website and can be accessed as follows: <https://www.lawsociety.org.sg/> > 'Lawyers' > Members' Library > Legal Ethics > Professional Ethics Digest.

#### **G. Conflicts of Interest Toolkit**

18. In April 2021, the Law Society published a Conflicts of Interest Toolkit to help legal practitioners better recognise, avoid and/or manage conflicts of interest situations that are commonly encountered in practice. The Toolkit consists of 8 checklists to assist legal practitioners in navigating the challenging terrain of conflicts of interest in their day-to-day interactions with the Court, clients, former clients and third parties. These checklists are:
  - (a) Managing conflicts of interest in practice
  - (b) Conflicts of interest systems, policies and controls for law practices
  - (c) Should you advise or act for a family member or a friend?
  - (d) Dealing with an unrepresented person or other third party
  - (e) Conflicts of interest in court or tribunal proceedings
  - (f) Acting for multiple clients
  - (g) Acting against a former client
  - (h) Personal interest conflicts
19. The Conflicts of Interest Toolkit is available in the [Members' Library](#) of the Law Society's website and can be accessed as follows: <https://www.lawsociety.org.sg/> > 'Lawyers' > Members' Library > Legal Ethics > Conflicts of Interest.

## H. The Art of Family Lawyering (2019 Special Edition)

20. Subsequent to the addition of rules 15A and 15B to the PCR Rules 2015, the Law Society's Family Law Practice Committee published *The Art of Family Lawyering (2019 Special Edition)* in January 2019. Spanning 177 pages, it contains 52 best practice tips and numerous practical pointers on how to buttress constructive problem solving, conciliation and the prevention of conflict of interest. This is to help family law practitioners adopt a constructive and conciliatory approach to the resolution of family proceedings while having regard to the need to take a child-centric approach towards resolving issues that involve or relate to children.
21. *The Art of Family Lawyering* is currently available for purchase at the Law Society (28 Maxwell Road, #01-03, Maxwell Chambers Suites) at \$5.40 (inclusive of GST).

## I. Ethics in Practice and other Singapore Law Gazette ethics articles

22. The [Singapore Law Gazette](#), a monthly e-magazine of the Law Society, has a regular [Ethics in Practice](#) section which publishes common ethical issues encountered in practice. Other ethics articles are also published in other sections of the Singapore Law Gazette from time to time.
23. A non-exhaustive listing of ethics articles recently published in the Singapore Law Gazette is set out as follows:
  - (a) [The Ethics Assist Helpline](#) (June 2024)
  - (b) [Back to Basics: Undertakings](#) (April 2024)
  - (c) [Digital Payments from Client Accounts](#) (September 2023)
  - (d) [Reflecting on What It Means to be an Ethical Lawyer \(August 2023\)](#)
  - (e) [Six Ethics Resources from the Law Society \(August 2023\)](#)
  - (f) [The Importance of Communicating Effectively with Your Client \(December 2022\)](#)
  - (g) [Executive Appointments: A Guide for Busy Practitioners \(February 2022\)](#)
  - (h) [Risky Business: What Young Lawyers Should Know About Ethics and Risk Management \(August 2021\)](#)
  - (i) [Raise Your Ethics IQ ... with the Professional Ethics Digest 2020 \(March 2021\)](#)
  - (j) [Giving 2 Working Days' Notice Before Entering Judgment \(February 2021\)](#)
  - (k) [Professional Ethics – An Update \(January 2021\)](#)
  - (l) [Business Transactions Between Solicitors and Their Clients \(November 2020\)](#)
  - (m) [Why Etiquette Matters – Inspirations from C C Tan Award Recipients \(August 2020\)](#)
  - (n) [Much Ado About Nothing: The Civil Procedural and Ethical Perils of Inaction \(December 2019\)](#)
  - (o) [Managing Legal and Ethical Risks in Cross-Jurisdictional Transactions \(November 2019\)](#)
  - (p) [Ethics in Advocacy – How Far Can You Go? \(October 2019\)](#)
  - (q) [Lawyers' Duties to Prospective Clients \(April 2019\)](#)
  - (r) [Disclosing Client Confidences to Your Spouse or Significant Other \(February 2019\)](#)
  - (s) [Looking for Help or Asking for Trouble? \(September 2018\)](#)
  - (t) [Disruptive Legal Technologies – Is Ethics Catching Up? \(August 2018\)](#)
24. Relatedly, the Law Society publishes an annual Mass Call issue in August for newly admitted lawyers, which contains inspiring articles written by, amongst others, judges and legal practitioners. Topics covered include ethics, mentoring, practice tips and well-being. A list of the Law Society's recent Mass Call issues is set out below:
  - (a) [For Our New \(And Not so New\) Learned Friends \(Special Issue for Mass Call 2023\)](#)
  - (b) [Sustainable Paths \(Special Issue for Mass Call 2022\)](#)
  - (c) [Mind Matters \(Special Issue for Mass Call 2021\)](#)

(d) [Boldly Into the Future \(Special Issue for Mass Call 2020\)](#)

**J. Members Assistance and Care Helpline (MACH)**

25. Launched in 2018, MACH provides members with a forum to turn for help or assistance when faced with issues at work (including ethical issues) or problems which may affect work (such as harassment, bullying or violence). Members may call to speak confidentially to the Law Society at **6530 0213**. Calls are generally accepted from 9am to 5pm, Monday through Friday. Members may also send an email to the Law Society at [membership@lawsoc.org.sg](mailto:membership@lawsoc.org.sg).
26. Upon understanding the issue(s) that the member faces, and with the member's consent, the Law Society will help to refer the member to the appropriate committee for advice/guidance or welfare scheme for assistance.

