

Attorney-General's Chambers

Annual Summary – Significant Work Highlights of 2015

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❖ Key Strategic Initiatives 2015

CIVIL DIVISION

The Civil Division of the Attorney-General's Chambers ("AGC") 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 Government ministries and Organs of State on a broad spectrum of complex legal issues such as constitutional and administrative law, government finance, data protection, public procurement, land acquisition and charity law. It also represents the Government and certain public institutions in legal proceedings and alternative dispute resolution.

HIGHLIGHTS OF WORK DONE IN 2015

(1) Major cases

(a) ***Attorney-General v Aljunied-Hougang-Punggol East Town Council ("AHPETC")*** [2015] 4 SLR 474; ***Attorney-General and the Housing Development Board ("HDB") v AHPETC*** [2015] 1 SLR 915

AGC successfully represented the HDB in obtaining court orders to compel AHPETC to rectify Town Councils Act ("TCA") non-compliances. This case dealt with the novel question of the legal accountability of town councils under the TCA for financial mismanagement.

See *Attorney-General and the HDB v AHPETC* [2015] 1 SLR 915 at <http://bit.ly/1YUQL1d> (accessed 22 February 2016)

(b) ***Robin Per Ah Seng and anor v the HDB and Attorney-General*** [2016] 1 SLR 1020; [2015]

The HDB decided to compulsorily acquire the Plaintiff's HDB Flat due to unauthorised subletting, which decision was upheld on appeal to the Minister (National Development). The Plaintiff applied for judicial review to quash the HDB's and the Minister's decisions. The Court of Appeal agreed with AGC that the Plaintiff's application was without merit.

See *Robin Per Ah Seng and anor v the HDB and Attorney-General* [2016] 1 SLR 1020 at: <http://bit.ly/1MjUPAW> (accessed 22 February 2016)

(c) ***Attorney-General v Linda Lai Swee Lin*** [2015] 5 SLR 1447

AGC successfully obtained an order under s 74 of the Supreme Court of Judicature Act restraining a vexatious litigant from pursuing legal action on matters already judicially determined. The Defendant has appealed against the order and the appeal has been fixed for hearing before the Court of Appeal in the week of 6 to 13 May 2016.

See *Attorney-General v Linda Lai Swee Lin* [2015] 5 SLR 1447 at: <http://bit.ly/1S1v7pa> (accessed 22 February 2016)

(d) ***Vijaya Kumar s/o Rajendran and Others v Attorney-General*** [2015] SGHC 244

AGC successfully resisted a judicial review leave application (on equality and freedom of religion grounds) challenging restrictions on the playing of musical instruments during Thaipusam foot processions.

(e) ***Tan Lip Tiong Rodney (deputy for Tan Yun Yeow) v Commissioner of Labour and another matter*** [2015] 3 SLR 604

The case centred on the issue of whether the brother (of a mentally incapacitated employee (“the Employee”) who was injured in the course of his work) had the capacity to make a claim for compensation under the Work Injury Compensation Act (“WICA”) on behalf of the Employee, without having been appointed as deputy. The High Court agreed with the Attorney-General that the next-of-kin of a mentally incapacitated employee did not have, without more, the requisite capacity to make a claim on behalf of the Employee under the WICA (and therefore the Notice of Assessment was *ultra vires*). Only a person duly appointed by the court under the Mental Capacity Act would have the legal capacity to do so.

The insurers for the employer appealed the High Court’s decision, but their appeal was dismissed by the Court of Appeal on 29 March 2016.

See *Tan Lip Tiong Rodney (deputy for Tan Yun Yeow) v Commissioner of Labour and another matter* [2015] 3 SLR 604 at: <http://bit.ly/1pr57L6> (accessed 22 February 2016)

(f) *Madan Mohan Singh v Attorney-General* [2015] 2 SLR 1085

The applicant, a former counsellor to Sikh inmates, filed a judicial review application, seeking to quash a hair grooming policy for Sikh prisoners (who are shorn and shaven when admitted to prison) by the Singapore Prisons Service and/or to declare that his right to freedom of religion had been violated. The High Court allowed the Attorney-General’s application to strike out the case, on the basis that the applicant had no *locus standi*, and no reasonable cause of action and the case was frivolous, vexatious and an abuse of the process of the Court.

See *Madan Mohan Singh v Attorney-General* [2015] 2 SLR 1085 at: <http://bit.ly/1YUUbkl> (accessed 22 February 2016).

(g) *Ting Choon Meng v Attorney-General and another appeal* [2016] 1 SLR 1248

This matter concerned the novel issue of whether the Government could apply for a remedy under s 15 of the Prevention from Harassment Act when false statements are made about it.

The District Court ruled that the Government could do so. However, the decision was overturned on appeal to the High Court. The matter is now pending appeal to the Court of Appeal.

See *Ting Choon Meng v Attorney-General and another appeal* [2016] 1 SLR 1248 at: <http://bit.ly/1QU5EOj> (accessed 22 February 2016)

(h) *Faith Community Baptist Church (“FCBC”) v Attorney-General (unreported)*

A judicial review leave application (on freedom of religion grounds) to challenge the decision of a Minister (Manpower) was withdrawn by FCBC on terms favourable to AGC whilst awaiting appeal to the Court of Appeal.

(i) *Han Hui Hui v the National Parks Board and Attorney-General (unreported)*

The Plaintiff withdrew judicial review proceedings challenging the rejection of her application to speak/demonstrate at Speakers’ Corner, on terms favourable to the Attorney-General and the National Parks Board.

(j) *R. Angelina v AG & Minister (Law) (unreported) (freedom of religion) and Vellama d/o Marie Muthu v the Public Utilities Board (“PUB”) (unreported) (right to water)*

In separate constitutional challenges, the Plaintiffs’ cases were withdrawn on terms favourable to the Attorney-General after AGC applied to strike out the actions.

(k) *Yan Jun v Attorney-General (Suit 257/2013) (unreported)*

The Court granted AGC’s application to dismiss the case due to the Plaintiff’s failure to comply with an “unless” order. The Plaintiff’s application to set aside the case’s dismissal was successfully resisted by AGC.

(l) *Yan Jun v Family Justice Courts (HC/OS 219/2015) (unreported)*

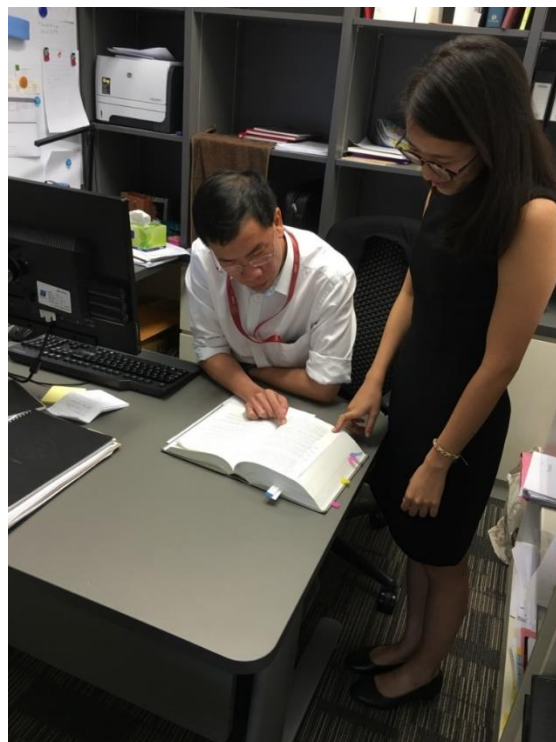
AGC applied and struck out judicial review proceedings brought by the Plaintiff to quash three orders made by the Family Justice Courts.

(m) *Zheng Zhong Mei v Hu Shuxuan and anor (unreported)*

AGC acted for two child protection officers from the Ministry of Social and Family Development, and successfully struck out two suits brought against them by a parent whose child was subject to care and protection orders under the Children and Young Persons Act.

(n) *Civil Penalty Work for the Monetary Authority of Singapore (“MAS”)*

AGC acted for the MAS in a civil penalty case which resulted in a significant penalty of \$11.8 million being imposed for insider trading/manipulation contraventions under the Securities and Futures Act.



(above) Case discussion with Deputy Chief Counsel (Advisory)

(2) Key initiatives / Other Legal Work

(a) Elections 2015

The Division provided a broad range of assistance for the 2015 Elections. This included legal advice, vetting of key documents, training of elections officials as well as being deployed on Nomination Day and Polling Day.

(b) Attorney-General (Additional Functions) Act 2014

The Attorney-General (Additional Functions) Act 2014 came into effect on 1 January 2015. In 2015, 20 statutory boards were gazetted under the Schedule to the Attorney-General (Additional Functions) Act 2014, in addition to the initial two, and the Division represented the Public Utilities Board, the National Parks Board, the HDB and the Intellectual Property Office of Singapore in court.

(c) High Speed Rail Project between Singapore and Malaysia

The Division advised the multi-ministry team on various issues in relation to the proposed High Speed Rail Project between Singapore and Malaysia.

(d) MyInfo

The Division provided legal advice on a number of inter-agency digital governance projects, including MyInfo, a ground-breaking online platform that improves public service delivery and conveniently provides a one-stop online data repository for citizens and residents to conduct online transactions with participating organisations.

(e) Smart Nation

As part of the Government's Smart Nation initiative, the Ministry of Transport and Land Transport Authority have been considering the introduction of various types of autonomous vehicles. The Division has been working closely with both entities to provide advice on a broad range of legal issues that may arise from the use of autonomous vehicles in Singapore. The Division has also assisted in drafting and vetting numerous contracts and agreements relating to proposed and on-going trials at various locations throughout Singapore.



(above) Aiming for greater heights



(above) Quick huddles before regular meeting with LSOs from Ministries

Key figures for calendar year 2015



CRIMINAL JUSTICE DIVISION

The Criminal Justice Division (“CJD”) is responsible for all prosecutions except those relating to financial 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.

