

**BRIEF GUIDE TO MAKING A COMPLAINT UNDER
SECTION 85(1) OF THE LEGAL PROFESSION ACT
AGAINST A LAWYER FOR PROFESSIONAL
MISCONDUCT**

By
The Law Society of Singapore
February 2026

MAKING A COMPLAINT ABOUT A LAWYER'S CONDUCT

A COMPLAINT OF MISCONDUCT UNDER SECTION 85(1) OF THE LEGAL PROFESSION ACT 1966 (THE "ACT")

1. Professional misconduct relates to the conduct of a lawyer which is below the standard expected of a member of an honourable profession.
2. Professional misconduct may include, and is not limited to, dishonesty, fraud, gross overcharging for work done, misleading statements, divulging confidential or privileged information, acting in conflict of interest or acting in breach of rules of conduct such as the Legal Profession (Professional Conduct) Rules 2015 or Legal Profession (Solicitors' Accounts) Rules. Mere negligence is usually not sufficient to amount to professional misconduct.
3. The complaint is made under Section 85(1) of the Act to the Council of the Law Society of Singapore (the "**Council**"), which is the governing body of the Law Society.
4. The Council can only refer a complaint under Section 85(1) to the Chairman of the Inquiry Panel if it is made in accordance with the requirements of the Act. The requirements are in paragraph 9 below.
5. The complaint of misconduct may be made against a lawyer in a Singapore or foreign law practice who holds a practising certificate. The complaint is not restricted only to the lawyer engaged and/or appointed to act on your behalf.
6. Under Section 85(4A) of the Act, the Council must not refer a complaint to the Chairman of the Inquiry Panel if the complaint is first made to the Law Society after the expiration of 6 years from the date of the conduct.
7. **INQUIRY PROCESS**
 - a) Once your complaint satisfies the requirements of the Act, the Council will refer your complaint to the Chairperson of the Inquiry Panel (the "**Investigative Bodies**") for an inquiry. As required under section 85(5) of the Act, Council must inform the respondent lawyer(s) that the complaint is referred to the Chairperson of the Inquiry Panel and provide the respondent lawyer(s) with a copy of the complaint.
 - b) The inquiry into your complaint of misconduct consists of 2 stages administered by the Investigative Bodies. The first (1st) stage is a 2-man Review Committee (an "**RC**"). The second (2nd) stage is a 4-man Inquiry Committee (an "**IC**").

Review Committee ("RC")

- c) The Investigative Bodies will appoint an RC to investigate your complaint.
- d) In the event that the RC is of the view that your complaint (or any part thereof) is to be dismissed, please note that the Council must accept the same as prescribed under Section 85(19) of the Act. The Law Society is not empowered by the Act to *reopen* or *reconsider* your complaint once dismissed by the RC.

Inquiry Committee ("IC")

- e) If the RC is of the view that your complaint (or any part thereof) requires a further investigation, an IC will be appointed.

- f) After the IC has concluded its investigation into your complaint, the IC shall submit a report for Council's consideration. The Law Society will formally write to you after Council has made its determination on your complaint and on the IC's report.

8. POWERS OF THE INQUIRY COMMITTEE TO ORDER COSTS AGAINST YOU

Kindly take note that if your complaint is referred for investigation by an IC, the IC may require you to deposit with the Law Society a reasonable sum not exceeding S\$1,000 to cover costs and expenses. Further, if the IC finds the complaint to be frivolous or vexatious, the IC may order you to pay any person including the lawyer(s) you have complained against, all or any costs reasonably incurred by the lawyer(s) in the proceedings before the IC or direct that the amount be taxed (ie. a decision on what is a reasonable amount) by the Registrar. Such costs shall be a debt due from you to the lawyer(s) concerned.

Please do not send us any money at this point of time. We will write to you separately (if needed).

9. MAKING A COMPLAINT OF MISCONDUCT

With effect from 15 October 2008, you **must** provide a Statutory Declaration **and** a Complaint Letter to lay a complaint of misconduct.

A. Statutory Declaration

- a) You are required by the Act to support your complaint with a Statutory Declaration (the format for a complaint made by an individual is at pages 5-6 of this leaflet, and the format for a complaint made by a corporate body is at pages 7-8 of this leaflet).
- b) Please note that a Statutory Declaration is a legal document that affirms the statements made in your complaint are true. Making a false declaration may give rise to penalties provided under the Oaths and Declarations Act 2000. Further information about Statutory Declarations can be found at page 9 of this leaflet.
- c) If you are outside Singapore, the Statutory Declaration must be signed before a notary public authorised to administer affirmations, oaths or declarations in the country where you are in.

B. Complaint Letter

You are highly encouraged to utilise the form "*Section 85(1) Complaint Form*" to prepare your Complaint Letter.

