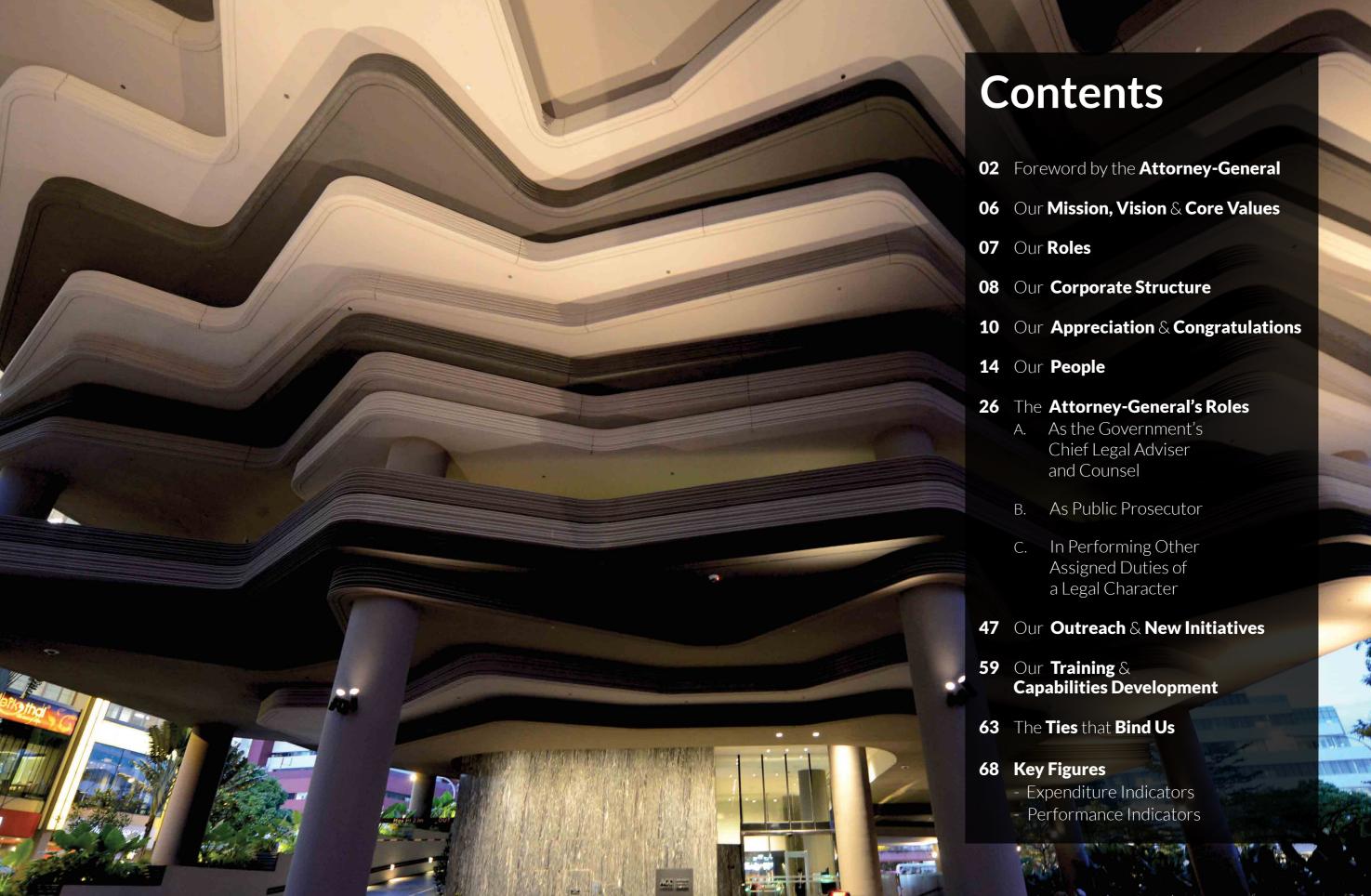


The ATTORNEY-GENERAL'S CHAMBERS of Singapore

ANNUAL REPORT 2013/2014



Foreword By

The Attorney-General



The Office of the Attorney-General is undoubtedly one that wields great power and consequently immense responsibilities. After all, this Office provides direction for and exercises independent control of all criminal proceedings in Singapore, and acts as the Government's principal legal adviser. As AG Chan Sek Keong (as he then was) aptly observed at the inaugural Legal Branch Conference in 1996, this Office may also be viewed as "a public responsibility held in trust for the public to be discharged in the public interest". To put it another way, the exacting standards to which this Office is rightly held to, mandate that its responsibilities and duties should be discharged with integrity, impartiality, competence and professionalism at all times, regardless of the office bearer of the day.

When I assumed this Office in 2012, I emphasised the importance of consistency, continuity and stability. To me, these were the touchstones of my term in office that would be critical to the Attorney-General's Chambers' (AGC) mission to further the rule of law and constitutional government in Singapore; enhance good public administration; and protect the interests of the State and of the people.

It is therefore not surprising that my first year in office marked a time of consolidation of the policies and reforms introduced by my predecessor, the present Chief Justice, which I aligned with my own vision for AGC.

In the first Annual Report published after my appointment, I had highlighted the key initiatives undertaken by AGC in the pursuit of transparency, modernisation, cooperation and development of our resources. In this report card highlighting the matters which occupied AGC during my second year in office, you will observe that these are recurring themes which permeate our work ethos in AGC. Given my firm commitment that I should build upon and strengthen the foundations laid before me, I have sought to introduce initiatives which will institutionalise stability and continuity to the work of AGC that is independent of my term in office.

The need for continuity and stability is greater now than ever before, in a changing society where, for example, my officers have had to swiftly respond on multiple fronts (be it advising the Government, assisting the Committee of Inquiry, prosecuting the offenders or effecting legislative reforms) in the wake of a violent and unprecedented riot in Little India that took Singapore by storm. It is from this perspective that this Annual Report presents the highlights of AGC's past year.

As Public Prosecutor

In my role as the Public Prosecutor, I have set in place various internal best practices to guide the work of my officers in the Crime Divisions of AGC. Their work in the administration of criminal justice directly impacts the lives of victims, witnesses, suspects, accused persons, their families, and the general public. It is therefore vital for prosecutorial discretion to be exercised in a clear and consistent manner, while being mindful of the specific and unique facts of each case. The constant updating of our internal prosecutorial guidelines, the consolidation of our internal sentencing databases and the formation of specialist teams to handle particularly sensitive cases are examples of such best practices that will take us yet another step forward in meeting these goals.

Outside of AGC, I have strengthened our ties with other stakeholders of the criminal justice system through our common purpose of maintaining a fair, efficient and enduring criminal justice system. To my mind, a collegial relationship between AGC and other stakeholders of the criminal justice system will necessarily be in the public interest as it will continually spur us to work together for the good of our society. To this end, my officers have, in the past year, consistently collaborated with enforcement agencies and the Criminal Bar to improve the administration of criminal justice.

By way of an example, the Embedment Project involves experienced Deputy Public Prosecutors stationed for fixed terms in enforcement agencies, such as specialised divisions of the Police, the Corrupt Practices Investigation Bureau and the Central Narcotics Bureau. These officers act as the first point of consultation for investigation officers at an early stage in the investigation process. In turn, this has served the interests of justice – the quality of investigations has improved; the time taken for a case to be prosecuted or withdrawn has reduced; and precious resources have been saved.

The launch of the groundbreaking Code of Practice for the Conduct of Criminal Proceedings in March 2013 also bore testimony to the close working relationship that has developed between my officers and the Criminal Bar. This Code is a joint commitment by the Prosecution and the Criminal Bar to tap on our collective best practices so as to align and enhance the standards for advocacy and ethics in criminal proceedings at the pre-trial, trial and post-trial stages. It is a clarion call to the Prosecution and Defence alike as to the professional standards that they should continually and consistently uphold in the criminal justice process. We will continue to review and revise this Code as appropriate and look forward to more collaborative opportunities with the Criminal Bar in time to come.

AGC's ties with partner agencies and other stakeholders of the criminal justice system, I have been steadfast in promoting our engagement with the public. Over time, I demystified the Office of the Public Prosecutor by delivering a number of addresses relating to my role as the Public Prosecutor and issuing press statements to explain AGC's position in certain cases.

Given the particular interest which the public has in criminal cases, and the speed and abundance at which information (and misinformation) is disseminated through social media. I set up a dedicated Media Relations Unit within AGC and staffed it with professionals of high calibre to ensure that AGC is equipped with the resources to appropriately engage and educate the public. I also gave my full support to the launch of the inaugural Public Prosecution Outreach Programme in October 2013. This was the first of what is intended to be an annual series of outreach programmes that will provide a platform for AGC to reach out to the wider community on a much larger

It has been through such concerted and collective efforts on our part that the man on the street can now relate more easily to the work that my Deputy Public Prosecutors and Assistant Public Prosecutors undertake on a daily basis and gain greater insight into our constitutional role within the context of Singapore's justice system. In turn, our interactions with the public serve as a meaningful and constant reminder of the trust reposed in us and the public interest which we are duty-bound to protect.

As Chief Legal Adviser to the **Government**

In my capacity as the Government's Chief Legal Adviser, I have ensured that AGC is poised to provide clear, consistent and quality legal representation and support for all Government-related affairs at the domestic and international level. My officers

Apart from my best endeavours to cement are well aware of the need to continually advance their legal knowledge and skills, and to specialise in areas that are beneficial to their work and professional development. Together with the Solicitor-General, the Deputy Solicitor-General and my Heads of Departments, I have made sure that local and overseas training opportunities are made available throughout the organisation to cater for my officers' wide-ranging training needs.

> I am delighted that Civil Division has embarked, during my term in office, on a considerable expansion of its role by taking on all judicial review cases against statutory boards and civil penalty cases enforced by the Monetary Authority of Singapore under Part XII of the Securities and Futures Act. This is a move which I had championed as it will enable Civil Division to build up its significant expertise in public law and securities regulation on a holistic basis, as well as contribute to the local jurisprudence in these areas of the law. Civil Division's collaboration with its partners to revise and modernise Government contract templates will also enable public procuring agencies to be more efficient in their work and facilitate the adoption of a more coordinated approach for contracts made with the Government.

