

**AGC**  
SINGAPORE

ATTORNEY-  
GENERAL'S  
CHAMBERS



ATTORNEY-GENERAL'S CHAMBERS

# ANNUAL REPORT

2018



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# ATTORNEY- GENERAL'S MESSAGE



02

**As the guardian of the public interest and the steward of the rule of law, AGC's work reflects the dedication and commitment to public service that the 600-strong AGC staff display every day, even in the face of increasing workloads and increasingly complex cases.**

2018 was a fast-paced and busy year for AGC. We strove to make fair prosecutorial decisions, provide quality advice to our Government clients, draft clear and accessible legislation and safeguard Singapore's interests.

As the Public Prosecutor, we hold the important position of being the guardian of the public interest. Hard decisions, which may not be popular, have to be taken in the wider public interest. Justice must be even-handed; we do not seek to win every case nor do we always ask for the highest sentence. More importantly, we do not regard the accused as our adversary. At the same time, we have taken a strong stand in the protection of vulnerable victims, such as minors, the elderly and domestic workers. It is important that AGC stand up and speak for victims without a voice.

In 2018, we were a key partner in the Singapore Public Service's drive to become a Smart Nation. We drafted legislation for several bills, including those to facilitate more efficient data sharing and more robust cyber security. We provided advice on policies relating to a National Digital Identity System as well as electronic payments and transactions. We also led evidence in the Committee of Inquiry (COI) for the SingHealth cyber-attack and put forward 16 recommendations that were all accepted by the COI.

On the international front, AGC officers advised the Government on several significant issues, including the Pedra Branca cases before the International Court of Justice and the High Speed Rail linking Singapore and Kuala Lumpur,

both of which resulted in constructive outcomes that safeguarded Singapore's interests. We also advised and supported the Government in the hosting of the inaugural Trump-Kim Summit in June 2018. AGC fostered closer ties with our regional counterparts, hosting a successful Meeting of Attorneys-General in July 2018 - the first such meeting in almost 30 years.

Closer to home, AGC held the inaugural Public Sector Legal Forum in November 2018, which brought together the community of public sector lawyers from ministries and statutory boards. We continued our engagements with our stakeholders in 2018 and supported the community through various activities, such as the Attorney-General's Challenge Cup, which involved a friendly soccer match between AGC, the Criminal Bar and ex-convicts from the Yellow Ribbon Project.

Our law drafters continued to draft legislation to support the policies of the Government. Compared to 2017, we saw an average increase of 53.8% more pages of legislation drafted in 2018.

As the guardian of the public interest and the steward of the rule of law, AGC's work reflects the dedication and commitment to public service that the 600-strong AGC staff display every day, even in the face of increasing workloads and increasingly complex cases. AGC will continue to do what is fair and right for Singapore and its people.

**Mr Lucien Wong**  
*Attorney-General*

03

# ABOUT THE ATTORNEY-GENERAL'S CHAMBERS

## AGC's Mission

Serving Singapore's interests and upholding the rule of law through sound advice, effective representation, fair and independent prosecution and accessible legislation

### III Representing Singapore's Interests Abroad

by advising the Government on international law, representing Singapore at international negotiations and dispute settlement matters, and handling mutual legal assistance and extradition requests

### V Developing AGC's Legal Professionals And Executives

by launching competency frameworks and leadership and management training for legal officers

### VI Committing To Corporate Social Responsibility

by fostering strong relationships within the legal community, contributing back to society, and saving the environment

### I Acting As The Government's Legal Adviser

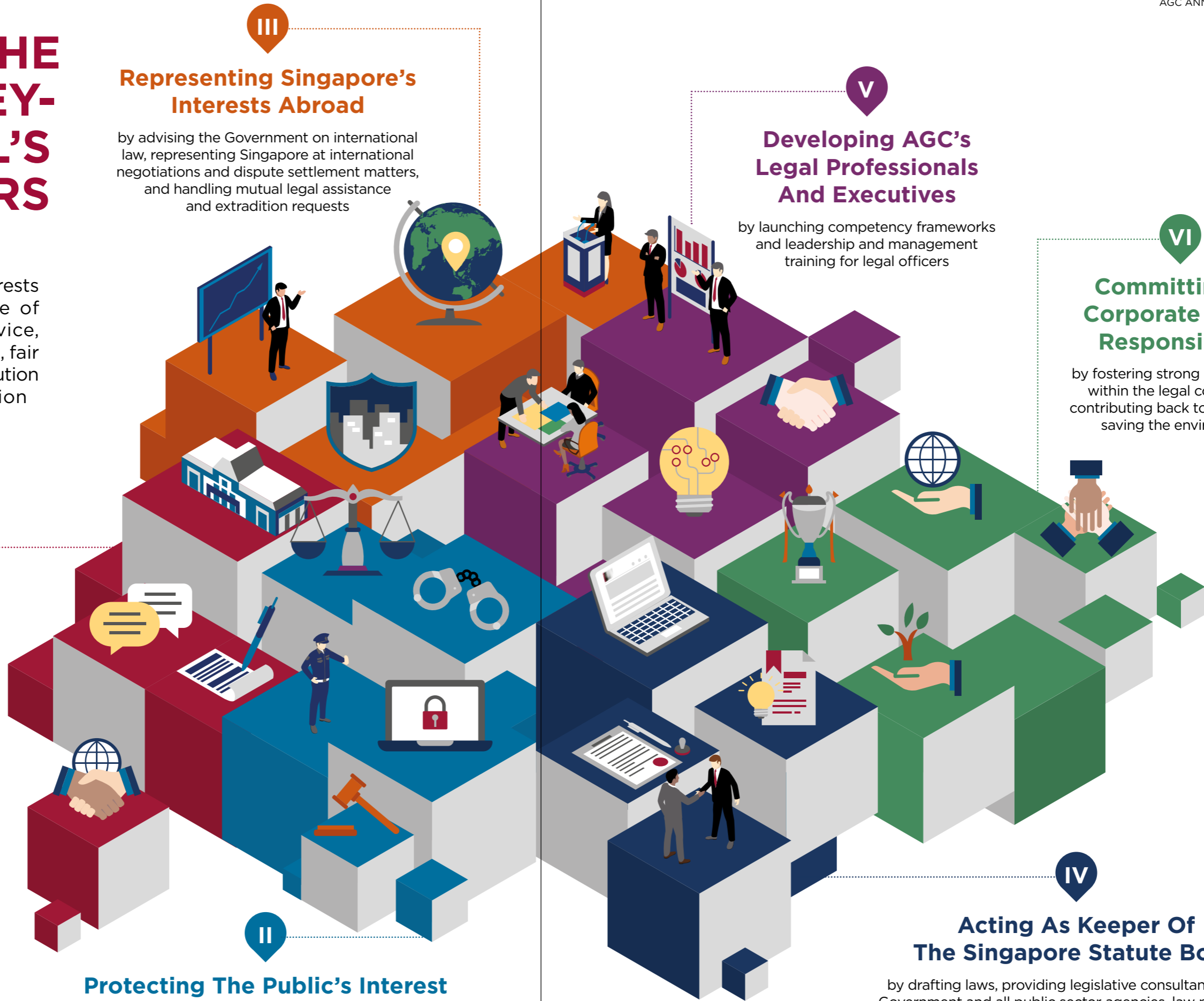
by rendering legal advice to the Government, drafting and vetting contracts and legal documents, and representing the Government in court proceedings, negotiations and dispute resolution hearings

### II Protecting The Public's Interest

by taking a strong stand against perpetrators of crime, being an advocate for vulnerable victims, ensuring even-handed justice, and assisting the courts in establishing sentencing frameworks

### IV Acting As Keeper Of The Singapore Statute Book

by drafting laws, providing legislative consultancy to the Government and all public sector agencies, law publication and database management for the public, making laws more understandable for Singaporeans, and sharing and providing assistance on legislative drafting expertise



# ATTORNEYS-GENERAL OF SINGAPORE

**1965** Following Singapore's independence in 1965, **Mr Ahmad Bin Mohamad Ibrahim** was appointed the first Attorney-General of Singapore. Apart from playing a huge role in the merger talks with Malaya, he also drafted the Women's Charter, Intestate Succession Act, Administration of Muslim Law Act, and other statutes that formed the foundation of the Singapore legal system.

**Mr Tan Boon Teik** took on the role as acting Attorney-General in 1967 before assuming the role officially in 1968. Mr Tan went on to serve for 25 years, making him Singapore's longest-serving Attorney-General. He worked alongside the country's founding fathers in laying the groundwork for Singapore to grow as a young nation, and developed the legal landscape.

**1968**

**1992** **Mr Chan Sek Keong** served for 14 years as Attorney-General and made valuable changes to the legal landscape. In 1993, he persuaded the Government to enact the Application of English Law Act (Cap 7A) to remove uncertainties surrounding the application of English law to Singapore. He also enhanced AGC's capabilities by strengthening the Civil and Criminal Divisions, and setting up the International Affairs Division.

**Mr Chao Hick Tin** played an integral role in the Pedra Branca case, as part of the team presenting Singapore's oral arguments at The Hague in 2007. During his tenure, the Constitution of the Republic of Singapore (Amendment) Bill 2007, the Passports Bill 2007 and the Land Acquisition (Amendment) Bill 2007 were also introduced in Parliament. Mr Chao was also one of the founding members of the ASEAN Law Association.

**2006**

**2008** **Mr Walter Woon** saw the benefits of reaching out and maintaining close relations with law schools to draw talent. As Attorney-General, he also introduced an alternative to prosecution, the conditional warning, and helped set up the Centre for International Law at the National University of Singapore to improve international law expertise in Singapore and the region.

**Mrs Koh Juat Jong** was acting Attorney-General before **Mr Sundaresh Menon** was sworn in as Attorney-General in October 2010. Mr Menon laid the groundwork for several initiatives, such as the Code of Practice for the conduct of criminal proceedings, increasing access to defence counsel for those wrongfully accused, and mental health screening for offenders.

**2010**

During his term, **Mr V K Rajah** introduced initiatives to improve institutional efficiency and strengthen specialist prosecutorial capabilities. As Attorney-General, he helmed a committee which proposed recommendations to the Government on developing the legal sector in Singapore. He also introduced digital platforms that prosecutors could use to increase productivity.

**2012**

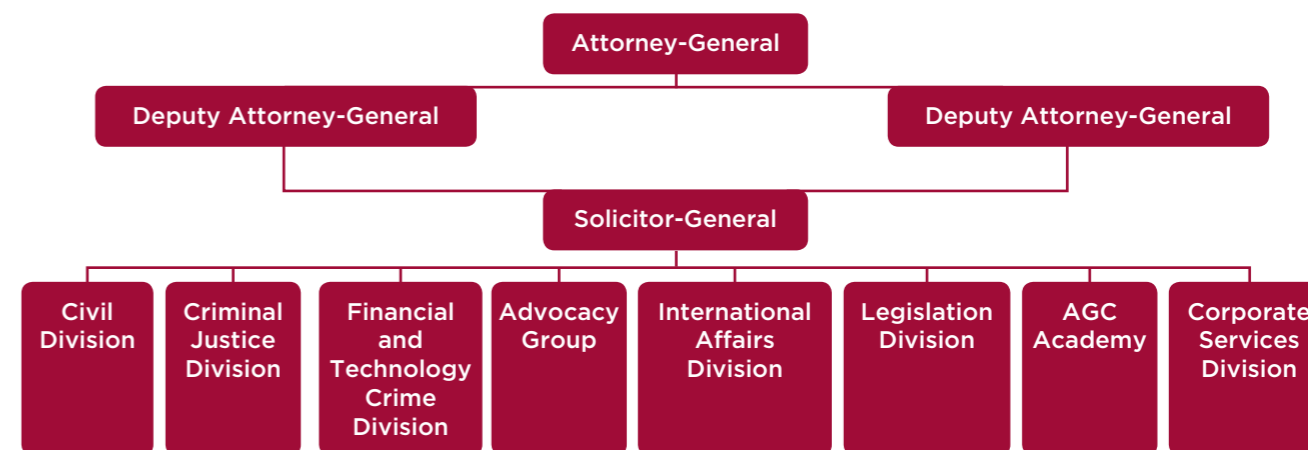
**2014**

**2017**

When **Mr Steven Chong** took over in 2012, he further developed the Code of Practice for the conduct of criminal proceedings. Mr Chong also launched what became known as the Appropriate Adults Scheme, and improved AGC's public communications efforts.

