



ATTORNEY-
GENERAL'S
CHAMBERS

Annual Summaries

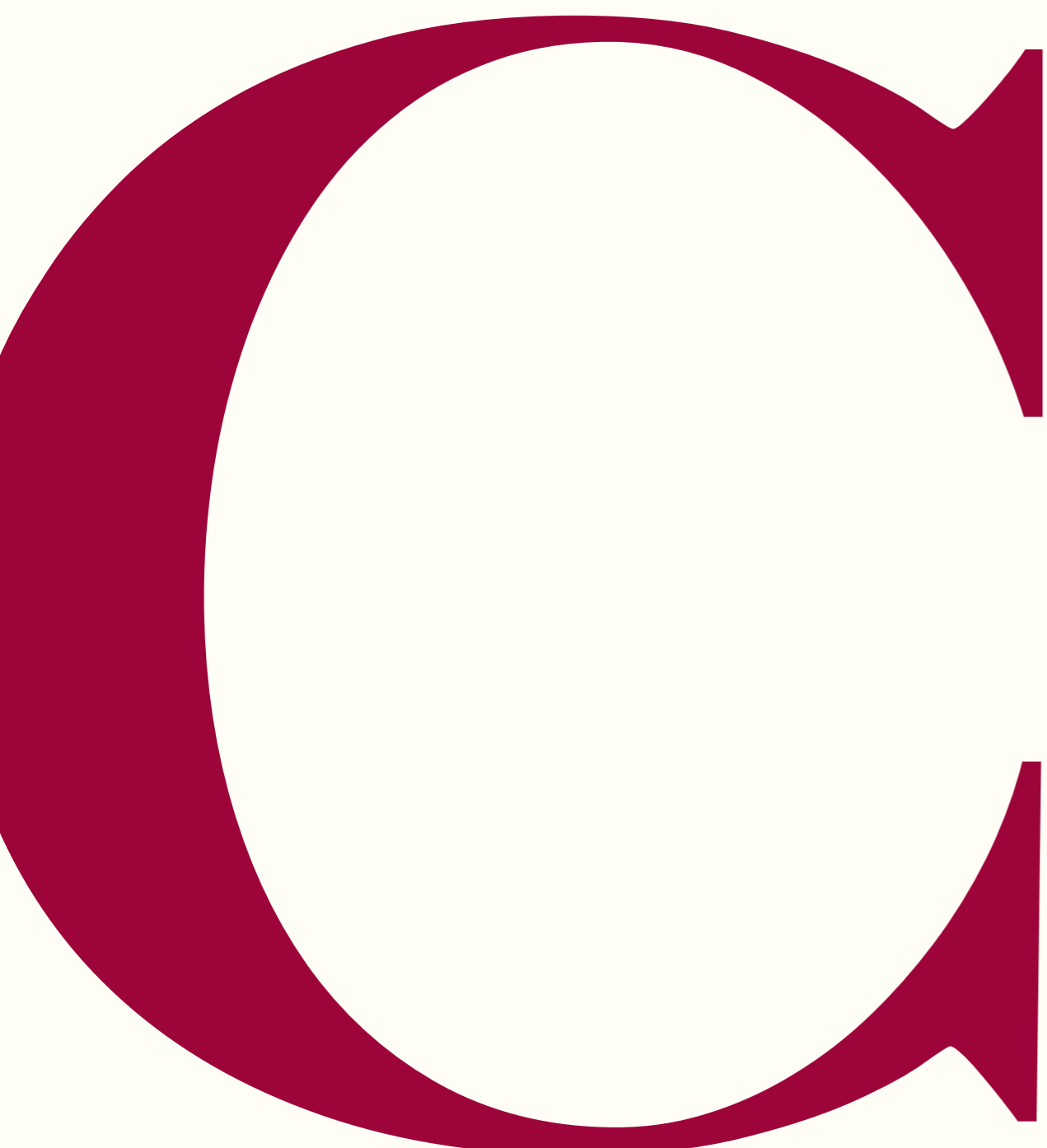
2017 Highlights



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CIVIL DIVISION

The Civil Division plays a vital role in protecting and advancing the Government's interests, facilitating the administration of justice and upholding the rule of law. The Division advises the Government on wide ranging legal issues and represents the Government in court and other dispute resolution proceedings.



MAJOR CASES

ATTORNEY-GENERAL V EUGENE THURAISSINGAM

A lawyer, Eugene Thuraisingam, published a poem on Facebook publicly alleging that our Judges have subordinated their judicial duty to financial greed. The poem posed a real risk of undermining public confidence in the administration of justice in Singapore. Thuraisingam was eventually found in contempt of court and fined \$6,000.

AXY AND OTHERS V COMPTROLLER OF INCOME TAX (ATTORNEY-GENERAL, INTERVENER) PENDING GROUNDS OF DECISION AS OF 5 APRIL 2018

This was an appeal against the High Court Judge's decision (see *AXY and others v Comptroller of Income Tax* [2017] SGHC 42) concerning the exchange of information between tax authorities for the enforcement of tax laws and prevention of tax evasion. The appellants challenged the decision of the Comptroller of Income Tax to provide banking information to the National Tax Service of Korea under a Singapore-Korea tax treaty and an exchange of information regime under the Income Tax Act (Cap 134, 2008 Rev Ed).

This was the first time a legal challenge was mounted against the exchange of information regime. To maintain Singapore's reputation as a trusted financial centre operating along international norms, the Attorney-General made submissions on the legal principles governing the operation of the exchange of information regime. The Court of Appeal dismissed the appeal.

DEEPAK SHARMA V LAW SOCIETY [2017] 1 SLR 862; DEEPAK SHARMA V LAW SOCIETY [2017] 2 SLR 672

In both cases, the Attorney-General participated as the guardian of the public interest in a judicial review application brought to quash the decision of a Review Committee appointed under the Legal Profession Act (Cap 161, 2009 Rev Ed). This was the first time the Court of Appeal had to consider a complaint of professional misconduct in relation to solicitors over-claiming party-and-party costs from the opposing party. The Court noted that AGC's "oral and written submissions ... were of considerable assistance to the court both at first instance and on appeal"

(*Deepak Sharma v Law Society* [2017] 2 SLR 672 at [80]). Further, the Court laid down the principle that the Attorney-General (as the guardian of the public interest) can recover costs for participating in a judicial review application that does *not* seek to challenge any Governmental action or decision.

See *Deepak Sharma v Law Society* [2017] 1 SLR 862 at: <http://www.singaporelaw.sg/sglaw/laws-of-singapore/case-law/free-law/court-of-appeal-judgments/22751-deepak-sharma-v-law-society-of-singapore> (accessed 19 March 2018)

See *Deepak Sharma v Law Society* [2017] 2 SLR 672 at: <http://www.singaporelaw.sg/sglaw/laws-of-singapore/case-law/free-law/court-of-appeal-judgments/22884-deepak-sharma-v-law-society-of-singapore> (accessed 19 March 2018)

ELECTED PRESIDENCY

Tan Cheng Bock v Attorney-General [2017] 5 SLR 424;
Tan Cheng Bock v Attorney-General [2017] 2 SLR 850

*Ravi s/o Madasamy v Attorney-General
and other matters* [2017] 5 SLR 489

Two sets of legal challenges were brought in relation to the Elected Presidency in 2017. The first challenge attacked Parliament's decision to choose President Wee Kim Wee's last term of office as the first term to be counted when determining whether a presidential election would be reserved for a particular community (*Tan Cheng Bock v Attorney-General* [2017] 5 SLR 424). The second challenge alleged that the eligibility criteria of the President and the reserved elections framework were unconstitutional and void (*Ravi s/o Madasamy v Attorney-General and other matters* [2017] 5 SLR 489).

Both challenges were heard on an urgent basis in light of the upcoming Presidential Election 2017. AGC successfully defended both challenges in the High Court, and both were the subject of appeals to the Court of Appeal. The first challenge was dismissed by the Court of Appeal (*Tan Cheng Bock v Attorney-General* [2017] 2 SLR 850) while the second challenge was eventually withdrawn.

See *Tan Cheng Bock v Attorney-General* [2017] 5 SLR 424 (High Court) at <http://www.singaporelaw.sg/sglaw/laws-of-singapore/case-law/free-law/high-court-judgments/22879-tan-cheng-bock-v-attorney-general> (accessed 19 March 2018)

See *Tan Cheng Bock v Attorney-General* [2017] 2 SLR 850 (Court of Appeal) at <http://www.singaporelaw.sg/sglaw/laws-of-singapore/case-law/free-law/court-of-appeal-judgments/22934-tan-cheng-bock-v-attorney-general> (accessed 19 March 2018)

See *Ravi s/o Madasamy v Attorney-General and other matters* [2017] 5 SLR 489 at <http://www.singaporelaw.sg/sglaw/laws-of-singapore/case-law/free-law/high-court-judgments/22876-ravi-s-o-madasamy-v-attorney-general-and-other-matters> (accessed 19 March 2018)

EXXONMOBIL ASIA PACIFIC PTE LTD V THE COLLECTOR OF LAND REVENUE

The Appeals Board (Land Acquisition) considered the novel issue of whether compensation for injurious affection under the Land Acquisition Act (Cap 152, 1985 Rev Ed) should include damage arising from acts that did not occur on the land acquired. AGC successfully argued that the compensation in such cases should be confined to injurious acts that occurred on the acquired land itself.

LEE WEI LING AND ANOTHER V ATTORNEY-GENERAL [2017] 2 SLR 786

AGC successfully resisted this appeal for declarations that the appellants were entitled to copies and unfettered use of Mr Lee Kuan Yew's oral history transcripts which had been produced as a Government project. The Court of Appeal ruled that the transcripts could be accessed, used and reproduced only with the permission of both the Government and Mr Lee. Mr Lee's rights of use and access were personal rights.

PUBLIC PROSECUTOR V NG TECK LEE

For the purposes of satisfying a confiscation order made against Ng, officers acting on behalf of the Public Prosecutor successfully applied for a realisation order in the High Court under the Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act (Cap 65A, 2000 Rev Ed), to empower the Public Trustee to realise various properties previously determined by the Court of Appeal to be realisable by the Public Prosecutor (see *Centillion Environment & Recycling Ltd (formerly known as Citiraya Industries Ltd) v Public Prosecutor and others and another appeal* [2013] 1 SLR 444).

The total estimated value of the realisable properties listed in the Public Prosecutor's application (around the time of the application) amounted to about \$9 million.

RE HARISH SALVE AND ANOTHER APPEAL [2018] SGCA 6

The Court of Appeal granted Mr Salve's ad hoc admission to the Singapore Bar. The Court emphasised that an applicant need not demonstrate previous experience with the particular issues at hand, but had to show "wide and deep expertise and experience" in the area of law for which the Singapore court would be concerned. Where the issues of foreign law were complex, foreign counsel would aid the Singapore court in having the most complete possible picture of the foreign law and policy. Nonetheless, there was no general rule that ad hoc admission applications would be allowed in every case involving international arbitration or foreign law. The touchstone of "need" must still be satisfied.

See *Re Harish Salve and another appeal* [2018] SGCA 6 at <http://www.singaporelaw.sg/sglaw/laws-of-singapore/case-law/free-law/court-of-appeal-judgments/23076-re-harish-salve-and-another-appeal> (accessed 19 March 2018)

SINGAPORE INVESTMENTS (PTE) LTD V THE COLLECTOR OF LAND REVENUE

In this case involving a part-lot acquisition of land by the Government, AGC successfully argued before the Appeals Board (Land Acquisition) (the "Board") that the Collector was correct, when determining the appropriate compensation, in taking into account the Urban Redevelopment Authority's confirmation that it would safeguard the approved Gross Floor Area for a development on the remaining land. The Board also upheld the compensation award issued by the Collector.



NATIONAL TRADE PLATFORM

The Division provided legal advice in relation to the final-stage implementation of the National Trade Platform, a platform for trade facilitation and trade declaration in Singapore. In particular, the Division advised and assisted in negotiations on the agreements which Singapore Customs will be entering into with service providers and business users.



PRESIDENTIAL ELECTION 2017

The Division provided legal assistance on the Presidential Election 2017 by way of legal advice, training of election officials and deployment on Nomination Day.

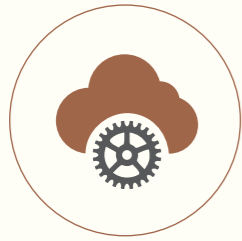


PUBLIC PROCUREMENT CONFERENCE 2017



Lively exchanges during a panel discussion at the Public Procurement Conference 2017

The Public Procurement Conference aims to provide public sector lawyers and public procurement practitioners with an opportunity to deepen their knowledge of the legal issues, principles and best practices in the field of public procurement. Following the first Public Procurement Conference in 2015, the Division organised the second Public Procurement Conference from 13 to 14 July 2017, featuring local and foreign luminaries in the field of public procurement. The Conference was very well received, with 300 participants from 15 ministries and organs of state as well as 25 statutory boards.



