



ANNUAL
REPORT 2019

CONTENTS

| | |
|---|----|
| Attorney-General's Message | 4 |
| Supporting The Government In Its Fight Against COVID-19 | 6 |
| Maintaining Singapore's Safety And Security | 9 |
| Contributing Towards A Resilient Economy | 18 |
| Building Our Future City And Home | 20 |
| Fostering A Caring And Healthier Society | 21 |
| Building Relationships And Supporting The Growth Of Our People | 25 |
| Making Our Work More Accessible To The Public | 31 |
| Technology As Leverage To Improve Our Systems And Processes | 33 |
| Key Figures For 2019 | 36 |
| Organisational Chart | 38 |



ATTORNEY-GENERAL'S MESSAGE

Mr Lucien Wong
Attorney-General

Guided by the principle of *Quality People, doing Quality Work, supported by Quality Systems and Processes*, AGC continues to serve the Government and public through the multi-faceted work that we do.

Supporting The Government

As the Government's legal adviser, AGC must always be ready with legal solutions. Issues faced by the Government may be complex, straddling different aspects of domestic and international law. We take a coordinated one-AGC approach to ensure that we provide the best legal advice to the Government and, in turn, serve the interests of the people of Singapore.

For example, the work done in support of the Government to tackle COVID-19 involved every division in AGC. Legislation was drafted for the purposes of controlling the transmission of COVID-19 in Singapore and introduced expeditiously. Legal advice was given on the appropriate measures to address challenges faced by different Ministries and agencies of the Government. Prosecution was involved for the most egregious and blatant breaches, as there was a need for us to respond swiftly to those who threaten public health and the resilience of our economy and society.

In 2019, we remained steadfast in our duty as the Government's legal adviser. On top of advising our Government clients in the drafting of the Protection from Online Falsehoods and Manipulation Act 2019 (POFMA), state counsel advised the Ministries on its interpretation and application within extremely short timelines, which guided the exercise of the Minister's power to issue a direction under the Act. Appeals under POFMA were also dealt with promptly.

Cross-divisional coordination work within AGC did not just happen for major projects; it was undertaken for every interaction to ensure that advice was given comprehensively. For example, when our officers advised the Ministry of Manpower on its exercise of powers to conduct proactive inspection and audit and to penalise firms or individuals for discriminatory hiring practices under the Employment of Foreign Manpower Act, they also highlighted the potential criminal offences that might be committed under the Act. Our international law officers also weighed in, providing advice on whether the Ministry's

proposals were consistent with Singapore's international obligations.

Our officers also worked closely alongside our Government clients, providing our expertise in specialist areas. In 2019, they led in several international negotiations, such as the negotiations on the Regional Comprehensive Economic Partnership, the ASEAN Protocol on Enhanced Dispute Settlement Mechanism and the Myanmar-Singapore Bilateral Investment Treaty. They also worked with the Ministry of Trade and Industry on the implementation of the EU-Singapore Free Trade Agreement, which entered into force in November 2019.

Strengthening The Public Sector Legal Community

As the largest legal department in the public sector, it is our responsibility to facilitate the development of an ecosystem that will forge a more connected public sector legal community. Building and maintaining relationships with the public sector legal community was an important priority in 2019, as was the training of our public sector lawyers. With efforts led by our AGC Academy, we organised two seminars under the Public Sector Legal Forum Seminar Series in April and November 2019. The seminars discussed the topics of client centricity and the legal principles on delegation and the *Carltona* principle, and participants shared their insights in small group discussions. We also formalised the Public Counsel Legal Network in 2019, providing an additional channel for public sector lawyers to network and collaborate. There is a growing consensus among public sector lawyers for stronger collaboration, and the response to our efforts to forge a more connected community has been very positive.

Maintaining Public Trust And Confidence

Last, but certainly not least, the maintenance of public trust and confidence in AGC as a fair and independent institution devoted to the rule of law remains a continuous pursuit for me and my officers. We strive for this not just in our prosecutorial work but also in the work carried out by all divisions of AGC.

In light of public disquiet over accidents involving pedestrians caused by errant personal mobility device users, we took a firm stance against such offences, and successfully sought heavier penalties for repeat offenders. AGC also supported the Courts as they laid down sentencing frameworks for criminal offences.

Notably, our prosecutors successfully obtained the first conviction of a Singapore national under the Terrorism (Suppression of Financing) Act, underscoring our efforts to fight against the transnational scourge of terrorism.

A major milestone in 2019 was the passing of the Criminal Law Reform Act 2019 in May. The Act was the fruit of a review that started with the Penal Code Review Committee in 2016, comprising political office holders, the Courts, Ministries, Singapore Police Force, AGC, academics and defence counsel. It amended the Penal Code, the Criminal Procedure Code and other Acts to update criminal offences, keep up with technological changes and emerging crime trends, harmonise criminal laws and update sentencing frameworks. Most importantly, the amendments enhanced protection for minors and vulnerable victims.

Given that most people access Singapore's legislation online, AGC also worked on making more historical versions of legislation available on the Singapore Statutes Online website. To better support understanding of Singapore's legislation, our officers produced a video to help the public navigate and read Singapore's legislation. More videos are in the works.

“ There is a strong sense of pride and satisfaction that our work helps to uphold the rule of law and advance the interests of Singapore and her people. ”

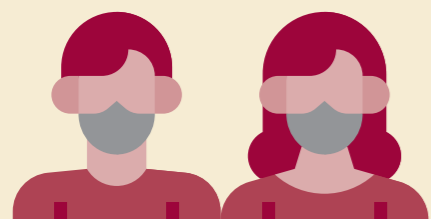
Looking Forward To The Future

Through the many discussions over complex court cases, difficult negotiations, and endless drafting and vetting, the conviction and commitment of our officers to serve the Government and public remain unwavering. There is a strong sense of pride and satisfaction that our work helps to uphold the rule of law and advance the interests of Singapore and her people. I am confident that AGC is stepping into a new decade with some of our best legal minds and writing a new and exciting chapter of its history.

SUPPORTING THE GOVERNMENT IN ITS

FIGHT AGAINST COVID-19

In December 2019, the world started battling a global coronavirus (COVID-19) pandemic that caused economies to come to a halt, and whole societies to stay indoors to protect their health and safety. As of June 2020, millions had been infected with COVID-19 and over 460,000 people had succumbed to the highly infectious respiratory illness. Since the first confirmed case of COVID-19 in Singapore on 23 January 2020, AGC had supported Whole-of-Government efforts in tackling COVID-19 every step of the way.



As of June 2020, **millions had been infected with COVID-19** and over

460,000 people

had succumbed to the highly infectious respiratory illness

To control COVID-19, as of 24 June 2020, AGC had drafted



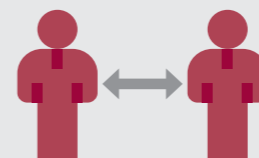
9 Bills



138 pieces of subsidiary legislation

To implement some of the Government measures to address the coronavirus pandemic, legislation had to be enacted and made at an unprecedented pace and scale. As of 24 June 2020, AGC had drafted nine Bills and 138 pieces of subsidiary legislation dealing with coronavirus measures. These included the COVID-19 (Temporary Measures) Act 2020 and the subsequent COVID-19 (Temporary Measures) (Amendment) Act 2020, as well as Control Orders and Acts to allow for Parliament sittings, elections and marriages to be held using communication technology and via special arrangements. Legislation to implement additional Government support measures to help workers, enterprises and households affected by the global coronavirus pandemic, was also expeditiously introduced.

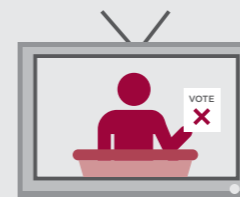
The legislation enacted dealt with areas such as



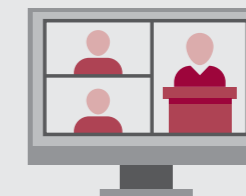
Controlling the transmission of the disease



Providing economic relief



Allowing for Parliament sittings, elections and marriages to be held using communication technology and via special arrangements



Providing alternative arrangements for meetings and court hearings

AGC also provided legal advice to the Government on the appropriate measures to address challenges faced by different Ministries and agencies of the Government. These included advice on how to deal with people who posed threats to public health when they breached Home Quarantine Orders or Stay-Home Notices, as well as errant businesses and individuals who flouted safe distancing measures.

AGC as the Public Prosecutor also stepped in for the most egregious and blatant offences committed in relation to the COVID-19 situation. Individuals were charged in court for their offences and AGC assisted the Courts in formulating appropriate sentencing frameworks to ensure that firm sentences were meted out to deter irresponsible and risky behaviour that might lead to the spread of infection.



At AGC, our officers experience a strong sense of pride and satisfaction knowing that our work has helped to uphold the rule of law and advance the interests of Singapore and her people. Here we highlight some of our most significant work of 2019.