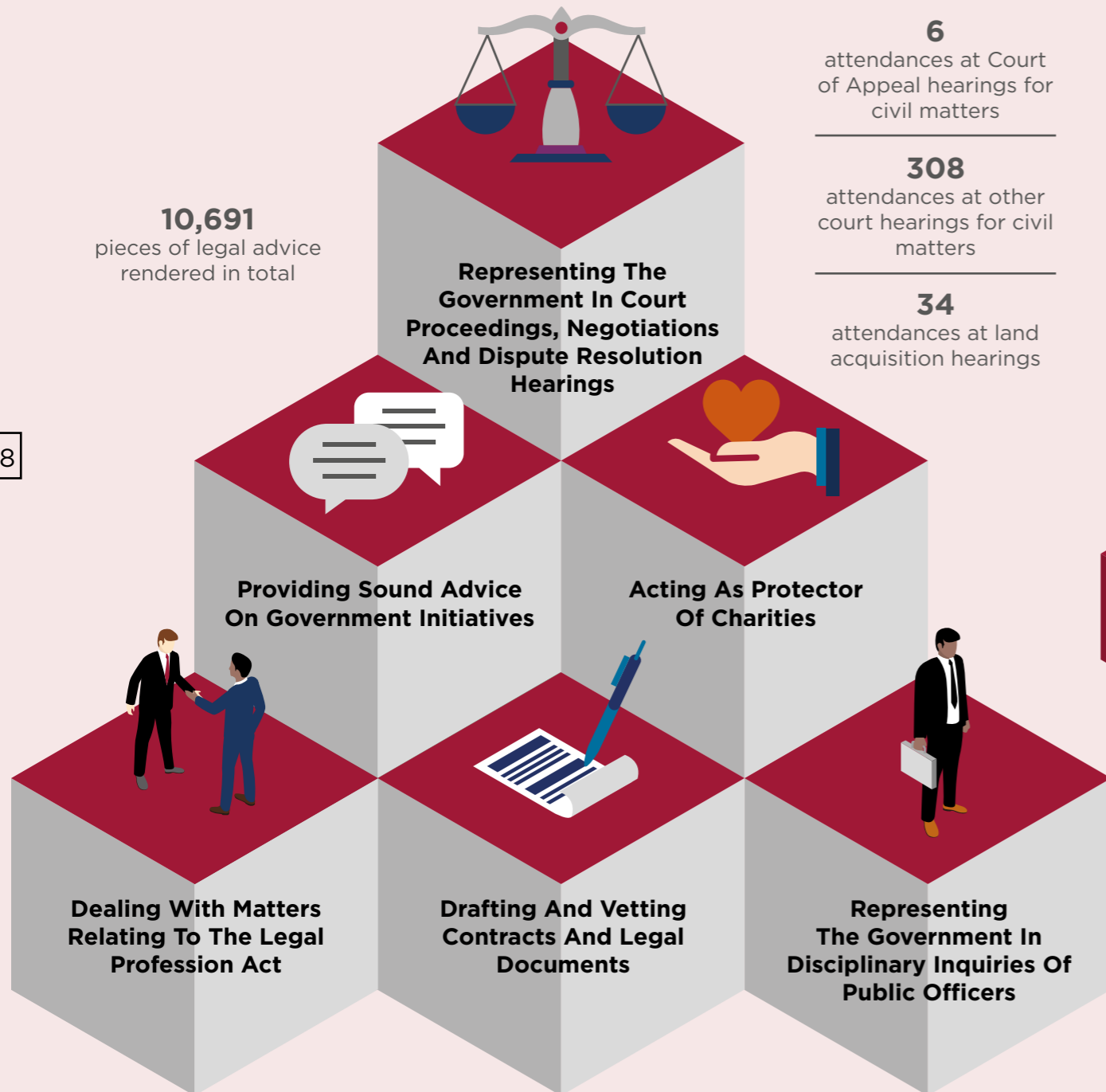
The current Attorney-General is **Mr Lucien Wong**, who assumed office on 14 January 2017.

## ORGANISATIONAL STRUCTURE OF AGC IN 2018



# ACTING AS THE GOVERNMENT'S LEGAL ADVISER

**10,691**  
pieces of legal advice rendered in total



**11,127**  
pages for transactional matters drafted/reviewed

Increase in complex transactions with many requiring bespoke drafting

As the Government's legal adviser, AGC plays a vital role in protecting and advancing the Government's interests, facilitating the administration of justice and upholding the rule of law.



## PROVIDING SOUND ADVICE ON GOVERNMENT INITIATIVES

### Significant Legal Advices Rendered

Notable advices rendered include the following:



#### MYINFO STEERING COMMITTEE

- ▶ Advised the MyInfo Steering Committee on legal matters, including terms of service for the MyInfo service and addition of various new data items to MyInfo.
- ▶ Advised the Ministry of Social and Family Development on data collection, storage and sharing matters in the proposed Family Status Register, a database that will establish and enable sharing of family ties of individuals (both blood and legal ties).



#### NATIONAL TRADE PLATFORM

- ▶ Provided legal advice relating to final-stage implementation of the National Trade Platform.
- ▶ Advised and assisted in negotiations on the agreement which Singapore Customs will be entering into with service providers and business users.



#### ELIMINATION OF WET-INK SIGNATURES

- ▶ Under the Digital Government Blueprint issued in June 2018, all Government services should be offering digital signature options by 2023.
- ▶ Rendered advice to various agencies on policies relating to the implementation of electronic records and signatures, as well as on the Electronic Transactions Act (Cap 88, 2011 Rev Ed).



#### SMART NATION

- ▶ Continued to provide strong legal support on various aspects of the Smart Nation initiative, including the development of the National Digital Identity, a digital transaction system for Singapore residents and businesses to liaise with the Government and private sector conveniently and securely.



## DRAFTING AND VETTING CONTRACTS AND LEGAL DOCUMENTS

In 2018, AGC handled requests from the Government for the negotiation, drafting and reviewing of a wide range of contractual and legal documents:

### DRAFTING AND VETTING OF CONTRACTS AND LEGAL DOCUMENTS



**Tender documents for procurement**



**Funding and collaborating agreements**



**Confidentiality and non-disclosure agreements**



**Lease agreements and licences**



**Loan agreements**



**Scholarship agreements**

### Significant Drafting Work Undertaken

Significant pieces of drafting undertaken by AGC include:



### ALIGNING TEMPLATE PROCUREMENT DOCUMENTS WITH THE TRIPARTITE STANDARD ON CONTRACTING WITH SELF-EMPLOYED PERSONS

- ▶ One recommendation put forth by the Tripartite Workgroup in charge of identifying and addressing common challenges faced by self-employed persons was the Tripartite Standard on Contracting with Self-Employed Persons (Tripartite Standard).
- ▶ The Tripartite Standard addresses cases where service buyers default on payments to self-employed persons after a job was completed.
- ▶ AGC assisted the Ministry of Finance (MOF) with amending the template documents for the procurement of goods and services to align them with the Tripartite Standard.



### AUTONOMOUS TRUCK PLATOONING REQUEST FOR PROPOSAL

- ▶ AGC supported the Ministry of Transport (acting in concert with PSA Corporation Limited) in the issuance and implementation of a Request for Proposal (RFP) seeking submissions on local trials for truck platooning technology.
- ▶ The RFP also sets out training and technology transfer requirements, along with options for the scaling up of truck platooning deployments across Singapore.



### EXAMPLES OF INNOVATION

AGC produced a prototype “contract template generator” for the Instruction Manual (Procurement) Conditions of Contract for Goods and Services, which allows government procurement entities to select and assemble their preferred contractual terms with greater ease. The prototype generator was rolled out by the MOF in July 2018.



AGC also looked into a service automation software solution as a long-term solution to improve on the generator.

▶ AGC officers demonstrating the contract template generator prototype to officers from the Government Technology Agency during a client engagement session



### REPRESENTING THE GOVERNMENT IN CIVIL PROCEEDINGS AND HEARINGS

#### REPRESENTING THE GOVERNMENT



Court proceedings instituted by and against the Government



Public law litigation matters (such as constitutional challenges)



Private law civil litigation matters (such as contract, land and recovery of public moneys)



Negotiations and dispute resolution hearings

**Significant Litigation Cases Handled**

Some of the more significant litigation matters handled by AGC included:



**ARW V COMPTROLLER OF INCOME TAX AND ATTORNEY-GENERAL [2018] SGCA 85**

- ▶ The Comptroller of Income Tax had commenced a civil suit to recover tax refunds claimed by a company. The company denied liability and applied for disclosure of various internal documents generated by the Inland Revenue Authority of Singapore (IRAS) in the course of IRAS' investigations. The High Court (HC) allowed the disclosure of IRAS' internal documents.
- ▶ The Attorney-General successfully applied to intervene in the proceedings and assert public interest privilege over the various internal documents generated by IRAS in the course of investigations. The Court of Appeal agreed to the intervention, in view of the Attorney-General's unique role and responsibilities as the guardian of public interest.



**RE TAY YEW BENG PETER; RE THOMAS HAEUSLER (UNREPORTED)**

- ▶ These were the first leave applications brought by disqualified directors under s 155A of the Companies Act (Cap 50, 2006 Rev Ed), which imposes an automatic disqualification on directors who have three of their companies struck off by the Accounting and Corporate Regulatory Authority within five years.
- ▶ The applicants argued that they were blameless as they were sole local resident directors with no effective control over their companies and could not resign. The Attorney-General successfully argued that s 155A was intended to deter people from taking up directorships without exercising proper supervision, and both leave applications were eventually dismissed.



**UKM V ATTORNEY-GENERAL [2018] SGHCF 18**

- ▶ A homosexual man appealed against the District Court Judge's decision to reject his application to adopt his biological son conceived through gestational surrogacy in the United States of America. The Attorney-General represented the Director of Social Welfare of the Ministry of Social and Family Development, who was appointed the child's Guardian-in-Adoption.
- ▶ The HC accepted the Attorney-General's submissions that public policy may be considered in deciding whether to make adoption orders. It further agreed that the public policy against the formation of same-sex family units would be violated should the adoption order be granted in this case. Such violation must, however, be balanced against protecting the welfare of the child, which the HC found would be promoted by granting the adoption order.
- ▶ The HC ultimately ruled, with "not insignificant difficulty", in favour of making of the adoption order.



**WONG SOUK YEE V ATTORNEY-GENERAL [2018] SGHC 80**

- ▶ The Attorney-General successfully resisted a constitutional challenge brought by Dr Wong Souk Yee for a by-election to be called in Marsiling-Yew Tee Group Representation Constituency, after Member of Parliament Madam Halimah Jacob vacated her seat to contest in the 2017 Presidential Election.
- ▶ Wong Souk Yee's appeal was dismissed by the Court of Appeal.



**PROTECTOR OF CHARITIES**

AGC provided legal advice in relation to charities. The Ministry of Culture, Community and Youth (MCCY) sought the Attorney-General's signed consent for the Commissioner of Charities (COC) to make an order under s 24(1)(a) of the Charities Act (Cap 37, 2007 Rev Ed) establishing a scheme for the administration of the charity. The Attorney-General consented to the scheme, subject to certain requirements under the Charities Act being fulfilled.

AGC also advised the MCCY and the COC on various issues in connection with the exercise of the COC's powers under the Charities Act. In addition, the Attorney-General's consent was given to the COC to make orders, under ss 25(2)(i), 25(2)(ii) and 25(1)(i) of the Charities Act, to suspend, remove and appoint key officers within a charity.



**LEGAL PROFESSION SECRETARIAT**

AGC was responsible for several functions under the Legal Profession Act (Cap 161, 2009 Rev Ed) in relation to the Singapore legal profession, in matters such as the admissions of advocates and solicitors to the Singapore Bar, applications for *ad hoc* admission of Queen's Counsel and applications for a practising certificate to practise in a Singapore law practice.

Notably, in *Re BSL* [2018] SGHC 207, the first case after the Court of Appeal established revised principles for s 15(1)(c) of the Legal Profession Act in *Re Harish Salve* [2018] 1 SLR 345, AGC successfully opposed an application to admit Queen's Counsel on an *ad hoc* basis for a commercial matter.



# PROTECTOR OF THE PUBLIC INTEREST

**487**

Criminal trials concluded in the State Courts

**62**

Coroner's Inquiries concluded in the State Courts

**328**

Appellate hearings concluded for criminal law matters

**16,555**

Pre-trial conferences in the State Courts

**6,136**

Plead guilty mentions concluded in the State Courts

**70**

High Court hearings concluded for criminal law matters

**55,163**

Investigation paper submissions processed



**Importance Of Public Sector Cyber Security**



**Even-Handed Justice**

**Strong Stand Against Perpetrators Of Crime**



**New Sentencing Frameworks**

The AGC is responsible for advancing the public interest through fair and independent prosecution.



## STRONG STAND AGAINST PERPETRATORS OF CRIME

Significant cases handled include the following:

### PP V HUSSAIN BIN SAMAT (CC 22/2018; UNREPORTED)

- ▶ The offender posed as a Housing & Development Board (HDB) officer and sexually assaulted two sisters, aged 12 and 16, at knifepoint.
- ▶ He pleaded guilty and was convicted of eight charges involving aggravated outrage of modesty, aggravated sexual assault by penetration and attempted aggravated rape.
- ▶ The High Court (HC) agreed with AGC's sentencing submissions and sentenced the offender to preventive detention for a maximum of 20 years. The HC observed that the offender's offences were of grave concern as he acted with high degree of pre-meditation, impersonated a HDB officer and repeatedly threatened the victims with physical violence.





**PP V CHIA KEE CHEN AND ANOTHER APPEAL [2018] 2 SLR 249**

- ▶ The offender was the mastermind of a meticulously planned revenge murder after finding out that the deceased was having an affair with his wife. He enlisted two accomplices to carry out his plan. He abducted and severely assaulted the deceased, inflicting numerous blunt-force blows to the deceased's head and face, and causing extensive fractures to his skull. The body was then dumped in the Lim Chu Kang live firing area.
- ▶ The High Court (HC) convicted the offender of one count of murder in furtherance of a common intention shared with one of his accomplices, under s 300(c) read with s 34 of the Penal Code, and sentenced him to life imprisonment.
- ▶ AGC appealed against this sentence, seeking the death penalty instead. The Court of Appeal allowed AGC's appeal, and agreed that the offender's actions exhibited such viciousness and blatant disregard for the deceased's life, that the death penalty was the only adequate sentence.



**PP V BPN (CC 93/2017; UNREPORTED)**

- ▶ The offender, married with child, had an affair with another woman (his lover) and brought her and her young daughter (the victim) to live with him in his matrimonial home.
- ▶ In spite of having two women – his wife and his lover – in his life, the offender turned his attention to the victim and sexually abused her for a period of seven years, beginning when she was about seven years old. His sexual assaults escalated to the point where he raped the victim in the bathroom while others were at home.
- ▶ Consequently, AGC argued in the HC for a deterrent sentence of 34 years' imprisonment and the maximum 24 strokes of the cane to be imposed on the offender. The HC agreed with AGC's recommendation.