> At the same time, it is gratifying that I have been able to see to fruition the International Affairs Division's (IAD) establishment of a Treaties Section to formally support the Government with a full suite of treaty-making related services, in addition to providing a comprehensive database of treaties, international documents and related information. The consolidation of IAD's expertise in this extremely specialised area of the law will promote consistency in the negotiation, drafting and conclusion of treaties across all Government departments. I am also pleased that a permanent post for a legal service officer has been set up at the Singapore Mission in New York, which will not only raise Singapore's international profile but also facilitate a cohesive approach to AGC's legal representation at the international level.

Under my watch, the Legislation and Law Reform Division (LLRD) remains unrelenting in its worthy pursuit of continued accessibility to our laws through its Plain Laws Understandable by Singaporeans (PLUS) Project. This formidable Project will incorporate survey feedback collected from stakeholders of the legislative process, in a bid by LLRD to modernise and simplify the manner by which legislation is presented and drafted by AGC. The PLUS Project will further ensure that the laws of Singapore continue to be readily understandable by all for a long time to come. I understand that AG Chan had, as far back as 17 years ago, propounded a similar vision for the legislative department of the day, and I am heartened that the PLUS Project is another key initiative that will foster continuity for AGC's work across the passage of time.

Knowledge Management (KM)

At my first AGC Workplan seminar in 2012, I emphasised the need to maintain public confidence in our integrity by ensuring coherence and consistency in our work. To my mind, effective knowledge retention and management within AGC will be instrumental to achieving this goal. Having set up a fulltime KM Unit on 1 June 2013, I have every confidence that my team will grow and strengthen under the able management of AGC's newly appointed Chief Knowledge Officer Mr Charles Lim. This year, the KM team undertook a rigorous study of the KM best practices across leading global law firms and organisations such as overseas prosecution agencies. My officers also held focus group discussions with a wide cross-section of AGC to discern the heartbeat on the ground since our KM System should be tailored to the needs and requirements of the organisation. We have traversed new terrain in our formulation of an AGC KM strategy and blueprint that will focus on "System - Content -Culture". When fully implemented, our KM System will feature state-of-the-art technology to facilitate the search and retrieval of carefully curated information and precedents. I look forward to the day when our KM System will become an indispensable tool to our production of consistent and quality work.

In Parting

It is only fitting that I record my gratitude to Mrs Koh Juat Jong SC who retired as the Solicitor-General on 1 February 2014. During her years in office, her mentorship and tireless dedication to public service was a constant source of support and inspiration for us all. That we are an institution with top quality officers and resources is, in no small part, due to her immeasurable contributions. Mrs Koh's successor, Mr Lionel Yee SC, is no stranger to AGC. He shares in the vision for AGC to maintain its sterling reputation as an institution of excellence and will continue to provide stalwart leadership in the face of change.

Even as I close this chapter of my term in office, there is still more to be done: indeed. there will always be more we can aspire to achieve as AGC continues to deliver diverse but consistent legal services of the highest quality. Notwithstanding the ever-increasing demands made of my officers to deal with increasingly complex cases within a faster turnaround time. I trust that each of them will give unstintingly of their best. I have said on a previous occasion that at every stage of one's career, there are challenges to contend with; but equally, there are callings which will spur each officer to carry on. It is my sincere belief that the privilege of working in AGC is one such calling because my officers stand in the unique position of assisting the office bearer of the day in carrying out his or her constitutional duties. It is therefore my earnest hope that my officers will always continue to respond passionately to the high callings of safeguarding the public interest and the administration of justice.

There is a saying that "It is good to have an end to journey toward; but it is the journey that matters, in the end". It has been my distinct honour and privilege to have worked with the officers and staff of AGC.

Steven Chong Horng Siong, SC Attorney-General, Singapore

(Mr Steven Chong SC relinquished his appointment as the Attorney-General, and assumed appointment as a Judge of the High Court on 25 June 2014 upon completion of his term as the Attorney-General)

Our Mission, Vision and **Core Values**

Our **Mission** is to enhance the rule of law and constitutional Government in Singapore by providing sound legal advice and assistance in developing a fair and responsive legal system, furthering good public • Integrity and impartiality administration and protecting the interests of the State and of the people.

Our Vision is to be an essential pillar upholding the rule of law for a just, harmonious and progressive society.

Our Core Values are:

- The rule of law
- A just legal system
- Competence and professionalism
- Teamwork and cooperation
- The public interest

Our Roles

The Attorney-General (AG) has three roles:

- (1) as the Government's Chief Legal Adviser and Counsel;
- (2) as the Public Prosecutor; and
- (3) in performing other assigned duties of a legal character.

The Attorney-General's Chambers (AGC) assists the AG in his roles. AGC directs and controls criminal prosecutions, provides legal services to the Government and serves as the guardian of the public interest.

Our Corporate Structure

The Attorney-General



The Attorney-General (AG) is the Public Prosecutor and principal legal adviser the Government of Singapore, and performs other assigned functions of a legal character. These are constitutionallyenshrined roles.

As the Public Prosecutor, the AG has the power to institute, conduct or discontinue proceedings for any offence. The AG acts independently in this role, and is not subject to the control of the Government.

As principal legal adviser to the Government, the AG has the duty to advise the Government on legal matters and to perform duties of a legal character which may be referred or assigned to him by the President or the Cabinet. The AG is also responsible for discharging the functions conferred on him under the Constitution or any written law in Singapore.

All actions by or against the Government are made in the name of the AG. The AG represents, advances and protects Singapore's interests in the international arena and in international disputes. The AG is also responsible for drafting Singapore's laws and producing revised editions of legislation.

The AG is the guardian of charities and acts as guardian ad litem to adoptees. The AG also plays a part in the development of the Singapore legal services sector, particularly via his role in regulating foreign lawyers and foreign law practices in Singapore.

The present AG of Singapore is Mr VK Rajah, SC. Mr Rajah assumed office as the AG on 25 June 2014.

The Solicitor-General



The Solicitor-General (SG) works closely with the AG in providing legal advice to the Government of Singapore.

Under section 11(2) of the Criminal Procedure Code, the SG may act as the Public Prosecutor in the absence of the AG.

The present SG of Singapore is Mr Lionel Yee Woon Chin, SC. He was appointed to the position on 1 February 2014.

Corporate Structure

As at 31 March 2014, the Attorney-General's Chambers (AGC) was staffed by 307 legally trained officers and 243 management support and executive officers.

The AG discharges his responsibilities and duties through six legal divisions, namely:

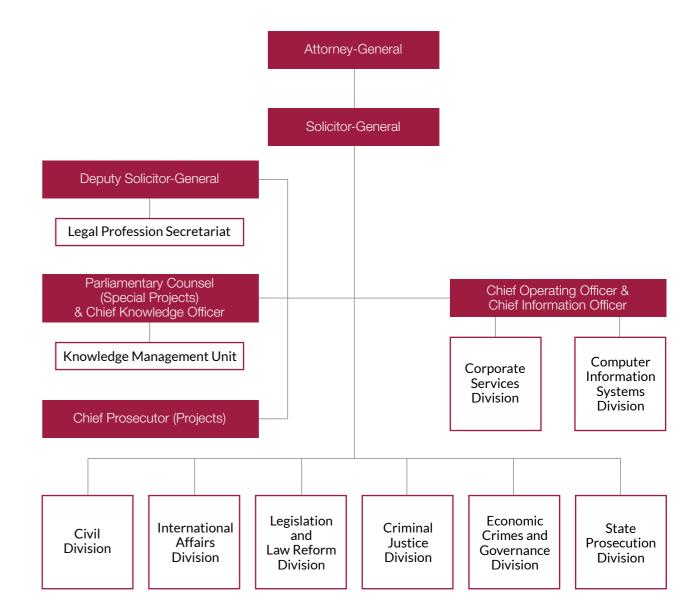
- i. Civil Division;
- ii. International Affairs Division:
- iii. Legislation and Law Reform Division;
- iv. Criminal Justice Division;
- v. Economic Crimes and Governance Division: and
- vi. State Prosecution Division.

The legal divisions are supported by the Corporate Services Division, Computer Information Systems Division and the Knowledge Management Unit.

The Legal Profession Secretariat also carries out the AG's role under the Legal Profession Act in relation to Singapore advocates and

Corporate **Structure**

(as at 31 March 2014)



Our **Appreciation** & **Congratulations**

Changes to the AGC's Management Team

(as at 31 March 2014)



1 May 2013 **Mr Ong Hian Sun**



1 May 2013 Mr Tai Wei Shyong ssumed appointment as Chief Prosecutor, State Prosecution Division.



1 June 2013 **Mr Charles Lim Aeng Cheng** assumed appointment as Parliamentary Counsel (Special Projects) and Chief



1 June 2013 Mrs Owi Beng Ki assumed appointment as Parliamentary Counsel. Mrs Owi was re-designated as Chief





1 June 2013 **Ms Audrey Lim Yoon Cheng** Parliamentary Counsel, Legislation and Law Reform Division.

Chief Legislative Counsel, Legislation and Law Reform Division on 1 July 2013.