MAINTAINING SINGAPORE'S **SAFETY AND SECURITY**

Updating Our Laws To Keep Up With Emerging Crime Trends And Technology Advances

As criminals take advantage of technological developments and become more sophisticated in their dealings, it is imperative that the Government reviews and updates the laws to keep up with emerging crime trends. Over the last few years, governments all over the world have had to act decisively to address the growing concerns over fake news and misinformation circulating online.

In 2019, the Government introduced the Protection from Online Falsehoods and Manipulation Act 2019 (POFMA) to curb the spread of online falsehoods that would hurt the public interest. AGC was involved in the drafting of POFMA alongside policymakers from the Ministry of Law and the Ministry of Communications and Information, as well as in advising Ministries on the interpretation and application of the Act. Following the passing of POFMA on 8 May 2019, AGC guided the exercise of the Minister's power to issue a direction under POFMA under extremely short timelines. Appeals under POFMA (instances where individuals appeal to the High Court against the Minister's decision not to vary or cancel a Direction) were also dealt with promptly. As of June 2020, our state counsel appeared in the High Court to act on two such appeals.

Protection from Online Falsehoods and Manipulation Act 2019 (POFMA)



Act passed on
8 May 2019



Curbs spread of online falsehoods that would hurt the public interest

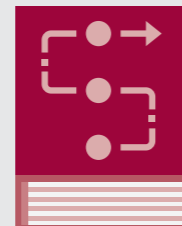
Another significant milestone was the passing of the Criminal Law Reform Act 2019 on 6 May 2019, which amended the Penal Code, the Criminal Procedure Code and other Acts. The Act kept criminal offences up to date and, most importantly, enhanced protection for minors and vulnerable victims. For example, to address crimes committed virtually, the definition of “property” was updated to include intangible or incorporeal property, as well as virtual currency. In addition, persons who commit offences under the Penal Code against vulnerable victims such as children, persons with mental or physical disabilities and domestic workers, may be punished with up to twice the maximum punishment provided for the offence.

The Criminal Law Reform Act 2019 was the fruit of a review that started with the Penal Code Review Committee in 2016, comprising political office holders, the Courts, Ministries, Singapore Police Force, AGC, academics and defence counsel. AGC was involved in the advisory work and drafting of the Act.

Passing of the Criminal Law Reform Act 2019 amended the following



The Penal Code



The Criminal Procedure Code



Other Acts

What the Act does



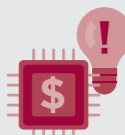
Keeps criminal offences up to date



Enhances protection for minors and vulnerable victims



Offences against vulnerable victims such as children, persons with mental or physical disabilities and domestic workers may be punished with up to twice the maximum punishment



Definition of property to include intangible or incorporeal property, as well as virtual currency

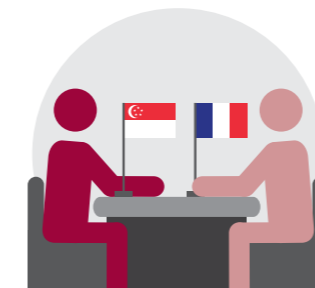
Advising The Government And Representing Singapore At International Platforms And Negotiations On A Range Of International Law Issues

As a small city state, Singapore adheres to and promotes the international rule of law. We abide by our international obligations and insist that agreements entered in good faith are honoured. As the Government’s legal adviser and representative at international fora, AGC continued to advise the Government and represent Singapore in negotiations on a range of international law issues in 2019. Some of our most significant work in 2019 included the following.



The ASEAN-China Negotiations on a Code of Conduct in the South China Sea

- Supporting an inter-agency delegation at the negotiations, which reached a milestone in July 2019 when the Association of Southeast Asian Nations (ASEAN) and China completed the first reading of the single draft negotiating text



International Legal Cooperation

- Taking part in negotiations for a Singapore-France Mutual Legal Assistance Treaty



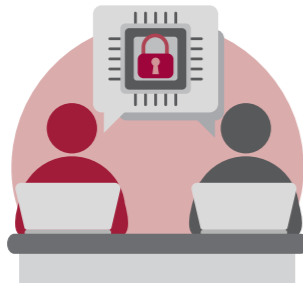
International Crime

- Representing Singapore at the inter-governmental body Financial Action Task Force
- Representing Singapore at the United Nations (UN) Congress on Crime Prevention and Criminal Justice



Human Rights

- Defending Singapore’s human rights record at the 42nd Regular Session of the UN Human Rights Council



Cybersecurity

- Supporting the first session of the United Nations (UN) Open-Ended Working Group on Cybersecurity
- Supporting the UN Group of Government Experts on Advancing Responsible State Behaviour in Cyberspace in the Context of International Security



Climate Change

- Supporting the Minister for the Environment and Water Resources in facilitating overarching Decisions 1 of the UN Framework Convention on Climate Change, Kyoto Protocol and Paris Agreement
- Leading and supporting discussions on various thematic track discussions during the 25th session of the Conference of the Parties (COP 25)
- An AGC officer was also elected as an alternate member of the compliance committee responsible for overseeing Member States' compliance with the Paris Agreement commitments. An alternate member participates fully in the discussions and meetings of the compliance committee, and exercises voting rights in the absence of the other elected member



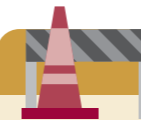
Officers from AGC and the Ministry of Law at discussions on the Singapore-France Mutual Legal Assistance Treaty



Singapore delegates with ASEAN colleagues at the COP 25

Keeping Crime At Bay

Our prosecutors continued in their work to ensure that justice was administered fairly, with a view to safeguard the public interest. AGC supported the Courts as they laid down sentencing frameworks for criminal offences. Our prosecutors also successfully carried out the first conviction of a Singapore national under the Terrorism (Suppression of Financing) Act, underscoring Singapore's efforts to fight against the transnational scourge of terrorism. Financial and technology crimes continue to be on the rise, as criminals take advantage of technological developments and the web of online transactions, making criminal activities more complex and harder to detect. We continue to take a firm stance against such offenders and seek to bring them to justice. Here are some of our most significant cases of 2019.



PIE viaduct collapse trial

This trial involved the collapse of a viaduct that was under construction from Tampines Expressway to the Pan-Island Expressway (PIE) and Upper Changi Road East on 14 July 2017. The Qualified Person (Design) Robert Arianto Tjandra and the Accredited Checker Leong Sow Hon were charged in relation to the incident and both pleaded guilty. Trial proceedings for the builder Or Kim Peow Contractors (Private) Limited and two of its employees for recklessly failing to take the necessary measures to ensure the safety and health of the workers who were working on the site on the night of the viaduct's collapse started in 2019. Prior to the trial, the Prosecution produced litigation graphics aimed at assisting the State Courts' understanding of the intricacies of the viaduct's design and construction. These graphics combined mock-ups, animations and scene photographs of the viaduct to present a comprehensive picture of the relevant structures, technical terms and construction processes for the trial.



Adili Chibuike Ejike v PP [2019] SGCA 38

A Nigerian national was convicted of one charge of importing methamphetamine in the inner lining of a suitcase by the High Court but was subsequently acquitted by the Court of Appeal. In doing so, the Court of Appeal provided guidance on, among others, the doctrine of wilful blindness. The Court of Appeal noted that wilful blindness was a mental state which fell short of actual knowledge, but nevertheless satisfied the *mens rea* of knowledge if the accused, despite having a firmly grounded suspicion of the state of affairs, decided not to inquire further although he had reasonable means of doing so. Finally, the Court of Appeal held that the doctrine of wilful blindness would not be relevant in an analysis of whether the presumption in section 18(1) of the Misuse of Drugs Act had been rebutted, as section 18(1) referred exclusively to actual knowledge.



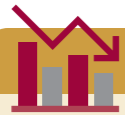
Ramesh a/l Perumal v PP [2019] SGCA 17

The Court of Appeal allowed the accused's appeal and amended his capital charge of possession of diamorphine for the purpose of trafficking to one of possession simpliciter. In coming to its holding, the Court of Appeal departed from earlier case authority and held that a bailee who takes custody of drugs from a bailor, intending only to subsequently return them to the latter, does not "traffic" in the said drugs.



1 Malaysia Development Berhad (1MDB)

As of April 2019, AGC officers, working with the Commercial Affairs Department, obtained court orders for the return of S\$50 million, which were 1MDB-related assets, to the Malaysian government. This safeguards Singapore's reputation as a clean and trusted jurisdiction that rigorously enforces its laws and does not tolerate the use of its financial systems for money laundering.



PP v Soh Chee Wen [2019] SGHC 235

In the ongoing trial of John Soh Chee Wen and Quah Su-Ling for engineering the 2013 penny stock crash, the Prosecution assisted the High Court in clarifying that litigation privilege (as distinct from legal advice privilege) could be asserted by the Prosecution in criminal proceedings as well as the scope of that privilege, including the various exceptions it was subject to.



PP v Zkert M Rushdi

The Prosecution secured the first conviction of a foreign accused person, based overseas, who had set up shell companies and corporate bank accounts in Singapore for the purposes of money laundering. This was the first trial in Singapore of an accused who, while mostly based overseas, worked behind the scenes to recruit foreign directors and opened Singapore corporate bank accounts in the names of Singapore-incorporated shell companies for cross-border money laundering. The accused was convicted after trial on 22 forgery charges and eight cross-border money laundering offences. The accused appealed his conviction and sentence but the appeals were dismissed.