**PP V LEE LAI LENG & OTHERS (SC 910681/2017)**

- ▶ A syndicate defrauded SkillsFuture Singapore of close to S\$40 million by submitting more than 8,000 fraudulent claims for training grants through a network of three training providers and six applicant firms. The fraudulent claims stated that training courses were provided to nearly 25,000 employees.
- ▶ The scam was discovered after SkillsFuture Singapore detected anomalies in the claims and suspended all grant payments. Several syndicate members absconded overseas, but were brought to justice with the cooperation of foreign authorities.
- ▶ As of 31 December 2018, 13 persons had been charged, with one being convicted of acquiring criminal benefits and concealing criminal proceeds comprising S\$6.7 million in cash and 11 kg of gold bars. He was sentenced to 68 months' imprisonment.



**PP V LI CHAOYUN & ORS (SC 904279/2016; UNREPORTED)**

- ▶ The offender was a section manager in Jurong Shipyard Pte Ltd (JSPL) and had set up a separate business entity, Newair Engineering Group Pte Ltd (Newair), with a co-offender.
- ▶ Between 2011 and 2014, the offender advanced Newair's business interests with JSPL by favouring Newair during JSPL's procurement processes, providing confidential pricing advice and drafting a technical proposal eventually submitted for a JSPL project bid. In exchange, the co-offender, as the business owner of Newair, provided the offender with 51% of Newair's shares and payments amounting to S\$956,600. Newair profited by S\$1.4 million from the JSPL contracts it had obtained.
- ▶ In March 2019, the offender had been convicted on corruption charges after a 20-day trial and was awaiting sentencing.



Credit: Keppel Corporation Ltd



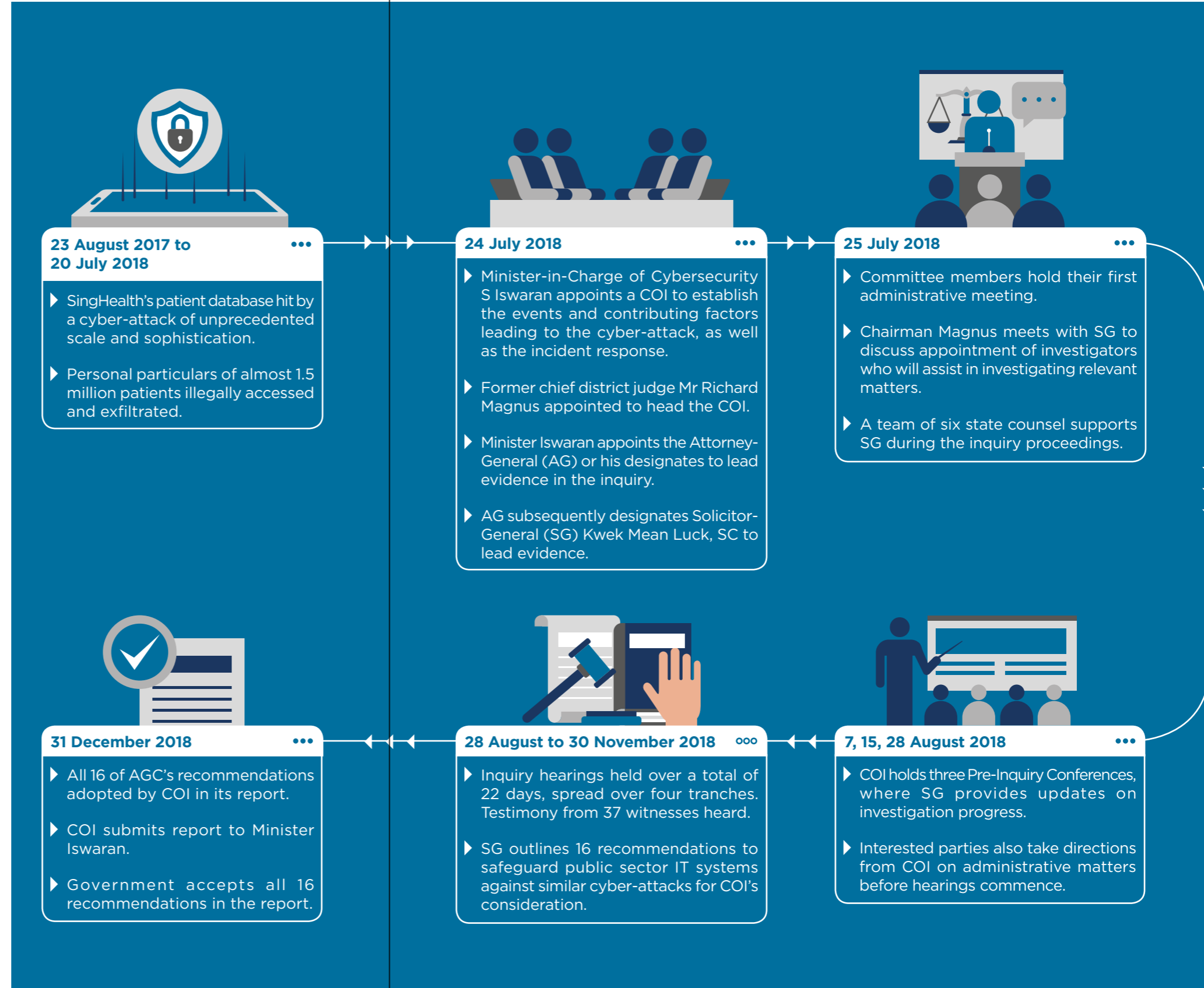
## IMPORTANCE OF PUBLIC SECTOR CYBER SECURITY

A Committee of Inquiry (COI) was set up to inquire into the cyber-attack on SingHealth's database system, Singapore's worst and most serious cyber-attack to date. The COI was conducted over a period of five months and involved over 37 witnesses, including local and foreign experts. AGC was appointed to lead the evidence at the inquiry. At the inquiry's conclusion, AGC submitted 16 recommended measures to safeguard public sector Information Technology (IT) systems against similar cyber-attacks for the COI's consideration. All 16 recommendations were adopted by the COI in its report, and subsequently by the Government.



**Submitted 16 recommended measures** to safeguard public sector IT systems

**All 16 recommendations** were adopted by the COI in its report





**EVEN-HANDED JUSTICE**



**KOK KUM HONG V PP (CM 15/2018) AND LAM KIM HENG V PP (CM 39/2018 & MA 9080/2018)**

In *Kok Kum Hong v PP* (CM 15/2018; unreported) and *Lam Kim Heng v PP* (CM 39/2018 & MA 9080/2018; unreported), AGC did not object to the appeals

against sentence by these offenders, both of whom were diagnosed with terminal illnesses after their convictions and had very short life expectancies.



**NEW SENTENCING FRAMEWORKS**

Significant sentencing frameworks for the sentencing of domestic maid abusers, and money-mules used to carry out transnational money-laundering activities within Singapore's jurisdiction, were laid down by the High Court (HC).



**TAY WEE KIAT AND ANOTHER V PP AND ANOTHER APPEAL [2018] 4 SLR 1315**

A married couple was convicted of multiple offences relating to the mistreatment of their domestic maid. The HC allowed AGC's cross-appeal against the sentence imposed on one of them, and laid down a framework for the sentencing of domestic maid abusers. The HC held that a court should first determine whether the harm caused to the victim was predominantly physical, or both physical and psychological. Indicative sentencing ranges (see table on the right) would then apply based on the degree of physical and psychological harm caused. The sentences would then be adjusted for other aggravating and mitigating circumstances.

In this case, the HC also ordered the offenders to compensate the victim for the pain and suffering she underwent, and the salary that she would have earned but for being unemployed as a result of the offences. The HC made this order in a supplementary judgment, *Tay Wee Kiat and another v PP and another appeal* [2018] SGHC 114, in which it also set out the

general principles underpinning criminal compensation, reiterating that criminal compensation is *prima facie* appropriate in maid abuse cases because the victims are often impecunious.

	Less Serious Physical Harm	More Serious Physical Harm
Less Serious Psychological Harm	3-6 months' imprisonment	6-18 months' imprisonment
More Serious Psychological Harm	6-18 months' imprisonment	20-30 months' imprisonment



**HUANG YING-CHUN V PP [2018] SGHC 269**

The HC allowed an appeal against the sentence by a Taiwanese money-mule involved in a syndicated police impersonation scam, and laid down a framework for sentencing money-mules used to carry out transnational money-laundering activities within Singapore's jurisdiction. The HC held that a five-step framework may be employed for such cases. First, identify the level of harm caused by the offence and the level of culpability

of the offender. Second, identify the applicable indicative sentencing range for the money-laundering offences as per the table below. Third, identify the appropriate starting point within the indicative sentencing range. Fourth, make adjustments to the starting point to account for offender-specific factors. Fifth, make further adjustments to the sentence to take into account the totality principle.

	Low Culpability	Medium Culpability	High Culpability
Slight Harm	Fine and/or short custodial term	10-30 months' imprisonment	30-60 months' imprisonment
Moderate Harm	10-30 months' imprisonment	30-60 months' imprisonment	60-90 months' imprisonment
Severe Harm	30-60 months' imprisonment	60-90 months' imprisonment	90-120 months' imprisonment

# REPRESENTING SINGAPORE'S INTERESTS ABROAD

**1,970**  
attendances at international negotiations and meetings

**1,090**  
attendances at meetings/hearings related to international disputes

**1,159**  
mutual legal assistance and extradition matters



**Providing Legal Advice To The Government On International Law Issues**



**Representation And Advocacy At International Hearings**



**Negotiations And Participation At International And Local Forums**



**Strengthening Bilateral Ties Through Official Visits**



**Developing International Law Expertise Initiatives**



## REPRESENTATION AND ADVOCACY AT INTERNATIONAL HEARINGS

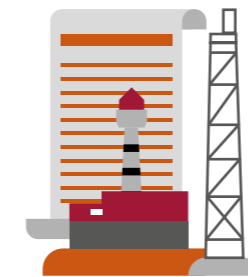


### THE INTERNATIONAL COURT OF JUSTICE

#### Sovereignty Over Pedra Branca, Middle Rocks And South Ledge

#### AGC played a key role

in Singapore's submission of written pleadings in the two cases brought



by Malaysia against Singapore concerning **sovereignty over Pedra Branca, Middle Rocks and South Ledge**

AGC was also instrumental in preparing for the oral hearings scheduled for 11 to 22 June 2018. The cases were eventually discontinued on 29 May 2018 when Singapore agreed to Malaysia's request for discontinuance.



### WORLD TRADE ORGANISATION (WTO)

#### Third Party Participation In WTO Disputes

In June 2018, a WTO panel held that Australia did not breach its WTO obligations in imposing trademark restrictions and other plain packaging requirements on tobacco products and packaging.

The Dominican Republic and Honduras appealed against this decision. Singapore participated in the appeal as a third participant and submitted a written submission prepared by an AGC team.



This was the **first time** that Singapore had participated in **WTO appellate proceedings**

Separately, Singapore also participated as a third party in a WTO dispute between Ukraine and Russia (DS 512).

Trade, which may have broader implications for the multilateral trading system.

This was the first time a WTO Panel has been called upon to interpret the security exception in Article XXI of the General Agreement on Tariffs and

In consultation with policy agencies, an AGC team drafted and delivered Singapore's oral statement during the first substantive meeting of DS 512 held on 23 to 25 January 2018.

**NEGOTIATIONS AND PARTICIPATION AT INTERNATIONAL AND LOCAL FORUMS**



ASEAN

**Meeting of Attorneys-General (MAG)**



▲ MAG 2018 participants with AGC management

- ▶ In conjunction with Singapore's ASEAN chairmanship and the hosting of the ASEAN Law Conference, AGC hosted the MAG for the Attorneys-General (or equivalent) of ASEAN member states from 24 to 26 July 2018.
- ▶ The MAG's objectives included encouraging and enhancing regional and multilateral legal cooperation.

**7 ASEAN member states** attended

It was the **first such meeting of Attorneys-General in over 30 years**

**The Model ASEAN Extradition Treaty (MAET)**

- ▶ AGC was actively involved in negotiating the MAET, which was endorsed at the 10<sup>th</sup> ASEAN Law Ministers Meeting in October 2018.
- ▶ The mandate was also given to commence work on the ASEAN Extradition Treaty to strengthen ASEAN's resilience and capacity to combat transnational crimes, and enhance intra-ASEAN cooperation to ensure respect for the rule of law.

**10<sup>th</sup> ASEAN Law Ministers Meeting And 18<sup>th</sup> ASEAN Senior Law Official Meetings**

- ▶ The 10<sup>th</sup> ASEAN Law Ministers Meeting and 18<sup>th</sup> ASEAN Senior Law Official Meetings were held in Vientiane, Lao People's Democratic Republic (PDR) in October 2018.
- ▶ The Singapore delegation also met with Mr Xaysana Khotphouthone, Deputy Supreme People's Prosecutor of Lao PDR.



REPRESENTATION AT THE UNITED NATIONS (UN)

**Law of the Sea Matters**

- ▶ An AGC officer was elected President of an Intergovernmental Conference (IGC) under the auspices of the UN, and presided over its organisational meeting and first session.
- ▶ This conference's task was to elaborate the text of an internationally legally binding instrument under the UN Convention on the Law of the Sea on the conservation and sustainable use of the marine biological diversity of areas beyond national jurisdiction.



▲ The first session of the IGC, presided over by an AGC officer who was elected as President

**Climate Change**

- ▶ AGC officers were part of the Singapore delegation to the 24<sup>th</sup> Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC), which resulted in a package of decisions to operationalise the Paris Agreement.