HIGHLIGHTS OF WORK DONE IN 2015

(1) Major Cases

(a) *Public Prosecutor v Lim Choon Teck* [2015] SGHC 265

This marked the first time in Singapore’s legal history where the Prosecution appealed against a sentence on the ground that it was manifestly excessive. The accused unlawfully rode a bicycle within a bus stop at an unsafe speed and collided with a 69-year-old woman, causing her to fall and fracture her arm and wrist. The accused had been sentenced by the District Court to eight weeks’ imprisonment. On appeal, the High Court agreed with the Prosecution that the sentence was manifestly excessive, and reduced it to three weeks’ imprisonment. The Prosecution explained in a media statement that it “is a crucial aspect of the Public Prosecutor’s role in protecting the public interest – to secure a fair, proportionate sentence that is neither manifestly inadequate nor manifestly excessive.”

See *Public Prosecutor v Lim Choon Teck* [2015] SGHC 265 at <http://bit.ly/1M1ZbMN> (accessed 7 March 2016).



(above) Media report concerning PP v Lim Choon Teck (Source: The New Paper)

(b) *Public Prosecutor v Chong Hou En* [2015] SGHC 69

The accused faced charges for secretly filming upskirt videos and videos of people naked in the shower, and for possessing obscene films. The District Court sentenced the accused to probation on the ground that he suffered from voyeurism and fetishism. On appeal, the Prosecution led expert evidence to show that persons suffering from these conditions retained the capacity to exercise self-control over their actions. The High Court accepted this evidence, and sentenced the accused to a total of 16 weeks' imprisonment.

See *Public Prosecutor v Chong Hou En* [2015] SGHC 69 at <http://bit.ly/1W1N1cD> (accessed 7 March 2016).

(c) *GAJ v Public Prosecutor* [2015] SGHC 134

The accused was a teacher at a local junior college who had engaged in sexual activity with a 14-year-old minor he met online. On appeal, the accused was sentenced to a cumulative term of 12 months' imprisonment. The High Court held that the vulnerability of the minor and the degree to which he had been exploited by the accused serve as the paramount sentencing considerations for such offences.

See *GAJ v PP* [2015] SGHC 134 at <http://bit.ly/1QAJUIh> (accessed 7 March 2016).

(d) *Winston Lee Siew Boon v Public Prosecutor* [2015] SGHC 186

The accused, a doctor, was convicted after trial for outraging the modesty of his female patient. On appeal, the accused argued that the judge presiding over the trial had erred in not ordering the Prosecution to disclose the complainant's police statements pursuant to the principles set out in the case of *Muhammad Bin Kadar and another v Public Prosecutor* [2011] SGCA 32. The High Court rejected this argument. In doing so, it made important pronouncements on the procedure to be adopted when future applications to compel the Prosecution to disclose material are made. By way of a Criminal Motion, the accused then applied for leave to refer questions of law to the Court of Appeal pursuant to section 397(1) of the Criminal Penal Code. The criminal motion was dismissed.

See *Winston Lee Siew Boon v Public Prosecutor* [2015] SGHC 186 at <http://bit.ly/21Uckki> (accessed 7 March 2016) and *Lee Siew Boon Winston v Public Prosecutor* [2015] SGCA 67 at <http://bit.ly/1QR1tTg> (accessed 14 March 2016).

(e) *Lim Bee Ngan Karen v Public Prosecutor* [2015] SGHC 183

The accused was convicted and sentenced for having committed various illegal 4-D and soccer betting offences. Separately, the accused's brother and an acquaintance, who committed similar offences, had received lower sentences for their individual charges. On appeal, the High Court held that the principle of parity in sentencing applied across all three individuals as they were involved in a common criminal enterprise, and this was although they did not all commit the self-same crime. The accused's sentence was reduced accordingly.

See *Lim Bee Ngan Karen v Public Prosecutor* [2015] SGHC 183 at <http://bit.ly/1R246VJ> (accessed 7 March 2016).

(f) *Public Prosecutor v Rosman Bin Anwar and another appeal* [2015] SGHC 247

The accused persons, who are husband and wife, had been convicted on charges of voluntarily causing hurt to their domestic maid. They were sentenced to a total of two weeks' imprisonment and four weeks' imprisonment respectively.

The Prosecution appealed on the ground that the sentences were manifestly inadequate. The High Court agreed with the Prosecution, but noted that the wife had completed serving her sentence by the time of the appeal and that this justified some discount to the final sentencing equation. The wife was subsequently sentenced to eight weeks' imprisonment in total, and the husband to six weeks' imprisonment in total.

See *Public Prosecutor v Rosman Bin Anwar and another appeal* [2015] SGHC 247 at <http://bit.ly/1nqjvBe> (accessed 7 March 2016).

(g) *Muhammad Ridzuan bin Mohd Ali v Attorney-General* [2015] SGCA 53

The applicant had been convicted on two charges of trafficking in diamorphine, one of which involved 72.05g of the drug. The Public Prosecutor decided against issuing him with a certificate of substantive assistance, and the applicant was sentenced to death. The applicant sought leave to commence judicial review proceedings against the Public Prosecutor's decision. The High Court refused to grant the leave, and the Court of Appeal dismissed the applicant's subsequent appeal. In doing so, the Court of Appeal made important observations concerning judicial review of decisions of this nature made by the Public Prosecutor. This included observations on issues relating to the burden of proof, equal treatment under the law, and bad faith.

See *Muhammad Ridzuan bin Mohd Ali v AG* [2015] SGCA 53 at <http://bit.ly/21QZ9E7> (accessed 7 March 2016).

(h) *Public Prosecutor v Koh Wen Jie Boaz* [2015] SGHC 277

The accused, an 18-year-old male, had vandalized the top of a block of Housing Development Board flats with expletives directed at a local political party. Although he had committed this offence whilst on probation, a District Judge sentenced the accused to another term of probation as he had displayed signs of a positive turnaround in the days leading up to the sentencing. On appeal, the High Court agreed with the Prosecution that the sentence of probation was manifestly inadequate and sentenced the accused to reformatory training. The Court took the view that re-offending while on probation was a very relevant consideration, and that the accused might have been incentivised to put up a favourable front prior to his sentencing.

See *Public Prosecutor v Koh Wen Jie Boaz* [2015] SGHC 277 at <http://bit.ly/1SsXZsx> (accessed 7 March 2016).

(i) *Mohd. Fauzi Bin Mohamed Mydin v Public Prosecutor* [2015] SGHC 313

The accused was sentenced to the mandatory minimum sentence provided by law for an offence of drug consumption. Notwithstanding this, the accused appealed on the ground that the sentence was manifestly excessive. The High Court dismissed the appeal, and also expressed the view that the Courts can and should consider summary rejection of similar appeals in future, as provided for under the Criminal Procedure Code (Cap 68, 2012 Rev Ed).

See *Mohd. Fauzi bin Mohamed Mydin v Public Prosecutor* [2015] SGHC 313 at <http://bit.ly/1L9Gkoc> (accessed 7 March 2016).

(j) *Wham Kwok Han Jolovan v Attorney-General* [2015] SGHC 324

The applicant was issued a warning to refrain from conduct amounting to an offence under the Public Order (Unrestricted Area) Order 2013 (S 30/2013), which pertained to the organising of a candlelight vigil at Hong Lim Park. He sought leave to commence judicial review proceedings to quash this warning.

The High Court refused to grant leave, and took the view that a warning is no more than an expression of the opinion of the relevant authority that the recipient has committed an offence. It does not bind the recipient, and does not and cannot amount to a legally binding pronouncement of guilt or finding of fact.

See *Wham Kwok Han Jolovan v Attorney-General* [2015] SGHC 324 at <http://bit.ly/1OX7gm3> (accessed 7 March 2016).



(above) Shangri-La Shooting: Inquiry into the Death of Mohamad Taufik bin Zahar (Source: The Straits Times)

(2) Major Inquiry: Coroner's Inquiry into the Death of Mohamad Taufik bin Zahar

From 29 to 31 May 2015, the Shangri-La Hotel was the venue for the 14th Asian Security Summit. The Police conducted a series of road blocks and security checks at and around this venue as part of a high level of security adopted for this event.

On 31 May 2015 at about 4.17 am, the deceased drove and crashed his car through concrete barriers set up for this event. As there was no indication of the car stopping despite repeated warnings, police officers opened fire at the car, killing the deceased.

A Coroner's Inquiry was convened to inquire into the circumstances leading to the deceased's death, which is on-going. The opening statement made by the Attorney-General's Chambers in this case can be found at <http://bit.ly/21QZsyO> (accessed 7 March 2016).

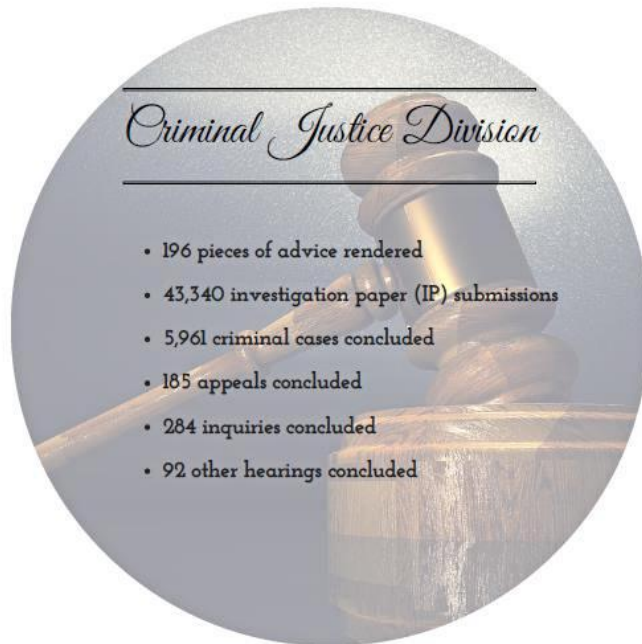
(3) Key Initiative: Completion of the Sentencing Module

The principle of equal justice, which includes the general objective of consistency in sentencing, is critical to maintaining public confidence in the administration of justice. To that end, the Division has in the past year compiled a Sentencing Module bringing together the leading cases on sentencing spanning 45 provisions of the Penal Code (Cap 224, 2008 Rev Ed), as well as 26 other statutes containing penal provisions. This Module covers decisions made from 2012 to date, and is designed to complement existing works and publications on cases decided before that year. With this Module, officers of the Division now have quick and easy access to sentencing precedents with which to assist the courts.