SIMPLIFIED METRIC LICENCE AND PROVISIONING OF CLOUD SERVICES FOR THE WHOLE-OF-GOVERNMENT

The Division provided advice and worked closely with other Government agencies in the review of documents relating to the licensing of software and the provisioning of cloud services.



SMART NATION

The Division provided strong legal support on various strands of the Government's Smart Nation initiative, including the use of autonomous vehicles in Singapore and enhanced digital platforms. These platforms enable users to manage their personal data and conduct online transactions with both public and private sector organisations more efficiently.



UNITED NATIONS WORK ON INTERNATIONAL TRADE LAW

Officers from the Division represented Singapore at the United Nations Commission on International Trade Law (UNCITRAL)'s 50th Session and participated in a Congress to mark UNCITRAL's 50th anniversary.

The Division was involved in advising on and coordinating Singapore's participation in several UNCITRAL projects. Officers from the Division participated in the work of UNCITRAL to complete a Model Law on Electronic Transferable Records (which the General Assembly has adopted) and a draft Legislative Guide on Business Registration. In addition, officers from the Division participated in International Colloquiums on Secured Transactions and Public Private Partnerships; and an Expert Group meeting on Legal Issues Relating to Identity Management and Trust Services.

KEY FIGURES FOR CALENDAR YEAR 2017



3,598
PIECES OF LEGAL ADVICE RENDERED



13,016
PAGES DRAFTED/
REVIEWED FOR TRANSACTIONAL MATTERS

13
ATTENDANCES AT COURT OF APPEAL HEARINGS

234
ATTENDANCES AT OTHER COURT HEARINGS

42
ATTENDANCES AT APPEALS BOARD (LAND ACQUISITION) HEARINGS

CRIMINAL JUSTICE DIVISION

The Criminal Justice Division is responsible for all prosecutions except those relating to financial, corruption and technology offences, which come under the purview of the Financial and Technology Crime Division. The Division 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.

MAJOR CASES

GBR V PP AND ANOTHER APPEAL [2017] SGHC 296

The accused was convicted after trial for the aggravated outrage of modesty of his 13-year-old niece. He was sentenced to 21 months' imprisonment and four strokes of the cane. He appealed against conviction and sentence, whereas the Prosecution appealed against the sentence imposed. The accused's appeal against conviction was dismissed, while the Prosecution's appeal against sentence was allowed - the High Court enhanced the sentence imposed to 25 months' imprisonment and four strokes of the cane.

See *GBR v PP and another appeal* [2017] SGHC 296 at:
<http://www.singaporelaw.sg/sglaw/laws-of-singapore/case-law/free-law/high-court-judgments/23019-gbr-v-public-prosecutor-and-another-appeal> (accessed 19 March 2018)

PP V BDB [2017] SGCA 69

The accused was convicted of charges of voluntarily causing grievous hurt, and ill-treatment of a child. The accused had abused her four-year-old child over a period of time. The accused would violently hit, push and step on her child during fits of anger triggered by her child's alleged academic inability. This ultimately culminated in her child's death on 1 August 2014, after he suffered from a fractured skull. For her actions, the accused was initially sentenced to eight years' imprisonment. The Prosecution appealed against the sentence imposed. The Court of Appeal allowed the appeal, and enhanced the sentence imposed to 14 years and six months' imprisonment.

See *PP vs BDB* [2017] SGCA 69 at:
<http://www.singaporelaw.sg/sglaw/laws-of-singapore/case-law/free-law/court-of-appeal-judgments/23032-public-prosecutor-v-bdb> (accessed 31 May 2018)



MUHAMMAD NUR BIN ABDULLAH V PP [2017] SGCA 66

This was a criminal reference regarding the issue of whether reformatory training can be imposed on offenders above 21 at the time of breach proceedings. Leave was granted to refer the following question to the Court of Appeal:

“Whether an accused person who was below 21 years old at the time of conviction and granted probation; and who subsequently breach the said probation can be sentenced to serve Reformatory Training pursuant to section 305 of the Criminal Procedure Code although the accused person is above 21 years old at the time he is being dealt with by the Court for breach of the said probation under section 9(5) of the Probation of Offenders Act?”

The Court of Appeal answered the question of law in the negative, and held that the applicant was not eligible for reformatory training at the time of the breach proceedings because he was above 21.

See *Muhammad Nur bin Abdullah v PP* [2017] SGCA 66 at:
<http://www.singaporelaw.sg/sglaw/laws-of-singapore/case-law/free-law/court-of-appeal-judgments/23035-muhammad-nur-bin-abdullah-v-public-prosecutor> (accessed 19 March 2018)

APEX COURT TO RESOLVE CONFLICTING VIEWS OVER HOW TO DETERMINE AGE FOR REFORMATIVE TRAINING



Inside the Reformatory Training Centre at the Changi Prison Complex.

Credit: The Straits Times

PUBLIC PROSECUTOR V GANESAN SIVASANKAR [2017] SGHC 176

The accused was convicted after trial on a charge of causing death by a rash act, and a charge of causing hurt by a rash act. The accused had caused a fatal accident by rashly executing a U-turn when driving his lorry, and colliding into an oncoming scooter, on which the deceased was a pillion rider. As a result of the collision, the deceased sustained severe injuries and passed away at the hospital. She was five months' pregnant at the material time, and her foetus did not survive. Her husband, who was the rider of the scooter, sustained abrasions and laceration. The District Judge imposed a sentence of 12 weeks' imprisonment. The Prosecution appealed against the sentence imposed. The High Court allowed the appeal, and enhanced the sentence to five months' imprisonment.

LORRY DRIVER GETS JAIL AND BAN FOR CAUSING DEATH OF PREGNANT PILLION RIDER



Ganesan Sivasanka is appealing against his conviction, and was allowed bail of \$15,000, with his passport impounded.

Credit: The Straits Times

NG KEAN MENG TERENCE V PUBLIC PROSECUTOR [2017] SGCA 37

The accused was convicted of a charge of statutory rape, and a charge of sexual penetration of a minor under 14 years of age. The accused was the victim's godfather, and had committed sexual acts on the victim, who was 13 years old at the time. These acts include digital-vaginal and penile-vaginal penetration. For his actions, the accused was sentenced to 14 years' imprisonment and 14 strokes of the cane.

SINGAPORE

COBBLER JAILED FOR RAPING 13-YEAR-OLD GODDAUGHTER

Terence Ng has received 14 years' jail and 14 strokes of the cane for having sexual intercourse with a minor and penetrating her with his fingers.

Credit: Channel NewsAsia

SUVENTHER SHANMUGAM V PUBLIC PROSECUTOR [2017] SGCA 25

The accused was convicted of a charge of importation of 499.99g of cannabis, which is a controlled drug. The accused appealed against his sentence of 23 years' imprisonment and 15 strokes of the cane.

The Court of Appeal dismissed the accused's appeal against sentence and set out the following indicative starting points, based on the quantity of drugs imported:

1	330 to 380g	20 to 22 years' imprisonment
2	381 to 430g	23 to 25 years' imprisonment
3	431 to 500g	6 to 29 years' imprisonment

PEI HAI YAM V PP [2017] SGHC 69

The accused was convicted after a trial for engaging in a conspiracy to act as a bookmaker in the Resorts World Sentosa Casino (RWS Casino), by providing Baccarat "insurance" bets to patrons gambling at the casino.

Baccarat is one of the games offered at RWS Casino. It is a game of chance, where cards are dealt to the "player" and "banker", and players place bets that either the "banker" or "player" will win. In certain situations,

after the first four cards have been dealt, players who have bet on either the "player" or "banker" may place an insurance bet by betting on "player insurance" or "banker insurance", provided that the payout from the insurance bet does not exceed the value of the original bet.

The trial judge found that the Appellant was a bookmaker within the meaning of the Betting Act. The High Court dismissed the accused's appeal against conviction, and found that the trial judge had correctly characterised Baccarat "insurance" as a "bet" within the meaning of the definition of a "bookmaker".

CHANG KAR MENG V PP [2017] SGCA 22

SINGAPORE

RAPIST'S 17-YEAR JAIL SENTENCE REDUCED TO 15 YEARS BY APEX COURT

The Court of Appeal accepted Chang Kar Meng's argument that the sentence is "out of line" with sentences previously imposed in similar cases of rape and robbery, which ranged from 11 to 15 years.



Singapore: A convicted rapist's 17-year sentence was on Thursday (Mar 30) reduced to 15 years by the apex court.

Credit: Channel NewsAsia

The accused was convicted of a charge of rape, and a charge of robbery with hurt. The accused and victim were complete strangers. On 8 March 2013, the accused spotted the victim walking towards the lift lobby of her block, and decided to rob her. He used his right hand to hit the back of the victim's neck, causing her to lose consciousness.

The accused then took the victim's valuables. When the accused came into contact with the victim's body, he became aroused. He then dragged the victim to a grass patch, where he raped her. At this juncture, the victim had regained consciousness, but feigned unconsciousness as she was afraid that the accused would hurt or even kill her.

The Trial Judge sentenced the accused to 17 years' imprisonment and 24 strokes of the cane. The accused appealed against the sentence imposed. The Court of Appeal found that the sentence imposed befits the heinous nature of his crimes. However, as the accused's sentence was out of line with the relevant precedents, the Court of Appeal allowed the appeal and reduced the sentence to 15 years' imprisonment.

ISKANDAR BIN RAHMAT V PUBLIC PROSECUTOR [2017] SGCA 9

SINGAPORE

KOVAN DOUBLE MURDER: FORMER POLICEMAN TO HANG AFTER APPEAL DISMISSED

Formal policeman Iskandar Rahmat will not be spared the noose for killing a father and son at their home in Hillside Drive, after the apex court upheld his two death sentences.



Singapore: Former policeman Iskandar Rahmat will not be spared the noose for the Kovan double murder in July 2013.

Credit: Channel NewsAsia

The accused was convicted after trial of two counts of murder, and was sentenced to death. This was the Kovan double murder case in which the body of the second deceased was dragged under the accused's car for over a kilometre, until it became dislodged near Kovan MRT station.

The accused was a police officer who decided to rob the first deceased after he read in a police report that the first deceased held a large sum of cash in his safe. The accused killed the first deceased in the course of the robbery, and also the first deceased's son (the second deceased) when he happened to turn up at the scene. On appeal, the accused sought to introduce fresh evidence in the form of a psychiatric report to pursue the defence of diminished responsibility. The Court of Appeal found that the accused did not suffer from diminished responsibility and dismissed the appeal. The death sentence was upheld.

PP V YEO EK BOON JEFFREY [2017] SGHC 306

The accused pleaded guilty to a charge of voluntarily causing hurt to a public servant. The accused had slapped a police officer while in a drunken state, and was sentenced to one week's imprisonment. The Prosecution appealed against the sentence imposed, highlighting the operational issues and challenges faced by the Singapore Police Force. The High Court allowed the appeal, and enhanced the sentence to ten weeks' imprisonment.

See *PP v Yeo Ek Boon Jeffrey* [2017] SGHC 306 at: <http://www.singaporelaw.sg/sglaw/laws-of-singapore/case-law/free-law/high-court-judgments/23034-public-prosecutor-v-yeo-ek-boon-jeffrey-and-another-matter> (accessed 19 March 2018)

PP V KONG HOO PTE. LTD. & ANOR [2017] 4 SLR 421

The respondents had each claimed trial to a charge of importing 3,235 metric tonnes of rosewood logs from Madagascar into Singapore without the requisite permit. The market value of rosewood logs was estimated to be in excess of USD 50 million. The respondents were initially acquitted of the charges in the District Court. On appeal, the High Court set aside the acquittals ordered by the District Judge, and convicted the respondents of the charges preferred against them.

In recognition of the successful prosecution, Singapore was awarded the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Secretary-General's Certificate of Commendation on 22 July 2017.

PP V SAKTHIKANESH & 2 ORS [2017] 5 SLR 707

The three accused persons were National Service (NS) defaulters who had faced charges for remaining outside Singapore without a valid exit permit. Upon the Prosecution's appeal, the accused persons' sentences were enhanced. The High Court observed that the underlying principles affecting NS were national security, universality and equity. These principles meant that every male Singaporean had to serve NS, and at the time he was required to do so.

The High Court held that as a general rule, the length of the period of default would be the key consideration in determining the appropriate sentence for an NS defaulter, and set out the following starting points for sentences:

	Length of Period of Default	Starting Point for Sentence (Imprisonment Term)
1	2 to 6 years	2 to 4 months
2	7 to 10 years	5 to 8 months
3	11 to 16 years	14 to 22 months
4	17 to 23 (or more) years	24 to 36 months

MAJOR INQUIRY: CORONER'S INQUIRY INTO THE DEATHS OF WANG CHAN FOO AND NG SOO SAN

The deceased persons were married. On 22 October 2016, Wang Chan Foo's neighbour saw him squatting on the parapet of the balcony of his condominium unit. Wang's neighbour then informed a security officer, who called the police at about 6.54 pm. Police officers were despatched to the scene within five minutes, and they persuaded Wang not to take his own life. At about 7.12 pm, Wang started rocking back and forth, and then leaned forward and fell off the balcony. Chan was pronounced dead on scene by a paramedic. Upon conducting a check on Wang's unit, Police Officers found Ng Soo San lying motionless and unresponsive in the master bedroom toilet. The paramedic observed that she had stab wounds on the front and back of her body, and she was pronounced dead. The State Coroner found that Wang had caused his own fall from a height in a deliberate act of suicide.