▲ The Singapore delegation at the 24<sup>th</sup> Conference of the Parties to the UNFCCC

**73<sup>rd</sup> UN General Assembly**

- ▶ AGC officers were part of the Singapore delegation to the 73<sup>rd</sup> UN General Assembly, during which they delivered statements on behalf of Singapore and negotiated resolutions under the agenda items of the Sixth Committee.
- ▶ AGC also participated in the campaign for Singapore's candidature to the UN Commission on International Trade Law. Singapore was eventually elected with the highest number of votes in the Asia-Pacific Group.

**United Nations (UN) Work On International Trade Law**

- ▶ AGC officers represented Singapore at the United Nations Commission on International Trade Law (UNCITRAL)'s 51<sup>st</sup> Session in New York, and participated in several projects before and after the Session.



- ▶ The projects included the formulation of legislative guides on key principles of a business registry and a simplified legal entity for micro, small and medium enterprises respectively.
- ▶ Officers also participated in the Electronic Commerce working group's project on legal issues in identity management and trust services; the working group on Investor-State Dispute Settlement Reform; and an Intergovernmental Expert Group Meeting on Public Private Partnerships to consider revisions to the UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects and the UNCITRAL Model Legislative Provisions on Privately Financed Infrastructure Projects.

◀ *The Singapore delegation (second and third from left) at the UNCITRAL Intergovernmental Expert Group Meeting on Public Private Partnerships in Vienna*

**Other Areas Of Participation In The UN**

- ▶ An AGC officer was appointed co-coordinator of a UN General Assembly resolution and successfully facilitated a review of the Regulations giving effect to Article 102 of the Charter of the United Nations.
- ▶ AGC officers also served on the Advisory Committee on the UN Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, and as Rapporteur of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organisation.



**ECONOMIC AND RELATED INTERNATIONAL AGREEMENTS**

**Comprehensive And Progressive Agreement For Trans-Pacific Partnership (CPTPP)**



**AGC provided legal support** to agencies to operationalise the CPTPP, which was signed by

**11 countries** on 8 March 2018 in Santiago, Chile

- ▶ The CPTPP came into force on 30 December 2018 for Australia, Canada, Japan, Mexico, New Zealand and Singapore, and on 14 January 2019 for Vietnam. Four remaining signatories have yet to ratify the CPTPP: Brunei, Chile, Malaysia and Peru.



▲ *Signing and exchanging of side letters between Singapore and Malaysia on 5 September 2018*

**Singapore-Kuala Lumpur High Speed Rail (HSR) Project**

- ▶ AGC advised the Ministry of Transport and other agencies on the implications for the Singapore-Kuala Lumpur HSR Project, and Singapore's rights under the HSR Bilateral Agreement, should Malaysia decide not to proceed with it.

**AGC played a key role in negotiations** between Singapore and Malaysia on the suspension of the HSR Project



This culminated in the **signing and exchanging of side letters between the two Governments** on 5 September 2018

**Eurasian Economic Union-Singapore Free Trade Agreement (EAEU-Singapore FTA)**

- ▶ AGC officers participated in negotiating the EAEU-Singapore FTA, which, when concluded, will improve Singaporean companies' access to the EAEU market, as well as promote trade and investment flows.

**Regional Comprehensive Economic Partnership (RCEP)**

- ▶ On 14 November 2018 in Singapore, leaders from the RCEP countries welcomed the substantial progress made in RCEP negotiations in 2018, and expressed their determination to conclude a modern, comprehensive, high quality, and mutually beneficial RCEP in 2019.
- ▶ AGC continues to work closely with agencies to bring all remaining Chapters and Annexes to conclusion.

▼ *Trade Negotiating Committee for the RCEP*



**Indonesia-Singapore Bilateral Investment Treaty (BIT)**

- ▶ AGC was part of the Singapore delegation that negotiated the Indonesia-Singapore BIT signed in October 2018.
- ▶ This BIT complements the ASEAN Comprehensive Investment Agreement and promotes greater trade and investment flows between both countries.



**SPEAKING ENGAGEMENTS TO ENHANCE SINGAPORE'S MINDSHARE**

Several AGC officers were invited to speak at various international forums and seminars, further highlighting the recognition of Singapore's legal expertise. Some of these included:



**INTERNATIONAL LAW YEAR IN REVIEW  
(8 FEBRUARY 2018)**

The inaugural International Law Year in Review by the Centre for International Law featured both Director-General, International Affairs Division (DG, IAD) Daphne Hong and Deputy Director-General, International Affairs Division (DDG, IAD) Danielle Yeow as panellists on the topics 'Treaty and Legislative Developments' and 'Key Issues to Watch' respectively.

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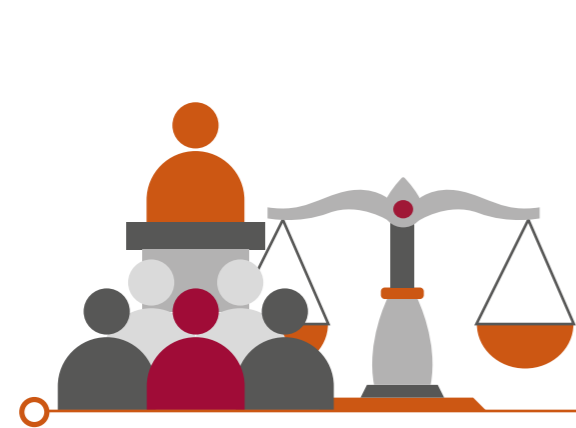
**70<sup>TH</sup> ANNIVERSARY OF THE UNITED NATIONS  
(UN) INTERNATIONAL LAW COMMISSION  
(5 - 6 JULY 2018)**

Senior State Counsel (SSC) Davinia Aziz chaired a panel at a Geneva event to commemorate the 70<sup>th</sup> anniversary of the UN International Law Commission, and contributed to a book commemorating the anniversary.



**THE 11<sup>TH</sup> CHINA-ASEAN  
PROSECUTORS-GENERAL  
CONFERENCE  
(14 - 15 AUGUST 2018)**

Attorney-General Lucien Wong, SC delivered a keynote address on "Prosecuting Cybercrime: The Singapore Experience".



**THE HAGUE ACADEMY  
EXTERNAL PROGRAMME  
(23 - 30 NOVEMBER 2018)**

The Hague Academy External Programme featured several AGC officers as faculty speakers, including DG, IAD Daphne Hong, DDG, IAD Danielle Yeow and SSC Ong Chin Heng.



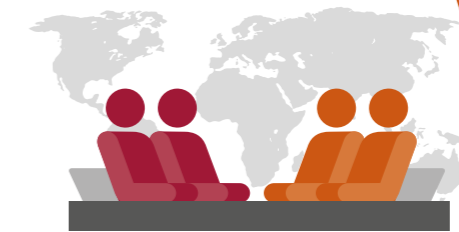
**INTERNATIONAL LAW WEEK 2018  
(25 OCTOBER 2018)**

DAG Lionel Yee, SC, was a panellist at a side event, together with the UN Under-Secretary-General for Legal Affairs and a member of the International Law Commission. DG, IAD Daphne Hong also spoke on two panels, one of which included the President of the International Court of Justice.



**23<sup>RD</sup> INTERNATIONAL ASSOCIATION OF  
PROSECUTORS ANNUAL CONFERENCE  
(9 - 13 SEPTEMBER 2018)**

Deputy Attorney-General (DAG) Hri Kumar Nair, SC presented a paper on "Independent Prosecution and Confidence in the Eyes of the Public". Chief Prosecutor Kow Keng Siong also chaired a plenary session on "Managing Prosecution Services - Between Accountability and Individual Autonomy".



**THE APPLICABILITY OF  
INTERNATIONAL LAW IN  
CYBERSPACE TO STATE  
BEHAVIOUR PROGRAMME  
(27 - 31 AUGUST 2018)**

DDG, IAD Danielle Yeow participated as a faculty seminar co-leader of the programme.

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▼ Participants of the 11<sup>th</sup> China-ASEAN Prosecutors-General Conference, Brunei Darussalam



▼ Deputy Attorney-General Lionel Yee was a panellist at a side event of International Law Week 2018



▲ Deputy Director-General Danielle Yeow (left) with Deputy Course Director (Program on Terrorism and Security Studies) Captain Thomas Welsh (US Navy) at the George C. Marshall European Centre for Security Studies



▲ Senior State Counsel Davinia Aziz (third from left) chaired a panel at a Geneva event to commemorate the 70<sup>th</sup> anniversary of the United Nations International Law Commission



## INTERNATIONAL LEGAL COOPERATION IN CRIMINAL MATTERS

### The 2016 Standard Chartered Bank Robbery

AGC officers worked with authorities in the United Kingdom (UK) to extradite David James Roach to Singapore to face charges relating to the robbery of Standard Chartered Bank in 2016. Following a successful hearing before the UK court, the UK Secretary of State issued the order for Roach to be extradited to Singapore. As of March 2019, Roach had been seeking leave to appeal against the decision.

### 1Malaysia Development Berhad (1MDB)

AGC led the provision of Mutual Legal Assistance in respect of investigations and prosecutions relating to 1MDB, including contested proceedings on production orders obtained pursuant to the Mutual Assistance in Criminal Matters Act. They involved novel questions of law, including the grounds for the grant of leave to inspect documents filed in support of a production order application.

### Extradition Of Christopher Milled Elkhouri

Through the efforts of an inter-divisional AGC team, Singapore successfully extradited Christopher Milled Elkhouri to Australia for offences related to stolen car parts and car rebirthing activities. The team handled many legal challenges during the proceedings, including a criminal motion challenging the Order for Detention and an application for leave to commence judicial review proceedings on the seizure of his property.

### Fraud Against SkillsFuture Singapore

AGC was part of an inter-agency team which obtained the surrender from Hong Kong of an individual for his role in defrauding SkillsFuture Singapore of S\$40 million.

NOTABLE MUTUAL LEGAL ASSISTANCE AND EXTRADITION MATTERS



## DEVELOPING INTERNATIONAL LAW EXPERTISE INITIATIVES

### The Hague Academy External Programme



▲ Opening ceremony of The Hague Academy External Programme 2018 held in Singapore; speakers included Ambassador Tommy Koh, Ambassador Ong Keng Yong, Secretary-General of The Hague Academy of International Law Jean-Marc Thouvenin, and Deputy Secretary (Trade) at the Ministry of Trade and Industry Luke Goh

- ▶ AGC partnered The Hague Academy of International Law to host the 2018 session of The Hague Academy External Programme in Singapore from 23 to 30 November 2018.
- ▶ The theme of the session was 'Contemporary Questions of International Economic Law', involving 39 participants from ASEAN Member States.

### International Law Speakers Series (ILSS) 2018

- ▶ AGC was honoured to have Judge Gilbert Guillaume, former President of the International Court of Justice (ICJ), as guest speaker for the 2018 ILSS.
- ▶ Judge Guillaume spoke on the judicial institutions in international law, sharing how such institutions can remain effective and maintain the trust placed in them by governments and the general public.

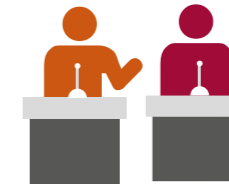


▲ 2018 ILSS - Guest Speaker Judge Gilbert Guillaume delivering a public lecture on "Judicial Institutions in International Law"

### Moots

- ▶ For the 8<sup>th</sup> consecutive year, AGC administrated the Singapore National Rounds of the 2018 Philip C. Jessup International Law Moot Court Competition.
- ▶ The 2018 competition, themed 'The Case Concerning the Egart and the Ibra', was based on issues involving maritime boundaries, disarmament and nuclear weapons.
- ▶ The winning team for the 2018 Singapore National Rounds came from the Singapore Management University (SMU).