Ye Lin Myint v PP [2019] SGHC 221

An insurance agent was convicted on multiple charges of criminal intimidation by an anonymous communication under section 507 of the Penal Code and harassment under section 3(1) of the Protection from Harassment Act, for threatening his former clients, their families and the community around them with harm, unless the former clients transferred Bitcoin to him. His threats were conveyed by letters and emails, and he signed off as "Lord Voldermort" or "Bruce Banner". His actions caused great alarm to his victims, as well as to the general public. He used personal information that he had obtained from his former clients to make his threats more menacing. On appeal, Chief Justice Sundaresh Menon agreed with the Prosecution that the accused's appeal against his sentence of 29 months should be dismissed. Chief Justice Menon also set out a sentencing framework for section 507 offences.



Gursharan Kaur Sharon Rachael v PP (CA/CM 19 of 2019)

The accused was a Singapore-based officer of the United States (US) Navy who received S\$130,000 in bribes to provide classified information to a contractor to secure ship-husbanding contracts with the US Navy. She was sentenced to 33 months' imprisonment. In a landmark ruling, the High Court held that the "public service rationale" should not apply to the corruption of foreign public officials as it was only meant to protect against the loss of confidence in Singapore's public administration. Nevertheless, it held that the corruption of foreign public officials was a distinct aggravating factor that warranted an imprisonment sentence as such corruption threatened Singapore's international reputation for incorruptibility, undermined a foreign country's public administration and risked fostering a culture of corruption in Singapore. On this basis, the High Court allowed the Prosecution's appeal against sentence and enhanced the imprisonment term imposed on the accused from 33 months to 40 months.



PP v Ahmed Hussein Abdul Kadir s/o Sheik Uduman

Singapore prosecuted its first citizen for terrorism-financing offences under the Terrorism (Suppression of Financing) Act in October 2019. Investigations revealed that the accused had become radicalised sometime in 2018 and wanted to undertake armed violence in Syria in support of the Islamic State of Iraq and Syria (ISIS). His path to radicalisation started in 2013, when he started following the teachings of Sheikh Abdullah al-Faisal, a radical preacher who preached in support of physical jihad and praised ISIS' violent efforts to establish an Islamic Caliphate. Over the period of two months, the accused made donations to the Sheikh in support of his terrorist ideals. The accused pleaded guilty to terrorism-financing and was sentenced to 30 months' imprisonment.



PP v Ng Kheng Wah

Between 2010 and 2017, the accused, through T Specialist International (S) Pte Ltd, supplied S\$6 million worth of luxury goods to the Democratic People's Republic of Korea (DPRK) in breach of United Nations (UN) Regulations. He concealed the fact that the goods were destined for the DPRK by failing to declare the final port of delivery to Singapore Customs. The accused also committed invoice-financing fraud to generate liquidity for T Specialist International (S) Pte Ltd. The State Courts adopted a two-stage, five-step sentencing framework in relation to the UN regulation breaches. The State Courts also considered an impact statement prepared by the Ministry of Foreign Affairs which highlighted the harm occasioned to Singapore's international reputation and standing owing to the breaches. The accused was sentenced to four months' imprisonment for the breaches and a global term of 34 months' imprisonment. This was the first conviction under Regulation 5(a) of the United Nations (Sanctions - DPRK) Regulations 2010 for supplying prohibited goods to the DPRK.

Acting On Behalf Of The Government In Legal Matters

Besides advising the Government on a broad spectrum of complex legal matters, AGC also represented the Government and certain public institutions in legal proceedings and alternate dispute resolutions. In addition, as the Central Authority of Singapore, AGC processed requests for mutual legal assistance and extradition matters. Here are some of our most significant cases over the past year.



Ong Ming Johnson v AG and other matters [2020] SGHC 63

AGC acted on behalf of the Government in a challenge by way of three applications against the constitutionality of section 377A of the Penal Code. An issue was also raised as to whether the offence in section 377A criminalised penetrative sexual acts and acts outside the context of prostitution. On 30 March 2020, the High Court dismissed all three applications as it was not persuaded that there was merit in the applications. As of June 2020, this decision by the High Court has been appealed to the Court of Appeal.



AG v Ong Wui Teck [2019] SGHC 30 and [2019] SGHC 147, *Ong Wui Teck v AG* [2020] SGCA 17

The respondent made many abusive allegations attacking a High Court Judge and the Supreme Court in affidavits he filed in an application to disqualify the Judge from hearing certain legal proceedings. The AG brought committal proceedings for contempt of court against the respondent and argued that these abusive allegations were made for the improper purpose of “judge-shopping”. The High Court found the respondent guilty of scandalising contempt and contempt in the face of the court for the allegations he had made and sentenced him to seven days’ imprisonment. He was also ordered to pay about S\$30,000 in costs and disbursements. The respondent subsequently appealed the decision by the High Court to the Court of Appeal, which dismissed his appeals.



Tan Liang Joo John v AG [2019] SGHC 263

The applicant was found guilty of contempt by scandalising the court. He subsequently applied for a declaration from the High Court that he was not disqualified from standing for election as a Member of Parliament on account of his conviction for contempt. He failed in his application.



Asia Development Pte Ltd v AG [2020] SGCA 22

The Court of Appeal expressly endorsed the *Carltona* principle for the first time. Under the *Carltona* principle, a Minister’s powers and duties may be exercised under his authority by responsible officials of his department. A property developer challenged the decision not to waive certain conditions imposed for the remission of Additional Buyer’s Stamp Duty. AGC successfully argued that this decision did not have to be made by the Finance Minister personally. The Finance Ministry’s Chief Tax Policy Officer had sufficient seniority and power to determine such cases. This was “part of the work of the Ministry of the Minister in charge”, for which the Minister is responsible.



Steep Rise Ltd v AG [2020] SGCA 20

Monies linked to a transnational fraud involving carbon trading markets in Europe were moved into a Singapore bank account. AGC obtained a restraint order under the Mutual Assistance in Criminal Matters Act (MACMA) over the monies. The owner of the bank account then applied for the restraint order to be discharged. AGC successfully opposed the owner’s application in the High Court and in the Court of Appeal. On 28 January 2020, the Court of Appeal dismissed the owner’s appeal with costs awarded to AGC. The last (and only) Court of Appeal judgment on the MACMA was published in 2008.



Extradition of Hitesh Madhubhai Patel

AGC officers worked with authorities in the United States (US) to arrest and extradite Hitesh Madhubhai Patel, an Indian national, to the US for defrauding at least 15,000 victims in the US of over US\$230 million - one of the largest fraudulent telephone call and money laundering schemes in the US.

CONTRIBUTING TOWARDS A RESILIENT ECONOMY

Economic-related International Agreements And Events

In 2019, Singapore continued to push for closer trade links with countries all over the world. Working alongside our Government clients, AGC officers led negotiations and were instrumental in the conclusion of several international negotiations, such as the Regional Comprehensive Economic Partnership (RCEP), the ASEAN Protocol on Enhanced Dispute Settlement Mechanism and the Myanmar-Singapore Bilateral Investment Treaty. AGC also worked closely with the Ministry of Trade and Industry in the implementation of the European Union-Singapore Free Trade Agreement, which entered into force on 21 November 2019.

On trade disputes, AGC officers coordinated Singapore's third-party participation in several World Trade Organisation (WTO) disputes, such as the United States-China dispute on tariffs, the Qatar-United Arab Emirates and Qatar-Saudi Arabia trade and security disputes, and the disputes brought by four countries against Australia for the introduction of tobacco plain packaging. AGC advocated Singapore's positions through written submissions as well as through oral statements, and, for the first time, appeared before the WTO Appellate Body to present arguments.



The RCEP involves all ten ASEAN countries (pictured) and five of its major trading partners:

Australia, China, Japan, New Zealand and South Korea



Supporting National Trade And Logistics Ecosystem

AGC provided legal advice relating to the final stage implementation of the Networked Trade Platform (NTP), a one-stop trade and logistics ecosystem which supports digitalisation efforts and connects players across the domestic and international trade value chain. Developed by Singapore Customs and GovTech, the NTP sets the foundation for Singapore to be a leading trade supply chain and financing hub. AGC officers advised and assisted in the negotiations on the agreements that Singapore Customs entered into with service providers and business users.