The State Coroner also found that Ng's death was perpetrated by the unlawful killing by Wang.

OTHER LEGAL WORK AND INITIATIVES

SENTRY



In 2017, AGC rolled out the new Sentencing Repository System (Sentry), an electronic database system that interfaces with the Integrated Criminal Case Filing and Management System (ICMS) of the State Courts. With Sentry, CJD prosecutors have rapid and easy access to the latest sentencing information for offences prosecuted in the District and Magistrate's Courts. This has greatly reduced the time required by CJD prosecutors in their preparation of sentencing submissions, thereby facilitating the administration of justice.

REFINEMENTS TO THE INVESTIGATION PAPERS WORKFLOW



In the past year, CJD introduced refinements to the Investigation Papers (IPs) workflow. These refinements reduced unnecessary scanning and processing of non-contentious files, thereby reducing the overall workload for administrative officers in CJD. The refinements also improved the turnaround time for files as prosecutors are able to receive the files faster.

ATTORNEY-GENERAL LUCIEN WONG'S SPEECH, "PROSECUTION IN THE PUBLIC INTEREST"



On 19 October 2017, AG Lucien Wong delivered a speech at the 29th Annual Singapore Law Review Lecture. In his speech, titled "Prosecution in the Public Interest", AG Lucien Wong explained how prosecutorial discretion was exercised in order to advance the public interest, for the good of the public. In this regard, prosecutorial decisions are carried out to achieve the following four objectives:



Maintain a safe and secure environment in Singapore



Promote a culture where rights are respected



Promote strong public institutions



To serve larger objectives, such as promoting environmental sustainability

A copy of the speech can be found at the following link:
<https://www.agc.gov.sg/docs/default-source/default-document-library/singapore-law-review-annual-lecture-2017---prosecuting-in-the-public-interest.pdf> (accessed 31 May 2018)



**DEPUTY ATTORNEY-GENERAL
 HRI KUMAR NAIR'S SPEECH,
 "THE PROSECUTOR'S ROLE AS
 GUARDIAN OF THE PUBLIC INTEREST
 IN SENTENCING"**

On 27 October 2017, Deputy Attorney-General Hri Kumar Nair, SC delivered the keynote address at the Sentencing Conference 2017: Review, Rehabilitation and Reintegration. DAG Nair stated that it is incumbent on the Prosecution to assist the Court in calibrating the sentence appropriately, taking into account the facts of the case and the broader public interest. DAG Nair explained that the Prosecution does so in the following ways:



First, by giving the Court a deeper understanding of the legislative intent and policies underlying the offences



Second, by bringing specific societal threats to the Court's attention for appropriate sentencing calibration



Finally, by highlighting all the relevant facts of the case (including mitigating factors), ensuring that the sentences imposed are firm, fair and appropriate

A copy of the speech can be found at the following link:
[https://www.agc.gov.sg/docs/default-source/newsroom-documents/Speeches/sentencing-conference-keynote-address-\(media-copy\)-\(002\).pdf](https://www.agc.gov.sg/docs/default-source/newsroom-documents/Speeches/sentencing-conference-keynote-address-(media-copy)-(002).pdf) (accessed 31 May 2018)

KEY FIGURES FOR CALENDAR YEAR 2017



44,905
 INVESTIGATION PAPER
 SUBMISSIONS



336
 PIECES OF
 ADVICE
 RENDERED

4,736
 PLEAD GUILTY
 MENTIONS
 CONCLUDED
 IN THE STATE
 COURTS

418
 CRIMINAL
 TRIALS
 CONCLUDED
 IN THE STATE
 COURTS

45
 CORONER'S
 INQUIRIES
 CONCLUDED
 IN THE STATE
 COURTS

12,447
 PRE-TRIAL
 CONFERENCES
 IN THE
 STATE COURTS



368
 CONTESTED HIGH COURT
 HEARINGS CONCLUDED



52
 COURT OF APPEAL
 MATTERS CONCLUDED

FINANCIAL AND TECHNOLOGY CRIME DIVISION

The Financial and Technology Crime Division specialises in prosecuting commercial, corruption, cybercrime and casino regulatory offences. FTCD also handles civil penalty cases for market misconduct under the Securities and Futures Act.



MAJOR CASES

PUBLIC PROSECUTOR V TENG WENG LIANG AND ORS (DAC-934460-2016 & ORS)

The eight offenders were part of a transnational syndicate that perpetuated DHL/police impersonation scams in Singapore. The offenders laundered the criminal proceeds through various Singapore bank accounts. More than \$900,000 was scammed from victims in about two weeks. The syndicate managed to dissipate more than \$200,000. The offenders received sentences ranging from 1.5 to 8.5 years' imprisonment.

PUBLIC PROSECUTOR V NG KIM YEW AND ANOR (DAC-908459-2016 & ORS)

The offenders, a married couple, conspired to cheat by selling talismans, purportedly with various 'powers', to victims at prices between \$380 and \$38,800. They told the victims that the talismans were written by Thai or Tibetan monks. The scam was perpetuated over ten years, and the couple cheated victims of more than \$800,000. The offenders were sentenced to 69 and 55 months' imprisonment respectively.

PUBLIC PROSECUTOR V TOH HOCK THIAM AND ORS (DAC-944502-2015 & ORS)

This was the largest counterfeit casino chip scam in Singapore. Almost 1,300 counterfeit casino chips, with a face value of \$1,000 each, were exchanged for cash at the casino. The counterfeits were of very high quality and the criminal syndicate involved more than 16 offenders. More than \$1.2 million was scammed from the casino. The mastermind and main recruiter were sentenced to 88 and 60 months' imprisonment respectively. The runners received sentences ranging between five and 22 months.

**PUBLIC PROSECUTOR V
SU FENGXIAN
(DAC-942162-2016)**

The offender is the mother of a former national table tennis player who was facing disciplinary proceedings. It was likely that he would be expelled from the Singapore Table Tennis Association (STTA). The offender offered EUR 2,000 to one of the STTA officials as an inducement for the latter to show leniency in her son's disciplinary case. She was sentenced to six weeks' imprisonment.

**LING CHUN TECK V
PUBLIC PROSECUTOR
(MA NO. 9338 OF 2016)**

A director of a waterproofing and maintenance company initiated corrupt practices at his company, leading to sales staff paying bribes to numerous managing agents and facilities managers. More than \$450,000 in bribes was paid over three years to secure some \$4.6 million worth of work contracts in condominiums and commercial developments. His sentence of 30 months' imprisonment was affirmed on appeal.

**PUBLIC PROSECUTOR V
SOR CHOR HUANG
(DAC-930976-2016)**

In 1994, a Housing and Development Board (HDB) clerk-of-works received bribes of \$24,800 for turning a blind eye to the use of non-approved materials for HDB car park barriers. The construction company involved was part-owned by the offender, but he had concealed this fact by registering his share in the name of his brother-in-law. The offender was sentenced to nine months' imprisonment, and ordered to pay a penalty to fully disgorge the bribe sum.

**PUBLIC PROSECUTOR V
LINDA LEE
(DAC-945390-2016 & ORS)**

A former Vice-President of a subsidiary of United Engineers Limited (UEL) conspired with others to submit fictitious quotes to UEL for maintenance works that were never carried out. UEL was thus defrauded of more than ten million. The offender pocketed more than \$5 million, splurging on properties, luxury handbags, watches, and jewellery. She was sentenced to 14 years' imprisonment.

**ABDUL GHANI BIN TAHIR V
PUBLIC PROSECUTOR
[2017] 4 SLR 1153**

This was the first prosecution of a company director for the company's money laundering offences attributable to his neglect, and under the Companies Act (Cap 50) for failing to exercise reasonable diligence as a director. The offender had incorporated the company in the course of providing corporate secretarial services. The offender was convicted after trial. The High Court dismissed his appeal against conviction, and established sentencing guidelines and benchmarks for the offences. The total sentence was 12 months' imprisonment, and a fine of \$50,000 (in default ten weeks' imprisonment).

**PUBLIC PROSECUTOR V
TOH HWAY KUAN &
PUBLIC PROSECUTOR V
IVAN CHNG KIAN WEE
(CC 6 OF 2017; CC 5 OF 2017)**

Former foreign exchange traders, Toh Hway Kuan and Ivan Chng Kian Wee, pleaded guilty in the High Court to charges under s 210(b) punishable under s 212 of the Securities and Futures Act (Cap 289) for deceiving their employers by using proxy trading accounts to carry out unauthorised matched foreign currency trades with their employers. Toh and Chng were sentenced to aggregate sentences of eight weeks' and 15 weeks' imprisonment respectively. The High Court found that imprisonment was justified because of their substantial wrongful gains and the serious breaches of their duty of fidelity towards their employers.

**SHAIKH FARID, SHAIKH SHABANA BI,
HO MAN YUK V PUBLIC PROSECUTOR
[2017] SGHC 239**

The offenders exploited a computer error in a casino's computer system to obtain unlimited Free Play Credits, which they used at electronic roulette to dishonestly misappropriate cash amounting to S\$875,135.56. The offenders enriched themselves in excess of a million dollars, of which more than \$400,000 was transferred to third parties. The offenders were convicted after trial and sentenced to global imprisonment terms of between 12 and 26 months.

**PUBLIC PROSECUTOR V
ARNI BINTE AHMAD &
HANATI BINTE JANI
(DAC-946607-2016 & ORS)**

A former Assistant Manager and Admin Executive in the Singapore Statutory Boards Employees' Co-operative Thrift and Loan Society Limited (SSBEC) misappropriated monies entrusted to them and submitted forged documents, purportedly from phantom members to cheat SSBEC into disbursing monies amounting to over \$5.1 million, over about five years. The cheated monies were laundered through a network of money mules before they were channelled back to both offenders, who used the stolen monies to feed an extravagant lifestyle. The offenders were sentenced to a total of 12 years' imprisonment and nine years' eight months' imprisonment respectively.

**PUBLIC PROSECUTOR V
LAM LENG HUNG AND ORS
(MA 147-152/2015/01-02 AND CRF 1/2017)**

The offenders conspired to commit criminal breach of trust of about \$24 million in church Building Fund monies by way of sham investments, and to then cover this up by engaging in sham transactions and accounting entries. The offenders included the founder/senior pastor and other board members of the City Harvest Church. The case resulted in a landmark decision of the Court of Appeal which held that directors are not guilty of aggravated criminal breach of trust under s 409 of the Penal Code (Cap 224) because directors are not professional agents. Consequently, the offenders were convicted of criminal breach of trust under s 406 of the Penal Code which carried a lower maximum punishment. The offenders received sentences ranging from 7 months to 3.5 years' imprisonment.

**MASSIVE MONEY-LAUNDERING
INVESTIGATIONS AND PROSECUTION
RELATING TO IMDB FUND
FLOWS THROUGH SINGAPORE**

FTCD officers continued to work closely with the Commercial Affairs Department and the Monetary Authority of Singapore in the largest money-laundering investigations in Singapore, involving various banks and politically-exposed persons. A further three individuals were charged and convicted in a series of successful prosecutions related to the investigations.

**LOGACHEV VLADISLAV V
PUBLIC PROSECUTOR
[2018] SGHC 12**

The offenders were a trio of Russian nationals who were part of an international syndicate that used technologically sophisticated means to target slot machines made by certain manufacturers. This allowed them to predict future outcomes of play. The trio racked up winnings of almost S\$109,000. All three offenders pleaded guilty to offences of cheating at play under the Casino Control Act (Cap 33A) and were sentenced to imprisonment terms ranging from 22 months to 45 months. One of the offenders appealed. Chief Justice Sundaresh Menon laid down a new sentencing framework to be applied to offences of this kind.

**PUBLIC PROSECUTOR V
TRAN GIA HUNG
(DAC-931926-2017 & ORS)**

The offender, a Vietnamese scholar and student at Singapore Management University (SMU), hacked into his professor's account in SMU's e-Learn system and changed the grades for ten students in his cohort, including his own (which he amended upwards). The offender had secretly watched the professor type his password into his computer during classes. Whilst on bail, the offender went to an IT shop to erase data on the computer which he had used to hack into the professor's e-Learn account. The offender was sentenced to a total of 16 weeks' imprisonment.

**PUBLIC PROSECUTOR V
LEO KAH WOON
(DAC-931632-2016 & ORS)**

This was the first prosecution in Singapore of an offence under s 6(1) of the Computer Misuse and Cybersecurity Act. A doctor at Singapore General Hospital was convicted for installing keystroke logging software on his wife's laptop without her knowledge or permission. At the time, the offender and his wife were undergoing acrimonious divorce proceedings. He committed the offence in order to intercept her personal communications and use them against her in their divorce proceedings. He was fined S\$13,000 (in default six weeks' imprisonment).