SENTENCING BENCHMARKS
Sentencing Practice of the Subordinate Courts (2013 ed)
Sentencing Benchmarks (AGC Compilations)
Sentencing Precedents (AGC Reports) (WIP)
Outcomes of MAs / CAs
SENTENCING PRINCIPLES
Sentencing Principles (Case Law)
AGC Guidelines & Practices (Circulars & Other Materials)
Foreign Sentencing Guidelines & Research

(above) Sentencing materials available to officers of the CJD

Key Figures for Calendar Year 2015



*IPs may be submitted to AGC more than once. **Inquiries include disposal inquiries, committees of inquiry and preliminary inquiries (now known as committal hearings).

***Other hearings include criminal motions, criminal revisions, criminal references and originating summonses.

Financial and Technology Crime Division

The Financial and Technology Crime Division (“FTCD”) 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 (Cap. 289, 2006 Rev Ed) (“SFA”) together with the Civil Division, and represents Singapore at meetings of the Financial Action Task Force together with the International Affairs Division (“IAD”) and other Government agencies.

HIGHLIGHTS OF WORK DONE IN 2015

(1) Major Cases Handled by the General Commercial Crimes Directorate

(a) *Public Prosecutor v Chew Chiew Loon Jover and Four Others* (DAC 919820 of 2010 and Others)

The owner of a shop selling mobile devices was jailed for 33 months for cheating unsuspecting foreigners. The shop’s illegal sales tactics involved deceptively low sales prices, coupled with a “warranty package” tacked on to compel a “settlement” on terms favourable to the shop. The owner’s four salesmen were jailed between four and fourteen months.

(b) *Public Prosecutor v Tan Yong Hai* (DAC 32340 of 2014 and Others)

A fugitive who was on the run for misappropriating \$1.42 million from his employer in 2012 returned in 2013 to defraud a public-listed company of \$3.59 million with the help of a childhood friend. The fugitive and his co-conspirator were jailed nine years three months and six years respectively.

(c) *Public Prosecutor v Yan Khek Yong* [2015] SGDC 11

An 89-year old wheelchair-bound victim was manipulated by his real estate agent into giving him five cash cheques totalling \$559,200 meant as payment for a smaller apartment to house his intellectually-impaired daughter. The agent was convicted even though the victim had passed on by the time of the trial. The agent received a jail term of five years and three months.

(2) Major Cases Handled by the Corruption Directorate

(a) *Public Prosecutor v Rajendran s/o R Kurusamy* (DAC 919976/2015 and Others)

A seasoned match-fixer was jailed for 48 months for masterminding a conspiracy with three foreigners to fix the outcome of a 2015 SEA Games football match between Malaysia and Timor-Leste. The sentence is the highest ever imposed for a single match-fixing offence.

(b) *Public Prosecutor v Phey Yew Kok* (DAC 3770 of 2015 and Others)

The 81-year-old former Member of Parliament and union leader was jailed for 60 months on numerous charges for, *inter alia*, criminal breach of trust pertaining to union funds. He had been on the run since 1979 and only returned to Singapore in June 2015.

(3) Major Cases Handled by the Financial and Securities Offences Directorate

(a) *Public Prosecutor v Lam Leng Hung and Five Others* [2015] SGDC 326 & 327

AGC officers secured convictions for all six accused persons in a notorious case involving the misappropriation of \$24 million from City Harvest Church by several church leaders. One of the longest

trials in Singapore history (lasting 143 days), the case involved multiple Senior Counsel. All parties' appeals against conviction and sentence are pending.

See *Public Prosecutor v Lam Leng Hung and others* [2015] SGDC 326 & 327 at <http://bit.ly/1YyYy58> (accessed 21 March 2016).

(b) *Public Prosecutor v Soh Guan Cheow Anthony* [2015] SGDC 190

The accused was convicted of 39 counts of serious offences under the SFA, including insider trading, market rigging, false reports to the Singapore Exchange and the Securities Industries Council, and making a take-over offer when he had no reasonable grounds for believing that he would be able to perform his obligations. This was the first ever prosecution of this nature. He was convicted and sentenced to eight years and nine months' imprisonment. Appeals against conviction and sentence are currently pending.

(c) *Public Prosecutor v Lim Goon Lor* [2015] SGDC 205

The accused engaged in several conspiracies to counterfeit currencies and traffic them in Singapore between 1987 and 1991 and absconded for over twenty years before he was arrested overseas and repatriated to stand trial in 2015 at the age of 71. His sentence of eleven years' imprisonment was upheld on appeal.

(4) Major Cases Handled by the Technology Crime Unit

(a) *Public Prosecutor v Mok Wai Lun Calvin* [2015] SGDC 306

This was the first prosecution of its kind under a key provision in the new Protection from Harassment Act (Cap. 256A). A Hong Kong-based gigolo was jailed for 13 weeks for sending threatening messages to his Singapore-based victim to demand money to end their relationship. He was arrested when he entered Singapore to collect the money.

(b) *Public Prosecutor v Ed Bello Mundsel Ello (MAC 902864 of 2015 and Others)*

The accused posted two seditious comments online pertaining to an article published on the Facebook page of "The Real Singapore". Both comments contained hostile content directed at Singaporeans and had a tendency to promote ill-will and hostility between Singaporeans and Filipinos. The accused pleaded guilty to five charges in total – two counts of sedition under section 4(1) of the Sedition Act (Cap. 290, 2013 Rev Ed) and three counts of providing false information to a public servant under section 182 of the Penal Code (Cap. 224, 2008 Rev Ed), and was sentenced to four months' imprisonment in total.

(5) Other Legal Work & Key Initiatives

(a) *Financial Action Task Force ("FATF") Review*

Singapore's anti-money laundering and terrorist financing regime underwent Mutual Evaluation by the Financial Action Task Force in 2015. Intense preparations were undertaken, including those by AGC officers in FTCD and in IAD.

(b) *United Nations Convention Against Corruption ("UNCAC") Review*

A review of Singapore's implementation of the UNCAC was completed in January 2016. In the course of the review, AGC officers from both FTCD and IAD collaborated with agencies such as the Corrupt Practices Investigation Bureau, Ministry of Law, Ministry of Home Affairs, Public Service Division and the Commercial Affairs Division, as well as the United Nations Office on Drugs and Crime ("UNODC"), to prepare a full Country Review Report and Executive Summary (currently published on the UNODC's website). In 2015, reviewing state parties and UNODC representatives visited Singapore for an on-site assessment. See the Executive Summary at <http://bit.ly/1MwoAhU> (accessed 21 March 2016).

(c) Integration of FTCD Prosecutors with Investigative Teams

The Division's prosecutors are increasingly being integrated in investigative teams from the beginning of investigations, especially for complex or high-profile cases.



(above) FTCD DPPs on the way to Court

(d) Standing Panel of Experts

The Division is considering the engagement of a standing panel of experts from different fields such as accounting, finance and intellectual property to be available on short notice to provide expert opinions where necessary.



(above) Discussion on cross-learning from Professionals and Industry Experts at FTCD's 2015 Work Plan

(e) Use of IT in Handling Electronic Evidence

The Division has started using advanced software platforms such as the NUIX e-Discovery software to organise and process voluminous and complex electronic evidence that is typically encountered in complex financial crimes.



(above) Presentations at FTCD's 2015 Work Plan

Key Figures for Calendar Year 2015



*Inquiries include disposal inquiries, committees of inquiry and preliminary inquiries (now known as committal hearings).

**Other hearings include criminal motions, criminal revisions, criminal references and originating summonses.

INTERNATIONAL AFFAIRS DIVISION

The mission of the International Affairs Division (“IAD”) 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.

HIGHLIGHTS OF WORK DONE IN 2015

(1) Negotiations and Participation at the International Fora

(a) *Economic and related international agreements*

(i) *Engagements at the World Trade Organization (“WTO”)*

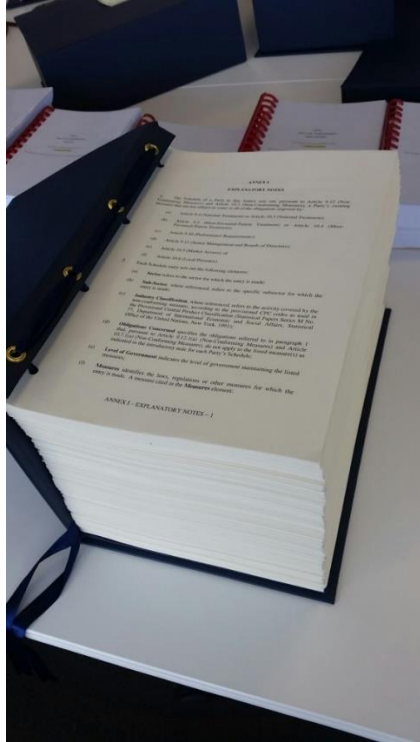
AGC led the negotiations for the WTO Government Procurement Agreement arbitration procedures and played a critical role in the substantive conclusion of the negotiations.

AGC officers participated in the WTO Dispute Settlement Understanding review negotiations, and advised on the legal aspects of the updated Information Technology Agreement, which was a landmark US\$1.3 trillion IT trade deal. AGC officers were also involved in the trade negotiations at the WTO which resulted in a Nairobi Package on agriculture, cotton and issues related to least-developed countries.

AGC also represented Singapore in third-party proceedings at the WTO regarding Australia’s tobacco plain packaging legislation. Singapore’s written and oral submissions were prepared by AGC officers in consultation with policy agencies, and the oral arguments to the WTO panel were presented by an AGC officer.