**K. Law Society Member Support Schemes**

27. The Law Society has established the following schemes to assist and support members.
- (a) [Law Society Mentorship Scheme](#): A comprehensive and remodelled mentoring programme launched in August 2023 that aims to help mentees find a volunteer mentor from a pool of lawyers beyond their immediate network at the workplace. It provides a platform for the mentee to discuss issues such as ethical conundrums, practice-area related issues, mental well-being and career development, comfortably with the assigned mentor with full confidentiality. The new scheme also provides an option for the mentee to engage in reverse mentoring of technology skills and social media knowledge with the mentor subject to their mutual consent.
  - (b) [Women in Practice \("WIP"\) Committee's Group Mentoring Programme](#): Featuring 13 lawyers as volunteer mentors, this mentoring programme has successfully mentored 80 mentees across eight mentoring groups. This initiative has been instrumental in providing guidance and support to younger female lawyers, enabling them to navigate the challenges and opportunities in their legal careers. A call for participation is made annually by the WIP Committee through the Law Society's e-mail newsletter.
  - (c) [Members' Assistance & Care Helpline \(MACH\)](#): A one-stop referral and information service for members to call to speak confidentially on ethical issues at work or problems which may affect work.
  - (d) [Compassion Fund](#): The LawSoc-SBF Foundation Compassion Fund is a financial outreach initiative that aims to offer one-off financial aid and one-stop referral support to employees in need within the industry.
  - (e) [LawCare](#): For members facing personal problems who wish to consult a counsellor under the LawCare scheme, which is a confidential counselling service administered in conjunction with an independent Counselling and Care Centre.
  - (f) [Defence Assist](#): Members facing disciplinary proceedings may seek legal assistance on disciplinary proceedings from fellow members who have volunteered to provide such assistance.
  - (g) [SCMediate](#): Senior Counsel will, upon request and subject to his availability, act as mediator to mediate a dispute between law practices without charge where the total time spent does not exceed half a day.
  - (h) [Welfare Fund](#): To assist members, former members and their dependants who are in need of financial assistance in certain specified circumstances.
  - (i) [Practice Consult](#): A legal practice management consultant offers guidance and advice on practice risk management, practice management issues or client relationships on a strictly confidential basis.
  - (j) [Cost Dispute Resolve](#): Provides an alternative avenue for members, their clients and third parties to resolve disputes on legal costs amicably and economically.

28. More information about the above schemes can be found at the [Law Society's Support Schemes webpage](#).

#### **L. The C C Tan Award**

29. 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. The C C Tan award is named after the first President of the Law Society, Mr Tan Chye Cheng or 'C C Tan' as he was known. C C Tan had a long and distinguished professional career and embodied the finest and noblest virtues of the legal profession – honesty, fair play, gentlemanliness and personal integrity. Since 2003, it has been the Law Society's annual tradition each year to recognise and honour a member of the legal profession who best personifies the model example and ideals set by C C Tan.
30. Recent C C Tan award recipients are listed below, together with a link to their respective citations (where applicable):
- (a) Mr Adrian Tan Gim Hai (2023) (awarded posthumously)
  - (b) [Mr Chew Kei-Jin \(2022\)](#)
  - (c) [Mr Lok Vi Ming SC \(2021\)](#)
  - (d) [Mr Philip Jeyaretnam SC \(2020\)](#)
  - (e) [Mr Amolat Singh \(2019\)](#)
  - (f) [Mr Leo Cheng Suan \(2018\)](#)
  - (g) [Mr Peter Cuthbert Low \(2017\)](#)
31. More information about past C C Tan award recipients and what lawyers can learn from them can be found in the Singapore Law Gazette article: [Why Etiquette Matters – Inspirations from C C Tan Award Recipients \(August 2020\)](#).

#### **M. Ethics Awareness and Outreach Sessions**

32. The Law Society also conducts ethics awareness and outreach sessions at various forums. Members of the Law Society are invited to attend luncheons organised by the Council of the Law Society and/or Committees of the Law Society, during which conversations on Ethics can occur through discussions of case studies, or informal quizzes.

#### **N. The Ethics Assist Helpline**

33. On 10 June 2024, the Society launched "Ethics Assist", a confidential helpline designed to facilitate a legal practitioner's access to ethical guidance. The creation of Ethics Assist is aligned with the recommendation of the Interim Report of the Ethics and Professional Standards Committee dated 15 December 2023, which recommended the establishment of a less formal mechanism for lawyers to receive guidance on ethical issues.
34. Through the Ethics Assist helpline, legal practitioners can obtain guidance from senior practitioners who volunteer on the Ethics Assist Panel. All queries received are relayed anonymously to a member of the Ethics Assist Panel to minimise the risk of a conflict of interest.
35. Since its launch, the Ethics Assist helpline has addressed a range of queries across various practice areas (e.g. Family Law and Conveyancing). This includes queries on professional etiquette between legal practitioners.

36. The Ethics Assist helpline, which can be reached at **6530-0222**, operates 5 days a week (excluding weekends and public holidays). It is staffed by the Society's Secretariat from 9.00 am and 11.00 am, and from 3.00 pm to 5.00 pm.

Date: 26 July 2024

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