OTHER LEGAL WORK AND INITIATIVES



RESTRUCTURING OF THE FTCD DIRECTORATE SUPPORT AND REGISTRY TEAM

The FTCD Registry was reorganised to allow for greater synergy and increased efficiency and productivity. FTCD Registry team members are rotated between five stipulated work groups fortnightly. This exposes them to the various functions in the Division and encourages a culture of sharing within the team.



CLEARING OF OVERDUE REQUESTS

The Legal Executives collate a list of overdue requests weekly for the attention of the Deputy Public Prosecutors and Clearing Directors. This enables Clearing Directors to quickly identify and resolve any challenging issues in the IPs/advices, so that the requests may be more expeditiously dealt with.

Overdue requests are also monitored and tracked closely every fortnight to ensure IPs/advices are addressed in a timely manner.

KEY FIGURES FOR CALENDAR YEAR 2017



6,585
NUMBER OF INVESTIGATION PAPER SUBMISSIONS



181
PIECES OF ADVICE RENDERED



147
CONTESTED HIGH COURT HEARINGS CONCLUDED



10
COURT OF APPEAL MATTERS CONCLUDED

INTERNATIONAL AFFAIRS DIVISION

The mission of the International Affairs Division is to advance and protect Singapore's interests through international law. It advises the Government on all aspects of international law and represents Singapore at international negotiations and dispute settlement matters. It is also the Central Authority of Singapore for handling requests for mutual legal assistance (MLA) and extradition.



NEGOTIATIONS AND PARTICIPATION AT INTERNATIONAL FORA

ECONOMIC AND RELATED INTERNATIONAL AGREEMENTS

Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)

IAD supported agencies in the negotiations to operationalise the Trans-Pacific Partnership Agreement among the remaining 11 countries, following the withdrawal of the United States. On 11 November 2017 in Danang, Vietnam, Ministers from the 11 countries announced that negotiations have been substantively concluded on the CPTPP. IAD is working closely with agencies to finalise the legal instruments in preparation for signing.

ASEAN-Hong Kong, China Free Trade Agreement (AHKFTA) and the ASEAN-Hong Kong, China Investment Agreement (AHKIA)



*Signing ceremony of the AHKFTA and AHKIA in Manila, Philippines.
Credit: ASEAN*

IAD actively advised on and participated in the negotiations of the AHKFTA and AHKIA. Negotiations successfully concluded in July after three years, and both agreements were signed at the 31st Association of Southeast Asian Nations (ASEAN) Summit on 12 November 2017. Aimed at strengthening economic relations and stimulating economic development between the two parties, the two agreements will come into force on 1 January 2019.

Other Economic Agreements

IAD provided support for on-going negotiations of other free trade agreements, such as the Regional Comprehensive Economic Partnership (RCEP), Sri Lanka-Singapore FTA, European Union-Singapore FTA, Eurasian Economic Union Singapore FTA, ASEAN Trade in Services Agreement, as well as reviews and upgrades of the existing Japan-Singapore Economic Partnership Agreement and China-Singapore FTA.



HUMAN RIGHTS

Reporting under International Human Rights Instruments



The Singapore delegation presenting at the 68th CEDAW Session

IAD was part of the Singapore Delegation that presented Singapore's Fifth Periodic Report at the 68th Session of the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) on 25 October 2017 in Geneva. The delegation also addressed all issues raised by the CEDAW Committee.

IAD also advised on and supported the drafting of Singapore's Fourth and Fifth Periodic Report to the UN Committee on the Rights of the Child that was submitted in November 2017, and was closely involved in the preparation for Singapore's ratification of the International Convention on the Elimination of All Forms of Racial Discrimination on 27 November 2017.

Other Human Rights Work



The 34th Session of the UN Human Rights Council

IAD supported Geneva Mission in its engagement with the UN Human Rights Council, including sending an officer to attend the 34th session of the Human Rights Council. IAD also supported the Government in its engagement with other international and regional human rights bodies, including the Third Committee of the UN General Assembly, the ASEAN Intergovernmental Commission on Human Rights and the UN special rapporteurs by providing legal advice on, amongst others, resolutions issued and/or considered by such human rights bodies.



LAW OF THE SEA MATTERS



The Singapore and Portugal delegations at the 2017 Ocean Conference in New York

Two IAD officers supported the Permanent Representative of Singapore to the UN in his role as co-facilitator in the negotiations for the outcome document of the Ocean Conference. The consultations spanned over several months, culminating in the adoption of the outcome document, "Our Ocean, Our Future: Call for Action", during the Ocean Conference held in New York in June 2017.

IAD also represented Singapore at the August meeting of the Legal and Technical Commission of the International Seabed Authority (ISA), and an IAD officer served as a member of the Legal and Technical Commission of the ISA.



ENVIRONMENTAL LAW

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

IAD provided legal support to agencies in the visit by the members of the CITES Standing Committee to Singapore, who were here for a first-hand view of Singapore's enforcement efforts to combat wildlife crime. An IAD officer was also part of the delegation to the Standing Committee meeting of CITES in November 2017.

23rd Conference of Parties (COP) to the United Nations Climate Change Conference (UNFCCC)

An IAD officer was part of the delegation to the 23rd COP, where IAD led discussions on the development of the compliance mechanism in the Paris Agreement.



CRIMINAL JUSTICE

Mutual Legal Assistance (MLA) and Extradition Matters

As the Central Authority of Singapore, IAD managed numerous MLA requests and extradition requests from domestic enforcement agencies seeking assistance from other jurisdictions, as well as from foreign enforcement agencies through the Central Authorities in their countries.



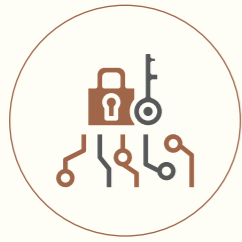
An IAD officer (second from left) presenting at the UNCAC IRG

IAD attended the 4th round of the US-Singapore Law Enforcement Homeland Security and Strategic Cooperation Dialogue, an annual dialogue which covers a range of law enforcement and security related issues such as border security, cybercrime, commercial crime, illicit trade, MLA and extradition.

IAD officers were part of the Singapore delegation to the 7th Conference of the State Parties of the UN Convention against Corruption (UNCAC). An IAD officer also participated in a panel discussion on Singapore's efforts on the implementation of international cooperation under the UNCAC at the resumed 8th session of the Implementation Review Group.

IAD engaged AGC's international counterparts to improve coordination and cooperation on MLA matters. In particular, the Division hosted counterparts from the US, China, and France for case discussions in Singapore.

IAD also attended various workshops on international cooperation, and presented on Singapore's MLA and extradition regimes to a wide international audience in South Korea, Japan, Sri Lanka, Thailand and Vietnam.



CYBERSECURITY

IAD advised agencies on matters relating to international cyber norms. An IAD officer was invited to speak and moderate at the ASEAN Cyber Norms Workshop in May 2017, and the UN Institute for Disarmament Research-Center for Security and International Studies workshop on “Norms, Confidence-Building Measures and International Law” on the margins on the 2nd Singapore International Cyber Week.



INTERNATIONAL AVIATION

IAD supported agencies in a number of negotiations on the expansion of air traffic rights including Protocols to the ASEAN Air Services Agreement to expand intra-ASEAN air traffic rights, the Comprehensive Agreement on ASEAN-EU Air Transport, the Singapore-Peru Air Services Agreement, and several other partners on the margins of the International Civil Aviation Organisation Air Services Negotiation Conference (ICAN 2017).



OTHER AREAS OF PARTICIPATION IN THE UN

An IAD officer supported the Permanent Representative of Singapore to the United Nations in his role as chair of the Sixth Committee of the UN General Assembly (UNGA). This was the first time that Singapore was chairing a main committee at the UNGA. The officer also served as a member of the advisory committee for the UN's Programme of Assistance in the teaching, study, dissemination and wider appreciation of international law.

Deputy Attorney-General Lionel Yee, SC, and Director-General, IAD Daphne Hong attended International Law Week, during which they delivered statements on behalf of Singapore on topics being considered by the International Law Commission. They also spoke at and moderated a side event co-organised by Singapore on the Rule of Law.



DAG Lionel Yee, SC (left) and DG, IAD Daphne Hong (right) at the International Law Week

Two IAD officers were also part of the Singapore delegation to the 72nd session of the UNGA, during which they delivered statements on behalf of Singapore and engaged in informal consultations on the agenda items of the Sixth Committee.



IAD officers at the 72nd Session of the UNGA

NEGOTIATIONS AT ASEAN



IAD supported the Singapore delegation in the 17th ASEAN Senior Law Officials Meeting (ASLOM), which discussed matters including the development of an ASEAN Treaty on MLA in Criminal Matters, a possible ASEAN Extradition Treaty, and Modalities for Harmonisation of ASEAN Trade Law.

IAD also supported the Singapore delegation for the 21st ASEAN China Joint Working Group on the Implementation of the Declaration on the Conduct of Parties in the South China Sea (JWG-DOC) Meeting, and the 15th Senior Officials Meeting on the DOC (SOM-DOC) which resulted in a milestone agreement between ASEAN and China on the draft Code of Conduct in the South China Sea Framework.



DEVELOPING INTERNATIONAL LAW EXPERTISE (DILE) INITIATIVES

International Law Speakers Series



Professor Vaughan Lowe, QC, speaking at the 2017 ILSS

As part of the celebration for AGC's 150th Anniversary, IAD invited Professor Vaughan Lowe, QC, as speaker for the 2017 International Law Speakers Series (ILSS). Professor Lowe discussed key recent developments in the field of international dispute settlement and shared about new processes, techniques, and their implications.

International Law Association (ILA) Singapore Branch

IAD officers continued to provide Secretariat support to the Singapore Branch of the ILA, with some officers serving in the Council.

Talks and Workshops

IAD organised various talks in 2017 where experts were invited to share on their experience and expertise in various areas of law, including one by Professor Ng-Loy Wee Loon, National University of Singapore Law, who spoke on tobacco plain packaging laws, as well as a workshop on evidence and procedure in inter-state litigation and investor-state arbitration by Ms Loretta Malintoppi, Barrister at 39 Essex Chambers.

Moots



Students from SMU won the 2017 Singapore National Rounds

For the 7th year, IAD served as the national administrator for the Singapore National Rounds of the Philip C. Jessup International Law Moot Court Competition. The competition is a simulation of a fictional dispute between countries before the International Court of Justice, and Jessup is the world's largest moot court competition with participants from over 550 law schools in more than 87 countries.

KEY INITIATIVES

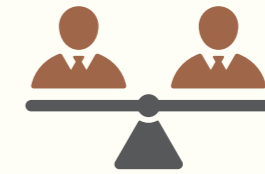
Streamlining of Mutual Legal Assistance Work Processes

AGC and the Ministry of Law (MinLaw) engaged in discussions this year to streamline MLA work processes to better manage the increased caseload. The IAD and MinLaw jointly worked out a simplified version of the notices that AGC sends to MinLaw to seek the Minister for Law's directions on such requests. Formally adopted in December, this initiative has led to greater accuracy and efficiency in the preparation and processing of such requests.

KEY FIGURES FOR CALENDAR YEAR 2017



3,854
PIECES OF ADVICE
RENDERED



957
MUTUAL LEGAL
ASSISTANCE AND
EXTRADITION MATTERS



LEGISLATION DIVISION

The Legislation Division is Singapore's central law drafting office and the keeper of the Singapore statute book. LEGIS provides law drafting and legislative consultancy services to all public sector agencies and Town Councils, and also supports the Rule of Law by providing free online public access to Singapore legislation through the Singapore Statutes Online (SSO) website. LEGIS also supplies legislation content to the Singapore Academy of Law for its LawNet service.

LAW DRAFTING

BILLS

In 2017, 50 Bills were drafted and introduced (a 25% increase from 2016), of which one was an urgent Bill and two others were Hybrid Bills requiring Select Committees. A total of 486 drafts (27,112 pages) were produced for these Bills, reflecting an increasing intensity in the pace of work.

Some of the major Government Bills drafted and introduced in 2017 include:

Cross-Border Railways Bill

The Cross-Border Railways Bill seeks to provide for the construction, maintenance, operation and regulation of cross-border railways between Singapore and Malaysia in accordance with bilateral railway agreements. The Bill, amongst other things, provides for the licensing of operators to run train services and maintain railway assets; and the appointment of safety auditors.

See a news report on the Cross-Border Railways Bill at <http://www.straitstimes.com/singapore/transport/bill-introduced-to-support-two-future-singapore-malaysia-rail-links> (accessed on 19 March 2018).

Early Childhood Development Centres Act 2017

The Early Childhood Development Centres Act 2017 brings all child care centres and kindergartens under the same regulatory framework to ensure more consistent and higher quality standards across the pre-school sector. The Act also strengthens the Early Childhood Development Agency's oversight of the pre-school sector with a more comprehensive and graduated penalty framework, as well as enhanced investigative powers. The Act repeals the Child Care Centres Act (Cap. 37A, 2012 Rev Ed).

