

ATTORNEY-GENERAL'S CHAMBERS'

KEY INITIATIVES IN 2014

Enhancing legal services to the government and public

In 2014, the Attorney-General's Chambers ("AGC") continued to take steps to expand and enhance the legal services we provide to the government and the public.

- 1 ***Attorney-General (Additional Functions) Act.*** In the area of civil work, the Attorney-General (Additional Functions) Bill was passed by Parliament in August 2014 and the Act entered into force on 1 January 2015. The Act enables the AGC to represent statutory boards in judicial review and other court proceedings. This Act also enables the adoption of a whole-of-Government approach to public law litigation across the public sector. The Monetary Authority of Singapore ("MAS") and the Singapore Land Authority are the first two statutory boards covered under the Act.
- 2 ***Civil penalty court actions under the Securities and Futures Act.*** AGC also began representing MAS in civil penalty court actions for securities market contraventions, such as insider trading and market manipulation. This initiative optimises the use of the experience and resources that reside in the public sector by drawing on existing institutional knowledge in securities enforcement as well as the combined experience of our prosecutors and our civil litigation lawyers. The first civil penalty case in which AGC represented MAS was concluded in April 2014 with an award of S\$ 2.9 million made in favour of MAS.
- 3 ***Overseas post at Singapore's Permanent Mission to the UN in New York.*** In the practice of international law, AGC established a second overseas post at Singapore's Permanent Mission to the United Nations in New York in August 2014. This enables us to provide more immediate and direct legal support to the work of the mission in the wide array of international law issues dealt with by the UN.
- 4 ***Legislation Division.*** In respect of legislative drafting, in 2014, AGC changed the name of the division that carried out this work from the Legislation and Law Reform Division to the Legislation Division. This is to better reflect the Division's focus on law drafting.
- 5 ***Simplifying statutory language.*** Under the PLUS (Plain Laws Understandable by Singaporeans) Project, AGC formed two working groups in May 2014 to look into (i) simplifying and modernising legislative text and drafting styles; and (ii) reviewing the legislative language and style used for amending legislation. Since July 2014, all new Bills and subsidiary legislation use "must" instead of "shall" when expressing mandatory obligations in legislation, are written in gender-neutral and plainer styles, and contain discrete provisions that generally do not exceed 75 words.

- 6 **Revamp of Singapore Statutes Online.** AGC also embarked on the revamp of Singapore Statutes Online (“SSO”). Some changes were implemented on 5 December 2014, such as providing users with more information about SSO, a more comprehensive FAQ section and a simplified Help Guide. The revamp of SSO will continue in 2015.
- 7 **Back-capture of repealed legislation.** In 2014, AGC embarked on a project to progressively back-capture in SSO, legislation up to 1985 and subsidiary legislation up to 1990.
- 8 **Review of advice guidelines and clearance process.** AGC undertook a comprehensive review of its advice template and its internal clearance process. New guidelines and template were introduced to facilitate the giving of advice in a clearer and more concise manner. The internal clearance process was also streamlined and shortened to enable the provision of timelier advice. These changes were implemented across the organisation through the issue of internal Practice Guidelines.

Enhancing criminal enforcement and prosecution

- 9 **Embedment of DPPs.** AGC started embedding DPPs in police divisions as a pilot project in 2013. The programme was institutionalised in 2014, with prosecutors stationed in the Central Narcotics Bureau, Corrupt Practices Investigation Bureau, A (Central) Division, E (Tanglin) Division and the Traffic Police. These prosecutors gave advice and directions to the investigators on charging issues, assisted in vetting the Statement of Facts and charges prepared by the investigators and conducted training for the investigators. The embedment of prosecutors in the remaining police land divisions (i.e., F (Ang Mo Kio) Division, D (Clementi) Division, G (Bedok) Division and J (Jurong) Division) will take place in January 2015.
- 10 **Restructuring of prosecution divisions.** AGC also re-structured its prosecution arm. In November 2014, the former Criminal Justice Division and State Prosecution Divisions were merged to form the Criminal Justice Division (“CJD”). The merger allows AGC to provide prosecutors with a greater variety of prosecution work and improve the mentorship and supervision of younger prosecutors. In addition, the former Economic Crime and Governance Division was merged with the Technology Crime Unit to form the Financial and Technology Crime Division (“FTCD”). A key consideration for this merger is the fact that financial crime is increasingly moving into the electronic medium and electronic platforms are susceptible to technology-based criminal attacks and intrusions.

Engagement of government and enforcement agencies

In 2014, AGC continued to engage our key public sector stakeholders.

- 11 **Sharing of legal knowledge resources.** AGC’s Knowledge Management Unit developed various knowledge resources for our lawyers, such as digests of local and overseas judgments, compilations of sentencing benchmarks and words and phrases

defined by the Singapore courts. Since July 2014 – in order to encourage greater learning and awareness of the law – a practice was established to share all such resources with lawyers in external public sector agencies.

- 12 **Training of public service officers.** Courses on “Law-Making and Policy” and legislative drafting were conducted twice each in 2014. Policy officers in public sector agencies were taught about the role of law in solving policy challenges and how to devise policy specifications that can be translated into effective legislation. Courses on administrative law and international law were also conducted for public service officers.
- 13 **Training of police and prosecution officers.** A specialised training course was conducted for Commercial Crime Squad investigation officers in the police land divisions on technology crime issues. This was in addition to the regular prosecution courses organised for prosecutors in government agencies.
- 14 **Training of Management Executive Officers (MXOs) doing legal work.** While much of the legal work of the Government is undertaken by Legal Service Officers, there are many officers in the Management Executive scheme of service who also undertake prosecution, adjudication, legislative editing and drafting, and legal advisory and policy work in the various ministries and government departments. The Legal MXO Development Programme was launched in August 2014 to provide a cross-agency platform to better coordinate the training and development of these MXOs.

Developing our capabilities

- 15 The training of AGC officers has been a key priority in recent years. Many eminent law academics and practitioners from various jurisdictions were invited to speak to and train our officers. An in-depth legislative drafting course was, for example, conducted for our law drafters by a very experienced retired legislative counsel from Canada. AGC also sent officers for attachments with Barristers’ Chambers, international law firms and foreign governmental agencies.
- 16 **AGC Academy.** To help make AGC an institution that is continually learning and improving, the AGC Academy was set up in October 2014. The AGC Academy takes charge of all the training, education, quality control and auditing of skills for the entire AGC. Under the Academy, a Prosecution School was formed to provide a more systematic development of our prosecutors.

Preparing for the Future

- 17 **Creation of the position of Deputy Attorney-General.** The Constitution of the Republic of Singapore (Amendment) Act 2014 was passed by Parliament on 4 November 2014. It creates, among other things, the office of the Deputy Attorney-General. The creation of this office reflects the increasing volume and complexity of the legal work of the Government and the need for sufficient apex positions in the Executive for those pursuing a legal career in the public sector.

- 18 ***Creation of the Strategic Planning Office.*** AGC established a Strategic Policy Office to enable it to undertake corporate planning in a more deliberate and concerted manner and to carry out horizon scanning and formulate policies to take the organisation into the future.
- 19 ***Electronic Investigation Papers.*** In line with its aim to become a largely paperless office by the end of 2016, AGC is working with the Singapore Police Force to convert investigation papers into an electronic format. This will significantly enhance the speed, quality and reliability of the workflow between and within the respective organisations.
- 20 ***Centralisation and Outsourcing of Litigation Support.*** In order to optimise the deployment of manpower and improve the accessibility, speed and quality of litigation support given to its legal officers, AGC will be centralising and outsourcing these services in the course of the coming year.