Alternatively, please ensure that your Complaint Letter complies with the following requirements:

- a) Caption your letter "Complaint under Section 85(1) of the Legal Profession Act 1966".
- d) State your full name, residential address as in your NRIC/Passport, contact email and contact number. If you are making a complaint on behalf of a Company, LLP or MCST, you must be the authorised representative of the entity and furnish a Letter of Authority stating that you are authorised to make the complaint on behalf of the entity.
- e) The name of the lawyer you are making the complaint against, and the Singapore law practice where the lawyer is or was last practicing in.
 - Please note that your complaint must be directed against individual lawyer/lawyers, and not against a law practice. You may name more than one lawyer in your complaint.
 - You should set out, to the best of your ability, details of the allegations against each lawyer named in your complaint letter.

- If the lawyers are from different law practices, a separate complaint letter is needed for the lawyers in each law practice.
- f) Describe clearly the alleged misconduct and when it occurred. Where there is more than one allegation of misconduct, use a bullet point format (point by point) to state each alleged misconduct and when it occurred.
- g) Provide copies of the necessary documents that support and/or set out the details of your complaint. Do not send originals.
- h) Indicate if the complaint refers to misconduct which occurred **more than 6 years** from the date of the complaint, or more than 6 years from the earliest date you discovered the misconduct or could with reasonable diligence have discovered it. The Council cannot refer a complaint concerning the conduct of a lawyer that happened more than 6 years after the date of the misconduct to the Chairman of the Inquiry Panel without the permission of the High Court.
- i) Where there is more than one complaint, state each complaint as a heading and provide the particulars in support each alleged complaint.
- j) Write the information clearly and sign the complaint. The complaint must be addressed to the Director of the Regulatory Department and sent to the Law Society together with the requisite Statutory Declaration and the supporting documents.

Where to send / submit your Letter of Complaint

- k) The Law Society is able to accept complaints by way of email to regulatory@lawsoc.org.sg if the Letter of Complaint is **signed** and in PDF format. The required Statutory Declaration must also be in PDF format. No hard copy of the letter is required if you have emailed the statutory declaration and letter of complaint us. In the alternative, you may send the requisite documents by mail or by hand to “The Law Society of Singapore, 28 Maxwell Road, #01-03 Maxwell Chambers Suites Singapore 069120”.
- l) The Law Society cannot provide advice on the merits or success of a complaint or give legal advice. Upon receiving the documents as stated above, the Society will send an acknowledgement informing you of the date at which the Council will your complaint.
- m) Your letter of complaint may be in any language other than English. However, an English version **must be provided** to the Law Society. The English version shall be taken to be an accurate interpretation of your letter. You may subsequently be required to provide an English version of your letter that is translated by a certified translator.
- n) Copies of all necessary documents that support your complaint must be in English. If they are not written in English, you are required to provide a translation in English which shall be taken to be an accurate translation of the document. You may subsequently be required to provide an English version of the necessary document that is translated by a certified translator.
- o) If you are submitting audio and/or video recordings in support of your complaint, you are required to provide a transcription in English. You may subsequently be required to provide a transcription done by a certified individual.
- p) Please refer to the Law Society’s website <https://www.lawsociety.org.sg/file-a-complaint/> for further information on lodging a complaint.

STATUTORY DECLARATION UNDER THE OATHS AND DECLARATIONS ACT 2000
in support of a complaint against an advocate and solicitor made under Section 85(1)
of the Legal Profession Act 1966

I, (name), a (occupation)
residing at (address) do
solemnly and sincerely declare as follows: -

1. all the statements made by me in my letter of complaint dated the day of 20..... to the Council of the Law Society of Singapore (hereinafter called "**my Letter of Complaint**") are true on every point material to the complaint and there are no other particulars or additional information relevant to my complaint;
2. the conduct complained of in my Letter of Complaint did not occur more than six (6) years prior to the date of my Letter of Complaint;
3. to the best of my knowledge there **are/ are no**¹ (*delete whichever is inapplicable*) other complaints made to the Law Society of Singapore by me or any other person which arises from the same set of facts and particulars detailed in my Letter of Complaint; and

the particulars of the complaints are set out in the exhibit marked "**A**" and attached to this Statutory Declaration.

I understand that any person who makes in a statutory declaration a statement which is false and which he knows or has reason to believe is false or does not believe to be true, touching any point material to the object for which the statutory declaration is made or used, commits

¹ S85(1) Legal Profession Act 1966:

"Any complaint of the conduct of a regulated legal practitioner —

(a) must be made to the Society in writing;

(b) must include a statement by the complainant —

(i) as to whether, to the complainant's knowledge, any other complaint has been made to the Society against the regulated legal practitioner, by the complainant or by any other person, which arises from the same facts as the complainant's complaint; and

(ii) if so, setting out such particulars of each such complaint as the Council may require and the complainant is able to provide; and ..."

(To be used for declarations by individual persons)

an offence under the Oaths and Declarations Act 2000 for which upon conviction a person can be imprisoned for a term that may extend to 7 years and a fine.

