

## Pro Bono Practices and Opportunities in Singapore

### I. Introduction

Singapore’s pro bono movement is an offshoot of its volunteer criminal legal aid scheme, which itself began as a grassroots-led initiative of lawyers in private practice. The pro bono movement gained traction and institutional-level support following a comprehensive review by the Law Society of Singapore in 2006 of the jurisdiction’s legal aid and pro bono landscape. Since 2006 there have been greater institutional attempts at promoting increased pro bono commitments across the legal profession in Singapore.

### II. Overview of Pro Bono Practices

(a)	<b>Professional Regulation</b>	
	1. Describe the laws/rules that regulate the provision of legal services?	The provision of legal services in Singapore is governed primarily by the Legal Profession Act (Chapter 161 of the laws of Singapore) (the “LPA”), its subsidiary legislation and the Legal Profession (Professional Conduct) Rules 2015 (the “PCR”). <sup>1</sup>
	2. Describe any licensure requirements governing the provision of legal services.	Generally, a person must be registered to provide legal services in Singapore, as either an advocate and solicitor of the Supreme Court of Singapore or a registered foreign lawyer.
(b)	<b>Pro Bono Practice and Culture</b>	
	1. Describe the rules that regulate the provision of pro bono legal services e.g. any explicit regulation or limitation on providing free legal services in some or all contexts, details of any mandatory or minimum fees imposed on provision of legal services.	Generally, a person must hold a practicing certificate in order to act as a Singapore advocate and solicitor or practice Singapore law. However, in order to promote the provision of pro bono legal services, a specific exemption was created under the Legal Profession (Pro Bono Legal Services) Rules 2013 (the “Pro Bono Exemption Rules”) <sup>2</sup> to allow Singapore lawyers without practicing certificates to provide specified pro bono legal services.  Such specified pro bono legal services are services provided (i) under schemes administered by the Law Society of Singapore or certain Singapore courts, (ii) to charities, (iii) to institutions of public character and (iv) to certain voluntary welfare organizations.

<sup>1</sup> See the relevant webpage of the Law Society of Singapore for an overview, <https://www.lawsociety.org.sg/Lawyer-Regulation/Act-and-Rules> (last visited on October 2, 2019). The LPA is available at <https://sso.agc.gov.sg/Act/LPA1966> (last visited on October 2, 2019) and the PCR is available at <https://sso.agc.gov.sg/SL/LPA1966-S706-2015> (last visited on October 2, 2019).

<sup>2</sup> Available at <https://sso.agc.gov.sg/SL/LPA1966-S658-2013> (last visited on October 2, 2019).

		<p>The above exemption does not extend to appearing or pleading in any Singapore court or appearing before any Singapore quasi-judicial or regulatory body, authority or tribunal.</p> <p>Save for the above, there is no Singapore regulation specific to the provision of pro bono legal services.</p>
	2. Are lawyers required by such rules to work a minimum number of pro bono hours? If so, how many?	Lawyers in Singapore are not required to work a minimum number of pro bono hours.
	3. Are aspiring lawyers required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers?	Law students in Singapore’s universities are required to perform 20 hours of approved pro bono work as part of their graduating requirements.
	4. What are the main areas of law which require or present opportunities for the provision of pro bono legal services? What are the major unmet legal needs?	In 2010, it was reported that a significant proportion of litigants in the State Courts (i.e. the lower courts) did not have legal representation; one-third of litigants in criminal cases and over 90% of litigants in maintenance and family violence cases were unrepresented.
	5. Who are the main providers of pro bono legal services? e.g., NGOs, governmental or other public services, schools and universities, private law firms (local or international) or corporate organizations?	<p>The main providers of pro bono legal services in Singapore are private law firms and legal practitioners, usually in conjunction with programs of the Law Society of Singapore, such as its Community Legal Clinics and its clinics and initiatives aimed at non-profit organizations and social enterprises.</p> <p>NGOs such as the Catholic Lawyers Guild, Lawyers’ Christian Fellowship, Jamiyah (Muslim Missionary Society of Singapore) and the Community Justice Centre.</p> <p>University legal clinics organized by the National University of Singapore Faculty of Law, the Singapore Management University School of Law and the Singapore University of Social Sciences School of Law.</p>
<b>(c)</b>	<b>Obstacles to Provision of Pro Bono Legal Services</b>	
	1. Do lawyers require a license to provide pro bono legal services?	Most pro bono matters and programs in Singapore require participating lawyers to be qualified to practice Singapore law, and as noted above, no person may practice Singapore law without a practicing certificate, subject to the exemption for specified pro bono legal services under the Pro Bono Exemption Rules.