See a news report on the Early Childhood Development Centres Act 2017 at <http://www.straitstimes.com/singapore/parliament-higher-standards-for-childcare-centres-and-kindergartens-under-new-law> (accessed on 19 March 2018).

Infrastructure Protection Act 2017

The Infrastructure Protection Act 2017 provides for the protection of certain areas, places and other premises in Singapore that are iconic or house essential services, against security risks. The Act, amongst other things, requires new buildings to integrate security measures such as video surveillance, vehicle barriers and protection against blasts in their design before they are built, and for selected existing buildings to incorporate such measures in their renovation plans. The Act also repeals the Protected Areas and Protected Places Act (Cap. 256, 2013 Rev Ed).

See a news report on the Infrastructure Protection Act 2017 at <https://www.todayonline.com/singapore/infrastructure-protection-bill-passed-parliament> (accessed on 19 March 2018).

Presidential Elections (Amendment) Act 2017

The amendments to the Presidential Elections Act (Cap. 240A, 2011 Rev Ed), amongst other things, give effect to, and make amendments consequent to, the amendments to the Constitution made by the Constitution of the Republic of Singapore (Amendment) Act 2016 (Act 28 of 2016). For example, the new s 5A provides that the new Schedule has effect for the purpose of determining whether an election is reserved under the new Article 19B(1) of the Constitution. The new Schedule sets out the terms of office that are counted and the communities that the Presidents who held those terms belonged to.

See a news report on the amendments at <https://www.channelnewsasia.com/news/singapore/parliament-passes-changes-to-presidential-elections-act-7614322> (accessed on 19 March 2018).

Public Sector (Governance) Act 2018

The Public Sector (Governance) Act 2018 provides for a consistent governance framework across public bodies in Singapore and supports the whole-of-government approach to the delivery of services in the Singapore public sector. The Act is part of the Government's initiative to better coordinate its agencies, amid the Smart Nation drive to use technology to improve the lives of Singaporeans.

See a news report on the Public Sector (Governance) Act 2018 at <http://www.straitstimes.com/singapore/new-law-on-data-sharing-within-govt> (accessed on 19 March 2018).

Sale of Food (Amendment) Act 2017

The amendments to the Sale of Food Act (Cap. 283, 2002 Rev Ed), amongst other things, empower the Agri-Food and Veterinary Authority (AVA) to take food safety measures, such as directing the recall of food and expand the purposes of the Act to regulating food to promote public health, and to ensure the provision of information relating to food to enable consumers to make informed choices.

See a news report on the amendments at <https://www.todayonline.com/singapore/laws-sale-food-amended-rule-changes-infant-formula-milk-labels> (accessed on 18 January 2018).

Town Councils (Amendment) Act 2017

The amendments to the Town Councils Act (Cap. 329A, 2000 Rev Ed) give the Government greater oversight over town councils, as well as the power to investigate and take to task the errant ones. The Act also improves standards of governance and accountability. For example, town councils will need to notify the public and the Ministry of National Development (MND) of key personnel changes within the town council.

See a news report on the amendments at <https://www.channelnewsasia.com/news/singapore/changes-to-town-councils-act-passed-in-parliament-8759550> (accessed on 19 March 2018).

SUBSIDIARY LEGISLATION

In 2017, LEGIS published 808 pieces of subsidiary legislation (4,508 pages), which include a series of subsidiary legislation made under the Income Tax Act (Cap. 134, 2014 Rev Ed) to ensure that Singapore's existing tax incentives meet the international standards on countering harmful tax practices under the OECD/G20 Base Erosion and Profit Shifting Project, and subsidiary legislation made under the Employment Claims Act 2016 to facilitate the expeditious resolution of employment disputes in the Employment Claims Tribunals.

See a press release by the Ministry of Finance on Singapore tax incentives meeting international standards at [https://www.mof.gov.sg/newsroom/press-releases/Singapore-s-Tax-Incentives-Meet-International-Standards-on-Countering-Base-Erosion-and-Profit-Shifting-\(BEPS\)-Activities](https://www.mof.gov.sg/newsroom/press-releases/Singapore-s-Tax-Incentives-Meet-International-Standards-on-Countering-Base-Erosion-and-Profit-Shifting-(BEPS)-Activities) (accessed on 19 March 2018).

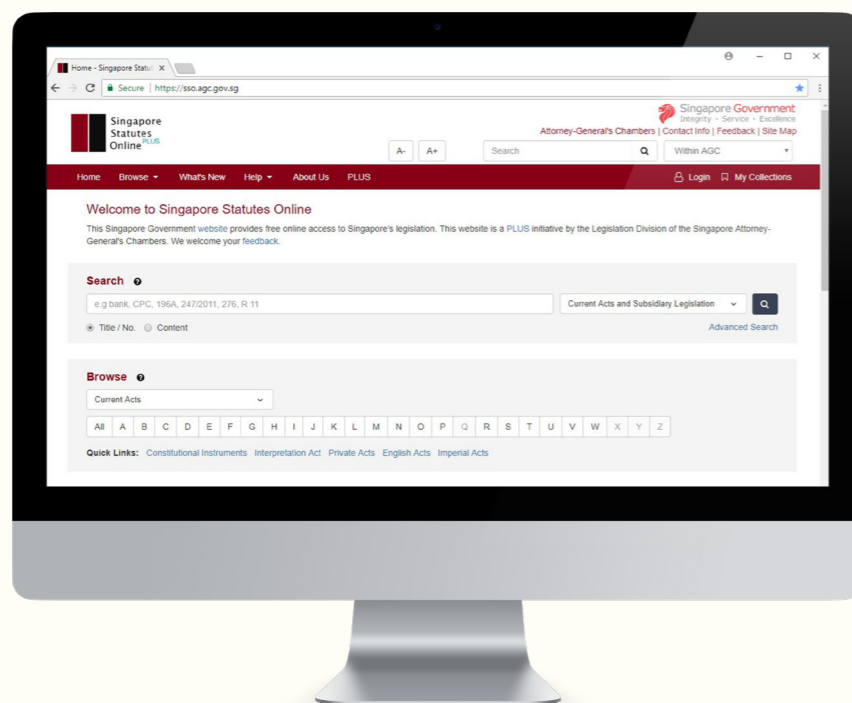
LEGISLATIVE ADVISORY SERVICES

A total of 2,009 pieces of advice outside of drafts were rendered by LEGIS in 2017, almost double the volume in 2013. This growing demand for legislative advisory services alongside its law drafting services reflects the expanding role that law drafters have to play in the link between good policy and good laws.

IN-HOUSE PUBLICATION

LEGIS is in the process of taking over the typesetting and publication functions from the Government Printer, so as to better deliver on complex and time sensitive subsidiary legislation. In 2017, 2,502 drafts and 14,747 pages of subsidiary legislation were published, the page layout and typography of 64.2% of which was done in-house by LEGIS.

LAUNCH OF REVAMPED SSO WEBSITE



Home page of the new Singapore Statutes Online

The main achievement in 2017 was the official launch of the new SSO website (<https://sso.agc.gov.sg>) on 15 December 2017. Work to enhance the website started in 2014 as part of the Plain Laws Understandable by Singaporeans (PLUS) Project. The new website offers improved accessibility to Singapore's legislation, with easier navigation, more features, mobile device compatibility and the facility to support copying and pasting of text without losing formatting.

2017 saw an estimated 6% increase in the number of visits to the SSO website (including visits to the beta version of the website) over that in 2016, totalling 5,104,269 and an estimated 10% increase in the number of users, totalling 2,577,684.

AUSTRALASIAN PARLIAMENTARY COUNSEL'S COMMITTEE IT FORUM 2017



Participants of the PCC IT Forum 2017

LEGIS organised the Australasian Parliamentary Counsel's Committee IT Forum 2017 (PCC IT Forum) and post-Forum drafting workshop under the aegis and in the context of celebrating AGC's 150th Anniversary in July 2017. The event provided a platform for delegates from the law drafting offices of Australia (Federal and State-level), New Zealand, Hong Kong, Malaysia, Singapore and Brunei to share their law drafting and publishing advancements and challenges using technology. This was only the second time the PCC IT Forum was held outside of Australia.



LEGIS organised a visit to the Parliament for the PCC IT Forum participants

ASSISTANCE TO ASEAN COUNTERPARTS



The AGC delegation with some members of the UAGO

LEGIS remains committed to assisting its ASEAN counterparts. In November 2017, Chief Legislative Counsel (CLC) led a delegation to Myanmar to conduct a two-day legislative drafting workshop under the auspices of the Singapore-Myanmar Integrated Legal Exchange Memorandum of Understanding signed between MinLaw, Singapore and the Union Attorney General's Office of Myanmar (UAGO). During the workshop, CLC and a senior drafter from LEGIS taught 30 drafters from the UAGO the principles and best practices of legislative drafting.

In addition, CLC led a delegation to Laos from 16 to 17 November 2017 to discuss the technical assistance that LEGIS would provide to the Laos Ministry of Justice in 2018.

LAW-MAKING AND POLICY COURSE AND LEGISLATIVE DRAFTING COURSE

In 2017, LEGIS conducted two runs of the Law Making and Policy Course and the Legislative Drafting Course and one run of the Law Making and Policy Course Post-Workshop in partnership with the Civil Service College. Participants included public sector officers from Ministries and statutory boards, as well as law drafters from Brunei, Malaysia, Vietnam and Myanmar. The courses focus on the formulation of good policies and their translation into effective legislation, and support the needs of the annual Government Bill Programme.

MOOT PARLIAMENT PROGRAMME

In 2017, LEGIS supported the Moot Parliament Programme organised by the Ministry of Education, where teams of upper secondary school students draft Bills to solve social issues that the students have identified. LEGIS officers conducted Bill-writing workshops for the secondary school students, as well as for the law students from the NUS and SMU, who were mentors to those students.

HONORARY AIDE-DE-CAMP TRAINING WORKSHOP 2017

LEGIS officers conducted a lecture on “Constitutional Powers of the Elected Presidency” as part of the Honorary Aide-de-Camp Training Workshop on 23 March 2017. The lecture, which was held in Istana, traced the history of the President’s constitutional powers and the development of those powers over the years. The lecture also dealt with the recent legislative amendments to the elected presidency framework.

LAW REVISION

In 2017, the Law Revision Commission was constituted and work on the Universal Revision of Statutes (2020 Revised Edition) commenced.

KEY FIGURES FOR CALENDAR YEAR 2017



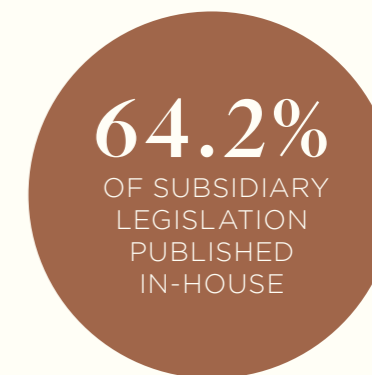
2,009
PIECES OF
LEGAL ADVICE
RENDERED



50
BILLS
PUBLISHED



27,112
PAGES OF
DRAFT BILLS
GENERATED



5,104,269
VISITS TO SSO (INCLUDING
VISITS TO THE BETA VERSION)



2,577,684
USERS OF SSO (INCLUDING
USERS OF THE BETA VERSION)

CORPORATE SERVICES DIVISION

The Corporate Services Division provides the backbone of business support services for the entire AGC. This includes driving human resource management, finance management, procurement and risk management/compliance functions, information technology services and legal technology and innovation consulting, internal/external outreach and corporate communications, office administration, facilities management and other shared services. CSD also supports AGC in the organisation of incoming and outgoing international relations visits.



HUMAN RESOURCES DEPARTMENT

The Human Resources (HR) Department, comprising of the HR Policy and Planning Unit and the Personnel Management Unit, takes care of all aspects of HR operations, policy, and personnel matters in AGC. HR work closely with the Legal Service Commission on the administrative aspects of Legal Service Officers on-boarding through to their out-posting. Key projects during the year include:

LEADERSHIP DEVELOPMENT FOR TOP LEADERS



Leadership Workshop November 2017

As part of the Leadership Development efforts for AGC, HR completed the 360 Feedback Exercise for AGC leaders and embarked on an executive coaching programme with the objective to build strong collective leadership during times of transformation.

TALENT MANAGEMENT AND SUCCESSION PLANNING FOR EXECUTIVES

A review was done on the talent management and succession planning framework for AGC's Executive roles to expand the available developmental interventions and to guide Management in areas of managing their talent.

BUILDING CSD CAPABILITIES

As part of AGC's transformation journey, HR is placing emphasis on the development of CSD officers. This is to ensure that the officers are equipped to meet the changing needs of AGC with a firm foundation in the areas of statistics, teamwork, data analytics, and presentation and writing skills.

SUPPORTING AGC SYSTEMS & PROCESSES REVIEW



Staff taking part in a Emergenetics profiling workshop

As part of AGC's digital transformation, HR has been providing project management, communications and change management support to AGC's key systems and process transformation projects under the umbrella of Project SPACE (Smarter Processes in A Collaborative Environment).