(ii) *Trans-Pacific Partnership Agreement (“TPP”)*

AGC was actively involved in the TPP negotiations and took charge of the legal vetting of the 8,000-plus page treaty. AGC officers were also members of a small group of lawyers charged with the final vetting of the agreement and took the lead for this on a number of chapters and annexes of the TPP.



(above) TPP, hot off the press

(iii) Turkey-Singapore Free Trade Agreement (“TSFTA”)

AGC advised on and participated in the negotiations on the TSFTA, which were concluded in a record time of about 21 months. The TSFTA is Turkey’s first comprehensive FTA and includes Turkey’s first treaty commitments in government procurement.

(iv) Other trade agreements

Support continued to be provided for on-going negotiations for other treaties, such as the Regional Comprehensive Economic Partnership, the ASEAN-Japan Comprehensive Economic Partnership, the ASEAN-Hong Kong Free Trade Agreement as well as reviews of the Singapore-Australia Free Trade Agreement which entered into force in 2003 and the China-Singapore Free Trade Agreement which entered into force in 2009.

(b) Human rights

(i) International Convention on Eliminating Racial Discrimination (“ICERD”)

AGC advised government agencies on their obligations under the ICERD, which was signed by Singapore in October 2015. The ICERD is a United Nations (“UN”) Convention that condemns racial discrimination based on race, colour, descent, nationality or ethnic origin, and calls upon states to pursue a policy of eliminating racial discrimination in all its forms.

(ii) Universal Periodic Review (“UPR”) and reporting under international human rights instruments

AGC was closely involved in the preparation for Singapore’s second UPR before the UN Human Rights Council, and the fifth periodic report on the UN Convention on the Elimination of All Forms of Discrimination Against Women.



(above) Team helming Singapore’s Universal Periodic Review session in Geneva

(iii) Other human rights work

AGC also supported the Government in its engagements with international and regional human rights bodies, including the ASEAN Intergovernmental Commission on Human Rights and the UN special rapporteurs, and advised on the resolutions issued by such bodies.

(c) Environmental law

AGC provided advice and participated in the negotiations on the Paris Agreement, a universal, legally binding agreement under the UN Framework Convention on Climate Change. The Paris Agreement which seeks to limit the global temperature increase to below 1.5°C was adopted at the 2015 UN Climate Change Conference of the Parties.



(above) Singapore delegation at the UN Climate Change Conference

(d) Criminal justice

(i) Review of the Implementation of the United Nations Convention against Corruption (“UNCAC”)

A review of Singapore’s implementation of the UNCAC was completed in January 2016. In the course of the review, AGC officers from both FTCD and IAD collaborated with agencies such as the Corrupt Practices Investigation Bureau, Ministry of Law, Ministry of Home Affairs, Public Service Division and the Commercial Affairs Division, as well as the United Nations Office on Drugs and Crime (“UNODC”), to prepare a full Country Review Report and Executive Summary (currently published on the UNODC’s website). In 2015, reviewing state parties and UNODC representatives visited Singapore for an on-site assessment.

(ii) Mutual evaluation conducted by the Financial Action Task Force (“FATF”) and the Asia/Pacific Group (“APG”) on Money Laundering

AGC was the lead agency coordinating Singapore’s responses for the international cooperation component of Singapore’s mutual evaluation. Its officers drafted and provided inputs on Singapore’s report.

IAD and FTCD officers were also extensively involved in the on-site evaluation held in Singapore in November 2015, spanning two and a half weeks, and attended the FATF and APG meetings held in Paris, Brisbane and Auckland.



(above) FATF inter-agency team with our assessors

(iii) (iii) Country engagements

AGC attended the 2nd Law Enforcement Homeland Security and Safety Cooperation Dialogue with the USA.

AGC also engaged its international counterparts to improve coordination and cooperation on mutual legal assistance matters. In particular, counterparts from France, the Netherlands, Indonesia, China, Bangladesh, and the UK were invited for case discussions in Singapore.

AGC attended various workshops on international cooperation in Thailand, Malaysia and South Korea, and presented on Singapore's mutual legal assistance and extradition regimes. .

(e) Other Areas of Participation in the UN

(i) UN General Assembly (“UNGA”)

Two AGC officers attended the 70th Session of the UNGA. The Director-General also participated in the International Law Week held during UNGA, and held a series of engagements with various experts and luminaries.

(ii) Arms Trade Treaty

AGC attended the inaugural Conference of States Parties held in Cancun in August 2015. AGC advised on the draft reporting templates for member countries as well as compliance with the obligations imposed by the treaty.

(f) Negotiations at the Association of Southeast Asian Nations ("ASEAN")

(i) ASEAN Senior Law Officials Meeting ("ASLOM") and ASEAN Law Ministers Meeting ("ALAWMM")

AGC supported the negotiations at the ASLOM and ALAWMM which covered a wide range of topics including international cooperation, trans-boundary haze, conservation of the coastal and marine environment, the Hague Convention on Choice of Court Agreements and the harmonisation of ASEAN trade laws.

(ii) ASEAN Convention on Trafficking in Persons ("ACTIP")

AGC was involved in negotiations for the ACTIP which was signed in November 2015. The ACTIP is a legally binding instrument that seeks to prevent and suppress trafficking in persons, protect victims and promote cooperation among ASEAN Member States.



(above) An IAD officer speaking at the UN General Assembly

(2) Bilateral matters

AGC advised agencies on Singapore's bilateral negotiations with Malaysia over the development of the Kuala Lumpur-Singapore High Speed Rail and the Johor Bahru-Singapore Rapid Transit System.

(3) Developing International Law Expertise ("DILE") initiatives

(a) International Law Speakers Series ("ILSS")

The International Law Speakers Series for the year saw AGC playing host to Judge Tomas Heidar, a Judge at the International Tribunal for the Law of the Sea. Judge Heidar gave a lecture focusing on two recent cases of the Tribunal: (i) the Advisory Opinion requested by the Sub-Regional Fisheries Commission in relation to illegal, unreported and unregulated fishing activities; and (ii) the Enrica Lexie Incident case (Italy v. India, provisional measures), and also conducted two workshops on Law of the Sea issues.

(b) Establishment of the Singapore Branch of the International Law Association (“ILA”)

AGC assisted in the establishment of the Singapore Branch of the ILA in July 2015.

(c) Asset Recovery Guide

AGC prepared an asset recovery guide, which is likely to be published in 2016. It is a compendium of information on Singapore’s asset recovery regime and provides guidance to requesting states on the drafting of MLA requests for asset recovery to Singapore.

Key Figures of 2015



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LEGISLATION DIVISION

The Legislation Division is Singapore's central law drafting office and keeper of the Singapore Statute Book. It provides law drafting and legislative advisory services to all Government departments, Organs of State and more than 60 statutory boards (including Town Councils). The Division regularly consolidates amended legislation through law revision, and provides comprehensive, free on-line access to Singapore legislation through the Singapore Statutes Online ("SSO") website.

HIGHLIGHTS OF WORK DONE IN 2015

(1) Law Drafting and Legislative Advisory Services

(A) Bill matters

In 2015, the Legislation Division witnessed an increased pace of legislative reform by the public sector. The Division responded by nurturing strategic relationships with its clients to promote central planning of legislative projects across the Government, and by continuing its focus on delivering quality legislative advisory and law drafting services.

A total of 28 Bills (985 pages) were drafted for introduction for the 12th Parliament before the General Election 2015 ("GE 2015").

Some of the major Government Bills were:

(a) *Liquor Control (Supply and Consumption) Act 2015*

The Liquor Control (Supply and Consumption) Bill was enacted to regulate the supply and consumption of liquor at public places, and to minimise public disorder arising from drinking in public.

See a news report on the *Liquor Control (Supply and Consumption) Bill* at <http://bit.ly/1P1IUZV> (accessed 1 April 2015).

(b) *Organised Crime Act 2015*

The Organised Crime Bill was introduced to target the activities of organised criminal groups ("OCGs"), such as drug trafficking, money laundering and unlicensed moneylending, and to address the serious threats and risks to security and public safety posed by OCGs.

See a news report on the *Organised Crime Bill* at <http://bit.ly/1ncFNXP> (accessed 17 August 2015).

(c) *Third-Party Taxi Booking Service Providers Act 2015*

The Third-Party Taxi Booking Service Providers Bill was introduced to regulate providers of third-party taxi booking services - such as Grab and Uber - for journeys within, or partly within, Singapore.

See a news report on the *Third-Party Taxi Booking Service Providers Bill* at <http://bit.ly/1mPd3V6> (accessed 12 May 2015).

(d) *Community Disputes Resolution Act 2015*

To facilitate the resolution of disputes between neighbours, the Community Disputes Resolution Bill was introduced, creating a statutory tort of interference with the use and enjoyment of a place of residence, and establishing the Community Disputes Resolution Tribunals.

See a news report on the *Community Disputes Resolution Bill* at <http://bit.ly/1P1ZzeL> (accessed 1 October 2015).

(e) *MediShield Life Scheme Act 2015*

The MediShield Life Scheme Bill established the new MediShield Life Scheme - replacing the MediShield Scheme - to provide mandatory lifelong basic medical insurance coverage for Singapore citizens and permanent residents, including those with pre-existing illnesses.

See more details of the *MediShield Life Scheme Bill* at <http://bit.ly/1QmjjAG> (accessed 16 February 2016).

(f) *Amendments to the Public Transport Council Act*

To improve the quality of public transportation, the Public Transport Council Act was amended to enhance the Public Transport Council's role and give effect to the Fare Review Mechanism Committee Report.

See a news report on these amendments at <http://bit.ly/1UKPhE6> (accessed 13 July 2015).

(g) *Amendments to the Monetary Authority of Singapore Act*

The Monetary Authority of Singapore Act was amended to require financial institutions to conduct customer due diligence, as part of measures to address money laundering and terrorism financing.

See a news report on these amendments at <http://bit.ly/1PoVp0Y> (accessed 11 May 2015).