1 June 2013 Ms Low Siew Ling ssumed appointment as Director, Knowledge Management Unit.



1 June 2013 Mr Tan Ken Hwee



1 June 2013 Mr Alphonsus Pang **Chong Soon**



1 August 2013 Mr David Khoo Kim Leng assumed appointment as 2nd Deputy



1 August <u>2013</u> **Mr David Chew Siong Tai**



1 August 2013 Mr Hay Hung Chun sumed appointment as 2nd Deputy



1 January 2014 Ms Lee Lit Cheng relinquished appointment as Deputy Chief Prosecutor, Criminal Justice Division and was posted to the Ministry



1 February 2014 Mrs Koh Juat Jong, SC retired from the Civil Service and Solicitor-General.



1 February 2014 Mr Lionel Yee Woon Chin, SC



1 March 2014 Mr Ng Cheng Thiam was internally re-posted and assumed appointment as Deputy Chief Prosecutor,



1 March 2014 Mr Hui Choon Kuen assumed appointment as Deputy Chief Prosecutor, State Prosecution Division.

AGC Management Team



(Seated): left to right

Bala Reddy

Chief Prosecutor, Projects

Lionel Yee Woon Chin, SC

Solicitor-General

Steven Chong Horng Siong, SC

Attorney-General

Jeffrey Chan Wah Teck, SC

Deputy Solicitor-General

(Standing): left to right

Tan Ken Hwee

Deputy Chief Prosecutor, Economic Crimes and Governance Division

Ms Hoo Sheau Peng

Deputy Chief Counsel, Civil Division

Ms Audrey Lim Yoon Cheng

Deputy Chief Legislative Counsel, Legislation and Law Reform Division

Alphonsus Pang Chong Soon

Chief Operating Officer & Chief Information Officer

Ms Aurill Kam Su Cheun

Deputy Chief Counsel, Civil Division

Pang Khang Chau

Director-General, International Affairs Division

Tai Wei Shyong

Chief Prosecutor, State Prosecution Division

Hui Choon Kuen

Deputy Chief Prosecutor, State Prosecution Division

David Chew Siong Tai

2nd Deputy Chief Prosecutor, Economic Crimes and Governance Division

Aedit Abdullah, SC

Chief Prosecutor, Criminal Justice Division

Charles Lim Aeng Cheng

Parliamentary Counsel (Special Projects) & Chief Knowledge Officer

Ms Mavis Chionh Sze Chyi

Chief Prosecutor, Economic Crimes and Governance Division

Mrs Owi Beng Ki

Chief Legislative Counsel, Legislation and Law Reform Division

Hay Hung Chun

2nd Deputy Chief Prosecutor, Criminal Justice Division

Ms Daphne Hong Fan Sin

Deputy Director-General, International Affairs Division

Ng Cheng Thiam

Deputy Chief Prosecutor, Criminal Justice Division

David Chong Gek Sian, SC

Chief Counsel, Civil Division

David Khoo Kim Leng

2nd Deputy Chief Prosecutor. State Prosecution Division





Headed by the Chief Counsel, the Civil Division's mission is to provide quality legal advice and representation for the good governance of Singapore. The Civil Division advises Ministries and Organs of State on a broad spectrum of complex legal issues such as constitutional and administrative law, data protection, public procurement, and land acquisition. The Civil Division also represents the Government and certain public institutions in legal proceedings and alternative dispute resolution. The Civil Division performs a critical role in protecting the State's interests, facilitating the administration of justice and upholding the rule of law.



The mission of the International Affairs Division (IAD) is to advance and protect Singapore's interests through international law. The IAD provides legal advice and assistance to the Government on international law issues, and represents Singapore in bilateral and multilateral negotiations, international dispute settlement proceedings, and various other regional and international fora. The IAD also discharges the functions of the Central Authority of Singapore in the handling of requests for extradition and mutual legal assistance in criminal matters, and is actively engaged in the development of international law expertise in Singapore for the whole of Government.



The **Legislation and Law Reform Division (LLRD)** is the central legislative drafting office of Singapore. Officers of LLRD are responsible for the drafting of laws to execute Government policies and to give effect to Parliamentary intention, in a manner that is simple, clear and concise. LLRD manages the main online repository of Singapore legislation, ensuring ready access by the public to accurate and updated legislation. LLRD also serves as the Secretariat to the Law Revision Commission and produces revised editions of legislation under the direction of Law **Revision Commissioners.**

THE **Crime** Cluster

As the organisational extension of the AG's role as the Public Prosecutor, the Crime Cluster consists of three divisions:

the Criminal Justice Division. the Economic Crimes and Governance Division, and the State Prosecution Division.

The Crime Cluster Management Committee coordinates the work of these three divisions in order to maximise the efficient use of resources. It also formulates and coordinates criminal justice policy to ensure consistency in the application of procedural and substantive criminal law.

In addition, the Committee is responsible for the manpower deployment and development of Crime Cluster officers and staff. It ensures that prosecutors within the Crime Cluster have the opportunity to rotate for a more varied work experience and to attain the highest standards of competence and professionalism.



The Criminal Justice Division (CJD) handles all capital cases in the High Court, prosecution of drugs and other specialised crimes in the State Courts and all appeals from these cases. CJD also renders advice on criminal justice matters to Government departments and agencies, supervises Ministry prosecutions and is actively involved in law reform relating to criminal matters. CJD also houses directorates providing common services to the Crime Cluster, including common registry support, knowledge management and training.



Economic Crimes and **Governance** Division

The **Economic Crimes and Governance Division (EGD)** is a specialist division responsible for prosecutions, appeals, and other related proceedings in respect of commercial crimes, including financial and securities offences, and corruption cases. EGD also handles regulatory enforcement matters affecting the financial services sector, judicial review cases relating to criminal proceedings and contempt of court cases. EGD is organised into four specialised directorates, namely, the Financial and Securities Offences Directorate, the Corruption Directorate, the General Commercial Crime Directorate, and the Governance & Appeals Directorate.



State Prosecution Division

The **State Prosecution Division (SPD)** handles the bulk of prosecutions which are heard in the State Courts. These cover a wide range of offences. including crimes against persons and property, sexual offences, public order offences as well as traffic offences. SPD is also responsible for the prosecution of serious sexual offences in the High Court. In addition, SPD officers also handle Coroner's Inquiries and all appeals, revisions and references arising from the cases that SPD deals with.



Legal Profession Secretariat

The AGC, in its role as regulator of foreign lawyers and foreign law practices, fosters the growth and development of this part of the Singapore legal services sector. This function is performed through the Legal Profession Secretariat, which registers and licenses foreign lawyers and foreign law practices providing legal services in or from Singapore, and Singapore solicitors practising law in foreign law practices. This is in addition to carrying out the AG's role under the Legal Profession Act in relation to Singapore advocates and solicitors.



Knowledge Management Unit and the Library

The **Knowledge Management Unit (KMU)** was set up in June 2013 under the AG's office. KMU oversees and coordinates knowledge management efforts within Chambers. The Chan Sek Keong Library, an authoritative repository of external legal knowledge with over 45,500 volumes in its collection, is also under the KMU's oversight.



Corporate Services Division

The Corporate Services Division (CSD) is responsible for the corporate affairs of AGC. Its roles cover corporate planning, organisational performance, organisational excellence, financial management, human resource management and development, media relations, outreach and international relations, office management and travel management.



The Computer Information Systems Division (CISD) assists AGC in providing effective legal services through the use of information technology and the management of knowledge assets.

The Attorney-General's Roles

- A. As the Government's Chief Legal Adviser and Counsel
- B. As Public Prosecutor
- C. In Performing Other Assigned Duties of a Legal Character

A. As the Government's Chief Legal Adviser and Counsel

Advisory Work And New Legislation

AGC is the largest legal practice in Singapore in areas of law such as administrative and constitutional law. public international law and legislative drafting. AGC officers are well positioned not only to advise policy makers on the law but also to call their attention to potential pitfalls and generate suggestions to overcome any envisaged difficulties.

Another of AGC's key functions is to provide the Government and other public sector agencies with advisory services in the development of proposals for legislation, the drafting of legislation, and the enactment and implementation of legislation.

AGC also provides advice to ministries and other governmental agencies on general criminal legal matters as well as more specific areas of criminal law,





such as the Criminal Law (Temporary Provisions) Act. the Visiting Forces Act and the Strategic Goods Control Act. It also advises specialised groups such as the Inter-Ministerial Committee on Export Control which deals with the proliferation of strategic and controlled goods.

AGC as Legislative Draftsman

AGC works closely with Government ministries and statutory boards to assist them with policy analysis; legislative drafting proposals; legislative advisory services; and alternative approaches to achieving policy objectives. 2013 was an eventful year as several new laws were enacted in line with the Government's pursuit of social objectives.

30 Bills comprising 917 pages were drafted and introduced in Parliament between April 2013 and March 2014. There were also 925 pieces of subsidiary legislation spanning over 3,667 pages drafted and published during the same period. Some of the major Bills and subsidiary legislation included:





Amendments to the Subordinate Courts Act

The Subordinate Courts were renamed the "State Courts" to better reflect their status as the primary dispensers of justice in Singapore. The office of the Presiding Judge of the State Courts was created, replacing the office of the Chief District Judge. The Presiding Judge of the State Courts would be a Judge or Judicial Commissioner of the Supreme Court appointed by the Chief Justice.

Status of Children (Assisted Reproduction Technology) Act

Measures were introduced to make clear the legal status and parentage of children conceived through assisted reproduction technology. Among others, the Act ensures that in a case of an in-vitro fertilisation mix-up, the child will not be left parentless.

Public Order (Additional Temporary Measures) Act

In the aftermath of the riot in Little India on 8 December 2013, a series of legislation had to be drafted quickly to enable the authorities to take steps to restore calm and maintain public order in the area. To ensure that such measures continued while the Committee of Inquiry completed its inquiry into the cause of the riot, this Act was prepared to provide a ban on public consumption of alcohol and restriction on the supply of alcohol during times when there are large congregations of persons within the area.

Employment, Parental Leave and Other Measures Act

The Act amends the Employment Act to extend its coverage, improve employment standards for employees, give employers greater flexibility in dealing with employment-related matters, enhance the penalties for certain offences and enhance the investigative powers of inspecting officers. The Act also amends the Child Development Co-Savings Act to provide the manner of reckoning the number of days on which an employee is entitled to absent himself from work or a self-employed person is entitled to claim loss of income from the Government when on maternity. adoption, shared parental or paternity leave, where the leave entitlement is based on a number of days in one or more periods.

Protection from Harassment Act

The new law was introduced to provide a range of civil remedies and criminal sanctions to protect against harassment, including cyber bullying and unlawful stalking. The existing protection for public servants against indecent, threatening, abusive or insulting words, behaviour or communication is also extended to certain other workers who provide essential services.



The national Do-Not-Call (DNC) Registry was officially launched in January 2014. Persons can block unsolicited phone calls, text messages and faxes from telemarketers by registering Singapore telephone numbers with the DNC Registry. Telemarketers must now check their call lists with the DNC Registry to ensure that the Singapore telephone numbers they are calling are not registered.

Subsidiary legislation under the Banking Act

Credit card and unsecured credit rules were tightened to improve lending practices by financial institutions. These measures included conducting proper credit checks on borrowers and increasing the level of disclosure to borrowers with regard to their liabilities to allow borrowers to make more informed credit decisions.