FINANCE DEPARTMENT

The Finance Department includes the Financial Management Unit (FMU), Procurement Unit (PU), and the newly set-up Risk Management Unit (RMU). FMU is in charge of the block budget reviews, annual budget submissions, regular monitoring of budget utilisation by Divisions, and all financial operations matters in the administration of fees collected and expenditure paid by AGC. The PU works closely with the Divisions to provide timely and accurate procurement advice to meet AGC's procurement needs. RMU was formed to support the Internal Audit Committee in AGC and strengthen the governance structure of AGC, to ensure financial resources are executed in accordance with the Instruction Manual rules, relevant guidelines and policies.

In 2017, FMU worked with all the respective Divisions to achieve a baseline budget utilisation of more than 99% for the third year in a row. The PU supported key Invitations-to-Tender (ITT) and Invitations-to-Quote (ITQ) for all divisions in AGC.



OPERATIONS DEPARTMENT

The Operations Department comprises of the Office Management Unit (OMU) and Shared Services Unit (SSU). OMU is in charge of all aspects of facilities and security management for the AGC office premises; SSU manages travel management, central purchasing, corporate administrative support and central mail management.

In January 2018, SSU also took on the functions of the newly formed Central Registry, bringing together corporate administrative support functions from all the legal divisions under CSD.

Events management functions were also rationalised under the Operations Department to support functions organised by management, these include the Public Sector Legal Counsels Tea Session in September 2017 and the Law Enforcement Appreciation Dinner in February 2018.



Guests and AGC staff prepare to toss yusheng at the AGC Appreciation Dinner for Law Enforcement Partners, held on the 28 February 2018



Ms How Kah Wai from the Operations Department (fifth from left) receiving the prestigious Eco-Office Certification Award on 12 October 2017

Other key projects completed by the Operations Department during 2017 include a building security review, lift configuration studies to reduce waiting times, upgrading/renovations of the office to optimise space utilisation, implementation of the email management system and revamp of the central mail/external courier services. In October 2017, the Operations Department also successfully obtained the prestigious Eco-Office Certification for 2017-2020.



COMPUTER INFORMATION SYSTEMS DEPARTMENT

REVAMP OF AGC CORPORATE INTERNET WEBSITE AND AGC INTRANET WEBSITE

Both the AGC Corporate website and the AGC Intranet website were revamped in the fourth quarter of 2017. The layouts of both websites were redesigned to make them more user-friendly and more mobile-friendly. Both websites have passed the website usability standards adopted across the whole-of-government during the year. Design changes were also made to allow content management by users directly via a flexible content management and publishing software.

AGC ENTERPRISE SEARCH ENGINE AND SG CASES

The AGC enterprise search engine was commissioned for the AGC Intranet site (Portia) in the third quarter of 2017. With this, users can search for information across different repositories such as the Knowledge Management (KM) content, eFile repository, SG cases and Versioned Legislation Database. This has greatly enhanced precedent searches which cover KM materials, Legislation and Acts, reported/unreported Judgements and corporate policies and guidelines.

The SG Cases database was also commissioned in the fourth quarter of 2017. AGC users can now access all reported and unreported judgements on LawNet directly from their work computers.

EMAIL MANAGEMENT SYSTEM

To improve the retention of institutional knowledge from officers' email repositories, an email management system was implemented during the year to file work correspondences of precedential value.

INFRASTRUCTURE PROJECTS

In line with the whole-of-government's tightened security posture, various projects were undertaken in 2017 to harden the infrastructure and ensure the security of AGC's computer systems. An additional data centre was also completed during the year to cater for an expansion in the in-house hosted IT systems.



LEGAL TECHNOLOGY AND INNOVATION OFFICE

The Legal Technology and Innovation Office (LTIO) was set up in 2017 to raise AGC's legal technology expertise and to progress digital innovation within AGC. LTIO has embarked on "sprint labs" with the legal divisions, to pilot new and practical technology solutions to improve service delivery.



MEDIA AND COMMUNICATIONS UNIT

The Media and Communications Unit (MCU) takes charge of public and internal communications, as well as manages international relations for AGC.

MEDIA RELATIONS

The year 2017 saw several court cases which were subjects of public and media interest. Cases such as *PP v Joshua Robinson* and *PP v Pua Hak Chuan and Tan Hui Zhen*, were just a couple of examples which required intense and dedicated media support. MCU also engaged court reporters actively through various meet-ups, so as to strengthen working relationships and promote factual and accurate court reporting. MCU also collaborated with other Government agencies to provide media relations consultation and support for specific cases.

QUALITY SERVICE MANAGEMENT (QSM)

As AGC's Quality Service Manager, MCU responded to public feedback and queries in a timely manner. Service delivery standards and workflows were reviewed together with relevant departments to streamline and tighten work processes.

COMMUNICATIONS AND OUTREACH

MCU continued to produce regular internal communications materials for staff to plug into the activities and developments at AGC. AGC Central, the staff newsletter, was refreshed in September 2017 with a new design. In celebration of AGC's 150th Anniversary in 2017, MCU also produced a publicity package comprising 150th Anniversary collaterals and publicity and communications materials, together with a special Anniversary issue of AGC Central in April 2017. As part of outreach and external engagement, MCU hosted a visit by students of St Joseph's Institution on 31 May 2017 and partnered with CJD to organise the Appreciation Dinner for Law Enforcement Partners and the Tripartite Lunch on 7 April 2017.

ONLINE COMMUNICATIONS

MCU revamped both the AGC website and the AGC@Gov Intranet website with better user interfaces. MCU also took on the management of Workplace by Facebook and the OneAGC group therein.

INTERNATIONAL OUTREACH

AGC is committed to strengthening its international outreach. By engaging our counterparts and attending international conferences, AGC cultivates bilateral ties while growing as an organisation through these learning opportunities.

Overseas Visits



Attorney-General Lucien Wong, SC (left) and Attorney General of Indonesia H.M. Prasetyo (right) signed a Memorandum of Understanding on cooperation between the AGC of the Republic of Singapore and the Attorney General's Office of the Republic of Indonesia.

AGC Official Visit to Indonesia

In August 2017, Attorney-General Lucien Wong, SC led an official visit to Bali at the invitation of the Attorney General of Indonesia, H.M. Prasetyo. During this visit, the AGC of the Republic of Singapore and the Attorney General's Office of the Republic of Indonesia signed a Memorandum of Understanding (MOU) on cooperation.

22nd International Association of Prosecutors (IAP) Annual Conference

In September 2017, Attorney-General Lucien Wong, SC led a delegation to attend the 22nd IAP Annual Conference in Beijing, China. The theme of the conference was "Prosecution in the Public Interest". Deputy Attorney-General Hri Kumar Nair, SC presented a paper on "Challenges and Opportunities of Prosecuting in the Digital Age", citing cases prosecuted in Singapore. Apart from attending the conference, the delegation met the Prosecutor General of China, Cao Jianming, Attorney General of Switzerland Michael Lauber, Attorney General of Thailand Pongniwat Yuthapanboriparn, and General Prosecutor of Turkey Mehmet Akarca.

2017 Meetings of Commonwealth Law Ministers and Senior Officials

The 2017 Meetings of Commonwealth Law Ministers and Senior Officials (CLMM and CSOLM respectively) were held at Nassau, the Bahamas in October 2017. Deputy Attorney-General Hri Kumar Nair, SC led the delegation to the CLMM while Principal Senior Consultant Jeffrey Chan, SC led the Singapore delegation to the CSOLM.

Workshops on International Negotiations and Legislative Drafting

AGC conducted two workshops for the Union Attorney-General's Office of the Republic of the Union of Myanmar (UAGO Myanmar) under the auspices of the Singapore-Myanmar Integrated Legal Exchange MOU signed between the Ministry of Law of the Republic of Singapore and the UAGO Myanmar.

8th Event of the Attorney General's Chambers of Brunei Darussalam, Malaysia and Singapore

In November 2017, Attorney-General Lucien Wong, SC led a delegation to attend the 8th Event of the Attorney General's Chambers of Brunei Darussalam, Malaysia and Singapore in Putrajaya, Malaysia, where he met the Attorney General of Malaysia Tan Sri Dato' Sri Haji Mohamed Apandi bin Ali and the Attorney General of Brunei Datin Seri Paduka Hajah Hayati binti POKSDSP Haji Mohd Salleh.

Hosting Visiting Delegations

AGC hosted several courtesy calls and study visits from international organisations and foreign government agencies in 2017. Apart from establishing and renewing relations with foreign counterparts, these visits also served as platforms for fruitful discussions on legal issues of the day.

Courtesy Calls



(Left to right) Second Solicitor-General Mavis Chionh, SC, Attorney-General Lucien Wong, SC with Kenji Shinoda, Ambassador of Japan to Singapore, Deputy Attorney-General Hri Kumar Nair, SC, and Shinji Kumano, Second Secretary of the Embassy of Japan in Singapore.

In 2017, the Attorney-General hosted courtesy calls from:

- ❖ The High Commissioner of Malaysia to Singapore Ilango Karuppanan
- ❖ Attorney-General and Minister in Charge of the New Zealand Security Intelligence Service and Minister Responsible for the Government Communications Security Bureau Christopher Finlayson
- ❖ Then-Ambassador of China to Singapore Chen Xiaodong
- ❖ The Ambassador of Indonesia to Singapore I Gede Ngurah Swajaya

- ❖ The Minister for Legal Affairs at the President's Office of the Maldives Azima Shukoor
- ❖ The Administrative Vice-Minister of Justice of Japan Hiromu Kurokawa
- ❖ The Ambassador of Japan to Singapore Kenji Shinoda
- ❖ South Australian Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services and the Minister for the City of Adelaide, The Hon John Rau MP
- ❖ Secretary-General of The Hague Conference on Private International Law Christophe Bernasconi

Study Visits

AGC hosted study visits from several foreign government organisations in 2017, including the Fujian People's Procuratorate of China, the Indonesia Agency of State Administration of Indonesia, the National Anti-Corruption Bureau of Ukraine, the Ministry of Justice of the Republic of Korea, and the Office of the Attorney General of Thailand.

CAPABILITIES DEVELOPMENT

Capabilities development in AGC is undertaken collectively by the individual Divisions as well as the AGC Academy since its establishment in 2014.

To further strengthen the continuous training and development of our officers, the AGC Academy was restructured as a standalone division from 1 July 2017 with a full-time team to focus on deepening the training of our officers on cross-divisional professional skills, leadership and management skills, and knowledge management across AGC.

Since its launch, the team at the AGC Academy has been developing a more structured learning approach for our cross-divisional programmes for 2018 and beyond, which together with the specialised training provided by each Division, will deepen the holistic development of capabilities in our officers at AGC.



TRAINING OF AGC OFFICERS

AGC-WIDE TRAINING

CAGC Primer Programme & AGC Pitstop

The Academy continues to organise the quarterly AGC Primer Programme to help new officers achieve greater self-efficacy, role clarity, social integration and enculturation in AGC. The AGC Primer Programme is complemented by the AGC Pitstop, a half-day programme designed to “check-in” on the progress of our new officers at the 12-18th month mark of their time in Chambers and to help with their further integration in AGC.

Training Contract Programme

The Training Contract Programme ensures that our young legal officers gain a wide and varied exposure to the work of the Government at an early stage in their career. Under this six-month programme, each officer will spend a three-month period at two different departments, either within AGC or in the wider Legal Branch.

Professional Development Programme

The AGC Professional Development Programme (PDP) is designed to expose AGC officers to the work done and legal skills employed in other divisions in AGC and to help them gain working knowledge of key substantive law topics/legal skills that they either need to apply to their current job or may need to apply should they ever have to move to other divisions.

Conducted as a series of lunchtime talks, the PDP is taught by experienced legal officers from across our Divisions, private practitioners and law professors. The PDP has also proved popular with the wider public sector lawyers in Ministries and Statutory Boards and has developed into an informal networking platform for lawyers in AGC and the wider public sector.

Lessons from the Lectern

The Lessons from the Lectern series is a platform for our senior legal officers and experts in the field, both locally and internationally, to share their knowledge and experiences.

This year, officers from LEGIS, Civil, IAD, CJD and FTCD collaborated to give a joint talk, “AGC and the UN: Cross-Divisional Perspectives on Implementation of UN Security Council Resolutions”. CJD, FTCD and LEGIS again collaborated on the talk “Sim Lim Square: It is safe to shop there again”. This is reflective of the increasing complexity of our clients that require solutions that cut across divisions.

Our legal officers were also privileged to receive training from Queen’s Counsels (QCs), some of who were from AGC’s Panel of Advisors. This included an Advocacy Masterclass by Ali Malek, QC and a talk on “Uses and Misuses of Statistical Evidence in Litigation” by Leigh-Ann Mulcahy, QC. Stephen Moriarty, QC, who argued the most recent case in the United Kingdom (UK) Supreme Court on unjust enrichment also came to share his insights on this controversial area of law.

AGC Learning Festival



AGC Learning Festival 2017

The annual AGC Learning Festival was held from 14 to 16 February 2017. Themed “Colours of Learning – Create Your Learning Rainbow”, the year’s festival featured a variety of learning activities built upon different colours (e.g. a plenary session on colour psychology, workshop on the four colours of the brain).