(h) *Amendments to the Land Acquisition Act and State Lands Act*

To improve Government planning for the long-term use of Singapore's underground space, the Land Acquisition Act and State Lands Act were amended to establish a framework for compulsory acquisition of space below the surface of any land.

See a news report on these amendments at <http://bit.ly/1PTNf3k> (accessed 12 February 2015).

(i) *Amendments to the Employment Act*

The Employment Act was amended to enhance employment standards, and to minimise disputes and prevent misunderstandings between employers and employees.

See a news report on these amendments at <http://bit.ly/1KaM0by> (accessed 17 August 2015).

(B) Subsidiary legislation work

The GE 2015 resulted in a reduced demand for Bill drafting and a spike in subsidiary legislation (“SL”) drafting to implement policies. 855 SL were published, totalling a record 5,079 pages. 2015 also witnessed a record 46 SL published in a single day.

The Legislation Division continued to build its in-house capacity to produce ready-to-publish products, so as to reduce publishing costs and accommodate the higher pace of law-making. In 2015, 62 SL (2,504 pages) or 49% percent of the total published were prepared using this in-house facility

SL were published on demand, often outside of the Gazette’s standard publishing time, (working day, 5 pm); 5.35 am during “Operation Whitelight”, and 9 am and 3 pm on the GE 2015 public holiday.

Early engagement services continued to be provided in anticipation of new Bills for the 13th Parliament. In 2015, 1,568 pieces of advice were rendered, many of which aided the development of policy specifications for legislation.

(2) Law Revision

The Legislation Division assists the Law Revision Commissioners in revising Singapore’s legislation to make it more user-friendly and accessible. In 2015, three Acts (46 pages) were revised - the Protection from Harassment Act, Singapore Institute of Technology Act and Status of Children (Assisted Reproduction Technology) Act.

(a) Preparation for Universal Law Revision

The universal revision of the Statute Book is a programme flowing from the Plain Laws Understandable by Singaporeans (“PLUS”) initiative. In preparation for universal revision of approximately 500 Acts and 4,000 SL, the Legislation Division embarked on a number of initiatives in 2015. These include:

- i. Comprehensive legislative research for Acts - the tracing of legislative history dating back to the Straits Settlements period has been completed for 144 Acts;
- ii. Preparation of a law revision guide to ensure, wherever possible, consistency in language and presentation when revising the Statute Book.

(3) Key Initiatives

The PLUS Project aims to improve the design, readability and accessibility to the Statute Book (both hardcopy and online versions). In 2015, the following PLUS initiatives were implemented:

(a) Simplifying statutory language

All new and amending legislation are now drafted in plain English, with each sub-provision generally not exceeding 75 words. Other changes include:

- i. Adopting gender neutral drafting for new laws;

- ii. Expressing dates as cardinal, instead of ordinal, numbers (for instance, “Made on this 12th day of June 2014” is now expressed as “Made on 12 June 2014”);
- iii. Numbering of legislative Parts using Arabic, instead of Roman, numerals (for instance, “Part VII” is now expressed as “Part 7”);
- iv. Appropriate replacement of the word “shall” with “must” or “is to”.

(b) Guides on spelling, abbreviations, symbols and punctuation used in legislation

To standardise new and revised legislation, in-house guides were created to establish consistent use of punctuation, and preferred spelling, phrases, abbreviations and symbols.

(c) Revamp of Singapore Statutes Online

In response to the PLUS public survey feedback, the SSO continues to be enhanced to improve user experience.

These enhancements include:

- i. Introducing new “About Us” and “FAQ” pages, and a simplified “Help” guide;
- ii. Relocating the “Whole Document” button to the top of legislation pages to improve its visibility and navigation;
- iii. Introducing a scrollbar for the legislative timelines to improve navigation and access;
- iv. Introducing printing options to enable users to choose specific portions of legislation to be printed;
- v. Including access to historical versions of legislation and Bills tabled in Parliament, as well as access to PDF versions of legislation and Bills.

A new logo was also introduced for SSO. The minimalist black and red blocks signify the transition from the traditional black and red bound hardcopies of legislation to their online versions.

As a result, 2015 saw a 20.61% increase in the number of visits to SSO over that in 2014, totalling 4,285,635 and a 17.79% increase in the number of SSO users, totalling 1,734,228.

See more details of PLUS at <http://bit.ly/1pvvOh9> and SSO at <http://bit.ly/1Rf89c4> (accessed 21 March 2016).

(d) Collaborations with other agencies

Under a reciprocal exchange arrangement, a law drafter from the Office of the Queensland Parliamentary Counsel (“OQPC”) and a Senior State Counsel from the Division undertook training attachments in each other’s jurisdictions for four months.



(above) Chief Legislative Counsel with Melita Eun Gardiner, OQPC Law Drafter attached to the Division from February - June 2015



(above) Visit of Queensland Parliamentary Counsel, Ms Theresa Johnson, 4 May 2015

The Division also continued its collaborations with The Ministry of Education, to support its Moot Parliament Programme.

Key Figures for Calendar Year 2015



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LEGAL PROFESSION SECRETARIAT

HIGHLIGHTS OF WORK DONE IN 2015

(1) Accreditation and Qualifications of Foreign Lawyers and Foreign Law Practices

From 1 January to 17 November 2015, five new Foreign Law Practice (“FLP”) licences, two new Formal Law Alliance (“FLA”) licences, one new Joint Law Venture (“JLV”) licence and two new Representative Office licences were issued by AGC. The total number of FLPs registered with the Attorney-General, as of 17 November 2015, was 138, including nine qualifying foreign law practices (“QFLPs”).

2015 also saw an increase of at least 20% in the number of foreign lawyers registered with the AGC, up from 1,202 in 2014 to 1,400 at the end of 2015. The number of Singapore solicitors registered under s 130N of the Legal Profession Act to practise Singapore law in FLPs, QFLPs and JLVs also increased 11.3% from 213 in 2014 to 237, as of 17 November 2015. These numbers are expected to increase further, given the continual growth of the legal industry in Singapore.

(2) Preparation for the launch of the LSRA

In 2015, LPS continued to be heavily involved in the establishment of the LSRA. LPS was actively involved in the development of an on-line registration portal to manage the registration and licensing of foreign lawyers and law practices, in addition to the licensing of Singapore law practices.

LPS also facilitated the scheduling of licensing and registration matters by law practices ahead of time and addressed queries from law practices concerning the impact the transition to LSRA would have on them.

With the entry into force of the amendments under the Legal Profession Act (“LPA”) and the relevant subsidiary legislation on 18 November 2015, the functions of the Legal Profession Secretariat (“LPS”) which relate to the regulation of foreign lawyers and foreign law practices were assumed by the Legal Services Regulatory Authority (“LSRA”), a department of the Ministry of Law. Functions relating to the admission of Singapore Advocates and Solicitors remained under the Attorney-General’s Chamber’s (“AGC”) regulation and were undertaken by the Civil Division with effect from 01 October 2015.

CAPABILITIES DEVELOPMENT

A. TRAINING OF AGC OFFICERS

To help make the Attorney-General's Chambers ("AGC") an institution that is continually learning and improving, the AGC Academy was set up on 1 November 2014. The Academy has central oversight over the training of AGC officers. Under the Academy, a Prosecution School was formed to provide for the systematic development of AGC's prosecutors.

HIGHLIGHTS OF WORK DONE IN 2015

Learning and development continued to be a key focus area in AGC, both in building the competencies of AGC officers and in enhancing the legal knowledge of Public Service Officers.

(1) Organisation-wide Initiatives

(a) AGC Primer Programme

The on boarding programme for new AGC officers was revamped in January 2015, with the aim of helping new officers achieve greater self-efficacy, role clarity, social integration and enculturation. In addition to orientation activities that promote bonding and sharing sessions by Divisional representatives on the work they do, the revamped programme now includes an improved buddying/mentorship system. By establishing a common set of criteria across AGC for the mentoring of new officers, the system ensures that mentors are able to assist new officers to transition smoothly into AGC.

(b) Training Contract Programme

A key programme for new Legal Service Officers ("LSOs"), the Training Contract Programme underwent a major review in 2015. New LSOs are now required to undergo longer attachments with various legal departments to ensure that they receive adequate training in their core competencies.

(c) AGC Milestone Programme

The AGC Milestone Programme is a three-level (individual level, team level, and organisation level) developmental programme targeted at helping AGC Executives develop cross-divisional competencies in a consistent manner, and is customised based on the career milestones which each Executive has attained. The pilot run was launched in September 2015.

(d) AGC Learning Festival

Held in October 2015, the inaugural event "Lifelong Learning – Ignite Your Learning Spark!" was a one-week learning festival aimed at igniting in officers a passion for learning.



Learning Reflections Mini Competition

Share your thoughts with us on what you have learnt. Tell us what you found interesting (and/ or memorable) in this 1-week long learning festival and how you think you can apply what you have learnt back to your workplace.

Keep your learning reflections between 300 – 600 words (alternatively, you can send us a snapshot of your mind map!) and email it to agc-csd_hrdu@agc.gov.sg before 6 November 2015. Your learning reflections will be reviewed by the Dean, Vice-Dean and the Secretariat of the AGC Academy. The top 3 entries (to be selected by Dean and Vice-Dean) will win a book voucher each as a token of our appreciation.

(above) AGC Learning Festival, 26–30 October 2015

(2) Legal Skills

(a) Prosecution, Advocacy, and Legal Administrative Skills

- *Crime Cluster Training Week*

The inaugural Crime Cluster Training Week was held from 22 to 26 June 2015, with training conducted by senior officers and colleagues from the Criminal Investigation Department of the Singapore Police Force, the Singapore Prison Service, the Ministry of Social and Family Development and the Health Sciences Authority. A wide range of topics was covered, included areas such as Public Interest and Public Service, Charging Decisions, Sentencing, Remand Cases, Dealing with Psychiatric Opinion, Community Sentences and an Overview of Effective Investigation Processes. The training gave prosecutors the opportunity to refresh their skills and kept them abreast with the latest developments in these areas.