An inter-agency taskforce on Trafficking in Persons (TIP Taskforce), co-chaired by the Ministry of Home Affairs and the Ministry of Manpower, was set up in 2010 to implement holistic strategies to combat trafficking in persons. As part of the TIP Taskforce, AGC officers worked on a proposed Prevention of Human Trafficking Bill, which aims to criminalise the trafficking of persons for the purposes of sexual and labour exploitation and exploitation by the removal of organs.

International Advisory Panel on **Transboundary Pollution**

AGC assisted the secretariat to the International Advisory Panel on Transboundary Pollution. The Panel comprises experts on international law who are advising the Government on the international law aspects of transboundary pollution and the options



available to Singapore. The panel met in Singapore in May 2014 and produced a report making important and novel recommendations for consideration.

Law reform and revision

assisted the Revision Law Commissioners in revising the legislation of Singapore to make it more user-friendly. New Acts, subsidiary legislation and heavily amended or frequently used legislation are consolidated into revised editions regularly. Legislative histories and comparative tables are also updated with each revision. As at March 2014. AGC published revised editions of 43 Acts (1.597 pages) including the Central Provident Fund Act and Income Tax Act. In addition, five pieces of subsidiary legislation (991 pages) including the voluminous and heavily-amended Revised Edition of the Rules of Court were published.

Litigation Work

AGC continued to cope with an increasing number of litigation cases in the reporting period. The significant cases in 2013/14 included the following:

In Chiu Teng @ Kallang Pte Ltd v Singapore Land Authority (High Court), the applicant sought judicial review of the Singapore Land Authority's assessment of the differential premium payable for the lifting of title restrictions for change of use of land. The application was dismissed. The High Court recognised the doctrine of substantive legitimate expectation, and set out the conditions for the application of the doctrine in Singapore.

- In Jevaretnam Kenneth Andrew v Attorney-General (Court of Appeal), the appellant applied for judicial review against the Government, alleging that the offer of a contingent loan by the Monetary Authority of Singapore to the International Monetary Fund contravened Article 144 of the Constitution. The Court of Appeal affirmed the High Court's ruling that the appellant had no locus standi to bring the application and that Article 144 only applied to the giving of guarantees and raising of loans, but not the giving of loans.
- In Wee Kim San Lawrence Bernard v Attorney-General (High Court), the applicant sought a declaration from the High Court that Article 12 of the Constitution prohibits workplace discrimination against homosexual men. The Attorney-General contended that the applicant's real grievance (i.e., alleged workplace discrimination) was against his former employer, not the Government. The applicant's application was struck out by an Assistant Registrar of the Supreme Court, who agreed that the applicant had failed to show an arguable case that the Government had violated his constitutional rights under Article 12. The applicant subsequently filed an appeal to a High Court Judge, which was later withdrawn.

Committee of Inquiry

In 2013/14, a cross-divisional team from AGC assisted the Committee of Inquiry (COI) appointed by the Deputy Prime Minister and Minister for Home Affairs Mr Teo Chee Hean to inquire into the causes, circumstances, and management of the riot which occurred on 8 December 2013 in Little India. and to recommend measures to reduce the risk of such incidents occurring again. The riot in

Little India was the most severe riot Singapore had seen in more than four decades. The hearing of the COI was conducted in public and the COI sat for a total of 23 hearing days. Over the course of the public hearing, the team examined 93 witnesses. The public hearing of the COI concluded on 26 March 2014 and the COI report was made public on 30 June 2014.

III. International Dispute Settlement

AGC assisted in preparing Singapore's case against Malaysia in an international arbitration under the auspices of the Permanent Court of Arbitration. The dispute relates to development charges on parcels of former Malayan Railway land in Singapore. A team of AGC officers attended the oral hearing in London in July 2014 and coordinated the presentation of Singapore's case.

AGC officers were also involved in Singapore's participation as a third party in a dispute between Australia and five other World Trade Organisation members. The dispute relates to plain packaging measures introduced by Australia on tobacco products.

IV. Negotiations

AGC engages in both domestic and international negotiations in order to promote and safeguard Singapore's interests. The Civil Division attends to domestic negotiations with third parties on matters such as contractual and financial issues. The Civil Division, the Crime Cluster and the International Affairs Division work closely together in bilateral and multilateral international negotiations to safeguard Singapore's interests.

Negotiations on economic and related international agreements

AGC advised and participated in the negotiation of the Trans-Pacific Partnership Agreement negotiations, the Regional Comprehensive Economic Partnership negotiations, involving all



ten ASEAN Member States and Australia. China, India, Japan, Republic of Korea and New Zealand, and negotiations on the investment provisions of the European Union-Singapore Free Trade Agreement. AGC also assisted in the successful conclusion of the Agreement between Singapore and the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu in November 2013.

AGC continued to provide advice on issues arising out of bilateral and multilateral treaties which Singapore is party to. Our officers also provided support or participated in negotiations on numerous bilateral and multilateral trade and investment agreements, including the ASEAN-Japan Comprehensive Economic Partnership Agreement, the European Union-Singapore Partnership and Cooperation Agreement, and various regional and bilateral air services negotiations.

Negotiations on Singapore's territorial boundaries

Singapore and Indonesia continued bilateral technical discussions on the delimitation of maritime boundaries between the two countries in the Eastern part of the Straits of Singapore. Between April 2013 and March 2014, the two

States had three further rounds of technical discussions, as well as two inter-sessional meetings of experts. An AGC officer headed the Singapore delegation for the technical discussions.

Negotiations at the United Nations (UN) and the Association of Southeast Asian Nations (ASEAN)

One of our officers attended the Session of the UN General Assembly and put forward Singapore's position on the work of the International Law Commission and the International Court of Justice, and negotiated the omnibus resolution on the Law of the Sea. AGC also represented Singapore at other UN fora, including discussions on the issue of biodiversity in areas beyond national jurisdiction, meetings at the UN Commission on International Trade Law, and negotiations on the UN Framework Convention on Climate Change.

AGC continued to represent Singapore in various ASEAN fora, such as the Meeting of Legal Experts on the ASEAN Trade in Goods Agreement, which is chaired by an AGC officer. Our officers have also been collaborating with other ASEAN Member States in developing the ASEAN Convention on Trafficking in Persons and the Regional Plan of Action.

B. As Public Prosecutor

Prosecution of major cases

In addition to the constitutional challenges and other civil cases handled by AGC, our legal officers also

conducted the prosecution of a wide range of offences aimed at protecting the interests of the State and the people. There were numerous notable cases of public interest involving corruption and financial crimes as well as other criminal offences.

Cases involving corruption and financial crimes

Singapore takes a zero-tolerance approach towards corruption and a strong, deterrent stance against financial crimes. AGC is fully committed to support the fight against these crimes and has deployed significant resources in the prosecution of corruption and other financial crimes.

- PP v Yeo Seow Hiong Edwin: An Assistant Director with the Corrupt Practices Investigation Bureau dishonestly misappropriated more than \$1.7 million in public funds over a period of three and a half years. The offender pleaded guilty to three charges of criminal breach of trust as a public servant and one charge of forgery. He was sentenced to ten years' imprisonment.
- PP v Lim Cheng Hoe: The former Chief of Protocol of the Ministry of Foreign Affairs, whose duties included overseeing the conduct of official visits by Singapore delegations overseas and incoming visits by foreign delegations to Singapore, made inflated claims amounting to \$88,997 for pineapple tarts and bottles of wine over four years. He was sentenced to 15 months' imprisonment.

- PP v Timothy Nicholas Goldring & Ors: Three directors and shareholders of Profitable Plots Pte Ltd claimed trial to 18 charges of abetment by conspiracy to cheat investors of US\$732,000. The Judge agreed with the Prosecution that two of the offenders had deceived investors into believing that their money would be used exclusively to finance the purchase of a product known as the "Boron CLS Bond", and that Profitable Plots had firm orders or contracts with major corporations to sell them the Boron CLS Bond (thus giving the impression that the investment was safe and profitable). Instead, a large proportion of the
- investors' money went towards meeting the expenses of Profitable Plots, including the payment of the salaries and bonuses of the offenders and staff of Profitable Plots. The Judge convicted two of the offenders after a 65-day trial and sentenced them to seven years' and eight years' imprisonment each.
- Tey Tsun Hang v PP: The offender was a former Assistant Professor of the National University of Singapore's Faculty of Law. He was prosecuted for corruptly obtaining gratification in the form of gifts and sexual intercourse from an undergraduate

- student at the Faculty. This was the first time that an offence of corruption by a member of a local tertiary institution had been prosecuted. The offender's appeal against conviction was allowed as the appellate judge took a different view from the trial judge on some of the evidence relating to the offender's mens rea.
- PP v Uyeh Dennis Kluvert and PP v Adewumi Olufemi Oumy: Two African nationals claimed trial for an offence of engaging in a conspiracy to dishonestly receive stolen property, one of the first trials in Singapore for a charge under s411 of the Penal Code (dishonestly receiving stolen property) against a money mule. They were convicted and sentenced to 12 months' imprisonment each in respect of the s411 charges.
- Chua Boon Chye v PP: The former Managing Director of a bunker fuel trading company claimed trial for dishonestly receiving stolen property in the form of marine fuel oil valued at approximately \$69,000. He was convicted and sentenced to eight months' imprisonment. The offender's appeals against conviction and sentence were dismissed. This was one of a growing number of bunkering-related prosecutions.
- Tan Kim Hock Anthony v PP: The former principal of Maris Stella High School misappropriated \$67,697.05 from the school's Chapel Building Fund. He was convicted after a trial, and the conviction was upheld on appeal. The offender was sentenced to five months' imprisonment.

Cases involving other criminal offences

2013 and 2014 also saw the prosecution of many other offences against persons and property. AGC continued to work closely with the enforcement agencies to prosecute or take appropriate action against those who ran afoul of the law.

- PP v Ramalingam Sakthivel: The offender was the first of the 25 persons charged in relation to the riot which occurred on 8 December 2013 in Little India, and was one of the worst public order disturbances Singapore had seen in over 40 years. The offender pleaded guilty to a charge of rioting and was sentenced to 30 months' imprisonment and three strokes of the cane for his role in the riot. The judge noted that he had displayed a defiant disregard for the law and law enforcement officers.
- PP v Yue Liangfu: The offender committed theft of another passenger's luggage whilst on board a SilkAir flight. The Prosecution submitted that a deterrent sentence was warranted, citing statistics that showed a significant upward trend in thefts on board aircrafts. The offender was sentenced to nine months' imprisonment, which has become the benchmark sentence for such cases. The Senior District Judge noted that thefts on board aircrafts were particularly egregious and that such offences were hard to detect and prosecute.

