



THE LAW SOCIETY  
OF SINGAPORE

# PROTOCOL ON REINFORCING ETHICS TO INTERNS

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Generally, law school interns would have just completed their first or second year of law school. They will have limited knowledge of professional ethics. As interns aspire to become members of the legal profession, it is important to impress on them the importance of professional ethics.

This document is intended as a guide in relation to the core and specific ethical values of the legal profession which law practices and legal practitioners should communicate to all interns at the commencement of their respective internships. This should be continually reinforced throughout the internship and the briefed issues should be revisited during check-in sessions in the course, as well as at the end, of the internship. It is also open to law practices to supplement the contents of this document with additional materials concerning ethical values to be conveyed to incoming interns.

The lawyers who have charge over interns should be reminded that part of their role is to instill ethics consciousness in interns, which will reinforce the ethics teaching that they will receive in school and the Bar course.

## CORE ETHICAL VALUES

Integrity

Professionalism

Justice

It should be communicated to interns that Integrity, Professionalism and Justice are the core ethical values of the legal profession and that all interns are expected to demonstrate and uphold these ethical values (see paragraphs 36 to 55 of the Ethics and Professional Standards Committee's Interim Report, which may be accessed at this [link](#)).

## SPECIFIC ETHICAL RESPONSIBILITIES

The following are some of the key ethical responsibilities that should be communicated to interns:

Duty to the Court

Avoid purporting  
to be a lawyer

Respectful and  
courteous conduct

Confidentiality

Honesty and  
candour

### Duty to the Court

Lawyers are officers of the court and owe a paramount duty to the court which takes precedence over their duty to their client.

**Explanation:** The paramount duty to the court is a principle that guides the interpretation of the Legal Profession (Professional Conduct) Rules 2015 (“PCR”) (Rule 4(a)). Specific ethical obligations on a lawyer’s duty to the court are set out in Division 1 of Part 3 of the PCR, including Rules 9, 10 and 11.

**Illustration:** A lawyer was suspended from practice for one year for preparing and advising his client to sign and attest a false affidavit for use in court. The court emphasised that solicitors owed a duty to the court and had to discharge their duties in a manner consonant with their standing as officers of the court, and rejected the proposition that any attempt by an advocate and solicitor to mislead the court – even a misguided attempt to assist a client – should be punished with a mere censure: *Law Society of Singapore v Chung Ting Fai* [2006] 4 SLR(R) 587.

## Avoid purporting to be a lawyer

As interns have not been admitted to practise law nor do they hold practising certificates, they must not hold themselves out to be or act as lawyers nor should they give legal advice.

**Explanation:** Under s 32 of the Legal Profession Act 1966 (“Act”), a person must not practise or do any act as an advocate and solicitor unless his or her name is on the roll and he or she has in force a practising certificate. Under s 33 of the Act, it is a criminal offence for any unauthorised person to hold himself out to be, or to act as, an advocate and solicitor. The lawyers who have charge over interns should be reminded that Rule 32 of the PCR requires all legal practitioners in a law practice (regardless of their designations) to exercise proper supervision over the staff working under them.

**Illustration:** In *Law Society of Singapore v Tan See Leh Jonathan* [2020] 5 SLR 418, a legal practitioner was suspended for failing to exercise adequate supervision over his paralegal. He allowed his paralegal to hold himself out as a legal practitioner despite not holding a valid practising certificate, thus facilitating a criminal offence under s 33 of the Act.

## Respectful and courteous conduct

Lawyers are expected to conduct themselves appropriately and with respect and courtesy at all times, including in their dealings with the court, clients and other legal practitioners. It is important for interns to learn this at the outset.

**Explanation:** It is a principle guiding the interpretation of the PCR that a lawyer must be fair and courteous toward every person in his/her professional conduct (Rule 4(f), Rule 7 and Rule 13).

**Illustration:** A lawyer was sanctioned for a lack of professional courtesy in *Tan Beng Hui Carolyn v Law Society of Singapore* [2023] 1 SLR 602 when she filed documents making allegations about other lawyers without allowing them the opportunity to respond to the allegations.

## Confidentiality

Clients' instructions to their lawyers are confidential and subject to legal privilege. Therefore, interns should keep all client information and communications that they are privy to in the course of their work in strict confidence. For example, they must not communicate clients' information to family or friends.

**Explanation:** Rule 6 of the PCR requires lawyers to maintain the confidentiality of any information which they acquire in the course of their professional work as part of their duty to act in the best interests of their client. Law practices and lawyers having charge over interns should be reminded that Rule 35 of the PCR requires the management of a law practice to take reasonable steps to ensure that it has instituted adequate systems, policies and controls for ensuring that the law practice and its lawyers comply with all written law, practice directions, guidance notes and rulings concerning, amongst others, client confidentiality.

**Illustrations:** In *The Law Society of Singapore v Ryan Lin Longcai* [2017] SGGT 6, the Disciplinary Tribunal found that it was a breach of client confidentiality for a lawyer to share confidential client information with his girlfriend through personal communications via Whatsapp. In *Tan Ng Kuang and another v Jai Swarup Pathak* [2022] 3 SLR 788, the Court of Three Judges noted that even where a client's instructions were that it intended to breach a private agreement with another person, the lawyer still had a duty to maintain the confidentiality of those instructions.

## Honesty and candour

Lawyers are officers of the court, and total honesty and candour are essential in dealings with and appearances before the court as well as with any regulatory authority. In certain situations such as applications to court without notice to the other party/parties, the law requires lawyers to inform the court of evidence and legal arguments that are adverse to their case. In hearings, counsel must point to legal authorities if the court or opposing counsel is not aware of legal authorities against them.

**Explanation:** Rule 9(1) of the PCR makes clear, amongst other things, that a lawyer must, in any proceedings before a court or tribunal, conduct his or her case in a manner which maintains the fairness, integrity and efficiency of those proceedings and which is consistent with due process.

Rule 9(2)(a) of the PCR provides that when legal practitioners conduct proceedings before a court or tribunal on behalf of a client, they must not knowingly mislead or attempt to mislead the court or tribunal or its staff, any other legal practitioner, or any witness or person involved or associated with those proceedings.

**Illustration:** A lawyer was sanctioned in *Loh Der Ming Andrew v Koh Tien Hua* [2022] 3 SLR 1417 for, amongst others, making a misleading statement to an Assistant Registrar. The court emphasised that a lawyer is an officer of the court and owes a paramount duty to the court, including a duty of candour.

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