

OPENING OF THE LEGAL YEAR 2024

Speech by Attorney-General, Mr Lucien Wong, S.C.

8 January 2024

May it please Your Honours, Chief Justice, Justices of the Court of Appeal, Judges of the Appellate Division, Judges and Judicial Commissioners,

Introduction

1. We live in a fast-evolving world. The past year has been marked by continued tensions and armed conflict, not least the continuation of the Russia-Ukraine conflict and now the Israeli-Palestinian conflict. A number of countries have been touched by natural disasters of historic proportions, including earthquakes, wildfires, and cyclones. Some countries witnessed financial crises, including banking crises. Large-scale innovations and acquisitions have taken place in the energy and technology industries. The field of artificial intelligence took a leap forward with the launch of ChatGPT-4. The World Health Organization ended its declaration of COVID-19 as a global health emergency, although it continues to be referred to as a pandemic. In the face of these events, uncertainty has been a key theme.

2. Closer to home, Singapore faces an era of change and leadership renewal. President Tharman took office following last year's Presidential Elections. Prime Minister Lee Hsien Loong has announced his intention to hand over leadership to

Deputy Prime Minister Lawrence Wong before the next General Election, which is scheduled to be held by November 2025.

3. In these times of change, we remind ourselves of the words of J. William Fulbright, the person who initiated the Fulbright scholarship, who once said, and I quote, that “law is the essential foundation of stability and order both within societies and in international relations”. We also recall the words of William Blackstone, the famous English jurist when he observed that law is the “embodiment of the moral sentiment of the people”. Indeed, the law is at once a function of the times – in its servicing of the needs of society – and indeed a source of stability. In my speech today, I will focus on how this has certainly been the case for us in the Attorney-General’s Chambers as well as the broader Legal Service.

4. In the Legal Service, we continued to be guided by our vision, which is to be “a trusted Legal Service, upholding the Rule of Law and advancing Singapore’s interests”. A key aspect of Singapore’s interests has recently been articulated in the context of the Forward Singapore (or “Forward SG”) exercise, which was launched in June 2022. The Forward SG exercise seeks to engage Singaporeans from all walks of life on how we should refresh our social compact for the years to come.

5. The Forward SG report, which was released in October 2023 and titled: *Building Our Shared Future*, describes the “social compact” as “the shared understanding of our roles and responsibilities towards each other, and our shared values and aspirations as a people”.¹ Six central qualities were set out in the Forward

¹ Page 5 of the Forward SG report.

SG report as aspirations: namely, for Singapore to become a society that is *vibrant, inclusive, fair, thriving, resilient* and *united*. My speech will be centered around these aspirations: and how the AGC and the broader Legal Service have supported and will continue to support Forward SG through our work as the Government's Law Firm, thus helping Singapore to become a vibrant, inclusive, fair, thriving, resilient and united society. I hope you will see, from my description of AGC's and the Legal Service's work in support of Forward SG, the wide reach and extent of AGC and the Legal Service in all levels of Singapore society.

Fair and Thriving

6. In a fair and thriving society, "everyone feels assured about their basic needs, and no one is left behind";² "everyone can pursue their dreams, find fulfilment in life and be the best version of themselves".³

7. First, a fair and thriving society ensures that workers receive fair wages and are fairly treated by their employers. In particular, the changing face of the Singaporean workforce means that it is essential for us to continually update our employment laws. The AGC's work is at the heart of this:

- a. In the past year, our officers have worked with Government agencies on various employment measures and legislation. These have included the Workplace Fairness Bill, which will strengthen protections

² Page 5 of the Forward SG summary booklet.

³ Page 5 of the Forward SG summary booklet.

against discrimination and ensure fair access to job opportunities. The Bill is scheduled to be tabled in Parliament later this year.

- b. In addition, AGC has been supporting Government agencies in implementing the requirement that suppliers tendering for Government contracts, who hire local workers covered by sectoral or occupational progressive wages, must be accredited with the Progressive Wage mark throughout the contract period.

These are just two examples of the work that we have done on the employment front.

8. AGC has also helped the Government with its efforts to grow the economic pie for our people and businesses, to build a thriving Singapore. We have worked on expanding our network of economic agreements. This has included upgrading various free trade agreements, and negotiating new digital economy agreements and investment treaties. Some key examples include establishing the Indo-Pacific Economic Framework, and welcoming the United Kingdom into the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (or “CPTPP”). We have also been integral in Singapore’s development of green economy agreements. These agreements have helped to advance green technologies, create jobs in green growth sectors, enhance access to green goods and services, and promote sustainable development.