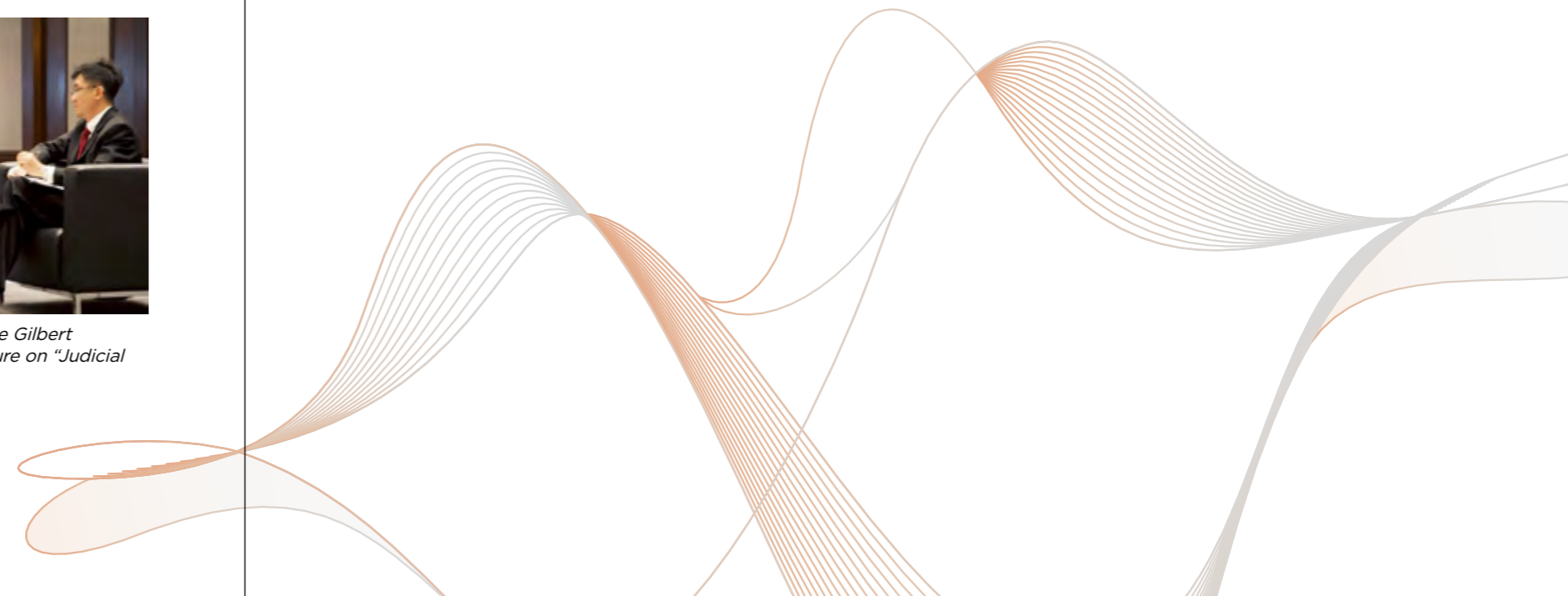
Jessup is the world's largest moot court competition, with participants from over **680 law schools in 100 countries and jurisdictions**



The competition simulates a fictional dispute between countries before the ICJ



▲ Mooter from the SMU presenting his arguments during the 2018 Singapore National Rounds of the Philip C. Jessup International Law Moot Court Competition

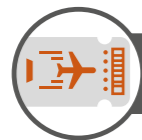




**STRENGTHENING BILATERAL TIES THROUGH OFFICIAL VISITS**



- Outgoing Visits**
  - Lao People's Democratic Republic
  - People's Republic of China
- Incoming Visits**
  - People's Republic of China
- Courtesy Calls And Study Visits**
  - People's Republic of Bangladesh
  - People's Republic of China
  - Republic of Kazakhstan
  - Republic of Korea
  - Republic of Uzbekistan
  - The United Kingdom
  - State of Israel
  - United Arab Emirates



**OUTGOING VISITS**

**AGC's Official Visit To Beijing, The People's Republic of China (PRC)**

- ▶ Delegation led by Attorney-General Lucien Wong, SC in February 2018.
- ▶ Met with Mr Cao Jianming, then-Prosecutor General of the PRC, Mr Guo Shengkun, Secretary of the Communist Party of China Political and Legal Affairs Commission and Mr Zhou Qiang, Chief Justice and President of the Supreme People's Court of the PRC.

**AGC's Study Visit To Lao People's Democratic Republic (PDR)**

- ▶ Delegation led by Solicitor-General (SG) Kwek Mean Luck, SC as part of the ASEAN Law Ministers' Exchange of Study Visits Programme.
- ▶ AGC's first leadership-level visit to Lao PDR under the programme.
- ▶ Met with representatives from the Office of the Supreme People's Prosecutor, the Ministry of Justice and the People's Supreme Court.



**INCOMING VISITS**

**Official Visit Of Prosecutor General Of The PRC**

- ▶ Hosted Mr Zhang Jun, Prosecutor General (PG) of the PRC, and a delegation from the Supreme People's Procuracy of the PRC in August 2018.
- ▶ PG Zhang's first official overseas visit since his appointment in March 2018.
- ▶ PG Zhang met with Deputy Prime Minister Teo Chee Hean, Chief Justice Sundaresh Menon, SC, and Minister for Law and Minister for Home Affairs K Shanmugam, SC.



▲ Delegates from the Supreme People's Procuracy of the PRC after a courtesy call with AGC senior management and representatives

**Attorney-General's Lecture 2018**

- ▶ The second run of the Attorney-General's Lecture Series was held on 17 August 2018 in conjunction with Prosecutor General (PG) Zhang's visit.
- ▶ PG Zhang delivered the keynote address on 'Comprehensive Law-Based Governance: The China Solution'.



Attended by over **200 members of Singapore's legal and judicial community**



▲ (Left to right) Solicitor-General (SG) Kwek Mean Luck, SC; Deputy Attorney-General (DAG) Hri Kumar Nair, SC; PG Zhang Jun; Attorney-General (AG) Lucien Wong, SC; Mr Zhang Xumin, Chargé d'affaires and Minister-Counsellor of the Embassy of the People's Republic of China (PRC) to Singapore; and DAG Lionel Yee, SC



**COURTESY CALLS AND STUDY VISITS**

AGC hosted several courtesy calls and study visits from international organisations and foreign government agencies in 2018. These visits enabled AGC to establish or renew relations with key foreign counterparts, and better understand common legal issues.

In 2018, AG Lucien Wong, SC, received the following guests:



**Mr Mahbubey Alam**  
Attorney General of Bangladesh



**Mr Zhakip Assanov**  
Chief Justice of the Supreme Court of Kazakhstan



**Ms Simona Halperin**  
Ambassador of Israel to Singapore



**Mr Hong Xiaoyong**  
Ambassador of the PRC to Singapore



**Mr Zhou Qiang**  
Chief Justice and President of the Supreme People's Court of the PRC



**Sir Geoffrey Vos, QC**  
Chancellor of the High Court of England and Wales



**Mr Kakhramon Shakirov**  
Ambassador of Uzbekistan to Singapore



**Mr Ruslanbek Davletov**  
Minister of Justice of Uzbekistan



▲ AG Lucien Wong, SC, with Sir Geoffrey Vos, QC, Chancellor of the High Court of England and Wales, and SG Kwek Mean Luck, SC

AGC also hosted study visits from several foreign government organisations in 2018, including the Institute of Justice of the Republic of Korea, the Central Commission for Discipline Inspection of the Communist Party of China, the Abu Dhabi Judicial Department, and the Supreme Court of Kazakhstan.

# KEEPER OF THE SINGAPORE STATUTE BOOK



The Legislation Division (LEGIS) is Singapore's central law drafting office and the keeper of the Singapore statute book. LEGIS provides law drafting and legislative consultancy services to the Government and all public sector agencies (including Town Councils), and law publication and database management for the public. LEGIS also supports the rule of law by providing 24/7 free online public access to Singapore legislation through the SSO website.

**53**

Bills published

**30,118**

Pages of draft bills generated

**909**

Pieces of subsidiary legislation published

**18,269**

Pages of draft subsidiary legislation and Gazette notifications generated

**74%**

of subsidiary legislation published in-house



**Legislative Consultancy And Law Drafting**

**2,006,502**

Users of Singapore Statutes Online (SSO)

**5,268,589**

Visits to SSO



**Sharing And Providing Assistance On Legislative Drafting Expertise**



**Plain Laws Understandable by Singaporeans**



## LEGISLATIVE CONSULTANCY AND LAW DRAFTING

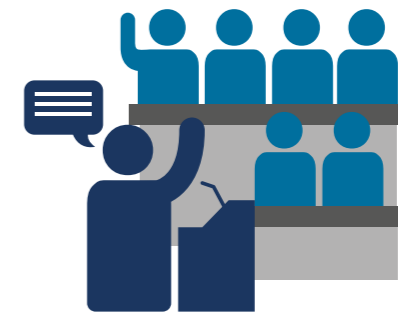


## BILLS

**53 Bills** (3,220 pages) comprising **40** amendment Bills and **13** new Bills

drafted for introduction in Parliament in 2018

In 2018, number of Bills increased by three and number of pages increased by 55% from 2017



Some of the major Government Bills drafted for introduction in 2018 include:

## MAJOR GOVERNMENT BILLS INTRODUCED



### CYBERSECURITY ACT 2018

Establishes a legal framework for the oversight and maintenance of national cybersecurity in Singapore



### VARIABLE CAPITAL COMPANIES ACT 2018

Creates a regime for the incorporation and regulation of variable capital companies (investment funds constituted as bodies corporate)



### VULNERABLE ADULTS ACT 2018

Safeguards vulnerable adults incapable of protecting themselves (because of mental or physical infirmity, disability or incapacity) from abuse, neglect or self-neglect



### CARBON PRICING ACT 2018

Seeks to move Singapore's industries towards a low carbon footprint to meet Singapore's commitments under the Paris Agreement



### CRIMINAL JUSTICE REFORM ACT 2018

Amends the Criminal Procedure Code and other Acts to enhance the fairness of procedures and ensure equitable outcomes in the criminal justice system



### INSOLVENCY, RESTRUCTURING AND DISSOLUTION ACT 2018

Consolidates Singapore's personal and corporate insolvency laws, and laws regarding debt restructuring into a single piece of legislation



## SUBSIDIARY LEGISLATION



**909** pieces of subsidiary legislation totalling

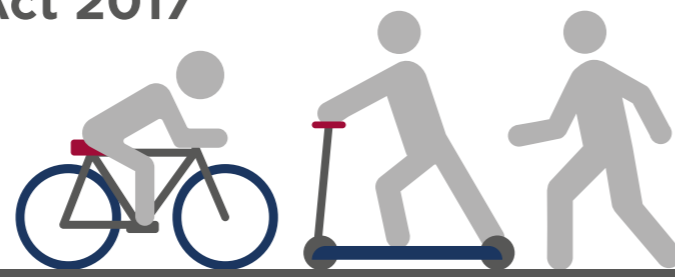
**6,839** pages drafted in 2018



An increase of **12.5%** and **52%** respectively from the number of pieces and pages published in 2017

A significant example is the **Active Mobility Act 2017** subsidiary legislation

for ensuring the safe usage of bicycles, power-assisted bicycles and personal mobility devices on public paths



## GAZETTE NOTIFICATIONS

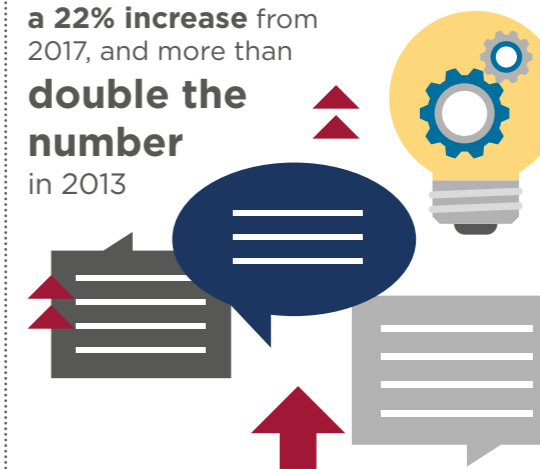
**558** Gazette notifications

for matters such as appointments and cessation of appointments and road closures also drafted in 2018



## LEGISLATIVE CONSULTANCY SERVICES

**2,445** pieces of advice (without accompanying draft legislation) rendered in 2018, a **22% increase** from 2017, and more than **double the number** in 2013



► Upward demand for legislative consultancy services in addition to law drafting services reflects the expanding role of the law drafter in shaping policies for translation into legislation, as well as ensuring that every policy is built on sound legal foundations.



**IN-HOUSE PUBLICATION**



Published **74%** of 2018's subsidiary legislation in-house, a total of **673 pieces** and **5,761 pages**



This is a **52.6%** and **98.9%** increase respectively from 2017

- ▶ Increased capacity to prepare publication proofs of legislation in-house in place of the Government Printer to better deliver on complex and time-sensitive legislation.
- ▶ The increased capacity was particularly useful during the June 2018 Trump-Kim Summit, which required rapid drafting and publication of subsidiary legislation to match sudden changes in the event's security plans.
- ▶ Two outreach sessions for ministries and their statutory boards were organised by the Legislation Division to update them about refinements in the in-house publication process, and elicit feedback.
- ▶ More outreach sessions are planned for 2019 as AGC's in-house publication coverage expands to more public sector agencies.
- ▶ The Instruction Manual is being updated to incorporate rules on in-house publication of subsidiary legislation.



**PLAIN LAWS UNDERSTANDABLE BY SINGAPOREANS (PLUS)**

Since starting the PLUS Project in 2013, further initiatives have been undertaken annually to make legislation more accessible and readable. To that end, a 600-page internal guide was released in October 2018.

This will help law drafters and editors find suitable words and phrases in plain English to replace legalese, commercialese and complex or archaic words or phrases used in older legislation, bearing in mind Singapore and Commonwealth case law.

In line with AGC's being the keeper of the Singapore Statute Book, the aim is to maintain the legal and linguistic coherence of Singapore legislation, even as it is written or revised in plainer terms.



**ACCESSIBLE LEGISLATION**

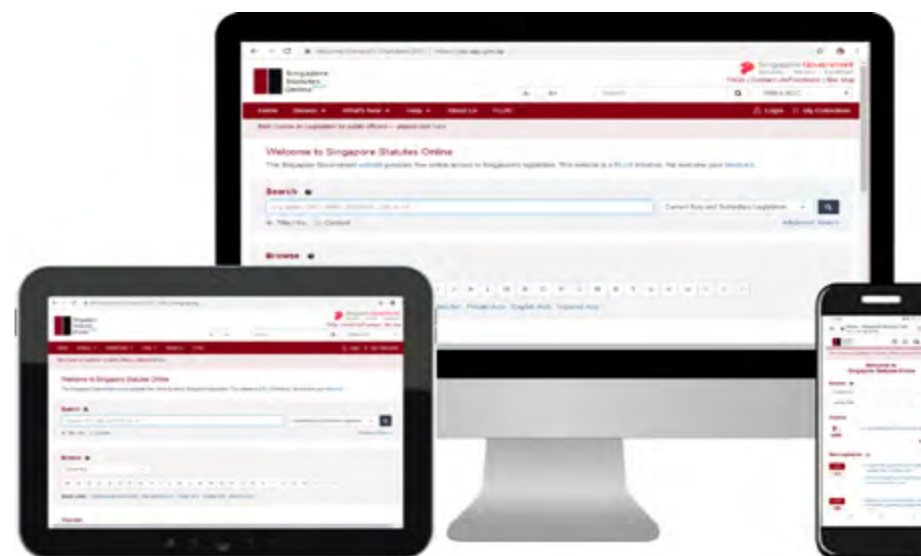
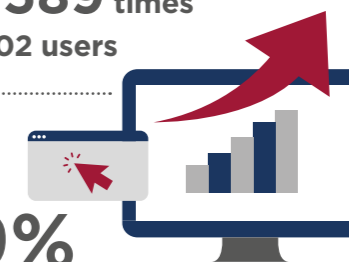
- ▶ Launched in December 2017, the Singapore Statutes Online (SSO) website provides the public with free online access to Singapore's legislation.
- ▶ The SSO was featured by the Government Technology Agency as a case study of a "user-friendly website" in an article for *Challenge* magazine in April 2018.