Penalties For Discriminatory Hiring Practices

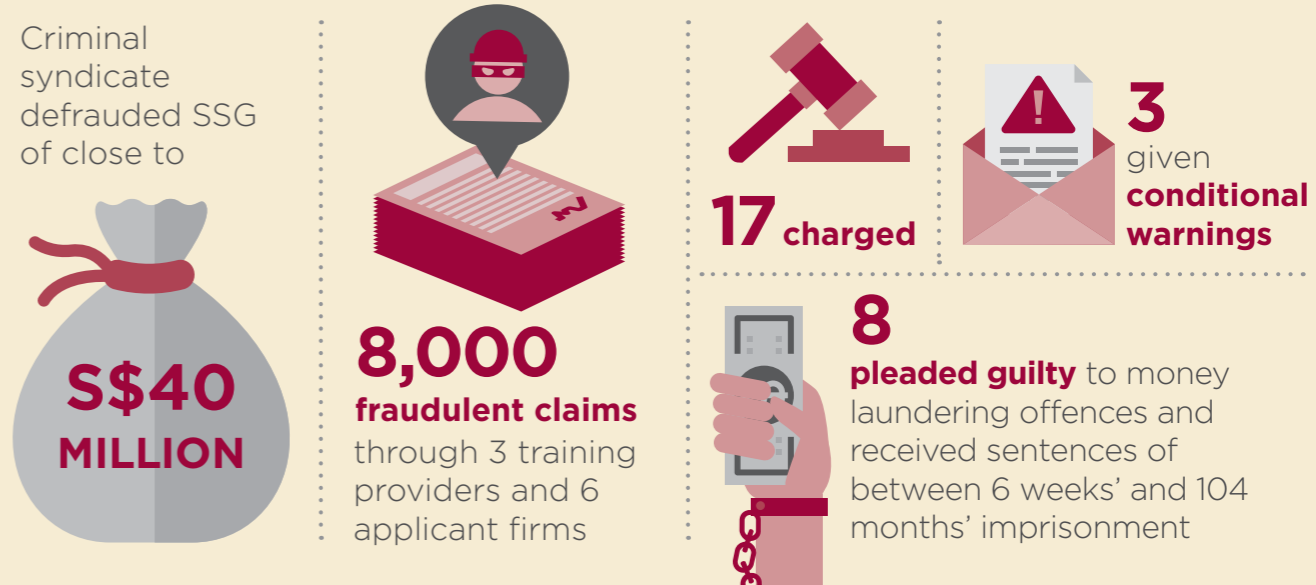
To support the Ministry of Manpower as it regulates workplaces and the labour workforce, officers from the Civil, Crime and International Affairs divisions advised the Ministry on its powers to conduct proactive inspection and audit and to penalise firms or individuals for discriminatory hiring practices. AGC advised on the exercise of the powers under the Employment of Foreign Manpower Act when there were reasonable grounds to suspect that a company was engaged in discriminatory hiring practices and potential offences that might be committed under the Act. AGC also advised the Ministry on the consistency of the proposals with Singapore's international obligations.

Tackling The S\$40 Million SkillsFuture Singapore Fraud

SkillsFuture is a national movement to provide Singaporeans with the opportunities to develop their skills and potential. Among other programmes, SkillsFuture Singapore (SSG) administered a training grant that employers could tap into to subsidise training for their employees. In late October 2017, SSG detected anomalies in the claims for training subsidies and alerted the Police.

Investigations revealed the biggest case of fraud involving Government funds thus far, with close to S\$40 million of fraudulent claims being paid out to entities controlled by a criminal syndicate. AGC officers worked closely with various investigation agencies to bring members of the syndicate to book. Several syndicate members absconded overseas, but all were brought back to Singapore with the cooperation of foreign law enforcement authorities.

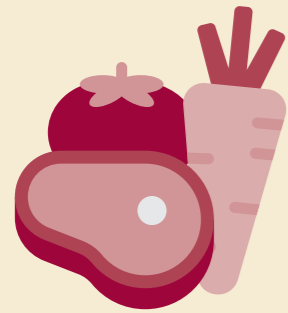
Investigations revealed the biggest case of fraud involving Government funds thus far



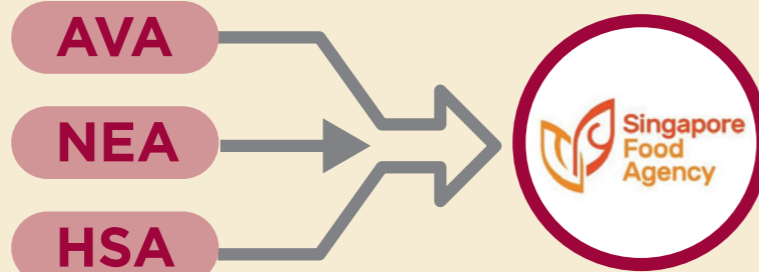
BUILDING OUR FUTURE CITY AND HOME

Better Oversight For Food Safety And Security

To have better regulatory oversight over different aspects of food safety and security in a single agency, the Singapore Food Agency Act 2019 was passed in February 2019 to establish the Singapore Food Agency (SFA), a statutory board under the Ministry of the Environment and Water Resources. SFA would take over food-related functions performed by the Agri-Food and Veterinary Authority of Singapore (AVA), the National Environment Agency (NEA) and the Health Sciences Authority (HSA). AGC was involved in the drafting of the Act.



The Singapore Food Agency Act 2019 was passed to establish the SFA



The SFA would take over food-related functions performed by the AVA, NEA and HSA

Traffic Of Plastic Waste To Singapore

Since China closed its doors to the importation of plastic waste in 2017, the world has grappled with the challenges that come with the recycling and disposal of such waste, as well as finding alternative markets for it. On shipments of waste that were wrongly sent to Singapore, AGC advised Government agencies on legal issues related to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, resulting in the successful repatriation of the waste to the appropriate countries.

FOSTERING A CARING AND HEALTHIER SOCIETY

Encouraging A Healthier Society

Over the years, the Ministry of Health (MOH) and its statutory boards have increased efforts to encourage Singaporeans to lead healthier lifestyles. This has included setting up a taskforce to explore ideas and initiatives to nudge Singaporeans towards adopting healthier habits. A cross-divisional team of AGC officers worked closely with MOH on the introduction of standardised packaging of tobacco products in Singapore, as well as on measures to reduce the consumption of sugar-sweetened beverages in Singapore. The measures were introduced on 1 July 2019 and 10 October 2019 respectively.

A cross-divisional team of AGC officers worked closely with MOH on



Introduction of standardised packaging of tobacco products



Measures to reduce consumption of sugar-sweetened beverages

Supporting A Comprehensive Long-Term Care Financing System

With an eye on the future, Singapore has continuously reviewed and expanded its healthcare and ageing support system over the last few years. In 2019, basic long-term care for younger Singapore residents as they age and should they become severely disabled came into focus. The passing of the CareShield Life and Long-Term Care Act 2019 in September 2019 established the CareShield Life Scheme and the ElderShield Scheme under Government administration and provided for long-term care financing support for severely disabled persons. The Act also established a government fund (the Long-Term Care Support Fund) that provides premium support for the CareShield Life Scheme and various long-term care financing schemes. AGC was involved in drafting of the Act.

Strengthening Protection Of Children And Young Persons

The Children and Young Persons (Amendment) Act 2019, which was passed in September 2019, strengthened the protection of children and young persons in Singapore as it raised the maximum age of “young person” under the Children and Young Persons Act (CYPA), from below 16 years to below 18 years. This meant that more individuals may be afforded protection under CYPA. The jurisdiction of the Youth Court was also expanded to provide for more sentencing options, such as when a young person may be sentenced to reformatory training. AGC was involved in drafting of the Amendment Act.

Protecting Vulnerable Persons

In 2019, our prosecutors continued to seek justice for crimes committed against vulnerable persons in Singapore. This included the Public Prosecutor’s first prosecution under the Prevention of Human Trafficking Act for spousal trafficking. Here are some of our most significant cases of over the past year.

PP v Azlin binte Arujunah & Ridzuan bin Mega Abdul Rahman [2020] SGHC 168

A married couple was charged for committing murder with common intention, by brutally scalding their biological five-year-old son to death with hot water over a few incidents in the course of a week. The substantive cause of death was severe scald injury. They also faced other charges for other acts of abuse such as by pinching the thighs and buttocks of their son with pliers, burning him with a heated spoon and confining him in a cat cage. They claimed trial to the charges, claiming diminished responsibility under Exception 7 to section 300 of the Penal Code. At the conclusion of trial, the High Court acquitted the accused persons of the joint murder charges and convicted them on amended charges under section 326 of the Penal Code and section 326 read with section 34 of the Penal Code. The accused persons were sentenced to 27 years’ imprisonment each. Ridzuan was also given the maximum 24 strokes of the cane while Azlin was given an additional one-year term in lieu of caning.

BLV v PP [2019] SGCA 62

The accused sexually abused his daughter on multiple occasions while she was aged between 11 and 13. The High Court convicted him after trial, rejecting his defence that he could not have committed the offences as his penis was in a deformed state at the time due to botched penis enlargement procedures. At the Court of Appeal, the accused applied to introduce new evidence, claiming that he had found a witness who had seen his penis in a toilet and could testify to its deformed state around the time of the offences. The case was then returned to the High Court to receive the new evidence. The High Court rejected the new evidence and agreed with the Prosecution that it was a product of collusion between the accused and witness. The Court of Appeal then affirmed the convictions and found that the accused had committed abuse of process, increasing his total imprisonment sentence by four and a half years on this basis. In doing so, the Court of Appeal accepted AGC’s proposed framework to determine the sentence where an offender abuses the process of court.