- *Speech Training Workshop*

The Prosecution School engaged an Australian voice coach, Ms Lucy Alexandra Cornell, over five days in July to help AGC prosecutors enhance their effectiveness in oratorical presentations as well as to improve their presence in court. Ms Lucy, who has worked with barristers in advocacy courses in the UK and Australia over the past seven years, ran

performance workshops for AGC's Crime Cluster prosecutors and evening seminars for a wider audience, which included Police prosecutors.



(above) Speech and Communication Training by Ms Lucy Alexandra Cornell, 27-30 July 2015

- *Overseas Attachments*

Civil Division officers undertook advocacy attachments with the Fountain Court Chambers in London and the Hong Kong Department of Justice, which included a three-day appellate advocacy workshop in Sydney for senior litigators.

For the first time, two legal executives from the Crime Cluster were sent on an overseas attachment, with the objective of studying and gleaning best practices from the host agencies in the areas of file management, case management, litigation support and the deployment of IT tools in a legal setting. They were attached to the Hong Kong Department of Justice for two weeks in November 2015, and also visited the Hong Kong Independent Commission Against Corruption.

In November 2015, two other legal executives from the Crime Cluster participated in the National District Attorneys Association course in the United States on Office Administration Training and Management. They were exposed to topics such as Effective Evaluation Tools, Creating a Paperless File Management Systems and Maintaining Productive Relationships with Administrative Professionals. The course also gave them the opportunity to network with experienced attorneys as well as non-attorney supervisors, chief prosecutors and management consultants.

(b) *Technology Law and Procurement Law*

In 2015, the Civil Division conducted a four-part series of talks on technology law, broaching complex and interesting legal issues relating to online contracting, electronic evidence, intellectual property and activities in cyberspace. Together with the AGC Academy, the Civil Division organised a procurement law workshop by Professor Christopher Yukins, co-director of the government procurement law program at George Washington University Law School, who

spoke on issues such as emerging public policy questions in US government procurement and the public procurement of Information and Computer Technology systems.

In line with the increased emphasis on digital governance and to strengthen expertise in data-related issues, the Civil Division conducted a study trip in October 2015 to the UK's Ministry of Justice and the European Data Protection Supervisor to learn about European data protection regimes and best practices in public sector data sharing.

(c) Legislative Drafting

The Legislation Division invited legislative drafter, trainer and author, Mr Paul Salembier, to Singapore to conduct two courses for AGC drafters: an Advanced Legislative Drafting Course in June 2015 and a Basic Legislative Drafting Course in December 2015. Besides these programmes, a number of drafters were sent for overseas drafting courses in the UK at the RIPA International and the Institute of Advance Legal Studies.

(d) International Law

The 2015 Public International Law Seminar, organised by the International Affairs Division ("IAD"), featured Professor Laurence Boisson de Chazournes, a leading international law academic and practitioner with extensive experience in advising international organisations and acting as counsel and arbitrator in international disputes at the highest levels. Through a lecture and two workshops, she shared her insights on a range of international law issues, including the treatment of water as a resource under international law, the role and use of experts before international courts and tribunals such as the International Court of Justice and the World Trade Organization, and the advent of a more systemic approach to international dispute settlement.



(above) 2015 Public International Law Seminar

IAD also organised, among others, talks on international aviation law and non-western approaches to human rights by Professors Paul Dempsey and Tony Anghie, respectively.

IAD officers were also sent for other training events and courses in Singapore and overseas, covering a wide spectrum of international law subjects including trade and investment, human rights, oceans, air and space law. These courses were offered by institutions ranging from local universities and the Centre for International Law to the Rhodes Academy of Oceans Law and Policy, the Hague Academy of International Law and the Academy of European Law Summer School.

B. TRAINING FOR PUBLIC SECTOR OFFICERS

(1) Public Law

The Civil Division organised the inaugural Public Procurement Conference on 12 and 13 March 2015. The Conference featured international and local subject matter experts who updated more than 200 members of the procurement community on current issues in public procurement.



(above) The Attorney-General delivering the keynote address at the inaugural Public Procurement Conference, 12-13 March 2015

In July 2015, the Civil Division co-organised the annual Public Officers Law Seminar with the Civil Service College (“CSC”) to help public officers better understand the legal context underpinning their areas of work. Officers from the Legislation Division participated as well, with presentations on legislation and the legislative process.

Throughout the year, the Civil Division also provided numerous briefings to public officers on diverse topics, including the drawing of contracts, disciplinary inquiries, the election process, electronic discovery, and data sharing and management in the public sector.

(2) Law Making and Policy Workshop

LSOs from the Legislation Division conducted two runs of the Law-making and Policy Course and Workshop, and the Basic Legislative Drafting Course at the CSC. The courses were attended by public sector policy officers involved in legislation projects.

In April 2015, a Deputy Senior State Counsel from the Legislation Division also conducted a lecture entitled “Constitutional Powers of the Elected Presidency” at the annual Honorary Aide-de-Camp Workshop held at the Istana.

(3) Criminal Law

In collaboration with CSC, the Prosecution School organised the annual Basic Prosecutors’ Course, with participants from Singapore as well as overseas prosecutors from Vietnam, Myanmar and Malaysia attending the five-day course. The School and CSC also collaborated to organise the Basic Trial Advocacy Course, the Sixth Criminal Trial Seminar and the Intensive Practicum.

The Prosecution School also organised a number of special talks and briefing sessions throughout the year. These include dialogue sessions with the State Coroner Marvin Bay, a workshop on Advocacy before the State Court by the Deputy Attorney-General and Vice-Dean of AGC Academy, a talk with Professor Manuel Eisner from Cambridge University on Reducing Homicide globally by 50% in the next 30 years and a back-to-school talk with Professor Kumar Amirthalingam, among many others.

CORPORATE SERVICES DIVISION AND COMPUTER INFORMATION SYSTEMS DEPARTMENT

The Corporate Services Division (CSD) and Computer Information Systems Department (CISD) perform core support functions for the Attorney-General's Chambers ("AGC"). The main roles of CSD are office administration, facilities management, financial management, human resource management, external and corporate communications, data management and corporate planning. CISD takes charge of AGC's IT systems and equipment, as well as the projects which leverage on IT to help achieve AGC's mission.

HIGHLIGHTS OF WORK DONE IN 2015

(1) Human Resources

The new Extended Management Executive Scheme, which was introduced across the Civil Service in 2015, was implemented in AGC. Steps were also taken to disseminate AGC's core values, including through a Values Based Interviewing Guide, which emphasises AGC's Core Values during the hiring process. In addition, two customised, in-house programmes: the Certificate in Legal Skills course and the AGC Milestone Programme for AGC Executives were developed and launched through the AGC Academy.

(2) Corporate Services and Operations

Various projects and policy reviews were undertaken in 2015, including the setting up of a Centralised Litigation Support Unit for photocopying and scanning services and improvement works at 1 Upper Pickering Street and AGC's Satellite Offices in the State Courts and the Supreme Court.

(3) Media and Communications

A new unit merging the former Outreach and International Relations Unit and the Media Relations Unit was created with the aim of achieving greater alignment between AGC's internal and external corporate communications.

(4) Financial Management

To improve AGC's corporate governance and enhance the quality of procurement in the organisation, a sub-unit specialising in procurement was established in 2015.

(5) Corporate Planning and Statistics

A new data-management framework to improve and institutionalise data-capturing efforts across the organisation was developed with the aim of transforming AGC into a data-driven organisation, where planning and policy decisions are made based on accurate, timely and reliable information.

Various AGC-wide activities were organised in 2015, including events marking the 50th year of Singapore's independence. AGC also successfully renewed its Business Excellence certificates, which comprise the Singapore Quality Class, the Innovation Class, and the People Developer certificates.

(6) Information Technology

AGC's Information Technology master plan for the next five years was finalised along with the implementation of a wide array of IT projects.

It is to be noted that the above projects and other functions of the Corporate Services Division and the Computer Information Systems Department were undertaken in challenging circumstances with the departure of Chief Operating Officer/Chief Information Officer and Senior Director in the middle of the year.

INTERNATIONAL OUTREACH

The Attorney-General's Chambers ("AGC") is committed to strengthening its international outreach. By visiting and hosting its counterparts, as well as attending international conferences, AGC cultivates bilateral ties while growing as an organisation through these learning opportunities.

HIGHLIGHTS OF WORK DONE IN 2015

(1) Overseas Visits

(a) Conference of Attorney Generals, Colombo, Sri Lanka

In January 2015, Attorney-General V K Rajah, SC ("AG") attended the Conference of Attorneys General held in Colombo, organised by the Attorney General's Department to commemorate its 130th anniversary. Apart from meeting counterparts from South Asia, Southeast Asia and East Asia, the delegation met President of Sri Lanka, Mr Maithripala Sirisena, and Attorney-General of Sri Lanka, Mr Yuvanjana Wijayatilake, PC.

(b) 9th Regional Arbitral Institutes Forum ("RAIF") Conference

On 9 May 2015, Attorney-General V K Rajah, SC attended the 9th RAIF Conference in Kuala Lumpur, Malaysia. At the invitation of the Malaysian Institute of Arbitrators, AG delivered the inaugural Distinguished Speaker Lecture and a paper on "The Increasing Use of Hybrid Dispute Resolution Approaches".

(c) AGC study trip to Canberra, Australia

In August 2015, Solicitor-General Lionel Yee, SC led a study visit to Canberra, where he met the Commonwealth Solicitor-General, Mr Justin Gleeson, SC, the Australian Government Solicitor, Mr Ian Govey, AM, and other senior officials from various government agencies.

(d) 9th China-ASEAN Prosecutors-General Conference. Nanning, China

In November 2015, Deputy Attorney-General Tan Siong Thye, SC led a delegation to attend the 9th China-ASEAN Prosecutors-General Conference in Nanning, where he met the Prosecutor-General of the Supreme People's Procuratorate, Mr Cao Jianming, Chief Prosecutor of the Guangxi People's Procuratorate, Mr Cui Zhiyou, and other counterparts from ASEAN member countries, Hong Kong and Macau.