In 2018, the SSO website was visited **5,268,589 times** by **2,006,502 users**

1,983,751, or

**98.9%**

were first-time visitors



▲ SSO can be accessed through various platforms

- ▶ In December 2018, LEGIS@Gov was launched to allow public sector officers to conveniently access an unofficial version of Singapore's legislation.
- ▶ Plans are underway to place online older versions of legislation (till the 1985 Revised Edition for Acts and the 1990 Revised Edition for subsidiary legislation) starting from 2020.



▲ Homepage of the new LEGIS@Gov



UNIVERSAL REVISION

▶ AGC is assisting the Law Revision Commissioners in a planned universal revision of all Singapore legislation. The last universal revision was done in 1985.



The Law Revision Commission held two meetings in 2018, and **approved five papers** on law revision principles, including the abolition of Act chapter numbers

▶ The universal revision aims to simplify and modernise the text of more than 500 Acts, as well as omit spent or obsolete texts, without affecting the meaning of provisions.

▶ AGC has prepared guides and directives and conducted in-house training sessions to enhance consistency in the revision process.

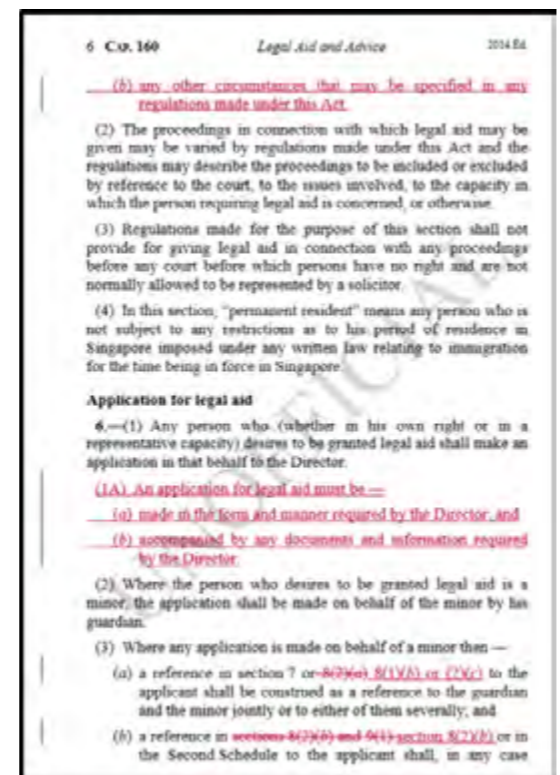


SUPPORTING PARLIAMENTARY DEMOCRACY

▶ Since July 2018, Members of Parliament (MPs) receive a tracked-change version of an Act for which an amendment Bill has been introduced.

▶ At the MPs' request, this is now a permanent arrangement following a successful 6-month long trial with the Parliament Secretariat.

▶ Tracked-change versions are sent by AGC to the Parliament Secretariat within five working days after the first reading date.



▶ Example of a tracked-change version of an Act - the Legal Aid and Advice Act with the amendments (in tracked-change) proposed by the Legal Aid and Advice (Amendment) Bill



SHARING AND PROVIDING ASSISTANCE ON LEGISLATIVE DRAFTING EXPERTISE



ASSISTANCE TO ASEAN COUNTERPARTS

▶ Following a request by the Lao Minister of Justice to the Singapore Law Ministry for training in law drafting, Chief Legislative Counsel (CLC) led a delegation to the Lao People's Democratic Republic to conduct a four-day legislation drafting workshop from 23 to 26 April 2018.

▶ With support from the Singapore Embassy in Vientiane and AGC's Corporate Services Division, CLC and four other Legislation Division officers shared Singapore's experiences in law making, and techniques and strategies to efficiently translate policy to legislation and ensure drafting of effective legislation.



▶ Group photograph of Singapore and Lao officers at the legislation drafting workshop

The workshop was well-received by the **50**  **Laotian officials** from the Ministry of Justice and law drafters from line ministries in attendance





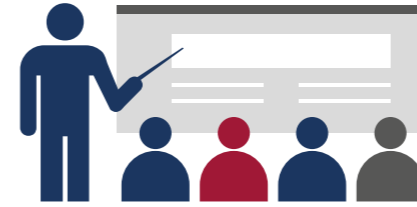
### SHARING OF IDEAS AT OVERSEAS CONFERENCES

- ▶ In April 2018, Chief Legislative Counsel (CLC) presented on “Automated Decision-Making: The Singapore Experience” at the Australasian Parliamentary Counsel’s Committee and Commonwealth Association of Legislative Counsel Drafting Conference “Towards 2050: Drafting in the 21<sup>st</sup> Century” in Canberra, Australia.
- ▶ CLC shared the law drafters’ efforts to support automated decision-making in Government, and the constitutional and public law issues they have had to grapple with in doing so.

The Conference was attended by law drafters from



### LOCAL COLLABORATIONS



Collaborated with the Civil Service College to enhance the link between good law and policy-making through courses for public sector officers, namely the Law Making and Policy Course and the Legislative Drafting Course.



Supported the Ministry of Education’s Moot Parliament Programme by conducting Bill-writing workshops for programme participants.



Supported the Istana by delivering a lecture to newly appointed Honorary Aides-de-Camp on the “Constitutional Powers of the Elected Presidency” for the 9<sup>th</sup> time.

Hosted two client appreciation and feedback sessions in May 2018, which law drafters attended with instructing officers from ministries and statutory boards to better understand how each other works in legislative projects. Clients’ feedback was gathered with a view to smoothening the process of preparing legislation.



▲ Legislation Division drafters and clients from ministries and statutory boards at one of the client appreciation and feedback sessions

# DEVELOPING AGC'S LEGAL PROFESSIONALS AND EXECUTIVES

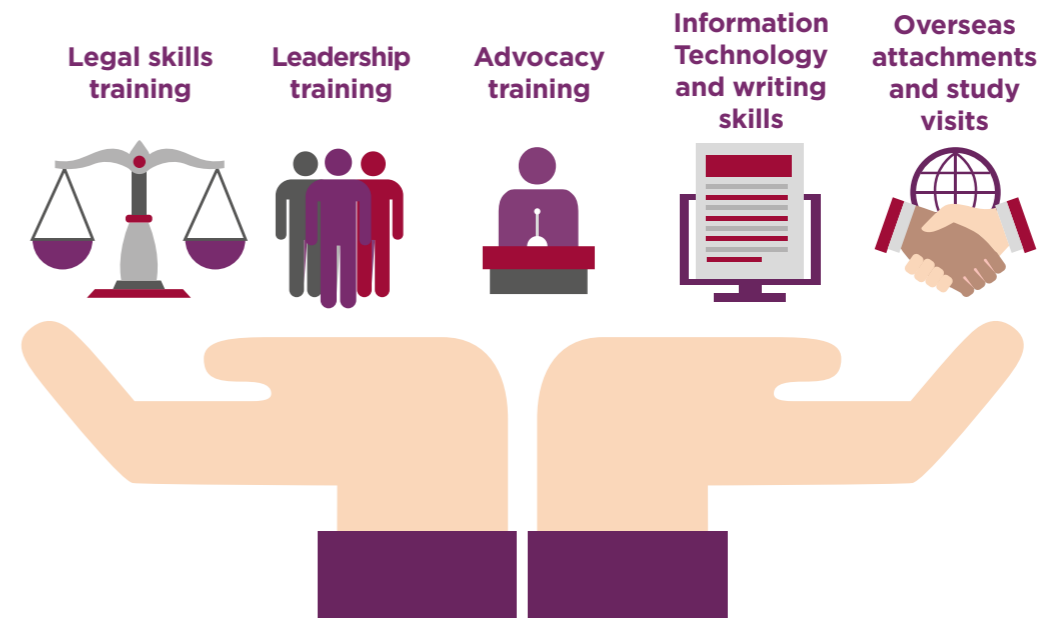


## DEVELOPING CAPABILITIES AND KNOWLEDGE MANAGEMENT



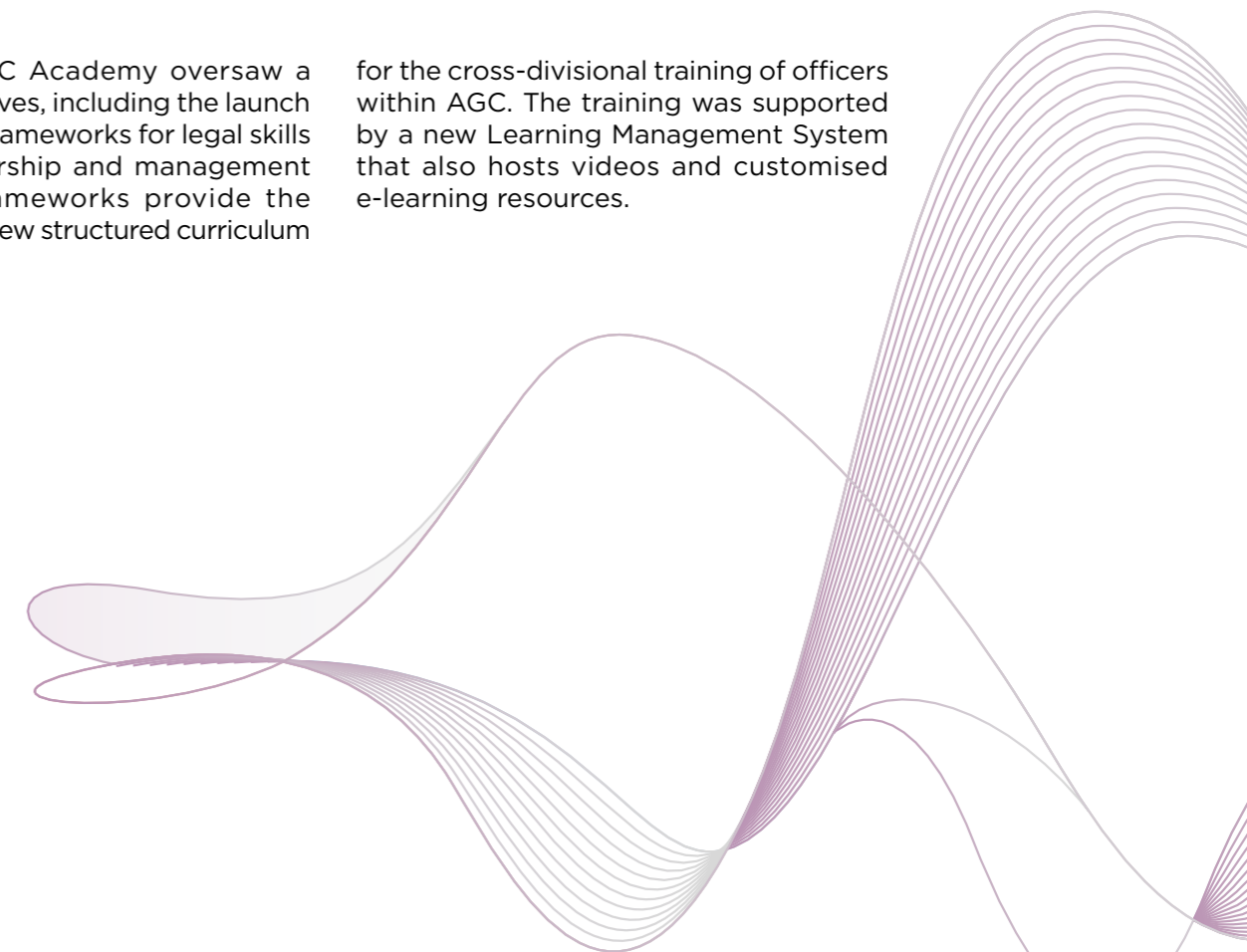
### CAPABILITIES DEVELOPMENT IN AGC

Capabilities development in AGC is undertaken collectively by the AGC Academy and the individual divisions.



In 2018, the AGC Academy oversaw a number of initiatives, including the launch of competency frameworks for legal skills as well as leadership and management skills. These frameworks provide the foundation for a new structured curriculum

for the cross-divisional training of officers within AGC. The training was supported by a new Learning Management System that also hosts videos and customised e-learning resources.



# TRAINING HIGHLIGHTS IN 2018



## AGC-WIDE INITIATIVES



### Cross-Cutting Legal Skills Training



The sessions proved so popular that a **'digital classroom'** was set up to allow remote access by officers outside of AGC

- ▶ Under the new Legal Skills Competency Framework, the AGC Academy launched the Basic Legal Skills Series (BLSS) and Intermediate Legal Skills Series (ILSS) for AGC's legal officers, and the Basic Legal Executives Course (BLEC) for AGC's executives.
- ▶ The BLSS and ILSS provide officers with systematic training that exposes them to key legal skills employed across AGC's divisions.
- ▶ The BLEC equips executives with basic legal knowledge relevant to the work of AGC as an organisation.
- ▶ Officers also attended training to keep abreast of the latest developments in substantive law and legal trends.
- ▶ Training events were conducted by experienced legal officers from across AGC's divisions, as well as local/foreign law professors and private practitioners.
- ▶ The training was also extended to lawyers in other ministries and statutory boards, becoming an informal networking platform between lawyers in AGC and those in the wider public sector.