- PP v Kew Guozhi: The offender, a Land Transport Authority engineer, faced 423 charges of insulting the modesty of women by using camera pens clipped to his shoe to capture up-skirt videos of female colleagues and strangers. He was sentenced to 15 months' imprisonment.
- **PP v Tang Huisheng**: This case involved a minor from China who was trafficked into Singapore and coerced into prostitution by the offender, another Chinese national. The offender had forced her into prostitution by drugging her, beating her, locking her up, as well as seizing her identity documents and money. He was sentenced to six years' imprisonment, with the District Judge noting that he had caused the minor extreme physical and mental trauma. The District Judge also noted that there was public interest in deterring others from making Singapore a destination for human sex trafficking. Resulting from this case, 24 other persons were charged with having commercial sex with the minor.
- PP v Adnan bin Kadir: This case involved an application by the Public Prosecutor to refer a question of law of public interest to the Court of Appeal, namely: •

Whether, in the case of a prosecution under s7 Misuse of Drugs Act, the Prosecution bears the burden of proving, beyond a reasonable doubt, that the accused imported the controlled drug for the purpose of trafficking.

The question was answered in the negative by the Court of Appeal.

- During the Magistrate's Appeal, the High Court had ordered the offender's conviction to be set aside and the case to be remitted to the District Court for a new trial. The Court of Appeal set aside the High Court's orders and affirmed the District Court's conviction of the offender. The Court of Appeal also dismissed the offender's appeal to the High Court against sentence, because the sentence imposed was the mandatory minimum for importing a Class A controlled drug.
- PP v Lee Pit Chin: This case involved the Public Prosecutor's appeal against sentence for offences of operating the business of unlicensed moneylending in contravention of the Moneylenders' Act. The Prosecution highlighted that the offender had exploited the professional relationship between a property agent and his client, brought disrepute to the real estate industry and carried on his unlicensed moneylending business in blatant disregard of the law which prohibits estate agents from issuing loans to HDB flat sellers. The appeal was allowed and the sentence was enhanced.
- Edwin s/o Suse Nathen v PP: The offender was charged for driving while under the influence of alcohol. He was convicted, fined \$3,000 (in default 15 days' imprisoment) and was sentenced to two years' disqualification ("DQ") from holding a driving license for all classes of vehicles from the date of conviction. On appeal, the offender argued that there were other precedents showing that a two-year DQ order would

be imposed when there were aggravating factors present, and urged the Court to accept the proposition that because no accident and/or injury was caused, a two-year DQ order was excessive. The Prosecution submitted that the sentence meted out was in line with the sentences imposed by the District Courts in a long line of cases.

The Honourable Chief Justice allowed the appeal and reduced the sentence to a fine of \$2,500 and a 21-month DQ order. He then proceeded to set out the sentencing benchmark for such offences by first-time offenders categorised according to alcohol levels.

PP v Spencer Gwee: The offender was a lawyer (and former Deputy Public Prosecutor) who claimed trial to an offence of commercial sex with a minor under s376B(1) of the Penal Code, disputing the age and credibility of the minor. Upon conviction, the offender applied for leave to refer three purported questions of law of public interest to the Court of Appeal, questioning: (1) the need for procedural safeguard when using photo-identification; (2) whether the Prosecution had to prove the victim's age by the best evidence reasonably available; and (3) whether a court hearing a criminal appeal against conviction was obliged to consider if the accused's guilt had been proven beyond reasonable doubt even if it found that the trial judge's evidentiary findings were not wrong on a balance of probabilities.

The Prosecution pointed out that the first two questions were questions

of fact masquerading as questions of law, while the law in relation to the threshold for appellate intervention was clearly set out in s394 of the Penal Code. The Court of Appeal agreed with the Prosecution's position and dismissed the application accordingly. PP v Mohamad Khalid Mohamad Yusop: This case involved the vandalism of the Cenotaph War Monument ("the Cenotaph"). The 33-year-old offender decided to spray paint on the Cenotaph. He sprayed an "X" over the dates "1914 -1918" on the wall of the Cenotaph followed by the word "DEMOCRACY" on top of the "X".

The offender was charged with vandalism under s3 of the Vandalism Act and he pleaded guilty. The Prosecution submitted that a sentence between ten and 12 weeks' imprisonment would be appropriate

as general deterrence was applicable in vandalism cases: the Cenotaph (a national monument) deserved a high degree of protection; and the offence was premeditated and resulted in substantial public outrage

The District Judge, noted that the principle of deterrence is dominant in the sentencing of vandalism cases and sentenced the offender to three months' imprisonment with three strokes of the cane and a compensation order of \$208 for the repair of the Cenotaph (in default five days' imprisonment).

PP v Abdul Haleem B Abdul Karim. and Muhammad Ridzuan B Md Ali: This was the first case where re-sentencing took place after the amendments to the Misuse of Drugs Act ("MDA") establishing a discretionary death penalty came into effect on 1 January 2013.

Both offenders were convicted on two counts of trafficking 72.50g ("the first charge") and 14.99g ("the second charge") of diamorphine, in furtherance of their common intention. The High Court found that both offenders had proven, on a balance of probabilities, that they were 'couriers' under s33B(2)(a)(ii) and (iii) of the MDA.

However, only Abdul Haleem was certified by the Public Prosecutor for having substantively assisted the Central Narcotics Bureau in disrupting • drug trafficking activities.

Abdul Haleem therefore qualified for sentencing under the discretionary death penalty regime and the High Court sentenced him to life imprisonment and 15 strokes of the cane for the first charge. Muhammad Ridzuan did not qualify for the discretionary sentence and the High Court imposed the death penalty. Muhammad Ridzuan appealed against his sentence and his appeal was dismissed by the Court of Appeal.

PP v Soh Wee Kian: This was a murder case, involving a 23-year-old National Serviceman who followed and stabbed unsuspecting girls with a knife. One of his victims died after being attacked by him.

The Institute of Mental Health found that the offender was not of unsound mind at the time of the offences and fit to plead in a court of law. The offender pleaded guilty to a reduced charge of culpable homicide not amounting to murder under s304(a) of the Penal Code, and another charge under s326 of the Penal Code (two further charges for causing hurt and grievous hurt were taken into consideration for the purposes of sentencing). He was sentenced to life imprisonment for both charges, with both sentences to run concurrently.

PP v Fang Gao San: This case involved a 56-year-old Singaporean man, who stabbed a part-time Singapore Pools draw announcer. The offender believed that the people working at Singapore Pools had cheated him and the general public, and sought leave from the 'Jade Emperor' to kill them. The offender was assessed to suffer from paranoid schizophrenia, leading to auditory and olfactory hallucinations. The offender pleaded guilty to, and was convicted of, one count of culpable homicide not amounting to murder under s304(a) of the Penal Code. He was sentenced to life imprisonment.

PP v Lim Ghim Peow: In this case, the offender poured petrol over his ex-girlfriend ("the deceased") and set her on fire with a lighter. The deceased sustained 75% total body surface burns, with inhalation injuries, and passed away approximately 14 hours after the attack. The deceased's cousin, who tried to come to her aid. sustained 23% burns over some parts of his body. At the time of the offence, the offender suffered from major depressive disorder, which was in remission by the time he came before the court for sentencing. The offender pleaded guilty to culpable homicide not amounting to murder, an offence punishable under s304(a) of the Penal Code.

The Prosecution submitted that a custodial term of between 16 to 20

years would be appropriate noting the gravity of the offence; the high level of premeditation; the offender's character and rehabilitation prospects; and the protection of society at large.

Judicial Commissioner Tan Siong Thye (as he then was) described the case as "horrific" and pointed out that the offender had both the intention and motive to kill the deceased, sufficient for the offence for murder, save for his major depression. Though mindful of the offender's mental condition, he noted that this condition was not one that caused him to "suddenly snap" and be dispossessed of his self-control. The offender was sentenced to 20 years' imprisonment, which was upheld on appeal.

• **PP v Lim Wee Thong**: This case involved a prison sergeant who had stabbed one of his girlfriends ("the victim") to death. Investigations revealed that he was facing financial difficulties. After stabbing the victim, the offender made withdrawals from her bank accounts amounting to \$14,500.

The offender was assessed to be evidence. suffering from adjustment disorder at the material time, and had mild cognitive impairment or other clinical conditions.

He pleaded guilty to committing murder, with the intention of causing bodily injury as he knew to be likely to cause her death, an offence under s300(b) and punishable under s302(2) of the Penal Code. He was sentenced to life imprisonment and 24 strokes of the cane.

Coroner's Inquiries

Our officers act as State Counsel in Coroner's Inquiries, assisting the State Coroner in inquiring into the circumstances surrounding unnatural deaths. State Counsel assist by presenting the relevant evidence for the Coroner's consideration, including medical, psychiatric and forensic

- Death following liposuction procedure: One inquiry that attracted media attention was a case of death following a liposuction procedure. The deceased underwent a liposuction and fat transfer procedure and collapsed thereafter. The State Coroner ruled out foul play, and found that the death was a misadventure which was caused by pulmonary fat embolism, a rare but known complication of both liposuction and fat transfer procedures. As there were discrepancies in the records of the procedures done on the deceased, the State Coroner also noted that this case highlighted the importance of keeping contemporaneous and accurate documentation of medical procedures.
- **Death of security officer in the Supreme** Court: This was an inquiry into the death of a security officer who was working in the Supreme Court. Police investigations later revealed that the deceased had committed suicide by using her own revolver, and had died from a single gunshot wound to her head. The State Coroner accepted the findings of the Police, and found that there was no foul play involved.

C. Performing Other Assigned Duties of a **Legal Character**

Developments and growth in the Singapore Legal Services Sector

Accreditation and qualifications

The increasing recognition of Singapore's status as a growing business hub has drawn more law firms to establish their offices in Singapore. In the reporting period, AGC's Legal Profession Secretariat (LPS) processed a total of 1,677 applications. These included issuing two new Formal Law Alliance (FLA) licences and one new Joint Law Venture (JLV) licence. Eight new Foreign Law Practices (FLP) and six new Representative Offices were established in Singapore as at 31 March 2014, bringing the total number of licensed FLPs to 135, including ten under the Qualifying Foreign Law Practice (QFLP) scheme. Besides significant revenue contributions to the growth of Singapore's legal sector, six of the QFLPs now employ more than 100 Singapore-qualified lawyers registered to practise foreign law and permitted areas of Singapore law.