BPH v PP [2019] SGCA 64

The accused sexually abused his grandson, who was between seven and eight years old, on two occasions. In the High Court, he pleaded guilty to one count of aggravated sexual assault by digital-anal penetration and one count of outrage of modesty of a young person with three other charges taken into consideration for sentencing. The accused appealed against the sentence of 12 years’ imprisonment meted out to him. A five-member coram of the Court of Appeal upheld the sentence and agreed with the Prosecution’s submission that the sentencing framework for sexual assault by digital-vaginal penetration set out in *Pram Nair v PP* [2017] 2 SLR 1015 ought to apply to all penetrative sexual offences criminalised under section 376 of the Penal Code.

PP v BSR [2019] SGHC 64

This case involved the first prosecution under the Prevention of Human Trafficking Act (PHTA) for spousal trafficking. The accused also sexually abused his six-year-old biological daughter and 13-year-old niece. For the PHTA charge, the accused forced his wife to prostitute herself by regularly inflicting violence on and emotionally haranguing her to ensure she fulfilled a daily quota of customers. In a short span of three months, the accused’s wife provided sexual services to approximately 138 men, generating profits of nearly S\$11,000. The accused also forced his daughter to fellate him after he had engaged in sexual intercourse with his wife. In addition, he made his wife deceive her niece and ferry the 13-year-old to a motel on the day of her Primary School Leaving Examination, so that he was able to commit aggravated outrage of modesty against his niece. He also molested her on two prior occasions. The accused appealed against his sentence of 25.5 years’ imprisonment with the maximum of 24 strokes and a S\$12,000 fine. The Court of Appeal unanimously dismissed the appeal.



As we prepare to meet the challenges of the future, a simple mantra guides our officers: **Quality People, doing Quality Work, supported by Quality Systems and Processes.** We have invested heavily in our people, building their capabilities to focus and handle more complex tasks. We have engaged our clients more closely to better understand their priorities, striving to benefit the legal community and the public directly through our work. We have leveraged technology to improve our systems and processes. Here we highlight some of our most significant work in 2019 in investing in our people and building our capabilities.

BUILDING RELATIONSHIPS AND **SUPPORTING GROWTH OF OUR PEOPLE**

A Connected Public Sector Legal Community

As the largest legal department in the public sector, it is AGC's responsibility to facilitate the development of an ecosystem that will forge a more connected public sector legal community. Outreach and training of our public sector lawyers continue to be integral to our work. In 2019, AGC organised two seminars under the Public Sector Legal Forum (PSLF) Seminar Series, and held them in April and November respectively. Held in the years where the main Forum is not being conducted, the seminar series complements the PSLF and acts as a continuing platform for public sector lawyers to discuss legal issues affecting the public sector.

The inaugural seminar discussed "Client Centricity & the Government Lawyer", where Solicitor-General Kwek Mean Luck, SC shared his insights on what client centricity meant for the AGC lawyer and his seven guiding principles on client centricity. Participants shared their thoughts on client centricity in small group discussions and shared highlights with the rest of the participants.

The second seminar discussed "Legal Principles on Delegation and *Carltona*". 24 legal officers from across the public sector attended the seminar helmed by AGC's Denise Wong and Makoto Hong. Denise and Makoto had published an academic paper on "Legal Principles on Delegation and the *Carltona* Principle" in the Singapore Academy of Law Journal and were well-placed to share on topics such as the options for delegation and devolution under the *Carltona* principle.

AGC also worked with the public sector legal community to formalise a Public Counsel Legal Network. This provides another channel for public sector lawyers to network and collaborate, as well as jointly discuss Whole-of-Government issues and to brainstorm legal know-how and solutions. Response to our efforts has been very positive, as there is a growing consensus among public sector lawyers for the need for collaboration to achieve Whole-of-Government outcomes.



Strengthening Multilateral Ties Through Incoming And Outgoing Engagements

It is important for AGC to continue maintaining relations with our foreign counterparts to better understand common legal issues and learn from best practices. This strengthens our bond as an international legal community, as well as promotes international legal cooperation.

In 2019, AGC hosted several courtesy calls, official meals and study visits from international organisations and foreign government agencies such as the Ministry of Justice of the People's Republic of China (PRC), the Office of the Attorney General of Thailand, and the Supreme Prosecutors' Office of the Republic of Korea. AGC senior officers also made official visits to our counterparts in Vietnam and Lao People's Democratic Republic (PDR) to ink Memoranda of Understanding on cooperation.



Signing of the Memorandum of Understanding on Cooperation between AGC Singapore and SPP Vietnam by AG Lucien Wong and Vietnam Prosecutor General Le Minh Tri



AGC's Official Visit to Vietnam

- Delegation led by Attorney-General (AG) Lucien Wong in January 2019
- Signed a Memorandum of Understanding on Cooperation with the Supreme People's Procuracy of the Socialist Republic of Vietnam (SPP)
- Met with Permanent Deputy Prime Minister Truong Hoa Binh, Prosecutor General Le Minh Tri and Minister of Justice Le Thanh Long



AGC's Official Visit to Lao PDR

- Delegation led by AG Lucien Wong in June 2019
- Signed a Memorandum of Understanding on Cooperation with the Office of the Supreme People's Prosecutor of Lao PDR
- Met with President of the National Assembly Pany Yathotou and Supreme People's Prosecutor Khamsane Souvong



9th Event of the Attorney General's Chambers of Brunei, Malaysia and Singapore (Tri-AGC), held in Brunei Darussalam

- Delegation led by AG Lucien Wong in October 2019
- Met with Sultan of Brunei H.M. Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah, Attorney General of Brunei Dato Paduka Haji Hairol Arni bin Haji Abdul Majid, and Attorney General of Malaysia YBhg. Tan Sri Tommy Thomas





Delegates at the 9th Event of the Attorney General's Chambers of Brunei Darussalam, Malaysia and Singapore (Tri-AGC), hosted in Brunei in October 2019





Incoming Courtesy Calls, Official Meals and Study Visits

In 2019, AGC received the following guests

-  Mr Michael Lauber, Attorney General of Switzerland
-  Mr Mahmoud D. Hmoud, Ambassador of Jordan to Singapore
-  Mr Jawed Ashraf, High Commissioner of India to Singapore
-  Mr Fabrice Filliez, Ambassador of Switzerland to Singapore
-  Mr Xiong Xuanguo, Vice Minister of Justice of the People's Republic of China (PRC)
-  Ms Supa Piyajitti, Commissioner of the National Anti-Corruption Commission of Thailand
-  Mr Marat Beketayev, Minister of Justice of Kazakhstan
-  Judge Xue Hanqin, Vice President of the International Court of Justice
-  U Tun Tun Oo, Union Attorney General of Myanmar
-  Mr William Byaruhanga, Attorney General of Uganda
-  Mr Cyrus Vance Jr., District Attorney of New York County, United States
-  Ms Kara Owen, British High Commissioner to Singapore
-  Mr Nguyen Huy Tien, Deputy Prosecutor General of Vietnam
-  Dr Arminsyah, Vice Attorney General of Indonesia
-  Mr Muhamedov Begmurat Rahmangulyevich, Minister of Justice of Turkmenistan



From left to right: SG Kwek Mean Luck, SC; AG Lucien Wong; Mr Cyrus Vance Jr., District Attorney of New York County, US; Mr Kenn Kern, Chief Information Officer and Special Assistant for International Relations, District Attorney of New York County, US; DAG Hri Kumar Nair, SC

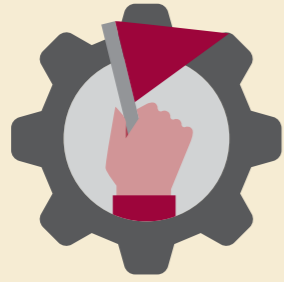
Sharing Singapore's Perspectives On International Law

To increase Singapore's mindshare on the international stage, AGC officers spoke at international fora and seminars as panellists to share our perspectives. These included the following:

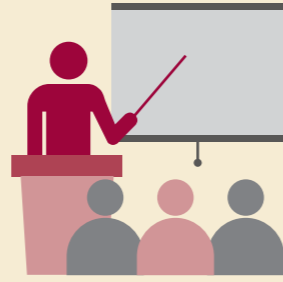
- 74th United Nations General Assembly — Director-General Daphne Hong moderated the panel "The ICJ and ITLOS — Is There A Place For Judicial Dialogue Between Them?" comprising International Court of Justice (ICJ) Judge Peter Tomka and International Tribunal for the Law of the Sea (ITLOS) President Judge Paik Jin-Hyun
- Centre for International Law International Law Year in Review Conference 2019 — Deputy Director-General (DDG) Danielle Yeow spoke on how international law remains critical in Singapore today, while Deputy Attorney-General (DAG) Lionel Yee, SC and Senior State Counsel (SSC) Ong Chin Heng presented on international law developments in the region
- 113th Annual Meeting of the American Society of International Law — DAG Lionel Yee, SC was a panellist on the topic: "A State's Many Roles In International Adjudication", while DDG Danielle Yeow was a panellist on the topic "International Courts As A Counterweight To Power Asymmetries"
- ASEAN Law Academy 2019 Changemaker Programme — SSC Ong Chin Heng presented on the topic "Organising The Public Bureaucracy To Ensure Effective Implementation And Compliance With ASEAN Commitments"
- Foreign & Commonwealth Office Legal Conference 2019
- 43rd Center for Oceans Law & Policy Conference — SSC Rena Lee delivered the keynote address titled "The Journey To Realisation"
- International Association of Prosecutors Annual Conference — The theme of the conference was "International Co-operation Across Different Legal Systems". DAG Lionel Yee, SC delivered a plenary address on the collection and sharing of evidence across borders and Solicitor-General Kwek Mean Luck, SC spoke on benefits of joint and parallel investigations in tackling cross-border corruption
- China-ASEAN Prosecutors-General Conference — Attorney-General (AG) Lucien Wong delivered a speech on Singapore's efforts in combating trafficking in persons
- International Symposium on Economic Crime — AG Lucien Wong and DAG Hri Kumar Nair, SC delivered keynote addresses on Singapore's multipronged approach against transnational economic crime and the continued relevance of the Financial Action Task Force respectively