Learning Journeys



Our AGC Officers on a Learning Journey organised by CSD to MND

Learning journeys to different organisations allow our AGC officers to exchange best practices and network with officers from other organisations. For example, a learning journey that CSD organised to a top accounting firm and a large law firm allowed our offices to pick up technology trends and the development life cycle of best-in-class case management and customer relationship management tools to best support the legal work of AGC.

Other learning journeys organised by the AGC Academy in 2017 to the Health Sciences Authority and Special Operations Command allowed our officers to deepen their understanding of the scope of work and operational challenges of our partner agencies. The visits to Changi Prison are a mainstay that allow our Prosecutors to acquire a meaningful perspective and gravitas on sentencing outcomes and the rehabilitation of inmates. As part of AGC’s support for the SGSecure initiative, our officers also visited the Internal Security Department’s Heritage Centre and were made privy to little-known but exceptionally significant accounts of espionage and terrorism.

DIVISIONAL TRAINING ACTIVITIES

Civil Division

- ❖ Sharing Sessions – where legal officers from Civil Division share significant legal advice and the learning points from courses that they have attended.
- ❖ Litigation Forums – where legal officers from the General Disputes Directorate share their experiences.
- ❖ Meetings with legal officers from the Ministries – where legal officers share experiences and insights from the course of their work.
- ❖ A half-day training session on Construction Law – where lawyers from Allen & Gledhill shared their insights and provided our lawyers with valuable perspectives on the application of the law from a private practitioner standpoint. Many lawyers from our partner agencies also attended and benefited from the talk.
- ❖ Civil officers were sent to various local and overseas training programmes. This included the Judicial Review Trends and Forecasts Conference 2017 in the UK, Internet & Digital Media Law Conference 2017 in the UK, 11th Hart Judicial Review Conference in the UK and the 2017 IBA Annual Conference in Sydney, Australia.

Corporate Services Division

- ❖ The Art of Persuasion: Presentation Skills – hands-on training to help enhance the presentation skills of CSD officers who frequently have to present at large group forums and to provide exposure to a wider toolkit of presentation skills.
- ❖ Data Analytics Course organised by the Civil Service College (CSC) – In today's data-driven age, CSD is focusing on training the team on data analytics to best support AGC. CSD aims to be stronger in utilising data for analysing historical trends; for better forward planning; and to enable CSD to focus on being more customer-centric in the coming years.

Criminal Justice Division and Financial and Technology Crime Division

- ❖ Crime Cluster Training Day – where our Deputy Public Prosecutors received training on dealing with contempt situations, lessons from judicial review and training on AGC's best practices and experiences; and AGC executives received training on the "Essentials of Email Writing and Etiquette".
- ❖ Written Advocacy Course – an intensive two-day writing workshop designed to improve the effectiveness of each participant's writing, conducted by external trainer Steve Armstrong who has over 20 years of experience delivering writing programmes to judges and lawyers in the US and Canada.
- ❖ Expert Witness Advocacy Training – a customised two-and-a-half-day workshop for our DPPs on the handling of financial experts conducted by Dame Geraldine Andrews, Dame Maura McGowan, Jacqueline Perry, QC and Paul Stanley, QC as well as Ernst & Young accountants.
- ❖ Leading Financial Evidence – a one-day training session where Alison Pople, QC shared her insights with our DPPs on how to deal with complex expert evidence in the context of her high-profile insider trading case involving the former managing director of Deutsche Bank.
- ❖ Two in-house workshops on "Training on Written Submissions" and "Training on Writing Closing Submissions" conducted by senior AGC DPPs.
- ❖ Our DPPs were sent on a number of overseas courses such as the International Bar Association Annual Litigation Forum Conference in Zurich, Switzerland; Handling Financial Experts, in Kuala Lumpur, Malaysia; the National District Attorneys Association Forensic Evidence Course, in Arizona, United States (US); the Association of Certified Financial Crime Specialists Financial Crime Conference 2017, in Boston, US; and an advocacy course in Toronto, Canada.

International Affairs Division

- ❖ IAD Professional Sharing – sharing by IAD officers on specially curated topics to promote the exchange of knowledge within the Division.
- ❖ Myers-Briggs Type Indicator (MBTI) Step-II Workshop – with many new officers joining the division, IAD organised this workshop to enable officers to better understand each other's personality profiles, working styles, and to improve mutual understanding and communication amongst colleagues.

- ❖ IAD officers were sent to various local and overseas training programmes, such as the 11th Annual Meeting of the American Society of International Law, the 17th Annual Conference on WTO Law, the Rhodes Academy of Oceans Law and Policy, the Singapore International Arbitration Academy 2018, the 5th Global Conference on Cyberspace as well as NUS and SMU Auditing courses.

Legislation Division

- ❖ PCC IT Forum and post-Forum workshop in July 2017 – LEGIS took on the challenge of organising and hosting delegates from the drafting offices of Australia, New Zealand, Malaysia, Brunei and Hong Kong. The event provided a platform for the various jurisdictions to share their drafting and technology advancements and challenges. Officers from AGC’s Computer Information Systems Division also attended the Forum.
- ❖ “Luncheon Meet” – an informal monthly knowledge sharing session where officers shared and discussed interesting points of law, and matters relating to legislative drafting. The Luncheon Meet sessions aim to create a positive working environment where officers collaborate and learn together.
- ❖ Legislative Drafting courses overseas include the Course in Legislative Drafting organised by the Institute of Advanced Legal Studies in London, UK, and the Legislative Drafting Workshop held in New Orleans, US.
- ❖ LEGIS officers also attended various conferences overseas to gain in-depth knowledge of certain areas of law such as public law, nuclear law and technology law. This included a Technology Law Conference organised by the International Bar Association in Sao Paulo, Brazil to learn more about the role of law in regulating, and combatting the challenges of technology.

OVERSEAS AND COMMERCIAL TRAINING OF OUR AGC OFFICERS AND STUDY VISITS

We continue to attach our officers to Barristers’ chambers and commercial organisations so that they can benefit from first-hand private sector experience, and gain new skills and an understanding of commercial realities. Our officers were sent on study visits to broaden their experience and learn best practices from other jurisdictions that can be adapted and applied in AGC. Some of the attachments and study visits in 2017 included:

- ❖ Five Paper Building Chambers, UK
- ❖ Cloth Fair Chambers, UK
- ❖ Essex Court Chambers, UK
- ❖ 6 Kings Bench Walk, UK
- ❖ Serious Fraud Office, UK
- ❖ New York County District Attorney’s Office, US
- ❖ Office of Public Prosecutions, Victoria, Australia
- ❖ Office of the Director of Public Prosecutions, New South Wales, Australia
- ❖ People’s Procuratorate of Beijing Municipality, China
- ❖ Shell Eastern Petroleum, Singapore

TRAINING CONDUCTED BY AGC OFFICERS FOR OFFICERS FROM OTHER PARTS OF THE GOVERNMENT AND BEYOND

TRAINING COURSES CONDUCTED BY AGC OFFICERS

AGC officers also contributed to the knowledge sharing among the wider public service community and beyond by conducting training sessions over the course of 2017:

- ❖ Basic Prosecutor’s Course [6-10 February; 11-15 September]
- ❖ Intermediate Prosecutor’s Course [17-19 May]
- ❖ Advanced Prosecutor’s Course [29-30 August]
- ❖ Basic Trial Advocacy Course [22-24 March; 12-14 July and 27-29 September]
- ❖ Intensive Practicum [24-26 Jan; 24-26 April and 18-20 September]

Our DPPs conduct the five-day Basic Prosecutor's Course every year. The week-long training equips our new DPPs and prosecutors from the ministries with the latest thinking on the exercise of prosecutorial discretion, dealing with evidence and court procedure. Our counterparts from Brunei, Malaysia, Myanmar and Vietnam were also invited to attend this course.

The three-day Intermediate Prosecutor's Course and one and a half-day Advanced Prosecutor's Course provide more detailed and extensive training on the trial process and build upon the training of the Basic Prosecutor's Course.

To prepare prosecutors to conduct trials, the AGC Academy also conducted several runs of the three-day Basic Trial Advocacy Course and two-day Intensive Practicum in collaboration with CSC for our prosecutors. These courses give our trainees hands-on training on witness handling at trial (where the trainee's performance is video-taped and reviewed at the coaching sessions) and on drafting of charges and submissions.

MINISTRY PROSECUTION GROUP CONFERENCE *16-17 February 2017*



The Ministry Prosecution Group Conference in action

The Ministry Prosecution Group Conference is designed to help prosecutors and enforcement officers achieve excellence in their work. Prosecutors learn how to improve court craft and identify potential legal issues at an earlier stage in the prosecution process. Enforcement officers benefit by learning better investigative practices and fact collection that will help the prosecution (and sentencing) process. More than 200 participants from over 30 ministries and statutory boards attended the Conference.

HONORARY AIDE-DE-CAMP TRAINING WORKSHOP 2017 *23 March 2017*

LEGIS officers conducted a lecture on "Constitutional Powers of the Elected Presidency" as part of the Honorary Aide-de-Camp Training Workshop at the Istana. The lecture traced the history of the President's constitutional powers and the development of those powers over the years. It also dealt with the recent legislative amendments to the elected presidency framework.

KNOW THE LAW: LEGAL PRINCIPLES FOR EVERY PUBLIC OFFICER *24 May 2017*



Public Officers "Know the Law" Seminar

Since 2001, Civil Division has been annually organising the Public Officers' Law Seminar (now known as "Know the Law" Seminar) for public officers. The seminar provided the over 250 participants with an insight into the legal framework within which the public sector operates, and covered topics on constitutional and administrative law, legislation, litigation, procurement and data protection. The Seminar also serves as an outreach platform to educate public sector officers on potential legal issues on which they should seek legal advice.

LAW-MAKING AND POLICY COURSE

21-22 June & 23-24 November 2017

POST-COURSE WORKSHOP

23 June 2017

The Law-Making and Policy Course is conducted by LEGIS twice a year at the CSC. The Course is identified as an essential training requirement for policy officers in Ministries and Statutory Boards handling Bills and significant Subsidiary Legislation projects, and supports the needs of the annual Government Bills programme. The Course focuses on the formulation of good polices and their translation into effective legislation.

Officers who have attended the Law-Making and Policy Course may attend the advanced Law-Making and Policy Post-Course Workshop that is held once a year at CSC. The Post-Course Workshop uses interactive elements such as role-play to enhance participants' skills in analysing and developing policy specifications for translation into legislation.

LEGISLATION DRAFTING COURSE

21-22 June & 27-28 November 2017

The Legislation Drafting Course is conducted by LEGIS twice yearly at CSC. It is targeted at legal officers and policy officers who work with drafts of proposed legislation or are interested in understanding how legislation is drafted and interpreted. The Course is also open to law drafters in ASEAN countries with whom we have established training arrangements.

PUBLIC PROCUREMENT CONFERENCE 2017

13-14 July 2017



Public Procurement Conference 2017

Civil Division organised the 2nd Public Procurement Conference which featured international and local subject matter experts who spoke on current issues in public procurement. The Conference provided an opportunity for the 300 attendees from AGC and the wider public sector to hear from these experts, who also shared their experiences and insights.

CRIMINAL TRIALS SEMINAR

8-10 November 2017



Attendees at the Criminal Trial Seminar

To keep investigators up to date with recent legislative and case law developments, the AGC Academy collaborated with CSC to conduct this annual three-day programme. Topics covered included recent amendments to legislation, trial preparation, drafting of trial documents and giving evidence in court. The hands-on Moot Court session also provided participants a better appreciation of court proceedings.

WORKSHOP ON LEGISLATIVE DRAFTING IN REPUBLIC OF THE UNION OF MYANMAR

20-21 November 2017

Chief Legislative Counsel led a delegation to Myanmar to conduct a two-day legislative drafting workshop under the auspices of the Singapore-Myanmar Integrated Legal Exchange (SMILE) MOU signed between MinLaw, Singapore and UAGO, Myanmar. During the workshop, CLC and a senior drafter from LEGIS taught 30 drafters from UAGO the principles and best practices of legislative drafting.

CUSTOMISED TRAINING PROGRAMMES FOR MINISTRIES

In 2017, our AGC officers also conducted customised training sessions for partner agencies that were specific to the agencies' needs. These included:

Health Science Authority (HSA) - Illicit Drug Laboratory Moot Court Sessions

The AGC Forensic Group (AFG) was officially formed in November 2016 to heighten awareness among our DPPs on the latest developments in forensic science and technology, and their applications in criminal investigations, and to develop expertise of prosecutors to stress-test prosecution case theories with objective forensic evidence during initial case assessment, trial preparation and trial. Since then AFG has run five sessions of moot court training during the course of 2017 for HSA officers, in particular the IDL (Illicit Drugs Laboratory).

Maritime Port Authority (MPA) - Law of the Sea Course 4 May 2017

The training provided by IAD for MPA officers covered the scheme of the 1982 UN Convention Law of the Sea as well as Multilateral developments relevant to the law of the sea, including the International Seabed Authority and negotiations on biodiversity beyond national jurisdiction.