9. Further, AGC has contributed to Singapore's thriving by helping to guard against financial crime, thus ensuring that Singapore remains a reputable global financial centre. We have established and began deploying prosecutors to the Commercial Affairs Department (or "CAD") Satellite Office in July 2022, and we have expanded the Satellite Office in April 2023. Our Satellite Office at CAD works closely with CAD and the Monetary Authority of Singapore on complex financial crimes, allowing prosecutors to be involved in these cases from an early stage to help with the scoping of investigations and to provide legal advice and support investigations. Our prosecutors there then take charge of the criminal prosecution if the cases are subsequently brought to court. The ongoing high-profile investigations and prosecution of multi-billion-dollar money laundering activities carried out by certain PRC nationals, which has received much news coverage lately, is an example of the work that the Satellite Office does.

10. But it is not just about dollars and cents. A good living environment is also integral for a fair and thriving society.

- a. Since 2021, extensive legal advice and support has been provided by our officers on the Integrated Municipal Operations Pilot in Tampines. This Pilot has seen multiple agencies work together to co-create and execute an innovative new model for the delivery of municipal services. The Pilot was a success, and was lauded by DPM Heng Swee Keat as having effectively "halved [municipal issues] feedback and increased [residents'] satisfaction".

- b. A good living environment also includes access to good nutrition. Last year, we provided support for the launch of the Nutri-Grade Mark to raise public awareness about sugar and trans-fat content in both pre-packed and freshly prepared beverages. We will continue to provide support for efforts targeted at reducing sodium content in food.

11. Additionally, a fair and thriving society ensures that the elderly, persons with disabilities, and other vulnerable groups in our society are supported.

- a. To this end, AGC has advised Government agencies on the extension of the Senior Employment Scheme to 2025. We have also provided support to implement the network of Active Ageing Centres (or “AACs”) island-wide. The AACs provide a focal point for seniors to live engaged lives in the community and are central to the “Age Well SG” strategy.
- b. AGC has also advised agencies on enhancement of the Enabling Employment Credit, which supports the employment of persons with disabilities.
- c. And on the international stage, AGC officers have been integral to advising and supporting agencies in the human rights space. This included being part of Singapore’s representation at last year’s United Nations Conference of State Parties to the Convention on the Rights

of Persons with Disabilities, which has bolstered Singapore's progress in removing barriers and creating opportunities for persons with disabilities.

- d. AGC officers have also worked on legislation implementing greater protections for marginalised groups, such as victims of domestic abuse.
- e. Additionally, the wider Legal Service has continued to work to protect vulnerable groups in our society by providing legal advice and representation through the Child Protective Service and the Adult Protective Service.

Resilient and United

12. I am proud that, in the spirit of ensuring that we are a fair, thriving, resilient and united Legal Service, AGC and the broader Legal Service are leaders in the legal industry in terms of work-life balance, wellness and mental health, and support for families.

- a. Among our initiatives over the past year was the launch of Resiliency@AGC. Resiliency@AGC is a comprehensive one-stop portal which all officers may use to engage in self-care. The portal contains many resources to help our officers boost their mental and

emotional well-being, such as support networks, wellness videos and relaxation techniques. Workshops are regularly organised for supervisors on better identifying and addressing mental health issues within their teams.

- b. AGC has also established a Resiliency Team, which is led by an in-house psychologist. Having our own in-house psychologist means that we have a mental well-being professional who is available to provide direct support to our officers, and who is able to develop a more comprehensive approach to address the needs that may arise. Prosecutors handling cases involving the death penalty, for instance, are scheduled for mandatory check-ins with the in-house psychologist.
- c. The Crime Resiliency Team and Ombudspersons Team at AGC provide additional avenues for support, should our officers require a listening ear. The Crime Resiliency team, in particular, is made up of our own officers, who receive training as para-counsellors, so that they are equipped to act as the first line of support when prosecutors are faced with traumatic incidents in the course of their work.