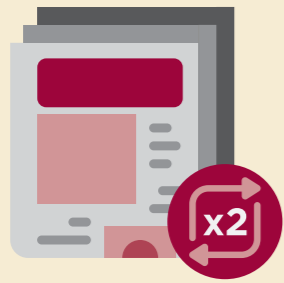
Supporting Growth And Development Of Our Officers



Developed a **Leadership Development Architecture**



Designed a **Foundational Leadership Programme**



Increased **publication frequency of the Knowledge Management (KM) Bulletins** from bi-weekly to weekly



Embarked on a **Legal Memos project**

In 2019, AGC worked with the Civil Service College (CSC) to develop a Leadership Development Architecture, providing a framework that ensured alignment between AGC's Mission, Vision, Core Values, Leadership Philosophy, overall transformation agenda and its suite of leadership programme offerings. Officers from different divisions and seniority in AGC were involved in various interviews conducted by CSC for this project.

In support of the development of our young and upcoming leaders within AGC, a two-week Foundational Leadership Programme (FLP) was designed to support the transition of an AGC officer from an individual contributor to one who had leadership responsibilities and influence in the organisation. Two runs of the FLP were completed in 2019 and officers from different AGC divisions were involved as speakers or resource persons during the programme.

Besides attending training courses, it is important for our officers to keep abreast of developments in the law and take stock of the latest court judgments and relevant legal issues. To support AGC officers, AGC Academy increased the publication frequency of their KM Bulletins from a bi-weekly bulletin to one that publishes weekly. These bulletins capture notable local and foreign judgments and key legal developments.

Additionally, AGC Academy embarked on a Legal Memos project for senior legal service officers to capture their knowledge or experience in a particular area of law via electronic memos, ensuring that the institutional knowledge of our best legal service officers will be passed on to the next generation.

MAKING OUR WORK MORE ACCESSIBLE TO THE PUBLIC

Making Legislation More Accessible To The Public

Given that most people access Singapore's legislation online, AGC has been working on making more historical versions of legislation available on the Singapore Statutes Online (SSO) website.

To support public understanding of our legislation, AGC released a short YouTube video in October 2019 entitled "Introduction to Singapore Legislation". The video, also accessible via the SSO website, gives laypersons an overview of Singapore's legislation and how legislation is made. The video initiative is part of AGC's Plain Laws Understandable by Singaporeans (PLUS) Project. There are plans to release more videos to help the public navigate and read Singapore's legislation.



"Introduction to Singapore Legislation"
YouTube video



Preparing The 2020 Revised Edition Of Singapore Acts

Since the last revised edition of Singapore Acts in 1985, drafting styles have evolved, with greater use of plain English, shorter sentences and gender-neutral language. Accordingly, the Law Revision Commission, assisted by the Legislation Division of AGC, is working on a 2020 Revised Edition of Singapore Acts, to be published by 1 July 2021. In line with AGC's PLUS initiative, AGC intends for the 2020 Revised Edition to conform to current drafting styles and reflect a more comprehensive and user-friendly legislative history.

In preparation for this universal revision exercise, AGC ran an in-house law revision training with Mr Lionel Levert, a Law Revision Specialist from Canada, in April 2019. The training brought law drafters and legal executives together to discuss issues commonly encountered in the revising of legislation, and to get a sense of each other's perspectives to achieve greater consistency in revision rewriting. Participants worked on and discussed real-life examples over the five days of training, with participants divided into two groups for more interactions and discussions.

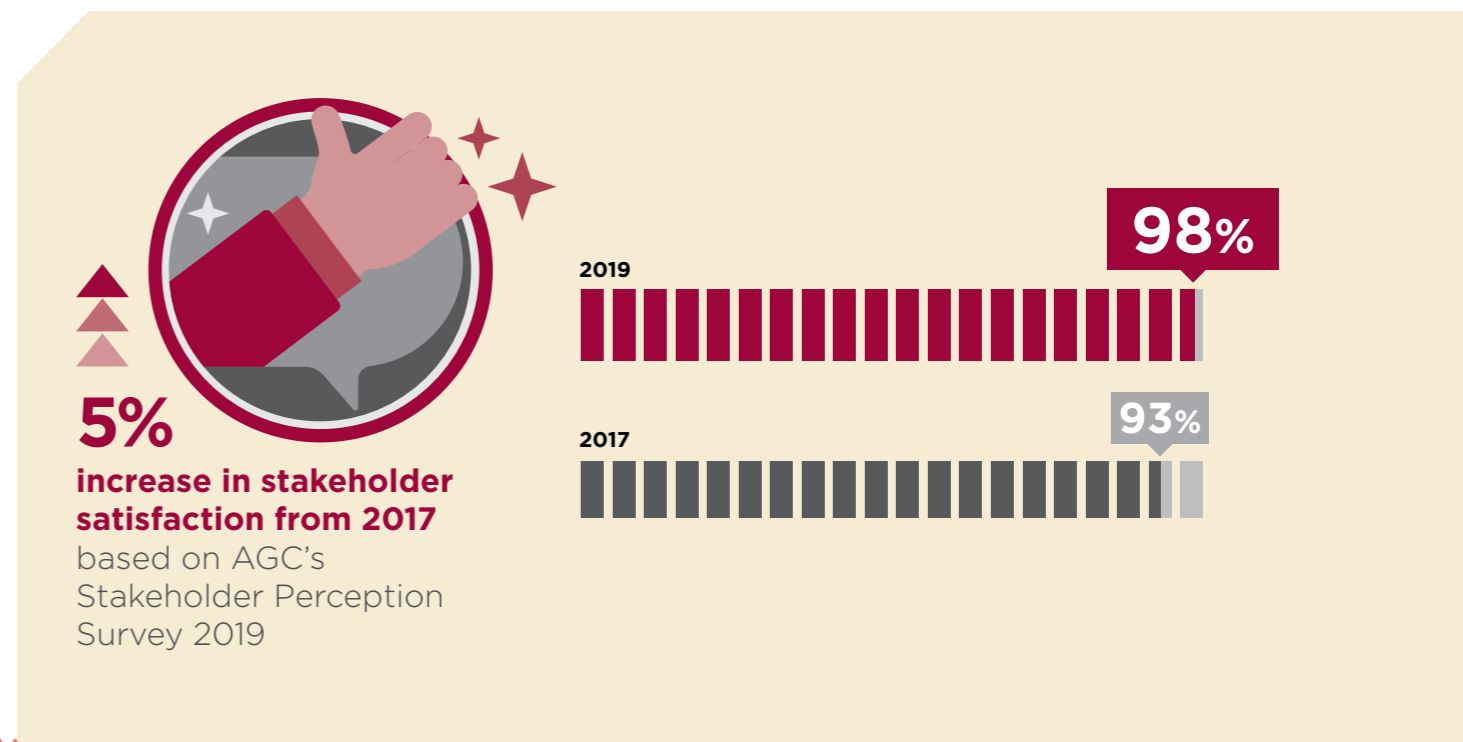
Increasing Our Reach On Social Media

To expand our public communications outreach, AGC launched our Twitter account (@agcsingapore) in May 2019, sharing our latest media statements and news features.



TECHNOLOGY AS LEVERAGE TO IMPROVE OUR SYSTEMS AND PROCESSES

AGC continuously strives to improve our systems and processes by using technology to augment our work, allowing us to work more efficiently and smarter. According to our biennial Stakeholder Perception Survey 2019, 98% of our stakeholders and clients were satisfied with AGC and its services. This was a significant improvement in stakeholder satisfaction from 2017, which stood at 93%. AGC continued to be rated highly on professional knowledge and expertise, as well as clarity of communication. In 2019, AGC was also awarded the Singapore Quality Class STAR certification, with niche standards in People and Innovation. This is the highest certification that AGC has attained to date from Enterprise Singapore. We elaborate below on specific initiatives taken to improve our systems and processes.