As at 31 March 2014, there were 1,204 foreign lawyers in Singapore registered with AGC. The number of Singapore solicitors registered under s130N of the Legal Profession Act (LPA) to practise Singapore law in FLPs, QFLPs and JLVs increased 29% from 151 as at 31 March 2013 to 195 as at 31 March 2014.

The number of advocates and solicitors admitted to the Singapore Bar continued to grow in 2013. Applications for

admissions increased by 12.3% from the previous year and are likely to increase in the coming years with Singapore's plans to set up a third law school. In addition, nine foreign lawvers have been registered under s130I of the LPA as at 31 March 2014 after successfully completing the Foreign Practitioner Examinations administered by the Singapore Institute of Legal Education. These foreign lawyers are able to practise Singapore law in certain permitted areas.

During the year, four applications were made to the Court for the ad hoc admission of foreign senior counsel to appear in our courts. None of these applications satisfied the test for ad hoc admission set out in the LPA. AGC successfully objected to all these applications.

Changes to the Legal Profession Act

In March 2014, the LPA was amended to establish a new structure for the regulation of the Singapore legal services sector. A new regulatory body, the Legal Services Regulatory Authority of Singapore (LSRA) is to be established under the purview of the Ministry of Law. LPS will transfer most of its present functions to the LSRA by 2015.

Contributions to the Legal Community

The Legal Profession Secretariat has since January 2013 implemented an online portal for applications for licences for Foreign Law Practices and Certificates of Registration for foreign lawyers to make it more convenient for applicants to make applications and to facilitate data collection and analysis. Training sessions have been conducted on the

The **Attorney-General's Roles**

use of the online portal to familiarise Financial Action Task Force (FATF) Review applicants with the Secretariat's registration and licensing assessment Singapore's anti-money laundering and criteria. Three training sessions were carried out in October and November by the FATF in 2015. AGC is involved 2013, with 66 participants from 48 in the inter-agency preparations for law firms.

Central Authority

AGC continues to be the Central Authority AGC also participated in the preparation of Singapore for extradition and mutual legal assistance in criminal matters. Both incoming and outgoing requests for extradition and mutual legal assistance are processed by the International Affairs Division.

United Nations Convention against Corruption (UNCAC) Review Preparations

Singapore's implementation obligations under the UNCAC is currently under review. In preparation for the review, AGC assisted the Corrupt Practices Investigation Bureau and other agencies, in areas such as the preparation of the UNCAC self-assessment checklist that was submitted to the UN in June 2014.

Our officers were also part of Singapore's delegations to the Conference of States Parties of the UNCAC as well as the related Working Group Meetings.

terrorist financing regime will be evaluated Singapore's evaluation and has actively engaged in formulating Singapore's report on technical compliance with the FATF's recommendations and standards. of a comprehensive National Risk Assessment of Singapore's anti-money laundering and terrorist financing risks.





Our Outreach and **New Initiatives**

Outreach and New Initiatives

AGC continued to increase our outreach efforts on various fronts as part of our overall effort to maintain and enhance the confidence of the public in the justice system, and to address the local and international interest in our role and functions.

A. Outreach



Inaugural Public Prosecution Outreach Programme

The inaugural Public Prosecution Outreach Programme (PPOP) took place over a few months in 2013. The PPOP was organised with the objective of demystifying the work of the Public Prosecutor and creating awareness among the public, especially the vouth. Prosecutors and officers from AGC visited some 28 schools to interact with students and give presentations on their work. Students were also invited to participate in mock court hearings, which helped them to learn more about court processes.

In addition, a total of 74 students participated in an attachment programme at AGC over three days in October 2013. The students were given tours of the AGC premises, the State Courts, as well as various law enforcement agencies, providing them with insight into



"Stories relating to criminal justice are not far from headlines. The criminal process is at the heart of the criminal justice system. It is not merely a subject of practical importance; it is also a reflection of society's ideals and values as to the way in which we can accord justice to both the innocent and guilty.... As part of our efforts in reaching out to the public, we have implemented several programmes... our efforts to reach out to the public will not end here."

> AG Steven Chong, SC in his speech at the opening of Public Exhibition



prosecution work. Throughout their attachment, the students got to interact with prosecutors and law enforcement officers and had the opportunity to observe actual court proceedings.



As part of the PPOP, an exhibition was also held on 1 and 2 November 2013 at the National Library. The interactive exhibition provided members of the public with information on criminal offences as well as the investigative and court processes. The public was also allowed to try their hands at forensic investigations such as fingerprinting. In addition, AGC published a booklet, "Giving Evidence in Court". This booklet explains what a criminal trial is about and what happens before, during and after a person gives evidence. The booklet was published in the English language and copies of it were distributed during the exhibition.

Temasek Polytechnic Internship Programme

AGC hosted interns from the Temasek Polytechnic from 11 September 2013 to 30 November 2013. The aim of this internship was to expose the interns to work in AGC, including litigation support and registry work. The interns were attached to prosecutors. They learnt about the various responsibilities of a prosecutor such as drafting charges and statements of fact, and attended plead guilty mentions and trials.

AGC Law Reform Essay Competition



To raise awareness and interest in law reform work, AGC organised its second Law Reform Essay Competition in 2013. Students were invited to propose how the definition of culpable homicide and murder in the Penal Code could be reformed or improved, and the winning entrant was offered a 4-week attachment to the Legislation and Law Reform Division of AGC.

Engaging Public Sector Officers



As part of AGC's training outreach efforts, the Civil Division organised the Public Officers' Law Seminar and published a Handbook on "Public Administration and the Law" on the legal implications of public officers' administrative decisions and the management of legal risks.

AGC, in partnership with the Civil Service College (CSC), also organised the 7th International Law Seminar in October 2013. The Seminar educated public service officers on topics such as diplomatic privileges and immunities; international trade and investment law; and international cooperation in criminal matters. AGC and CSC also jointly organised the International Law Course held in January 2014 to train public service officers in international law and the drafting and negotiation of international agreements.

Legislative Process and Legislative **Drafting Courses**

In light of the increasing trend of new legislation being introduced in recent years. it is important for policy officers to be equipped with the necessary knowledge

and skills to manage legislative projects. Legislation and Law Reform Division conducts legislative process and legislative drafting courses at the CSC bi-annually to educate civil servants on how to devise new laws: overcome the hurdles to turning policy into legislation; and devise policy specifications that can translate into legislation without attracting controversy.

Administration of the Jessup **National Rounds**

AGC administered the Singapore National Round of the 2014 Philip C. Jessup International Law Moot Court Competition for the fourth year running in February 2014. The team from the Singapore Management University emerged victors and went on to represent Singapore at the International Rounds, where they reached the finals and clinched the first runner-up position.

Reaching Out to Talent

As the work of legal service officers at the AGC evolves to keep in tandem with the ever-changing landscape, its corporate officers' roles have also grown. One indicator is the increase in the number of AGC's corporate officers over the years as well as the increased investment in their development. In order to further strengthen the corporate arm of AGC, we proactively reached out to potential recruits for these positions.

One such initiative was the launch of an AGC recruitment brochure in 2014. The brochure articulates AGC's focus on officers' development as well as the importance of the roles that corporate officers play.





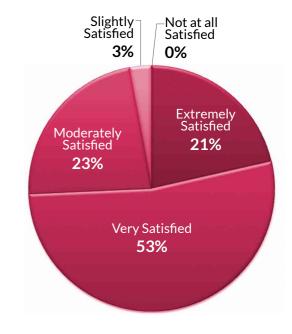
In addition, AGC started its first Non-Legal Internship @ AGC Programme (NLIA) for students from junior colleges, polytechnics and universities. The interns were given the opportunity to experience work in the Civil Service and in AGC.

Online Customers' Satisfaction Survey

AGC conducted our annual Customers' Satisfaction Survey to gather feedback from our Ministry clients and other key stakeholders on the services it rendered. The areas surveyed included:

- Nature of service received from AGC:
- ii. Level of satisfaction with the service received:
- iii. Suggestions on improving services; and
- iv. Suggestions for collaboration (newly added in 2014).

The inaugural online survey was conducted for two weeks from 14 February to 28 February 2014, and a total number of 71 responses from 28 agencies was received.



97% of the respondents rated their overall satisfaction with AGC's service received as "Extremely Satisfied", "Very Satisfied" or "Moderately Satisfied".

04 - Bhutan

International Outreach

The year saw AGC's continued engagement with local agencies, foreign governments and international organisations. These engagements provided opportunities for the exchange of insights and discussion of key issues.



- 01 On 21 January 2014, Bermuda's Attorney-General and Minister of Legal Affairs, Mark Pettingill, and Minister of Tourism Development and Transport, Shawn G. Crockwell, led a delegation to learn about Singapore's legislative and regulatory structure for gaming.
- **02** On 20 August 2013, the Secretary-General of the International Criminal Police Organisation (INTERPOL), Mr Ronald Noble visited AGC to study Singapore's role in the international community and how Singapore could contribute to the work of the INTERPOL.
- 03 On 2 December 2013, Zambia's Director of Public Prosecutions. Mr Mutembo Nchito, led a delegation of Zambian officers to find opportunities to further develop Zambia's prosecution service.
- On 17 September 2013, Justice Rinzin Penzor of Bhutan's Supreme Court and his team visited AGC to learn about Singapore's legal ystem and discuss ways to enhance the working relationship between
- **05** AGC's relationship with Chinese enforcement and prosecution agencies also grew rapidly. In the reporting period, there were several visits to AGC by China's enforcement and prosecution agencies, as well as study visits from China's regional offices. These included visits by delegations from Dalian, Suzhou, Liaoning, Shanghai, Chongqing and Guangxi, as well as by Tsinghua

- 06 The reporting period saw several exchanges between AGC and offices of the Government of Myanmar. This included a visit by delegation members of the Supreme Court of the Union and Union Attorney-General's Office, in December 2013. The delegation was here to learn about the use of information and communications technology in the judicial and legal system.
 - In February 2014, AG Steven Chong called on His Excellency U Thein Sein, President of The Republic of the Union of Myanmar.
- 07 In October 2013, the Attorney-General's Chambers of Singapore, Malaysia, and Brunei, met for the bi-annual Tri-AGC event in Brunei Darussalam. The meeting was also joined by an observer delegation from Myanmar.