▲ Training for BLSS



### Advocacy Training



The Effective Written Advocacy session was **attended by 200 officers from across AGC, as well as officers from ministries and statutory boards**

- ▶ A cross-divisional training session on "Effective Written Advocacy" was conducted by an eminent international trainer.
- ▶ Officers were trained in writing effectively, clearly and persuasively for advocacy or litigation in criminal, civil and international law contexts.
- ▶ High Court Justices and Queen's Counsel (QCs) from the United Kingdom also conducted workshops on courtroom advocacy, as well as on best practices in eliciting expert evidence and handling vulnerable witnesses.
- ▶ Legal officers can also avail themselves to more advocacy opportunities by volunteering with the Advocacy Group, which was newly set up in April 2018. The Advocacy Group provides a platform for officers to be involved in litigation matters across criminal, civil and international practices.
- ▶ Volunteers assist in appropriate cases, affording them the opportunity to explore different areas of law, in addition to developing and refining their advocacy skills by working with experienced advocates on interesting cases.



▲ Advocacy Training by QCs



**Leadership Training**



▲ Participants at the AGC Leadership Retreat

- ▶ A series of leadership training events were put in place in 2018. At the annual AGC Leadership Retreat, AGC invited an esteemed Harvard Law School professor to share with its senior lawyers and executives on what it takes to lead in a government law firm.
- ▶ A senior Public Service leader kickstarted the “AGC Leaders Talk Series” and shared his personal leadership experience and key learning points.



▲ AGC Leaders Talk Series



**AGC Foundation Programme**

- ▶ A structured programme for all new executives, designed to build cross-cutting competencies required of them in AGC.
- ▶ The programme covered four main competency areas:



- ▶ A mix of classroom training and e-learning methods was utilised.



▲ Training for AGC Foundation Programme

**IT And Writing Skills Training**

- ▶ In-house workshops such as “Writing Effectively and Succinctly” and “Writing Effective Emails” were organised for all officers.
- ▶ Officers were kept updated on office IT tools through a series of Microsoft Office workshops on Word, Excel and creating infographics using PowerPoint.



**DIVISION-SPECIFIC TRAINING**

In addition to AGC-wide training, the divisions also invested heavily in training and development to hone and sharpen the skill sets of their officers in their specialist areas. These include:



A customised hands-on workshop on non-appellate civil matters in the High Court conducted by a United Kingdom High Court Judge and Queen's Counsel.



A curated series of talks for legal executives that took place over eight months, which addressed frequently encountered legal issues such as debt recovery and contractual claims, as well as the statutory laws most relevant to Government litigation.



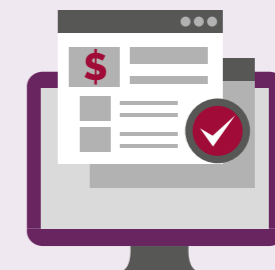
Sharing sessions with public international law experts, including:

- ▶ A member of the International Law Commission, who spoke about protecting the atmosphere in relation to international law.
- ▶ The director of the Prosecution Division of the International Criminal Court (ICC), who spoke about the work of ICC's Office of the Prosecutor and the current challenges faced.
- ▶ An International Humanitarian Law Seminar by the International Committee of the Red Cross.

Two weeks' worth of dedicated training for new Deputy Public Prosecutors to learn skills such as drafting charges, witness handling, dealing with evidence, and the trial process.



A customised grammar course developed in-house and conducted by the Civil Service College to strengthen its executives' mastery of drafting-related language use for legislation.



A procurement refresher course for executives to strengthen their procurement knowledge and train new officers on the latest procurement procedures.



Accreditation of human resources personnel to conduct psychometric assessments for AGC's selection and recruitment process.



Regular professional sharing sessions at the division-level for knowledge sharing.

AGC's officers also attended various local and overseas conferences to gain in-depth knowledge of their respective specialist areas.



## OVERSEAS AND COMMERCIAL ATTACHMENTS AND STUDY VISITS

AGC continued to maintain links with several international and local organisations to facilitate mutually beneficial training opportunities and capacity development events. These include:

- ▶ Attachments to AGC’s counterparts in Australia and the United States of America, barristers’ chambers in the United Kingdom, as well as local commercial organisations.
- ▶ Study visits to expand officers’ experience and to learn best practices from other jurisdictions (e.g. visits to the Supreme People’s Court of the People’s Republic of China and the Department of Justice of the Hong Kong Special Administrative Region).



## KNOWLEDGE MANAGEMENT

In 2018, AGC Academy also oversaw knowledge management (KM) across AGC, which includes the management of the Chan Sek Keong Library.



### New Initiatives By AGC Academy

- ▶ A KM Concept Review with AGC’s legal divisions to examine KM practices in AGC more closely, which culminated in a proof of concept project by a division to improve its existing manuals and guides.
- ▶ Facilitated the creation of standardised templates for court submissions to be used by AGC officers, strengthening the organisation’s corporate identity.
- ▶ Started to collate KM Memos written by senior AGC officers to capture specialist knowledge across the organisation.
- ▶ Besides designing and reviewing KM features, AGC Academy also worked closely with the divisions on revamping the AGC KM taxonomy to prepare for the upcoming Intelligent Workspace.



### AGC KM Newsletter

- ▶ Continued to publish case updates, notable advices and the latest legal developments twice a month for a steady and regular readership in AGC and various ministries.
- ▶ The newsletter has also been made accessible to in-house counsel of statutory boards for greater knowledge sharing following the inaugural Public Sector Legal Forum.



## ENGAGING THE SINGAPOREAN FRATERNITY

Outreach and building strong networks in the legal community are important parts of AGC’s work. Training and events organised by AGC were instrumental in helping to build a connected public sector legal community.

A key event in 2018 was:

- ▶ The inaugural “Public Sector Legal Forum 2018” on 9 November 2018, which brought AGC together with the wider Singapore public sector’s entire community of lawyers (e.g. in-house counsel of statutory boards) for the first time.



The event was attended by **over 300** public sector lawyers representing **51** different agencies



▶ Public Sector Legal Forum 2018

### Training The Public Service

AGC also continued collaborating with the Civil Service College to organise training events for public sector officers. AGC's counterparts from Brunei, Indonesia, Malaysia, Myanmar and Vietnam were also invited to attend some of these courses.

These training events included:



The annual **“Know The Law: Legal Principles For Every Public Officer”** seminar, which introduced general legal principles that public officers across ministries and agencies were likely to encounter in their work. The seminar covered topics such as constitutional and administrative law, legislation, government litigation, government procurement and data protection. It also featured a new segment on public international law.



The **“Legislation Drafting Course”** and **“Law Making & Policy Course”**, which focus on the formulation of good policies and their translation into effective legislation.



The **“Basic Prosecutor’s Course”**, which equips new Deputy Public Prosecutors and prosecutors from ministries with the latest thinking on the exercise of prosecutorial discretion, dealing with evidence and court procedure.



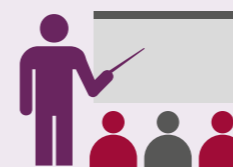
The **“Criminal Trials Seminar”**, which keeps investigators up-to-date with recent legislative and case law developments. Topics covered include recent amendments to legislation, trial preparation, drafting trial documents and giving evidence in court. The hands-on Moot Court session also provided participants with a better appreciation of court proceedings.



▲ Participants at the Criminal Trials Seminar

### Customised Training For Partner Agencies

In 2018, AGC officers conducted customised training sessions for partner agencies that were specific to the agencies' needs, including:



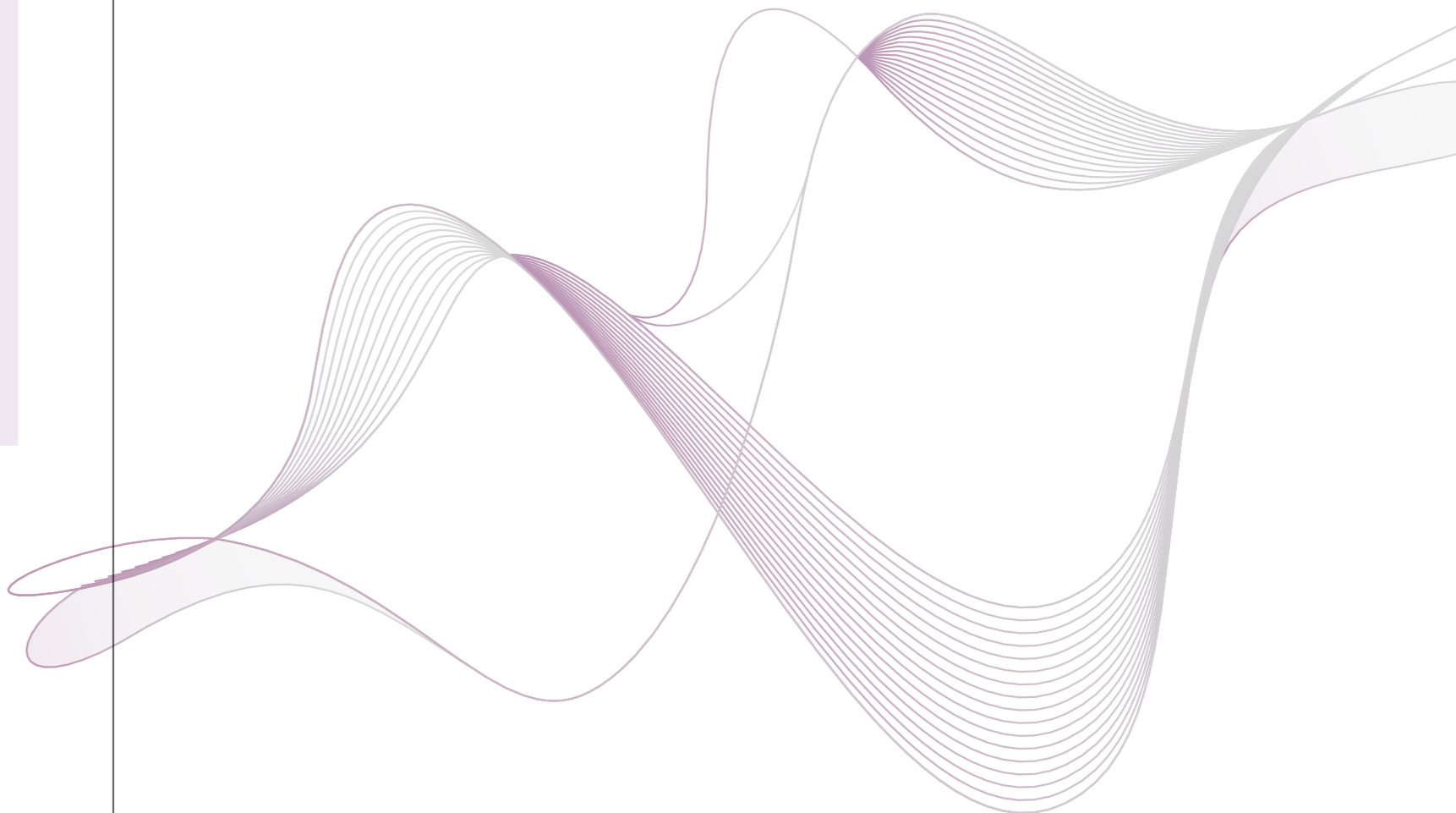
Pre-posting briefings to Ministry of Foreign Affairs diplomatic and consular officers on the exercise of their functions outside Singapore.



Training in collaboration with the Home Team School of Criminal Investigation.



The inaugural National University of Singapore Graduate Certificate in Criminal Justice course, which aims to raise the profile and capabilities of Home Team officers.





## EMBRACING LEGAL TECHNOLOGY AND INNOVATION

AGC engaged in transformation efforts to deal effectively with increased work demands and manpower constraints. One key thrust was to leverage technology on two fronts – demonstrating quick wins with targeted projects while developing enterprise-level solutions to benefit the whole organisation.



### Transforming The Organisation By Re-Engineering Processes And Using Information Technology As Leverage

In line with Whole-of-Government transformation plans, AGC has made headway in its own change initiatives:

- ▶ Common administrative functions were streamlined with the aim of fully digitalising work processes by 2021. This will enable officers to focus on delivering higher-level work.
- ▶ AGC is developing the Intelligent Workspace (IW) - a one-stop platform for work monitoring, automated notifications and effective search across multiple precedent databases. IW will also auto-generate statistics for operational and strategic analytics.



### Learning Anytime, Anywhere

- ▶ A new Learning Management System was developed to serve AGC's learning needs. It also hosted customised e-learning modules.
- ▶ A 'digital classroom' was set up to make lunchtime talks held in AGC remotely accessible by officers in ministries and statutory boards.