(e) Commonwealth Association of Legislative Counsel Conference 2015, Edinburgh

In April 2015, four law drafters from the Legislation Division attended the Commonwealth Association of Legislative Counsel's ("CALC") biennial conference in Edinburgh, Scotland, where the Deputy Chief Legislative Counsel presented a paper on the Division's "Plain Laws Understandable by Singaporeans" project.

(2) Hosting visiting delegations

AGC hosted several courtesy calls and study visits from international organisations and foreign government agencies in 2015. Apart from establishing and renewing relations with foreign counterparts, these visits also served as platforms for fruitful discussions on legal issues of the day.

(a) Courtesy calls

In 2015, the Attorney-General hosted courtesy calls from:

1. The Ambassador of the People's Republic of China to Singapore, Mr Chen Xiaodong and his predecessor, Mr Duan Jielong
2. The Distinguished Senior Fellow at the Center for Ocean Law and Policy, University of Virginia School of Law, Ambassador Satya N. Nandan
3. The Attorney General of Israel, Mr Yehuda Weinstein
4. The Attorney General of Bangladesh, Mr Mahbubuey Alam
5. The Ambassador of Italy to Singapore, Mr Paolo Crudele
6. The Secretary General of the International Seabed Authority, Mr Nii Odunton
7. The Attorney General of Sri Lanka, Mr Yuvanjana Wijayatilake
8. The Ambassador of Mongolia to Singapore, Mr Tumur Lkhagvadorj
9. The President of the Supreme Court of the United Kingdom, Lord David Neuberger of Abbotsbury
10. The Attorney General of the Union of Myanmar, Dr. Tun Shin
11. The Minister of Foreign Affairs of Sri Lanka, Mr Mangala Samaraweera; and
12. Judge Xue Hanqin of the International Court of Justice.



(above) Attorney-General V K Rajah, SC with Mr Chen Xiaodong (Ambassador Extraordinary and Plenipotentiary of The People's Republic of China to The Republic of Singapore), 31 August 2015



(above) Attorney-General V K Rajah, SC with Lord David Neuberger of Abbotsbury, President of the Supreme Court of the United Kingdom, and British High Commissioner to Singapore, Mr Scott Wightman, 22 September 2015

(b) Study visits

AGC hosted study visits from several foreign government organisations in 2015, including the National Council for Construction of Zambia, the National Legislative Assembly of Thailand, the Chinese Academy of Social Sciences, the Supreme Court of the Republic of Korea and the Ministry of Justice of Jordan.



(above) Study visit by the National Council for Construction of Zambia, 29 April 2015

KNOWLEDGE MANAGEMENT UNIT AND LIBRARY

The Knowledge Management Unit (“KMU”), encompassing the Chan Sek Keong Library (“the Library”), is responsible for AGC’s organisation-wide knowledge management (“KM”) systems and processes. With the aim of delivering the “Right Knowledge @ the Right Time”, KMU focuses on creating and curating cross-Divisional knowledge assets and online resources, while the Library’s goal is to provide effective resource support for AGC’s core areas of practice.

HIGHLIGHTS OF WORK DONE IN 2015

(1) Soft-launch of the Cross-Divisional KM Libraries

The Cross-Divisional KM Libraries were soft-launched on 21 August 2015. This was the first curated repository of precedential work product (classified “Confidential” and below) collated from all AGC Divisions, providing officers with immediate access to updated institutional knowledge and history.

(2) Launch of AGC KM Newsletter

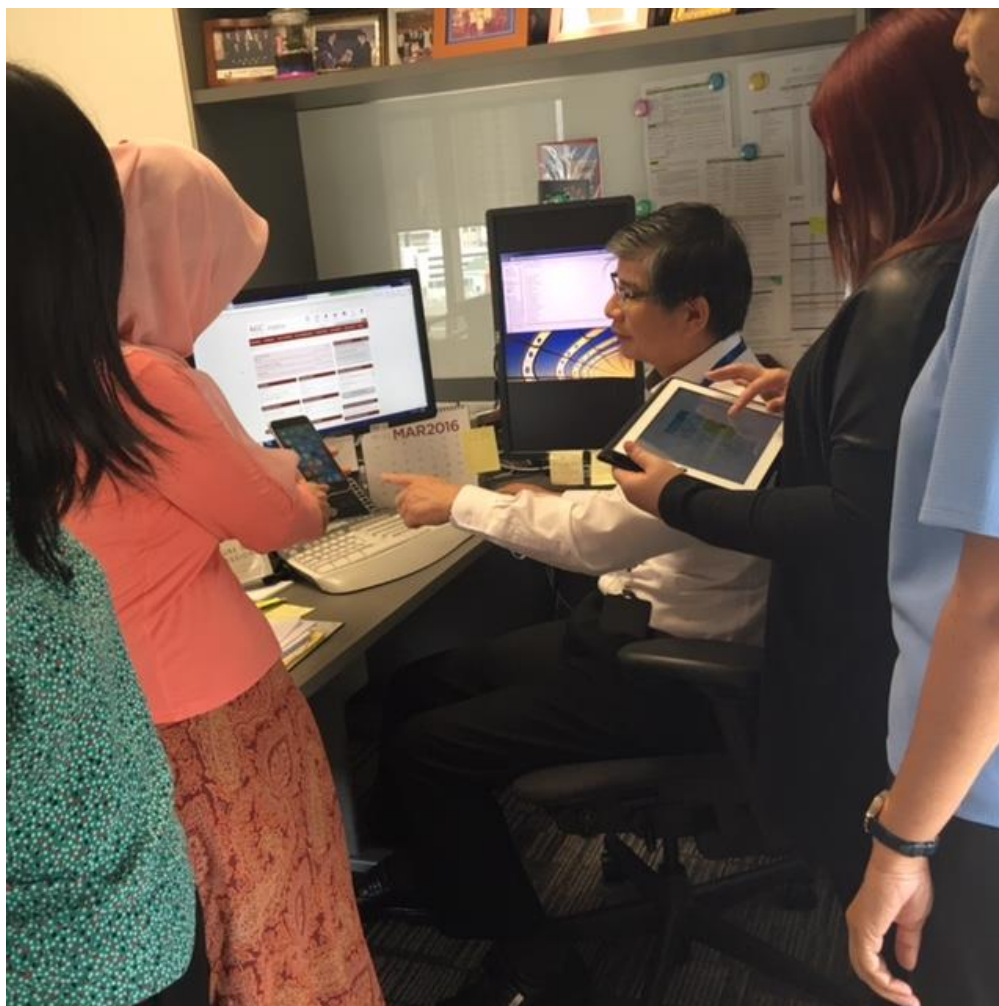
The AGC KM Newsletter was launched on 9 April 2015. Issued on a bi-weekly basis, this “one-stop” Newsletter consolidates all new KM content and updates including Case Updates and Spotlights (local and international), and other KM and Library related updates. The AGC KM Newsletter is also disseminated via email to all Legal Branch HODs and published on the AGC@Government Intranet site for viewing by all public officers.

(3) Launch of Monthly Digest of International Landmark Decisions

KMU launched the Monthly Digest of International Landmark Decisions in March 2015. It contains digests of the latest landmark judgments from international jurisdictions such as the UK, Australia and Canada.

(4) Compilation of Crime Cluster KM resources

KMU facilitated the compilation of the following Crime Cluster KM resources on the Crime Cluster Shared Resources site: 42 Charge Templates, 23 Gold Standard Submissions and 16 Quick Packs. These resources aim to introduce a greater level of consistency in drafting criminal charges and submissions, and to provide prosecutors with brief overviews of legal issues and procedures for reference in court. KMU also assisted the Criminal Justice Division in creating the new Sentencing Module on Portia. The Module was launched on 30 July 2015.



(above) Discussing contents on Portia with the Chief Knowledge Officer

(5) Creation of Matter Pathways

The first Matter Pathway on Judicial Review proceedings was made available to Civil Division officers in December 2015. Co-created by the Civil Division and KMU, this is a step-by-step guide to judicial review proceedings with hyperlinks to all other relevant content, including guidelines and precedents. Its objective is to increase efficiency and consistency by bringing all relevant resources into a single, regularly updated document.

(6) Publication and Updating of Standing KM Publications

In January 2015, KMU published a new compilation on Statutory Interpretation, containing excerpts from judgments of the Singapore High Court and the Court of Appeal on principles of statutory interpretation. This compilation and other standing KM publications (Words and Phrases Judicially Defined; Sentencing Benchmarks – Sentencing Principles section) were also updated by KMU regularly in 2015.