The event served to deepen the relationship among officers of the various Attorney-General's offices, and provided a platform to discuss areas of cooperation. The Singapore delegation was led by AG Steven Chong.

- 08 On 3 September 2013, the South Australian Attorney-General's Department visited AGC to understand more about our justice system and productivity reforms. The delegation was led by John Rau, Attorney-General (Attorney-General's Department), Deputy Premier and the Minister for Planning and Consumer and
- 09 In March 2013, AGC hosted the Workshop on the Harmonisation of the Trade Laws of ASEAN Member States (Arbitration and International Sale of Goods).

This workshop was a follow-up to the work of the ASEAN Senior Law Officials Meeting (ASLOM) Working Group on the Harmonisation of Trade Laws of ASEAN Member States. The two-day event saw delegates from the ASEAN member states as well as speakers from the ASEAN Secretariat, UNCITRAL, UNIDROIT and NUS providing information on the latest developments in law and practice of arbitration and the international sale of goods.

B. Initiatives and improvements to our work

During the period under review, AGC rolled out several new initiatives to improve the way we do our work.

Embedment of Deputy Public Prosecutors in enforcement agencies

The embedment of Deputy Public Prosecutors (DPPs) in enforcement agencies was initiated in the first half of 2013. Prosecutors continued to be embedded in more Police divisions this year. This has increased the efficiency and quality of the investigative and prosecutorial process.

AGC also maintains a satellite office in the Commercial Affairs Department of the Singapore Police Force and has senior DPPs in the Corrupt Practices Investigation Bureau and the Central Narcotics Bureau to provide legal advice and facilitate the disposition of cases.

Streamlining work with other public agencies

In 2013. AGC started representing the Monetary Authority of Singapore (MAS) in civil penalty cases for market misconduct under the Securities and Futures Act. In Monetary Authority of Singapore v Norman Phua, AGC represented MAS in the civil penalty action against Norman Phua for insider trading and the employment of manipulative and deceptive devices. MAS obtained judgment of \$2.97 million for both contraventions.

Treaties Section

In 2013, AGC started work on setting up a Treaties Section to act as a central advisory body to the Government on treaty matters and will provide a comprehensive treaties database and other treaty-related services to promote consistency in treaty-making practice. The Treaties Section is expected to be formally launched in the last quarter of 2014.

Officer on Attachment to Singapore Mission in New York

In the second half of 2014, an AGC officer was attached to Singapore's Permanent Mission to the United Nations (UN) in New York to advise on legal issues arising at the UN and to contribute to the development of international law.

Plain Laws Understandable by Singaporeans (PLUS)

AGC embarked on a project to improve and modernise the Singapore statute book in terms of its content and its design.

The first phase of the PLUS project was an online public survey with a view to modernising our legislative drafting practice and improving the readability of our laws so that Singaporeans can better understand them. Public opinion was sought to better understand the needs, preferences and expectations of the users of Singapore's legislation. The online public survey was conducted over a period of one month from 12 November to 12 December 2013.

The PLUS survey received over 1,000 responses. Approximately 75% of these see the first set of changes in drafting came from non-lawyers, including styles rolled out in August 2014. members of the public and civil service officers. AGC has analysed the feedback AGC will also be embarking on a universal gathered from the survey with a view to taking steps to improve and modernise the text and design of legislation.

Users of Singapore's legislation will

revision of existing legislation in stages to incorporate the changes in drafting styles and presentation.

Knowledge Management in AGC

The Knowledge Management Unit (KMU) has been working on a single unified KM system for the whole of AGC, in order to enhance the internal sharing of knowledge across the organisation. Concurrently, there will be incremental KM projects with a specific focus on the Crime Cluster, including the introduction of charge templates, Quickpacks and "gold standard" submissions. This focus on the Crime Cluster dovetails with one Training of AGC's core objectives - to maintain consistency in the exercise of prosecutorial discretion by each Deputy Public Prosecutor.

KM learning journey

In the reporting period, KMU embarked on its own learning journey, visiting overseas, local and international law firms and other organisations to study their KM systems. The objective was to learn best practices, explore state-of-the-art Chan Sek Keong Library (CSK Library) technology and to benchmark ourselves as we refined our KM strategy. Overseas trips to the public prosecution offices in Canada and Australia and the RFID gates were installed at the CSK parliamentary counsel office in Australia was undertaken. KMU also conducted a series of focus group discussions with AGC's six legal divisions to seek users' inputs from a wide cross-section of lawyers and para-legals, gather feedback on their requirements and gain ideas for useful features to further fine-tune the KM system.

Upgrade of the AGC staff intranet

KMU and the Computer and Information Systems Division (CISD) have been working to upgrade the AGC staff intranet. KMU facilitated the Divisions' migration of documents and did research and background work to set up the Divisions' homepages and orientation pages. The new AGC Portal is expected to be launched by December 2014.

KMU has started to organise KM training sessions to groom our own KM champions within the Divisions. A lunchtime talk by an experienced KM practitioner was held in February 2014 to give participants a basic understanding of KM in the AGC. Participants included members of the AGC KM Working Group and Legal Branch heads of department.

implementation of Radio-Frequency Identification (RFID) gates

Library and ground floor lobby with effect from March 2014. RFID technology enables the CSK Library to enhance the management and circulation of library books, by enabling the automated borrowing and tracing of books.

Innovation and Synergies on Staff Welfare



The Corporate Services Division (CSD) launched an interactive e-document "Happi-Q". Derived from the words "Happy" and "Quotient", the e-document provides a single platform for officers to browse information on staff well-being and benefits.

Corporate Awards in 2013/2014

ISO Surveillance Audit 2014

Awards and accreditations affirm AGC's commitment to organisational excellence. AGC first attained the Singapore Quality Class in February 2004 and successfully renewed the award under the integrated 3-in-1 Business Excellence Standards in October 2011. In 2013, CSD successfully passed the audit of its work and system processes, certified under the ISO9001: 2008 quality management standard, with no non-conformances.











AGC's Inaugural National Day Awards 2013

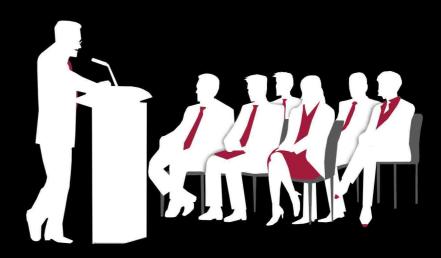
AGC organised the inaugural National Day Awards ceremony for award recipients in 2013. Nine AGC officers were recognised for their outstanding contributions and service to the nation.



Not in picture: Ms Daphne Hong Fan Sin

Awards Recipients

	-
Name	Award
Chief Legislative Counsel Mrs Owi Beng Ki	The Public Administration Medal (Gold)
Chief Prosecutor Tai Wei Shyong	The Public Administration Medal (Silver)
Deputy Director-General Ms Daphne Hong Fan Sin	The Public Administration Medal (Silver)
Deputy Senior State Counsel Toh Shin Hao	The Commendation Medal
Deputy Senior State Counsel Ms Shahrinah Bte Abdol Salam	The Commendation Medal
Assistant Director Ms Kelly Lim Fong Yin	The Commendation Medal
Clerical Officer Mrs Poh nee Tan Kooi Biaw	The Efficiency Medal
Senior State Counsel Phua Wee Chuan	Long Service Medal
Senior State Counsel Lee Chuan Huei	Long Service Medal



Our
Training
and
Capabilities
Development

Our Training and Capabilities Development Our Training and Capabilities Development

Training and Capabilities Development



The AGC Training Committee is responsible for all Chambers-wide training initiatives. It sets the training direction and manages the overall AGC training framework, ensuring that all officers are equipped with the competencies required for their jobs. The committee also supports AGC's efforts in developing its human capital through promoting and encouraging continuing education and life-long learning.

Significant emphasis is placed on foundational level training. This year, we saw the largest intake for our Training Contract Programme for new legal officers. A total of 31 officers underwent training at both our legal divisions and legal departments at external agencies.

Learning opportunities for more experienced legal officers from Queen's Counsel were created through overseas attachments and classroom-based training. Other programmes covered public law, advocacy skills, legislative drafting skills, and legal writing skills. Senior officers were also given exposure to media training.

Scholarships were awarded to promising officers to pursue continuing education and ultimately, to make greater contributions to AGC upon completion of their studies. This year, AGC sponsored one officer to attend the Juris Doctor Programme at the Singapore Management University for the first time.

AGC also extended our training support to external agencies, notably legal officers in the Legal Branch departments and statutory bodies. The Training Committee organised the Legal Branch Conference 2014 on 14 March 2014, with more than 230 legal officers participating in the conference.

A customised, enhanced training programme was also designed for legal officers from other government agencies who were deployed on a temporary basis to AGC.

Additionally, to enhance consistency in training standards across prescribed statutory bodies, AGC hosted a threemonth attachment for four practice trainees.

Competency Building and Exposure





AGC's Legislation and Law Reform Division (LLRD) organised a basic in-house legislative drafting course in December 2013. The course was conducted by Mr Paul Salembier, a former legislative drafter and counsel with the Canadian Justice Department who teaches legislative drafting at the University of Ottawa. It was held over five days and was attended by 19 legal service officers. The aim of the course was to supplement the current on-the-job training for drafters with classroom training. The course provided an invaluable opportunity to learn modern drafting techniques from a foreign expert, and LLRD intends to organise similar courses yearly to help our drafters sharpen their skills.

AGC also participated in the Commonwealth Association of Legislative Counsel Conference in Cape Town, South Africa in April 2013, as well as the PCCIT Forum in Wellington, New Zealand,



in July-August 2013, to discuss IT-related developments relevant to a Parliamentary Counsel's Office.

Crime Cluster Training Day

The Crime Cluster Training Day is held annually for all officers and staff belonging to the Crime Cluster. This year's Crime Cluster Training Day was held on 8 March 2014 and encompassed a series of talks on disclosure issues in criminal cases. The Crime Cluster also invited former NUS professor and current law dean of Hong Kong University, Professor Michael Hor, to give a talk on the right to counsel.