13. All these initiatives are founded on the recognition that secondary trauma and vicarious trauma affect the legal profession, and each organisation at various levels, in different ways. You may have noticed that a number of the initiatives which I have mentioned are targeted at our prosecutors in the Crime Division. This is because,

across AGC and the Legal Service, it is our prosecutors who are most exposed to the trauma of victims, and to the mental health and social issues faced by accused persons. They may have to examine traumatic material for the purposes of the criminal process, or personally elicit a victim's or accused person's trauma. I can recall hearing one of our prosecutors saying that she will never be able to forget the cries of the children in the videos she had to review in a case involving a paedophile. It is therefore important that we support our prosecutors' mental well-being, by de-stigmatising mental health issues and encouraging the seeking of help for such issues.

14. In terms of wider efforts to promote “a strong sense of shared identity, solidarity and togetherness”,⁴ in the past year, the AGC and the Legal Service helped to facilitate a free and fair Presidential election. We also updated the legislative framework to promote the appropriate use of our national and presidential symbols. The update gives Singaporeans greater latitude to express their national pride. For instance, Singaporeans are now allowed to apply the image of the national flag on their attire for non-commercial purposes all year round, and not just during the National Day period.

15. While important, our efforts cannot be only focused inward and on national unity. As a small nation, exposed and vulnerable to impacts from beyond our shores, we must be able to “stand ready to adapt to change and bounce back stronger from our challenges”.⁵ Some of Singapore's most immediate challenges are in the form of 3 “Cs”: COVID-19, cyberspace, and climate change.

⁴ Page 5 of the Forward SG summary booklet.

⁵ Page 5 of the Forward SG summary booklet.

16. The first “C”: COVID-19.

17. We hope that the worst of the COVID-19 pandemic has passed although we did see a resurgence of cases over the past few weeks. However, we must be prepared for whenever the next pandemic comes along.

a. Our officers are working alongside agencies at the World Health Organization on a pandemic accord that will better enable global pandemic prevention, preparedness and response.

b. The experience of global lockdowns and supply chain disruptions during the pandemic also put the spotlight on our energy requirements and food security levels. In response to these issues, AGC has advised the Government on energy imports, and other levers to ensure that Singapore will continue to have sufficient electricity generation capabilities going into the future, as well as on arrangements to build Singapore’s food security and supply chain resilience.

18. One of the more positive outcomes of COVID-19 was the acceleration of our society’s digital transformation. That being said, our ever-increasing reliance on the digital sphere for information and the lightning speed at which technology has developed over the past few years – be it related to the Internet, mobile computing, social media, artificial intelligence or blockchain technologies – this has resulted in a

greater incidence of cyberattacks, hacks, scams, and other forms of online harms, and this also led to a parallel transformation in criminal methods.

19. This brings me to my second “C”: cyberspace.

20. AGC has worked with Government agencies to formulate whole-of-Government positions on cross-cutting and fast developing issues in cyberspace.

a. For example, AGC has positively contributed to Singapore’s active and constructive participation at various United Nations processes relating to cyber matters, including the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes. We also contributed at the Open-Ended Working Group on Security of and in the Use of Information and Communications Technologies. The mandate of the Open-Ended Working Group includes the study of how international law applies to the use of information and communications technologies by States.

b. AGC has also assisted the Government in enacting new legislation and remedies to combat the ever-evolving threats that Singaporeans may encounter in the digital realm. To this end, AGC has established two technology-related task forces: (1) the Technology Crime Task Force, which focuses on computer or technology-assisted crimes and deals with digital evidence matters; and (2) the Cryptocurrency Task

Force, which tackles the challenges posed by cryptocurrencies, non-fungible tokens (or “NFTs”) and other emerging virtual assets, including issues relating to the tracking, seizure and disposal of such virtual assets.

- c. AGC has been at the forefront in working with agencies to deal with a particular type of online harm which has come to the fore in recent years: that of “fake news” and hostile online information campaigns. This type of online harm is especially susceptible to “spillover” effects, from the cyber world into the “physical” world. One area of sensitivity for us in Singapore is how online harms can unravel the hard-earned racial and religious harmony that Singaporeans enjoy today. Appreciating this, AGC continues to advise and support the Government on the use of the Protection from Online Falsehoods and Manipulation Act 2019, more colloquially known as “POFMA”, in combatting the spread of potentially divisive fake news. AGC also continues to provide advice and support in respect of other levers. These include the Foreign Interference (Countermeasures) Act 2021, to deal with websites and actors (especially foreign actors) that are suspected of being used to perpetuate hostile information campaigns online.