Ensuring AGC's Cybersecurity

To improve the security posture and cybersecurity awareness of our officers, the AGC Cyber Security Committee carried out several initiatives. These included encouraging officers to participate in the Public Service's online cybersecurity course, sharing tips with our officers on staying secure online, as well as alerting officers to phishing e-mails when they are discovered. The Committee was formed in May 2019 with officers from AGC's Crime Division, Computer Information Systems Department and Legal Technology and Innovation Office.

Expanded In-house Publication Of Subsidiary Legislation

By doing the typesetting and proof-reading in-house, AGC has been able to publish legislation (regardless of its length or complexity) within shorter timelines, giving our clients greater flexibility. Since 1 February 2020, LEGIS has taken over 100% in-house publication of subsidiary legislation for all Ministries and their statutory agencies, town councils and for the Courts, Cabinet Office, Public Service Commission, the Law Society of Singapore and the Singapore Law Academy.

Using Technology To Improve Work Processes



Exploring the use of text-to-speech technology and a proof of concept software

AGC is currently exploring the use of text-to-speech technology. A proof of concept software has been developed and customised to facilitate the two-way reading process during AGC's proofreading of draft legislation.

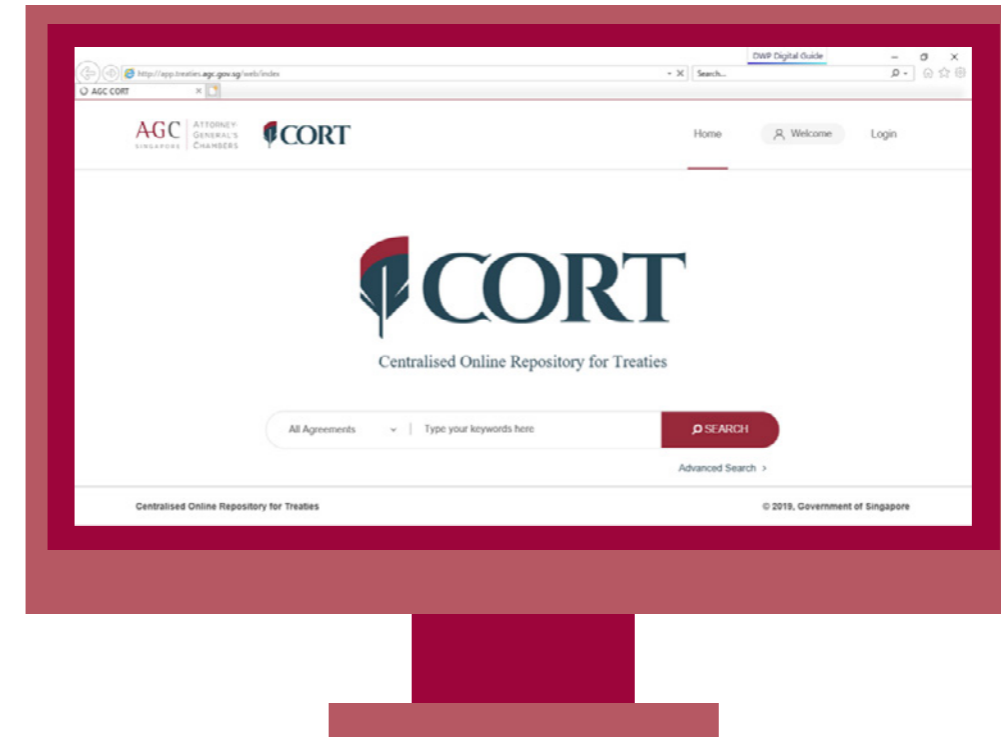


Piloting a platform to create intelligent checklists and smart document templates

The Civil Division launched a procurement contract generator application which was used by over 30 Government agencies, after a successful prototype run in 2018. A checklist and document generator was also created as an 'automated expert' to guide junior international law practitioners through the complexities of the Mutual Assistance in Criminal Matters Act. Exploratory discussions were held with Crime Division officers and law enforcement agencies to discuss the automation of the drafting of charges using the platform.

Better Knowledge Management On International Treaties

AGC revamped the Centralised Online Repository for Treaties (CORT) hosted on the Government Intranet to improve its user interface. The revamped site was launched in October 2019. CORT is undergoing a second phase of revamp to improve its search functions, which is slated for completion in 2020. With improved user interface and search functions, the revamped CORT will assist Government agencies in retrieving information on agreements that Singapore is party to more efficiently.



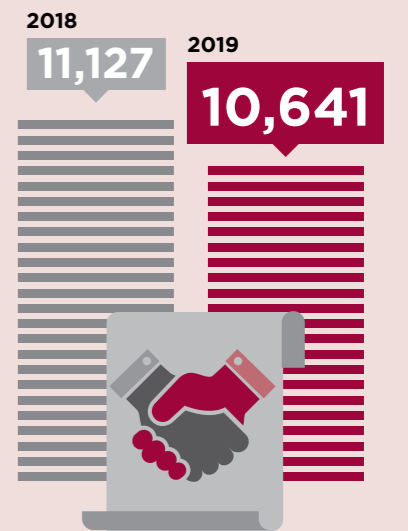
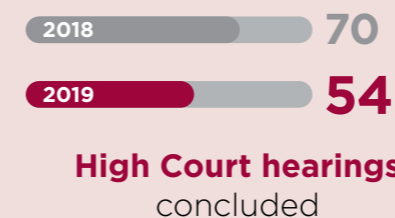
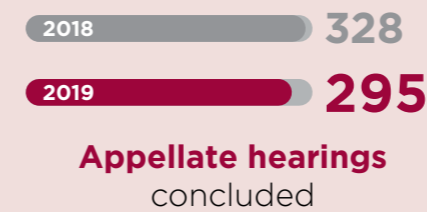
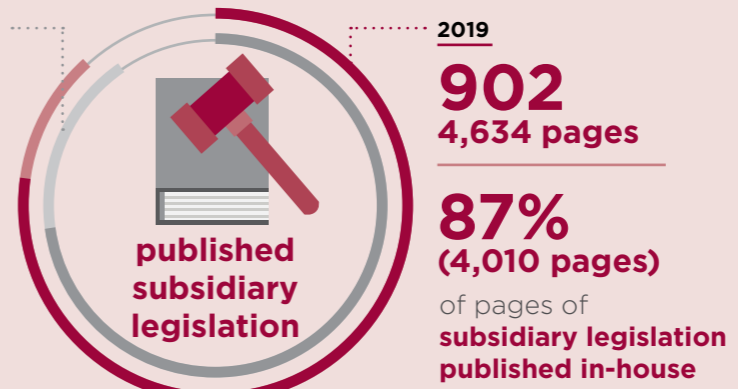
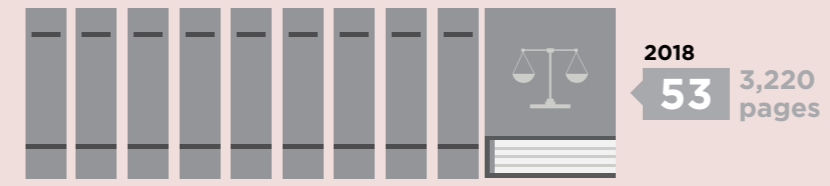
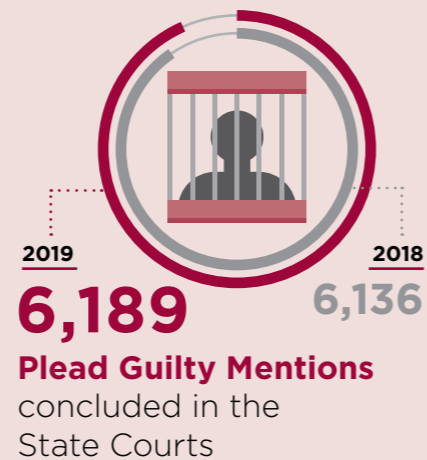
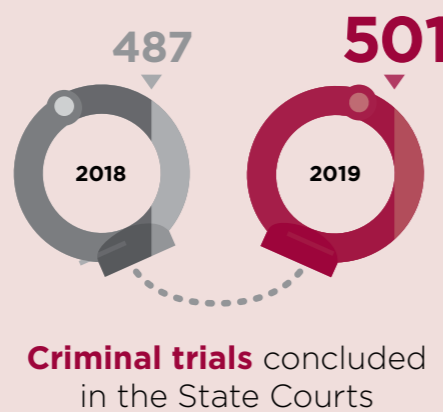
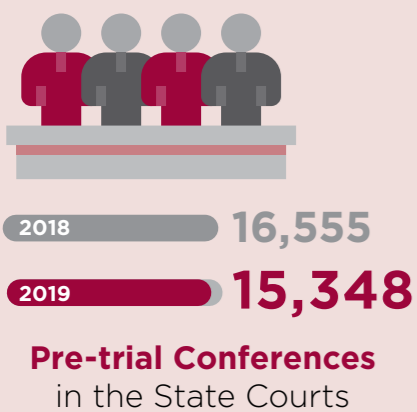
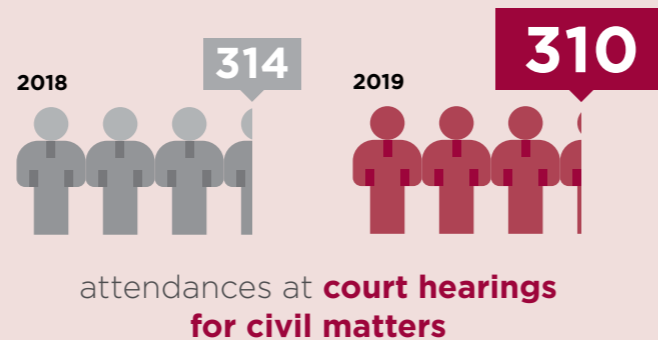
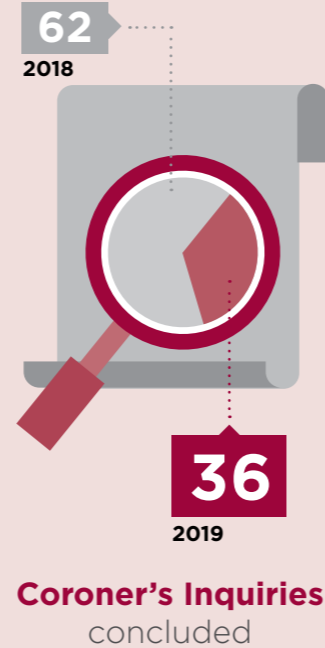
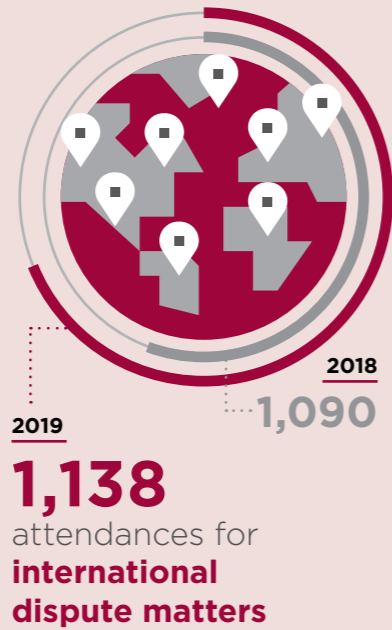
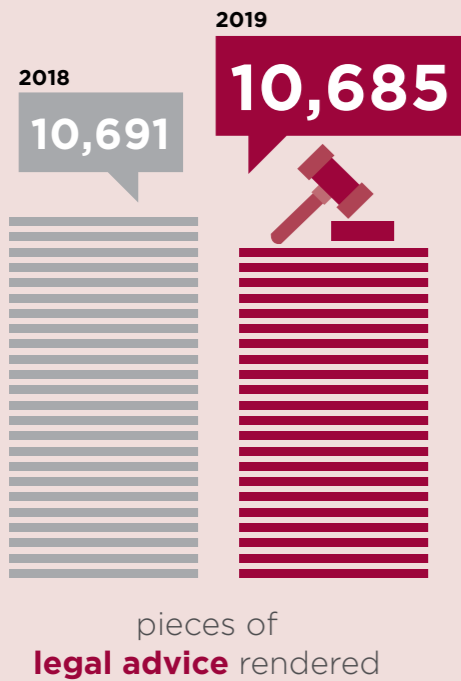
Centralised Online Repository for Treaties (CORT) on the Government Intranet