AND

I make this solemn declaration by virtue of the provisions of the Oaths and Declarations Act 2000 and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

Declared at _____)

By x _____)
(name)

x _____
(signature)

This _____ day of _____ 20__)

Before me,

x _____
(signature and stamp of Commissioner for Oaths/Notary Public)
Commissioner for Oaths/Notary Public

STATUTORY DECLARATION UNDER THE OATHS AND DECLARATIONS ACT 2000
in support of a complaint against an advocate and solicitor made under Section 85(1)
of the Legal Profession Act 1966

I, (name), a (occupation)
residing at (address) do
solemnly and sincerely declare as follows: -

- (a) I am duly authorized by _____ (Principal) to make
the complaint dated the ___ day of _____ 20___ to the Council of the Law
Society (hereinafter called "**the Letter of Complaint**");
- (b) the facts stated in the Letter of Complaint signed by me on behalf of
_____ (Principal) are within my personal knowledge or derived from
documents placed before me and are true on every point material to the complaint and
there are no other particulars or additional information relevant to the complaint;
- (c) the conduct complained of in the Letter of Complaint did not occur more than six (6) years
prior to the date of the Letter of Complaint;
- (d) to the best of my knowledge there **are/ are no**¹ (*delete whichever is inapplicable*) other
complaints made to the Law Society of Singapore by me or any other person which arises
from the same set of facts and particulars detailed in the Letter of Complaint; and

the particulars of the complaints are set out in the exhibit marked "**A**" and attached to this
Statutory Declaration.

¹ S85(1) Legal Profession Act 1966:

"Any complaint of the conduct of a regulated legal practitioner —

(a) must be made to the Society in writing;

(b) must include a statement by the complainant —

(i) as to whether, to the complainant's knowledge, any other complaint has been made to the Society against the regulated legal practitioner, by the complainant or by any other person, which arises from the same facts as the complainant's complaint; and

(ii) if so, setting out such particulars of each such complaint as the Council may require and the complainant is able to provide; and ..."

(For use for declarations made on behalf of corporate bodies)

I understand that any person who makes in a statutory declaration a statement which is false and which he knows or has reason to believe is false or does not believe to be true, touching any point material to the object for which the statutory declaration is made or used, commits an offence under the Oaths and Declarations Act 2000 for which upon conviction a person can be imprisoned for a term that may extend to 7 years and a fine.

AND

I make this solemn declaration by virtue of the provisions of the Oaths and Declarations Act 2000 and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

Declared at _____)

By x _____)
(name)

x _____
(signature)

This _____ day of _____ 20__)

Before me,

x _____
(signature and stamp of Commissioner for Oaths/Notary Public)
Commissioner for Oaths/Notary Public

STATUTORY DECLARATION IN SUPPORT OF A COMPLAINT UNDER SECTION 85(1) OF THE ACT

Answers to Frequently Asked Questions

- Q: What is a Statutory Declaration ('SD')?
A: An SD is a sworn or affirmed statement stating that the contents of the complaint are true to the best of your knowledge. SDs are governed by the Oaths and Declaration Act 2000.
- Q: What is the difference between swearing / taking an oath and affirming an SD?
A: You would swear or take an oath if you are a Christian and where you are a Hindu or a Muslim, or are of another religion, or you have a conscientious objection to taking an oath, you will instead make an affirmation.
- Q: Why do I have to make an SD to lay a complaint?
A: All complaints made under section 85(1) of the Act would have to be supported by an SD executed by the maker(s) of the complaint.
- Q: Where there is more than one complainant, do each of the complainants need to make a separate SD?
A: More than one complainant may sign on the SD where their complaint is a joint complaint and where the facts of their complaint are the same. Where the facts of each person's complaint is different and independent of the others, a separate SD should be made for each maker of the complaint.
- Q: My company would like to lay a complaint against a lawyer and has authorized me to act on its behalf, do I need to make an SD?
A: You would need to make an SD stating that you are making the complaint as the authorised representative of the company and the facts stated are true to the best of your knowledge.
- Q: Where can I make an SD?
A: You may make an SD before a Commissioner for Oaths.
- Q: I live overseas and would like to make a complaint, what do I do?
A: If you are in the United Kingdom or any part of the Commonwealth, you would need to make your SD before a notary public, justice of the peace, or other person having authority in that country to take or receive a declaration.
If you are not in the Commonwealth, you would need to make your SD before a Consul, Vice Consul, or other person having authority in that country to take or receive a declaration.
- (Section 12, Oaths and Declarations Act 2000)*
- Q: I am not able to understand English, can I make the SD in a foreign language?
A: You may inform the Commissioner for Oaths beforehand that you are only able to converse in a certain language and the Commissioner for Oaths will arrange for an interpreter to be present to translate the SD into the language you are familiar with.
- Q: How much does it cost to make an SD?
A: A Commissioner for Oaths would charge a fee prescribed by the Singapore Academy of Law in the Commissioner for Oaths rules. You may also wish to check with a Commissioner for Oaths.
- (wef: 13 March 2024)*
- Q: How much does it cost to notarise my SD?
A: The costs of notarisation will be in accordance with the rates charged in the country you are located in.
- Q: How much does it cost to make the SD if I do not speak English?
A: A Commissioner for Oaths would charge a fee prescribed by the Singapore Academy of Law in the Commissioner for Oaths rules. You may wish to check with a Commissioner for Oaths if additional fees are chargeable for interpretation.
- (wef: 13 March 2024)*