Monetary Authority of Singapore (MAS) - Awareness of Litigation Exposure in Supervisory Work 5 July 2017

The Awareness of Litigation Exposure in Supervisory Work training by our DPPs was conducted for MAS officers. It covered topics such as the Singapore Criminal System, Role of the Public Prosecutor, Recording of Statements, Gathering and Presenting of Evidence, and Assessment of the Sufficiency of Evidence as well as the Pre-Trial and Trial Process.

Ministry of Social & Family Development (MSF) - Training for MSF Probation Service 22-23 August 2017

This two-day training session for Probation Officers by our DPPs provided an overview of the criminal justice system and the legislative framework on probation as a sentencing option. The training also featured a half-day state court visit led by our DPPs.

Ministry of Social & Family Development - Child Protection and the Law 27-29 September 2017

This two-day training session was open to Child Protection Officers from MSF with less than two years of experience, officers from fostering services, Safe and Strong Family community teams and staff from Voluntary Children's Home. Our DPPs provided an overview of sexual offences under the relevant legislative framework and the laws that underpin the role and work of child protection officers. The training also included tips on how to give evidence in court, moot court training in respect of child sex abuse cases and a half-day visit to the State Courts.

OTHER WORKSHOPS AND SEMINARS

Civil Division officers also participated as speakers at various seminars organised by external agencies. This included a talk on "Constitutional and Admin Law" to the 36th Foundation Course at CSC, "Legal Framework Governing Public Order and Public Security" to Special Operations Command, Singapore Police Force and "Legal Issues Relating to Overseas Voting" to officers from the Ministry of Foreign Affairs.

KNOWLEDGE MANAGEMENT AND LIBRARY

Since 1 July 2017, AGC's organisation-wide knowledge management systems and processes, including the extensive collections of the Chan Sek Keong Library, have come under the purview of AGC Academy. With the aim of delivering the "Right Knowledge @ the Right Time to the Right People", AGC Academy focuses on creating and curating cross-divisional knowledge assets and online resources, and providing effective library resource support for AGC's core areas of practice.



LAUNCH OF SG CASES REPOSITORY

In 2017, the Academy launched a new database SG Cases Repository, which contains Singapore judgments (reported and unreported), for access by AGC and public sector lawyers. This facilitated continued access to Singapore judgments by the lawyers without having to utilise a separate Internet machine.



IMPROVEMENTS TO AGC'S INTRANET PORTAL

The Academy also improved the customised search engine on AGC's intranet portal (Portia) by expanding the available sources for search. The search on Portia now provides a one-stop service for AGC officers by pulling together search results from the commonly-used databases of Portia, KM Libraries, Versioned Legislation Database, SG Cases Repository and Divisional E-file.



GROWTH OF CROSS-DIVISIONAL KM LIBRARIES

The Academy continued to maintain the Cross-Divisional KM Libraries, which contained almost 14,000 tagged and curated documents of precedential value as of 31 December 2017. The Academy started technical and tagging work on a Secret Repository on Enterprise Legal Management System (ELMS), which is envisaged to be similar to the Cross-Divisional KM Libraries for documents classified as Secret or deemed to be sensitive.



UPDATES TO THE AGC KM NEWSLETTER

AGC KM NEWSLETTER

November 2017, Issue 2



Case Updates & QuickNotes

Case Updates

- Leave for judicial review of Law Society Review Committee's decision denied because no Wednesbury unreasonableness.
- A doctor's obligation to obtain informed consent is rooted in process and not a mere signed consent form.
- HC holds that penalty rule does not apply to a deposit; sets out framework for return of deposit.
- First HC decision setting standard of review for and quantum of civil penalties imposed in market misconduct cases where no profit gained or loss avoided.
- Vexatious litigant - Attempted filings of proceedings can amount to "institution of proceedings" under Section 74(1), SCJA.

QuickNotes

- Court has a very limited power to briefly stay execution of possession order to enable mortgagor to pay off mortgagee in full.
- Court has power to order stay of execution pending leave application to bring a criminal reference even where accused has started serving sentence.

The AGC KM newsletter

The AGC KM Newsletter continues to publish its case updates, notable advices and latest legal developments twice a month, to a steady and regular readership in AGC, Legal Branch and other Government departments. In 2017, the International Monthly Digest was replaced by International QuickNotes, which provided busy readers with the main takeaways on UK and other foreign judgments in a brief one paragraph format. KM Newsletter was also uploaded on the Workplace@Facebook platform (launched in June 2017) to reach out to more readers in the public sector.

STRATEGIC PLANNING AND ORGANISATIONAL EXCELLENCE OFFICE

The Strategic Planning and Organisational Excellence Office works with senior management and colleagues to facilitate AGC's transition to become a more agile, future-ready organisation, in keeping with the growing complexity of challenges facing Singapore.

SPO proposes, coordinates and monitors actions to address strategic issues that AGC faces. This includes assessing organisational performance at the corporate level, in areas such as employee engagement, stakeholder perception and business excellence; and providing senior management with data-driven insights to facilitate informed decision-making.

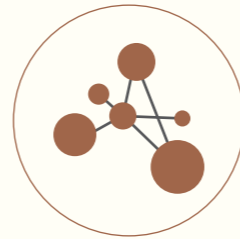
SPO

On an annual basis, SPO organises a leadership retreat, coordinates regular management meetings and works with AGC's different divisions in their strategic planning activities. SPO also oversees various staff engagement initiatives, such as the annual Town Hall, the National Day Observance Ceremony, and the regular engagement of key clients and stakeholders.

SPO also advises two cross-divisional committees under its purview, namely the Futures Thinking Group and the Innovation Network. These comprise mostly junior to mid-level officers across all Divisions, to encourage more ground-up and diverse views. The functions of the respective committees are as follows:



The Futures Thinking Group identifies the trends and best practices (both within and outside the Singapore legal landscape) that are taken into consideration when mapping the strategic direction and development of AGC.



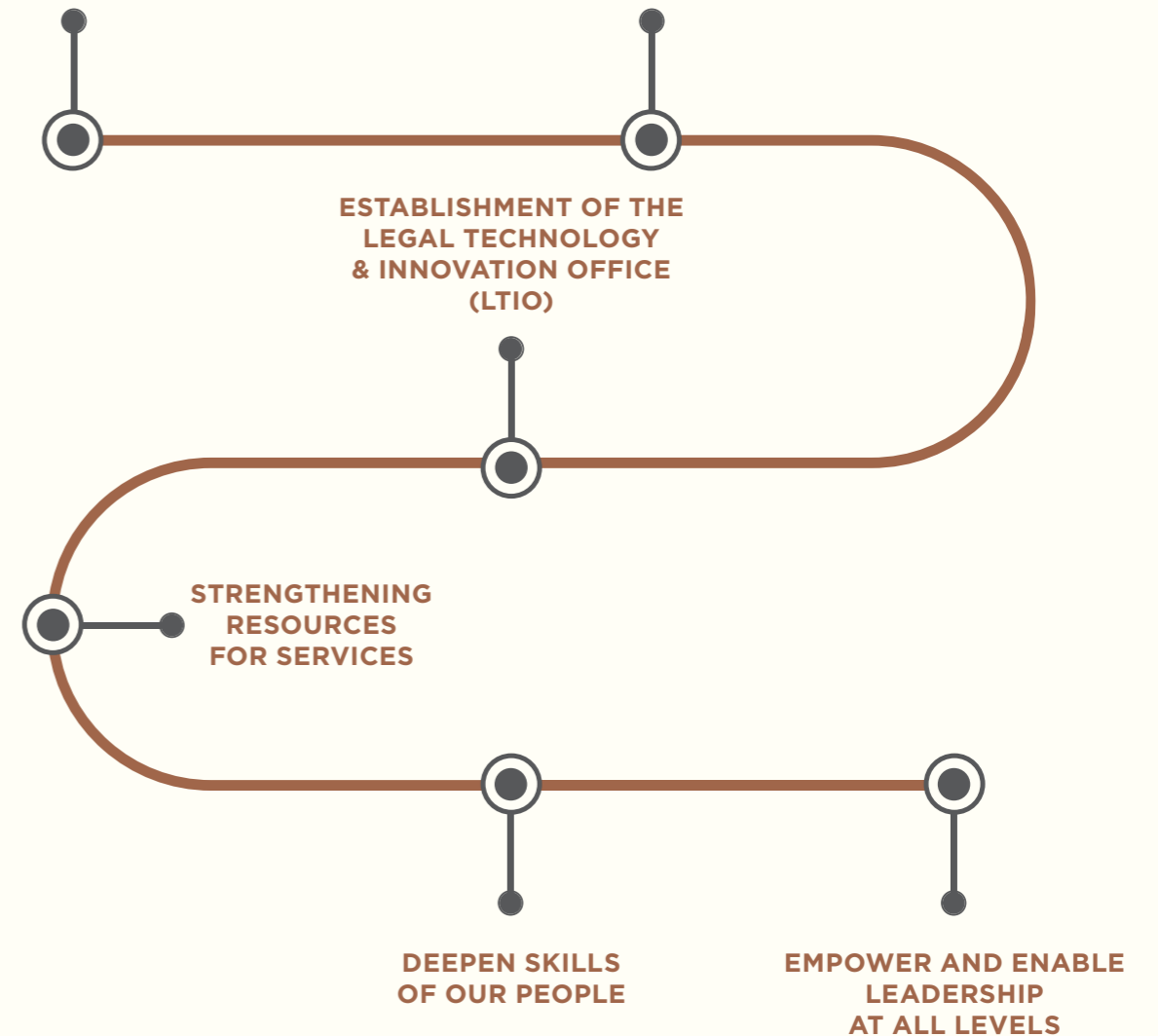
The Innovation Network aims to inspire innovative legal minds within AGC for the public good. The Network runs initiatives to spur innovations in internal operations and legal services, hosting an annual innovation competition and an Innovation Day where guest speakers and colleagues share insights and showcase their innovations to the whole of AGC.

AGC'S TRANSFORMATION JOURNEY

As part of the wider efforts to transform the Public Service, AGC has made significant progress in its transformation journey in 2017. In line with whole-of-government efforts to raise the digital capabilities of our public agencies, and deepen the skills of our public service officers, AGC has achieved specific strategic transformational objectives through the following key projects.

CENTRALISATION AND STREAMLINING TO CREATE EFFICIENCIES

LEVERAGE ON TECHNOLOGY TO DIGITALISE PROCESSES



CENTRALISATION AND STREAMLINING TO CREATE EFFICIENCIES

Embarked on the centralisation and digitalisation of registry operations, streamlined mutual legal assistance work processes and refinements to the criminal investigation papers workflow.

LEVERAGE ON TECHNOLOGY TO DIGITALISE PROCESSES

Project Space Phase 2 was completed during the year with a consultant who worked with AGC on a business process re-engineering review to map out existing as-is processes and charting out future to-be processes for harmonised business processes across legal and non-legal divisions. AGC embarked on the conceptualisation of the Intelligent Workspace, an enterprise-level IT platform, which intends to integrate upstream and downstream stakeholders and agencies. AGC has also been empowering our AGC officers to process litigation cases more efficiently through the implementation of ICT systems such as Sentry and eCourt Workbook (ECW). Sentry, a sentencing repository system, allows staff to access a database comprising precedent cases for the purpose of sentencing research while the ECW is a case management system for State Court cases.

ESTABLISHMENT OF THE LEGAL TECHNOLOGY & INNOVATION OFFICE (LTiO)

LTiO was established in AGC to create a dedicated and sustainable focus on developing the alliance of Legal and Tech services to future-proof AGC. During the year, LTiO focussed on two major areas where technology is impacting legal practices: using text analytics and advanced processing technologies to develop tools and techniques for efficient review of large volumes of information; using expert systems to leverage institutional knowledge with guided service delivery to improve speed and consistency of AGC services.

The office has established Sprint Labs to work closely with divisions on pilot projects to streamline and automate processes, leveraging on available technology. Other LTiO activities are oriented at introducing new software applications into AGC to seek new ways to solve known problems.

STRENGTHENING RESOURCES FOR SERVICES

The State Prosecution Office was set up in the Crime Cluster to allow for the quick processing of selected non-court and volume files by a central group of trained officers.

DEEPEN SKILLS OF OUR PEOPLE

There has been dedicated investment and focus on specific skills and competency development roadmaps for both Legal Service Officers and Executives through the AGC Academy and individual Divisions. The AGC Academy was restructured as a standalone division from 1 July 2017 with a full-time team to focus on deepening the training of our people on cross-divisional professional skills, leadership and management skills, and knowledge management across AGC.

EMPOWER AND ENABLE LEADERSHIP AT ALL LEVELS

Investment in the development of our officers as leaders provides a supportive environment for all officers to exercise leadership and grow. The restructured Academy has developed a Leadership and Management Competency Framework which will guide AGC in developing leadership at all levels. In the same vein, a 360 degree feedback tool was rolled out for senior management. This was followed by executive coaching to encourage feedback and a continuous growth culture.

NOTES

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