Overseas Training, Visits and Attachments

As in previous years, AGC continued to attach officers to foreign government agencies and law firms. AGC officers also attended overseas training courses such as the Advanced Advocacy Course conducted at Keble College, Oxford, the Advocacy Teacher-Training Course organised by the Bar Council of Malaysia, the

7th Hart Judicial Review Conference in London and legislation drafting courses in the United Kingdom and Brunei.

Officers were sent for advocacy attachments with leading barristers in Fountain Court Chambers, Essex Court Boundary Delimitation Workshop at Chambers, 39 Essex Street Chambers and the Treasury Solicitor's Department in the United Kingdom. Officers were also sent to China and the Hong Kong Department of Justice for advocacy attachments.

- An officer was attached to the Serious Fraud Office, United Kingdom, to study how they handle serious and complex fraud and bribery cases.
- Hong Kong Department of Justice's Mutual Legal Assistance Unit and the United States Department of Justice to learn from them and improve AGC's mutual legal assistance policies and operational processes.

Training our Officers in International Law

AGC continued to send officers for specialist training courses and conferences on international law in Singapore and abroad, such as the International Maritime Durham University; the Singapore International Arbitration Academy 2013; and summer programmes at the Hague Academy, the Rhodes Academy of Oceans Law and Policy, and the WTI Summer Academy. An officer also obtained his LL.M. in International Legal Studies at New York University in mid-2013 on a Legal Service Commission - Developing International Law Expertise Secretariat scholarship. Another officer also did an attachment with the International There were also study visits to the Arbitration group of Wilmer Cutler Pickering Hale & Dorr LLC in London.

> In addition, AGC hosted Judge Sir Christopher Greenwood of the International Court of Justice for a fireside chat on the topic "Managing International Disputes Today".



The **Ties** that **Bind Us** The **Ties** that **Bind Us**

Celebrating our Heritage



On 26 September 2013, AGC honoured two of our former Attorneys-General with the official opening of the Tan Boon Teik Room and the Chan Sek Keong Library.

"I am personally delighted to honour two of my predecessors - eminent lawyers, champions of the rule of law, strong visionaries, and great men who have dedicated their lives to public service – former Attorneys-General the late Mr Tan Boon Teik and Mr Chan Sek Keong. It is only right for AGC to honour them as our pedigree as a public institution owes it to their immeasurable contributions."

AG Steven Chong, SC in his speech at the Official Opening of the Tan Boon Teik Room and Chan Sek Keong Library

Tan Boon Teik Room



AG Tan Boon Teik is the longest-serving AG with a tenure spanning 25 years from 1967 to 1992, a crucial period of Singapore's history when the nation faced many economic and security challenges. During his tenure, he established many of the work processes that are still in place in AGC today and inspired generations of legal officers with his passion for the law, his love for music, and his commitment as a public servant. The Tan Boon Teik Room is the official reception room for visitors to AGC.

Chan Sek Keong Library



Widely regarded as one of Singapore's finest legal minds, Mr Chan Sek Keong served as AG from 1992 to 2008. He was robust in protecting the public interest as the Public Prosecutor, astute in advancing the nation's interest, principled as the Government's legal adviser and a pioneer in many areas of legal reform. The AGC Library has been named the Chan Sek Kong Library after him, in acknowledgement of his vast learning, deep convictions and great humility.

Community Welfare Activities

AGC's Community Welfare Committee (CWC) aims to make AGC a more caring and compassionate organisation through involvement in community projects and initiatives.

The CWC organises various fund-raising events and public outreach activities where AGC officers can volunteer their time and effort.

In the reporting period, AGC raised a total of \$25,000 for the less privileged through various fund raising events:

- Consignment of Ain Society Charity Draw Tickets - raised a total of \$2,570 in support of underprivileged chronically-ill people.
- Racial Harmony Day Charity Bazaarraised a total of \$6,000 dollars which was donated to The Lions Home.
- Sale of SPCA Merchandise an estimated \$2,000 was raised.

Fund Raising for Typhoon Haiyan Relief Efforts - AGC raised a total of \$15,000 for the victims and for rebuilding efforts in the Philippines. The funds raised were presented to the Red Cross and were matched dollar-for-dollar by a private organisation.



The **Ties** that **Bind Us** The Ties that Bind Us

AGC's Staff Welfare at Upper Picking Street Committee (SWUPS) is responsible for promoting the well-being of AGC officers and fostering camaraderie in AGC.

Corporate Bonding and Innovation Day 2014



Annual Dinner and Dance 2013





In March 2014, SWUPS, together with the Innovation Committee, organised the Corporate Bonding and Innovation Day and to encourage camaraderie and teamwork among AGC officers, and also to showcase AGC's various innovation projects.



The annual Dinner and Dance in October 2013 saw AGC's officers enthusiastically dressed to the theme of "Old School".

Divisions' bonding activities











Festivities Shopping Trips

SWUPS continued with the tradition of organising festive activities such as shopping trips to Geylang Serai and Little India prior to Hari Raya Puasa and Deepavali respectively.

Other Staff Benefits

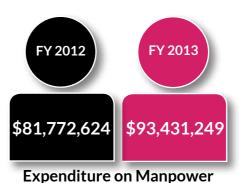
Close to a hundred AGC officers underwent health screening at the office premises in August 2013.

To promote staff welfare and family bonding, SWUPS procured annual memberships to the Singapore Zoo, Science Centre, River Safari and Sentosa.

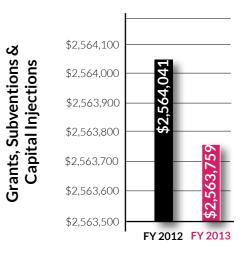
Key Figures

- Expenditure Indicators
- Peformance Indicators

Key Figures 2013/2014 **Expenditure Indicators**



\$18,000,000 Other Operating Expenditure \$17,500,000 \$17,000,000 \$16,500,000 \$16,000,000 \$15,500,000 \$15,000,000 \$14,500,000 \$14,000,000





FY 2012 FY 2013



\$242,041,714

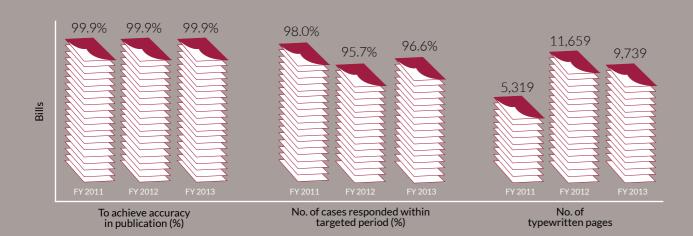
Total Expenditure in FY 2012

\$115,315,049

Total Expenditure in FY 2013

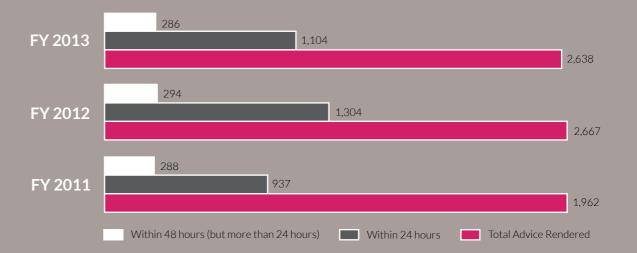
Key Figures 2013/2014 Performance Indicators

Legislation



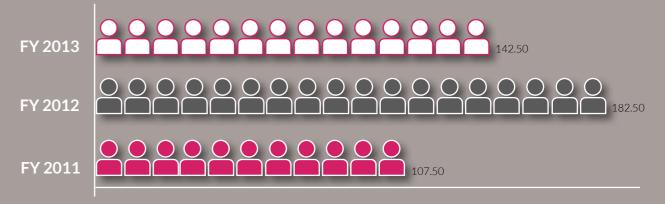
		FY 2011	FY 2012	FY 2013
Subsidiary Legislation (SL)	No. of typewritten pages	6,785	8,062	8,815
Revised Edition of the	No. of published pages	1,004	1,297	1,591
Acts, Subject index to Acts and Alphabetical List of Acts	No. of Acts	23	26	43
Revised Edition of the SL	No. of published pages	78	0	990
Law Reform Papers	No. of papers	3	0	0

Comparison of Urgent Advice Rendered for the period FY 2011-2013



Civil Hearings

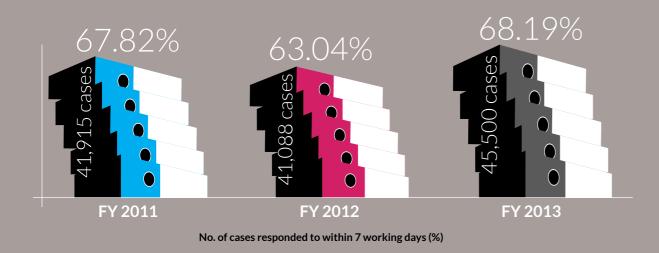
Number of Attendances¹



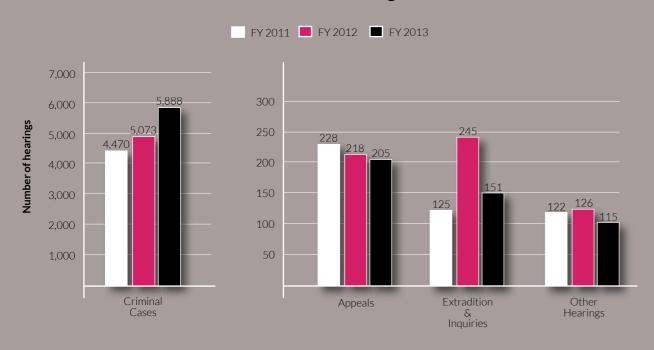
¹ 1 attendance represents 8 hours

Key Figures 2013/2014 Performance Indicators

Investigation Papers



Criminal Hearings



International Legal Transactions



International Legal Transactions - Workload (in attendances)

	FY 2011	FY 2012	FY 2013
Simple Advice rendered	136	129	96
Complex and Extremely Complex Advice rendered	970	823	971
International Negotiations / Conferences	652	522	756
Dispute Resolution/International Litigation	246	171	430
MLA Request	219	400	605
Total MLA Request and Extradition Hearings		131	139
Meetings	652	522	756
Legal Education (Includes Giving Talks/Organising Talks)	112	85	61
Inquiries / Adhoc Projects	310	666	342





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