

16 MARCH 2013

**RECRUITMENT EVENT FOR APPROPRIATE ADULTS
ADDRESS BY THE ATTORNEY-GENERAL STEVEN CHONG SC**

I. Introduction

1. Mr Teo Ser Luck, Mayor for North East District; Ms Denise Phua, Member of Parliament for Moulmein-Kallang GRC; Mr Lok Vi Ming SC, President of the Law Society; Mr Raja Kumar, Deputy Commissioner of Police; Professor Ho Peng Kee, Chairman, Home Team Volunteers Network; distinguished guests, a very good morning. It is my pleasure this morning to address you at this recruitment event for 'Appropriate Adults'. I am heartened to see such an encouraging level of attendance at this event, and I hope that after the briefing that is to follow, when you see the important role that an Appropriate Adult can play in our criminal justice process, you will step forward and be counted to volunteer your services.

II. The background of this project

2. Let me first go into the background behind this morning's event. In 2011, my predecessor, then Attorney-General Sundaresh Menon S.C. began initiatives to examine various diversionary measures that can be employed in respect of specific categories of offenders such as youthful offenders, intellectually disabled or mentally disordered offenders, and adult offenders who have

committed minor infringements of the law. These initiatives were part of this Chamber's drive, together with its partners, to enhance the administration of criminal justice in Singapore.

3. One of these initiatives was to look at how persons with intellectual disabilities or mental disorders could be better managed when they first come into contact with the criminal justice process; either as accused persons or witnesses. We recognise that they are a special group of persons who have to be handled differently in the criminal justice process. In particular, persons with intellectual disabilities may have difficulties communicating with the investigation officers and may need the assistance of a person familiar with their needs to convey what they wish to say in respect of facts relating to the investigation.

4. A committee was then set up to examine whether the current framework adopted by the police adequately identifies accused persons as having intellectual disabilities or mental disorders during police investigations and if so, whether there was sufficient assistance rendered to them.

5. This Committee, which is led by one of my officers in AGC, included representatives from my Chambers, the Law Society, the Association of Criminal Lawyers of Singapore, the Ministry of Social and Family Development, the Singapore Police Force and the National Council of Social Services.

6. The Committee found that persons with intellectual disabilities were not readily identifiable during police investigations, and even if they were identified, there were insufficient resources to assist these persons. The Committee made two proposals which I will now go elaborate.

II. Use of HASI to identify persons with intellectual disabilities

7. To address the issue of under-identification of persons with intellectual disabilities, the Committee identified a simple screening test that can be administered by investigation officers. This screening test, called the Hayes Ability Screening Index or HASI, is authored by Dr Susan Hayes, a renowned psychologist from Australia. HASI is a simple pen-and-paper test that takes about 5-10 minutes to administer, and unlike other tests, can be accurately administered by persons with no background in psychology.

8. To ensure that HASI can be reliably used in the local context, a rigorous study was conducted between April 2012 to October 2012 with 188 participants from a pool of accused persons, prison inmates, and probationers.

9. The results of this study validated HASI as a reliable screening tool as it is able to correctly identify persons with intellectual disabilities 69% of the time, and able to correctly exclude persons without intellectual disabilities 82% of the time.

10. I would like to show my appreciation to the many people who gave their time and effort to the study: they come from the Ministry of Social and Family Development which led the study; the Pro Bono Services Office of the Law Society which co-ordinated the study, and the psychologists and students from the Raffles College of Higher Education and Singapore Psychological Society who carried out the study. I would also like to record my special thanks to the Singapore Prisons and the Subordinate Courts in providing support for the conduct of the study.

IV. Role of Appropriate Adults

11. Having addressed the issue of under-identification, the Committee's second proposal was to adopt the use of what is termed 'Appropriate Adult' to assist persons with intellectual disabilities during police interviews.

12. The use of an independent adult to assist vulnerable persons during police interviews is not a new concept. This approach has been used in England and Wales, where the Appropriate Adult attends at police interviews to bridge any communication gaps between the investigation officer and the person being interviewed. The Appropriate Adults are generally persons from the community with special skills to assist vulnerable persons such as juveniles and persons with intellectual disabilities. The role of the Appropriate Adult is to facilitate the conveying of information between the investigation officer and the person with intellectual disabilities, so as to ensure that the questions asked and the answers given are not misunderstood. This will serve to enhance the reliability of statements taken from persons with intellectual disabilities.

V. Pilot project at Bedok Police Division

13. To test the operational effectiveness of HASI as a screening tool and the presence of an Appropriate Adult during police interviews, a pilot project will be done at a police division for six months. It is targeted to start very soon, on 1st April 2013 once the operational details are worked out.

14. In this regard, I must thank the Singapore Police Force for their full support for the pilot project which is to be conducted at the Bedok police division. To ensure that the investigation

officers are trained in using HASI, my Chambers has arranged for Professor Susan Hayes to come personally this week to conduct training for the Bedok Divisions investigation officers. I have been told that the training has just been completed just yesterday and that the trained investigation officers at Bedok police division are ready to administer the test.

VI. Recruitment of Appropriate Adults

15. With the training in HASI completed, the next step in the project is to recruit a pool of 'Appropriate Adults'. During this pilot project, when a person is screened using the HASI test as having intellectual disabilities, the investigation officer will call a hotline and arrangements will be made for an Appropriate Adult to attend at the police station to assist in the interview.

16. This brings me to the principal purpose of today's recruitment event. This is a bold new step for all of us involved in the administration of justice. We are involving members of the community with background in social work and psychology and community leaders to help persons with intellectual disabilities during the police interview. Your presence here today shows your keen interest to be involved in this meaningful project.

VII. Conclusion

17. To this end I would like to reiterate that an effective criminal justice system requires not only efficient law enforcement agencies such as our police force but also the involvement of the community in joining hands to fight crime and preserve public order and peace. At the same time,

this efficiency must also be tempered with compassionate understanding of those in society with special needs. The need for efficiency and the need for compassion are not mutually exclusive. Both can and should co-exist at the same time. This project can achieve both aims: in involving the community in helping the police the police in law enforcement and at the same time in helping those with special needs communicate more effectively which will in turn only help with police investigations. To this end, this pilot project is a step in the right direction for our criminal justice system, and I encourage you to be a part of this bold and exciting step together with us.

18. Thank you.

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