Additionally, AGC conducted a series of engagement sessions with Government agencies to share on the treaty-making process and address the concerns or queries that agencies had. The engagement sessions also increased agencies' awareness about the Treaties Section's presence in AGC, which can assist them with the treaty-making process. Additionally, AGC also prepared and disseminated a Treaty Handbook to Government agencies as a general guide to the treaty-making process. The creation of a single common resource for reference is aimed at standardising the treaty-making process across the public sector.

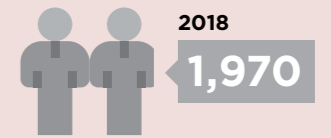




2019 KEY FIGURES FOR AGC



pages drafted/reviewed for transactions matters

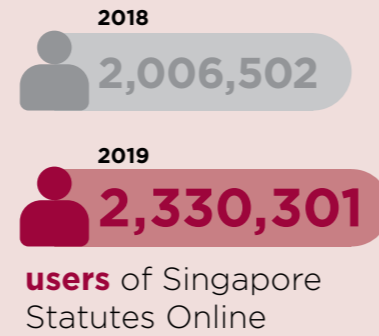
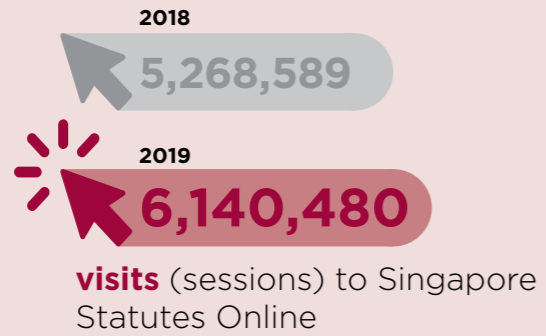


attendances at international negotiations and meetings

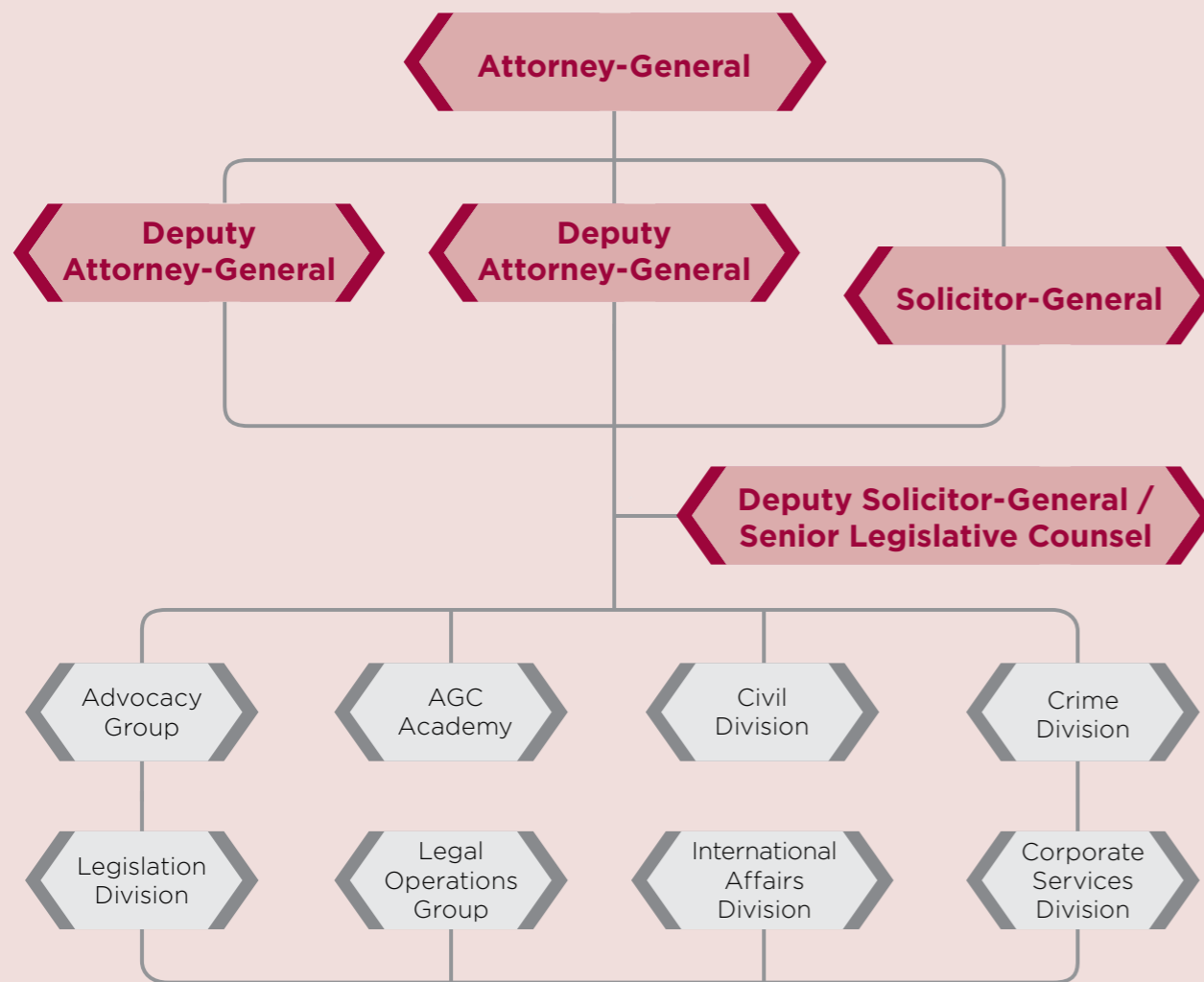


Key figures from 2018 have been included here for comparison.

2019 KEY FIGURES FOR AGC



ORGANISATIONAL CHART





www.agc.gov.sg