<p>2. Do foreign lawyers require any additional license(s) to provide pro bono legal services?</p>	<p>Strictly speaking, foreign lawyers do not require any additional license(s) to provide pro bono legal services. However, as noted above, most pro bono matters and programs in Singapore require participating lawyers to be qualified to practice Singapore law, whether as an express requirement or by reason of their subject matter.</p>
<p>3. Do lawyers require professional indemnity legal insurance cover for any pro bono legal services that they provide? If so, are they prohibited from working under the cover of another pro bono provider, such as a private law firm or organization working on the same pro bono project?</p>	<p>There are no prescribed requirements for insurance cover in respect of pro bono work specifically. However, all Singapore advocates and solicitors are required to maintain professional indemnity insurance coverage. The Law Society of Singapore also maintains a group insurance policy covering each of its practicing members and each limited liability law corporation and limited liability law partnership in Singapore.</p>
<p>4. Are there any rules that prohibit advertising of pro bono successes or soliciting new pro bono clients?</p>	<p>Any person licensed to practice Singapore law must, in the course of giving any free legal advice, take reasonable steps to ensure that no information pertaining to that person is publicized except that person’s name, the fact that that person is a legal practitioner and the name of that person’s law practice.</p> <p>Apart from the above, the rules regulating the publicity of legal services in the PCR are also generally applicable to every law practice in Singapore. These include prohibitions on touting and requirements where a client is referred to a law practice, including in relation to maintaining the relevant practitioner’s and law practice’s independence and impartiality and not rewarding a referrer with any consideration.</p>
<p>5. Do lawyers receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked?</p>	<p>Lawyers do not receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked. However, lawyers who act as supervisors of university students working on approved pro bono matters may receive a maximum of two continuing legal education-equivalent points per year.<sup>3</sup></p>
<p><b>(d) Sources of Pro Bono Opportunities and Key Contacts</b></p>	

<sup>3</sup> See the relevant website of the Singapore Institute of Legal Education, which has responsibility for the administration of the Singapore legal profession’s continuing professional development program, at <http://www.sile.edu.sg/pro-bono-programme> (last visited on October 2, 2019).

<p>1. Describe any governmental sources of pro bono and/or other legal services in Singapore.</p>	<p>Governmental sources of pro bono and/or other legal services in Singapore include:</p> <ul style="list-style-type: none"> <li>• The Legal Aid Bureau provides assistance (for which a means-assessed contribution is required) in certain civil matters (excluding small claims, statutory parental maintenance obligations and maintenance and personal protection order proceedings in the family courts against unrepresented adverse parties); and<sup>4</sup></li> <li>• The Supreme Court Legal Assistance Scheme for Capital Offences provides assistance and representation to defendants charged with capital offences.<sup>5</sup></li> </ul>
<p>2. Describe the main non-governmental sources of pro bono and/or other pro bono resources in Singapore.</p>	<p>The main non-governmental sources of pro bono and/or other pro bono resources in Singapore include:</p> <ul style="list-style-type: none"> <li>• The Law Society of Singapore maintains various programs, including the Criminal Legal Aid Scheme (which provides assistance to persons charged with non-capital offences under specified statutes) and its Community Legal Clinics and assistance programs for non-profit organizations and social enterprises as noted above;<sup>6</sup></li> <li>• As noted above, various NGOs also provide pro bono legal services. Contact details may be found on the Law Society’s Pro Bono Services website;<sup>7</sup> and</li> <li>• Singapore universities’ law faculties also provide pro bono assistance.<sup>8</sup></li> </ul>
<p>3. Is there any public or private organization with which a local or foreign attorney can register in order to be made aware of pro bono opportunities?</p>	<p>Interested attorneys may register to volunteer with:</p> <ul style="list-style-type: none"> <li>• the Legal Aid Bureau;<sup>9</sup></li> </ul>

<sup>4</sup> See <https://www.mlaw.gov.sg/content/lab/en.html> (last visited on October 2, 2019).

<sup>5</sup> See <https://www.supremecourt.gov.sg/services/self-help-services/legal-assistance-for-capital-offences> (last visited on October 2, 2019).

<sup>6</sup> See <http://probono.lawsociety.org.sg/Pages/default.aspx> (last visited on October 2, 2019).

<sup>7</sup> See <http://probono.lawsociety.org.sg/Pages/Legal-Clinic-Locator.aspx> (last visited on October 2, 2019).

<sup>8</sup> See <https://nusprobono.com/legal-clinics/> and <https://pbc.smu.edu.sg/> (last visited on October 2, 2019).

<sup>9</sup> See <https://www.mlaw.gov.sg/content/lab/en.html> (last visited on October 2, 2019).

		<ul style="list-style-type: none"><li>• the Supreme Court Legal Assistance Scheme for Capital Offences;<sup>10</sup> and</li><li>• the Law Society of Singapore’s various programs.<sup>11</sup></li></ul>
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<sup>10</sup> See <https://www.supremecourt.gov.sg/services/self-help-services/legal-assistance-for-capital-offences> (last visited on October 2, 2019).

<sup>11</sup> See <http://probono.lawsociety.org.sg/Pages/default.aspx> (last visited on October 2, 2019).