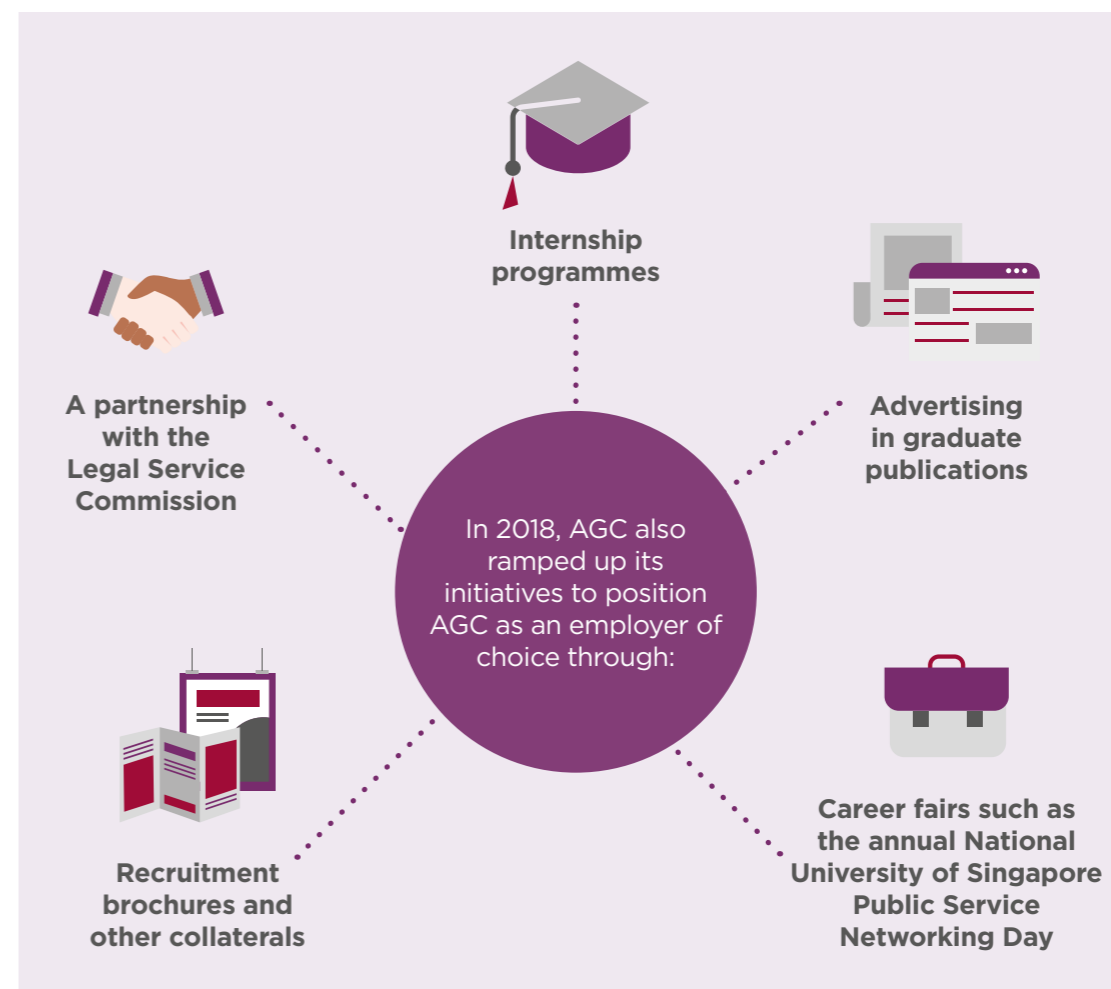
### Prototyping And Piloting New Legal Technologies

The Legal Technology and Innovation Office:

- ▶ Focused on developing advanced tools for large-scale document review, automation of routine legal services and more effective use of knowledge assets within AGC systems.
  - ▶ Collaborated with the Civil Division to automate several routine and mechanical tasks in the Attorney-General's review of the Singapore Bar application process.
- In a pilot batch of 260 applications reviewed by the Civil Division,
- automation reduced processing time by an estimated 92% per application**
- ▶ Collaborated with the Financial and Technology Crime Division to broaden the range of evidence review technology available to support ongoing prosecutions involving large volumes of data. This increased the speed and efficiency of prosecutions.



## POSITIONING AGC AS AN ATTRACTIVE EMPLOYER



Efforts resulted in a **7% increase** in AGC brand awareness by students and a **20% increase** in awareness of the roles of AGC, as compared to 2017



These results were encouraging and substantiated outreach efforts to position **AGC as an employer of choice**



# COMMITMENT TO CORPORATE SOCIAL RESPONSIBILITY



## ATTORNEY-GENERAL'S (AG'S) CHALLENGE CUP



▲ Participants of the AG's Challenge Cup 2018

The AG's Challenge Cup was started in March 2012 by then-Attorney-General Sundaresh Menon to foster better interaction and friendship between Deputy Public Prosecutors from AGC and lawyers from the Criminal Bar. The fifth edition took place on 28 September 2018 at the Jalan Besar Stadium.

For the first time, the AG's Challenge Cup featured the inclusion of a "curtain-raiser" 20-minute, seven-a-side football match involving mixed teams of Deputy Public Prosecutors, defence counsels and players from the Yellow Ribbon Project. This idea was originally mooted by the Chairman of the AG's Challenge Cup organising committee, Mr Lim Kia Tong, who was also the President of the Football Association of Singapore and a member of the Law Society of Singapore. It was warmly embraced by AGC as part of an ongoing commitment to strengthen goodwill between various stakeholders in the criminal justice system and to support the reintegration of former inmates back into society.

The players representing the Yellow Ribbon Project were ex-residents from Pertapis Halfway House, such as 41-year-old Daniel. Daniel had been convicted of

drug-related offences and imprisoned. However, he was given an early release for good behaviour. "I am very excited to be able to play alongside prosecutors and defence counsels," said Daniel. "Before the game started, we were given time to mingle with each other. The interaction was very warm. I would definitely want to take part in the game again, and would also encourage the other ex-residents to do so as well. It is an enriching experience."



***I would definitely want to take part in the game again, and would also encourage the other ex-residents to do so as well. It is an enriching experience."***

*Daniel, ex-resident of Pertapis Halfway House*

Players were given time before the game to mingle, warm-up and discuss tactics together. It was a touching sight to see players working together and setting their teams up for victory. There was no hint of divisiveness. Players cheered for each other throughout the match and took team photographs after, underscoring the power of sport to unite and connect individuals from all walks of life.

Attendees such as the President of the Law Society Mr Gregory Vijayendran, SC, regarded it as both “poignant” and

“meaningful” to see the ex-offenders give their all alongside prosecutors and defence counsels in the spirited match-up. As Attorney-General (AG) Lucien Wong, SC, commented, the format of the game was deliberately set up to drive home the point that “regardless of where we stand in the criminal justice system, whether as an advocate or an offender, we have one singular purpose – to build a just and prosperous society for all.”



*Regardless of where we stand in the criminal justice system, whether as an advocate or an offender, we have one singular purpose – to build a just and prosperous society for all.”*

*AG Lucien Wong, SC*



▲ Soccer-friendly teams comprising ex-residents from Pertapis Halfway House, Deputy Public Prosecutors and defence counsels. Deputy Attorney-General Hri Kumar Nair, SC (top row, extreme left), AG Lucien Wong (top row, second from the left), Chairman of the AG’s Challenge Cup organising committee, Mr Lim Kia Tong (top row, extreme right) and President of the Law Society, Mr Gregory Vijayendran, SC (bottom row, second from left) also joined in for the group photo



**SUPPORTING THE COMMUNITY**

AGC remains a faithful supporter of fundraisers organised by the Yellow Ribbon Fund (YRF) and the Singapore Corporation of Rehabilitative Enterprises (SCORE). In 2018, AGC continued to support SCORE fundraisers such as its sales of mooncakes, Christmas and Chinese New Year goodies.

AGC fielded a contingent of more than **50 runners** to support the **10<sup>th</sup> Yellow Ribbon Prison Run,**

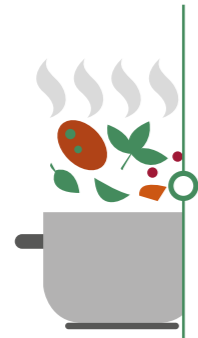


and **raised about S\$4,500** in donations towards the YRF

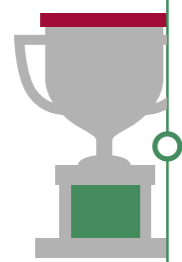


▲ AGC colleagues at the 10<sup>th</sup> Yellow Ribbon Prison Run

AGC also supported several new initiatives such as:



AGC's annual Racial Harmony Day, which featured a cook-for-charity bazaar that **raised more than \$5,000** for the Children's Cancer Foundation



The Chief Justice's Cup Charity Futsal Tournament, a charity event jointly organised by the Yellow Ribbon Fund (YRF) and the Singapore Academy of Law (SAL), was supported by various law firms and AGC. AGC fielded a team of players led by Deputy Attorney-General Hri Kumar Nair, SC.

The event raised **more than \$100,000** for the **YRF-SAL STAR (Skills Training Assistance to Re-Start) Bursary**, which provides educational bursaries to financially disadvantaged ex-offenders



▲ Shoes collected for the shoe collection drive

A shoe collection drive on behalf of Million Lighting Pte Ltd and Soles4Souls, which aimed to collect gently worn or new footwear for redistribution to people in need all around the world. A call was put out to AGC officers in April 2018 for their kind donations.

These activities were organised or supported by AGC's Community Welfare Committee, which aims to make AGC a more caring and compassionate organisation through involvement in community projects and initiatives.



**PROTECTING THE ENVIRONMENT**

Having obtained the prestigious Eco-Office Certification for three years (2017 to 2020), AGC is committed to doing its part for the environment in 2018.

**Continuous Efforts**

As part of efforts to maintain an eco-friendly office, AGC monitored the organisation's electricity consumption, amount of paper used and amount of recycled materials.

AGC worked with its Integrated Facilities Management service provider to closely monitor electrical and water consumption as well as recycling efforts, ensuring that its targets were met.

Complementing its digitalisation efforts, AGC encouraged staff to go "paperless" whenever possible. With strong staff support, a significant amount of paper print reduction was observed in FY2018.

Annual targets were set to



**reduce electrical consumption by 3%**



**reduce paper consumption by 5%**



**increase recycling efforts by 5%**

Paper printing was reduced from



**4,397** sheets per capita in FY2017

to



**3,001** sheets per capita in FY2018

AGC also collaborated with its landlord, PARKROYAL on Pickering Hotel, to participate in Earth Hour on 24 March 2018, showing its full support for the annual worldwide movement.

### Creating Awareness

AGC also creates regular eco-effort awareness notices for its staff. Eco-related posters were published on AGC's intranet and lift television screen panels on a monthly basis.

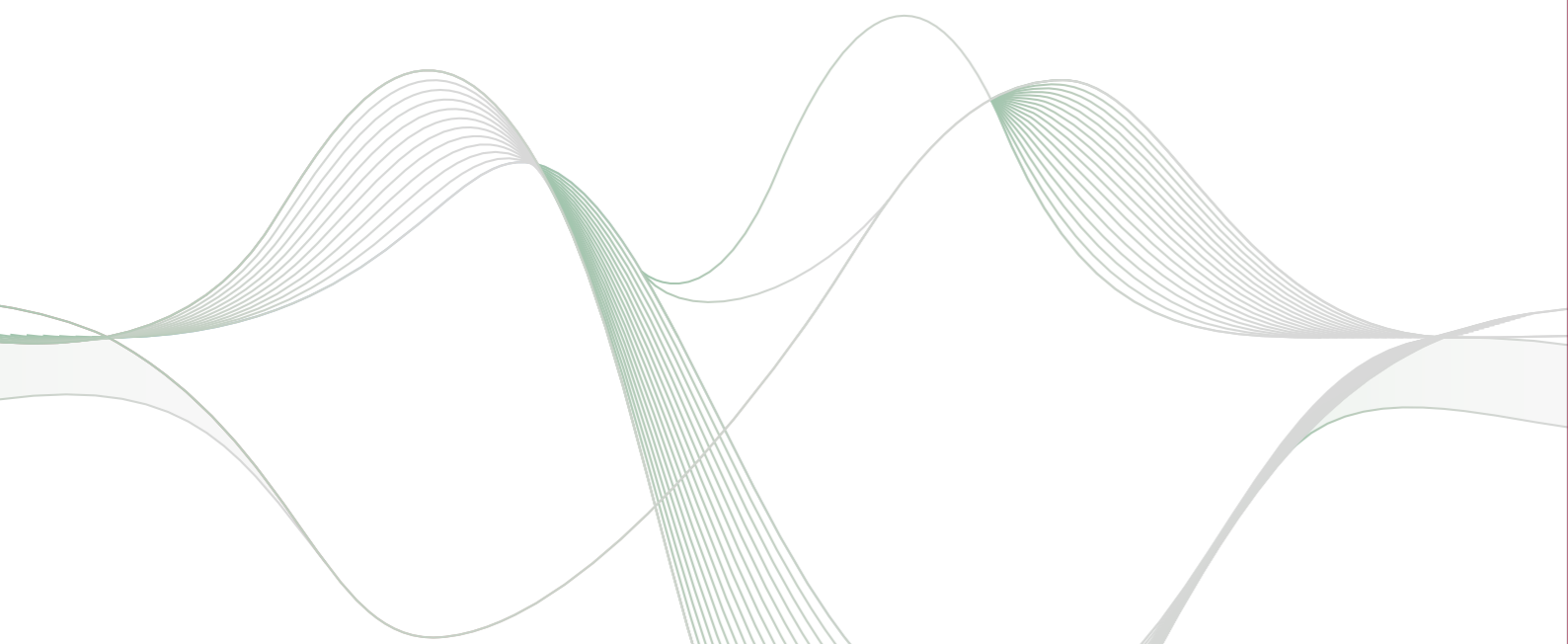


▲ An example of an eco-related poster published on the agency's intranet and lift screen panels

### Initiatives and Outreach

AGC installed thimbles provided by the Public Utilities Board on all taps within its office premises as part of continuous efforts to reduce water consumption. The thimbles control and minimise water pressure.

In addition, AGC will be including eco-friendly and green building materials, as well as energy-saving lightings, in tender requirements for major fitting-out works in upcoming years. Guided nature trails and hands-on workshops are also on the calendar to create greater awareness of the importance of saving the environment.





[www.agc.gov.sg](http://www.agc.gov.sg)