(7) Launch of AGC KM Outstanding Contributors Award

The inaugural AGC KM Outstanding Contributors Award was launched in December 2015 as a way of commending AGC officers who work with KMU to facilitate KM efforts. This award recognises

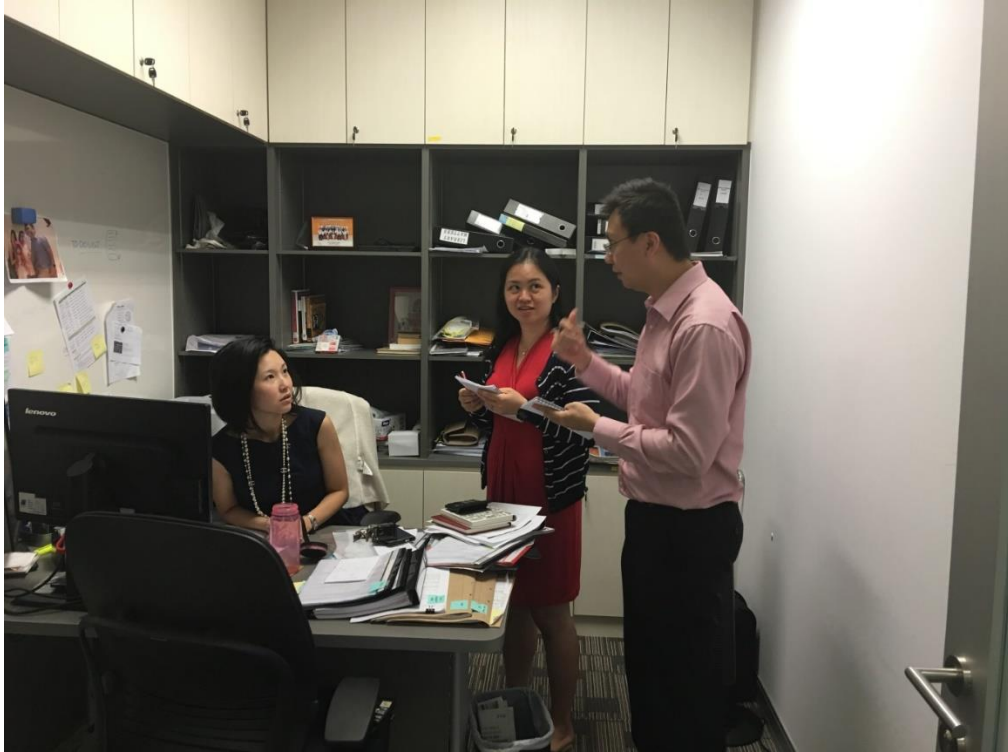
contributions towards KM in any form, from active participation in central KMU projects to driving Divisional KM efforts. The award was given to six LSOs from the various Legal Divisions.



(above) The KMU and Library team

(8) Subscription to new Library Electronic Content

In line with the “Library in the Sky” concept, more electronic content was introduced by the Library, such as the complete collection of Law Trove from Oxford University Press, the Sentencing Information and Research Repository database and Academy Publishing titles on the new LawNet platform, and e-Journals from various platforms. To assist officers doing in-depth research into legislative provisions, the Library scanned and uploaded onto Portia valuable historical materials such as the Straits Settlements Legislative records (from 1859 to 1940), the Report of the Rendel Constitutional Commission Singapore (1954) and the Report of the Wee Chong Jin Constitutional Commission (1966). Electronic copies of three relevant titles were also uploaded with permission onto Portia to facilitate officers’ research.



(above) Brainstorming ideas for working smarter

STRATEGIC PLANNING AND ORGANISATIONAL EXCELLENCE OFFICE

The Strategic Planning and Organisational Excellence Office (“SPO”) was established as a committee in late 2014 to have oversight of AGC-wide strategic issues and to take steps to make AGC “future ready”.

The tasks of the SPO are to:

- (a) Identify AGC’s external and internal strategic issues (including challenges and opportunities);
- (b) Formulate strategies and work-plans to address the same; and
- (c) Ensure the effective implementation of AGC’s plans to achieve its goals.

On an annual basis, the SPO organises a leadership retreat, and works together with AGC’s different divisions in their divisional strategic planning activities. SPO also takes charge of the programme for AGC’s annual work-plan seminar.

In carrying out its work, the SPO is supported by the Futures Thinking Group and the Statistics Unit:

- (a) The Futures Thinking Group identifies the trends and best practices (both within and outside Singapore) that are taken into consideration when mapping the strategic direction and development of AGC; and
- (b) The Statistics Unit is in charge of establishing a system to collate and analyse comprehensive data on AGC’s workload and performance measures. This enables strategic planning to be carried out in an informed manner based on accurate information.

With effect from 4 January 2016, the SPO became a full-time office and the SPO’s role was enhanced to take charge of internal and external strategic engagement, as well as innovation. With effect from 1 March 2016, the Statistics Unit as well as the Corporate Planning Unit of the Corporate Services Division also came under the SPO.

AGC KEY STRATEGIC INITIATIVES 2015

Enhancing legal services to the government and public

In 2015, the Attorney-General's Chambers ("AGC") continued to take steps to enhance and expand the scope of the legal services we provide to the public sector and the general public.

1. Operationalisation of Attorney-General (Additional Functions) Act. Following the entering into force of the Attorney-General (Additional Functions) Act, AGC worked with the Statutory Boards to operationalise the Act. A total of 22 Statutory Boards have been brought under the Act, enabling the AGC to represent them in judicial review and other court proceedings.

2. Enhancement of SSO. AGC continued its work on enhancing the public legislation database, Singapore Statutes Online ("SSO"). This included improving the navigability of the legislative timeline of statutes, as well as enabling access to Bills tabled in Parliament and historical versions of legislation.

3. Updating template documents used by the public sector. AGC is working with MOF to revise and update the contract templates for the procurement of goods and services. We will also be preparing explanatory notes to accompany the templates to enable users to understand the provisions more clearly.

4. Pilot use of video-conferencing for case consultations. AGC successfully piloted the use of video-conferencing for case consultations between several enforcement agencies and AGC prosecutors, resulting in substantial time savings on both sides. Enhancing criminal enforcement and prosecution

5. Regular review of remand cases. AGC institutionalised a procedure to regularly review cases involving accused persons in remand to ensure that their cases are dealt with expeditiously.

6. Private prosecutions. A process was established for AGC to be notified whenever a summons is issued against a defendant in a private prosecution. This will ensure that AGC has oversight over such cases and can intervene if necessary.

7. Establishment of the Ministry Prosecutions Group. AGC established the Ministry Prosecutions Group under the Criminal Justice Division to foster a closer working relationship between AGC and prosecution departments in Ministries and Statutory Boards. This has also enabled the pooling of expertise on legal issues that frequently arise in Ministry and Statutory Board prosecutions.

8. Collaboration with key agencies to enhance existing legal processes. AGC was involved in initiating and continues to participate in an inter-agency working group to review issues relating to youth justice. AGC was also a member of an inter-agency

working group led by the Singapore Police Force looking into the introduction of video-recording of interviews involving accused persons. In addition, AGC was a member of the inter-agency working groups whose work led to the enactment of the Organised Crime Act and the Prevention of Human Trafficking Act.

9. Review of Criminal Justice Division and its Crime Registry. AGC completed a review of how the Criminal Justice Division and its Crime Registry can be better organised to enhance AGC's effectiveness as a prosecuting agency. Engagement of government and enforcement agencies In 2015, AGC continued to engage our key public sector stakeholders. Platforms for interaction with, and feedback from, such stakeholders were increased, to enable AGC to provide effective legal advice and support.

10. Training of prosecution and enforcement officers. AGC organised the Conference on Public Prosecutions which was attended by the prosecution and investigations branches of various Ministries and Statutory Boards, covering important aspects of preparation for legal proceedings and court craft.

11. Dialogue sessions with Ministries and Statutory Boards. AGC continued to engage the Ministries and Statutory Boards on key trends and issues, including the Ministry of Finance, Singapore Customs and Infocomm Development Authority of Singapore.

12. Training of public service officers. AGC organised the inaugural Government Procurement Conference, which was attended by almost 200 public procurement officers from 13 ministries and organs of state and 26 statutory boards. We also conducted training for officers from the Public Service Commission, Ministry of Foreign Affairs, Ministry of Social and Family Development and Singapore Police Force.

13. Legal Updates to Public Sector Leadership. AGC now sends quarterly updates to public sector leaders highlighting important legal developments and their potential implications on the work of public agencies. AGC's regular legal updates and other knowledge resources (prepared for AGC's lawyers) are now also shared with other public sector lawyers and public officers through the Government Intranet.

Developing our capabilities

Significant steps were taken to re-organise and enhance the functions and capabilities of key internal units. AGC also continued its emphasis on providing comprehensive training and development to its officers as well as enhancing knowledge management within the organisation.

14. Training and development of executives. AGC developed the AGC Milestone Programme, a structured programme to build desired competencies in its executives. Under the AGC Milestone Programme, training and development for new executives, and new and middle executive managers is provided to equip them with the necessary respective foundational and managerial skills to lead their teams effectively. An AGC

Competency Framework was also implemented to empower AGC's executives to develop their required skill-sets through training and development. We introduced the "Executive Certificate in Legal Skills", for AGC's executives to improve their legal skills and knowledge.

15. Leadership training and development. A structured leadership training and development programme for senior prosecutors was also created. The Leadership Programme will be a fundamental part of the development of the leadership team in the AGC's Criminal Justice Division and Financial and Technology Crime Division (Crime Cluster), for an even more adaptive and high-performing Cluster.

16. Formation of Media and Communications Unit. AGC re-organised its internal and external outreach units into the Media and Communications Unit to enable a well-coordinated communications strategy and process in reaching out to internal and external stakeholders.

17. Transformation of SPO into full-time office. AGC's Strategic Planning & Organisational Excellence Office (SPO) has been reconstituted as a full-time unit under the AG's Office. This will enhance the planning, communication, coordination and implementation of AGC's strategic goals and initiatives within the organisation.

18. Set-up of Statistics Unit. AGC set up a dedicated Statistics Unit to enhance the capture, analysis and presentation of increasingly complex data, which will enhance AGC's operations, policy formation and strategic planning.

19. Revamped Knowledge Management system. AGC launched a revamped internal Knowledge Management system with existing and new legal knowledge assets from different Divisions consolidated for access through a single portal. This includes a cross-Divisional digitised KM Library of 13,000 documents, comprising legal opinions, research papers, court documents and other work of precedential value. Preparing for the future

20. Digitisation. AGC continued to digitise its work, as the Criminal Justice Division worked with the Singapore Police Force on a pilot project to develop an electronic investigation papers system for theft cases. By leveraging on technology to transmit documents and other information electronically, resources expended on physical transport and consultations were reduced and the speed of communications between prosecutors and investigating officers was substantially increased.

21. Exploring the use of data analytics. A working group was established to explore the better use of crime analytics in the work of the AGC's Criminal Justice Division and Financial and Technology Crime Division (Crime Cluster).

22. Formation of Futures Thinking Group. AGC set up a Futures Thinking Group to conduct horizon-scanning and research emerging legal and non-legal trends that have an impact on AGC's work, ensuring that AGC is prepared to harness future opportunities and face impending challenges.