21. A challenge that is similarly here to stay is climate change, the third “C”.

22. In this regard, AGC continues to closely support the Government's environmental sustainability plan.

- a. Our officers have worked with agencies to craft the policy and legislative frameworks for every aspect of Singapore's green plan, from electric vehicles, green buildings and resource sustainability, to carbon pricing, carbon trading, energy conservation, coastal protection, and so on.
- b. We have also provided advice to Government agencies on initiatives to secure a climate-resilient future, and on meeting our emissions targets, such as achieving net-zero emissions by 2050. These have included supporting negotiations on carbon credits arrangements with other countries.
- c. AGC participated in the advisory proceedings, held recently, before the International Tribunal for the Law of the Sea, which was occasioned by a request for an Advisory Opinion submitted by the Commission of Small Island States on Climate Change and International Law. AGC's participation demonstrated Singapore's thought leadership in the interpretation of the relevance of the Paris Agreement temperature goal to the law of the sea regime on protection and preservation of the marine environment. AGC officers also chair the negotiations process for the largest United Nations General Assembly resolution, that on oceans and the law of the sea;

and support the Singapore delegation to the Intergovernmental Negotiating Committee on Plastic Pollution.

Vibrant and Inclusive

23. A vibrant and inclusive society is one with “opportunities for lifelong learning and diverse career pathways”,⁶ and where “we embrace wider definitions of success, and everyone is valued and respected for who we are”.⁷

- a. Our officers have supported this vision of a vibrant and inclusive society by working with ministries and other agencies across the Government, to put in place measures to ensure housing affordability, operationalise the plan to give CPF top-ups to ITE graduates to improve their prospects, and provide additional support to special education schools through funding agreements.
- b. Work continues on legislation to improve housing and retirement adequacy, provide protection for work injuries, and enhance representation rights for platform workers.

24. The AGC and the Legal Service have also made constant efforts to build and maintain a vibrant and inclusive work environment and community, striving to embody the Forward SG qualities at an institutional level. For instance:

⁶ Page 5 of the Forward SG summary booklet.

⁷ Page 5 of the Forward SG summary booklet.

- a. Both the AGC and the Legal Service hire and reward employees – not just limited to legal officers, but all employees – with a diverse range of qualifications and abilities, including persons with disabilities.
- b. Further, the Legal Service offers a wide diversity of roles for lawyers who wish to serve the public interest, both in the AGC or in legal, policy or regulatory roles in the ministries and statutory boards.

25. In addition, AGC supports our staff's efforts to upskill and upgrade.

- a. The AGC has supported promising executives, with aspirations to become lawyers, for LLB studies.
- b. During AGC's recent Business Process Re-engineering exercise, particular efforts were undertaken to support job transitions for our executives and empower their career planning. For instance, in the course of examining and re-organising the roles of our Administrative Professionals and Legal Executives, each of the Administrative Professionals was consulted as to whether they wanted to be trained as Legal Executives. I am pleased to say a number of them have taken up the offer to upskill and upgrade.
- c. Prosecutors in each of the new task forces and units that I will be mentioning later in my speech are being given the chance to learn and

pursue their aspirations in areas of their interest, and to develop specialised expertise with each case they handle and each piece of advice they render. They will be groomed as the next generation of experts in their respective areas.

- d. Our legal officers also continue to benefit from targeted secondments to law firms, barristers' chambers and companies (both in Singapore and overseas).

Criminal Justice

26. Other than the support provided to Forward SG, allow me at this point to highlight some of the many accomplishments that AGC achieved in 2023 on the front of criminal justice:

- a. One of the key milestones and achievements in 2023 was the issuance and implementation of the Guidelines on Reduction in Sentences for Guilty Pleas (or what we call the PG Guidelines). The PG Guidelines took effect from October last year. The Guidelines will assist accused persons in making decisions in criminal proceedings, and defence counsel in advising their clients. The PG Guidelines are intended to encourage accused persons who wish to plead guilty to do so as early in the court process as possible. Before the introduction

of the PG Guidelines, it was already common for accused persons to receive reductions in their sentences if they plead guilty. The PG Guidelines provide a structure for the amount of reduction an accused person can generally expect to receive, by setting out clearly the ranges that the courts may consider granting, depending on the stage in proceedings when the accused persons plead guilty. This will better ensure fairness in criminal justice outcomes.

- b. Another notable achievement was the creation of two new units within AGC's Crime Division, namely the Policy Unit and the Ministry and Statutory Board (or "MSB") Unit, which seek to better ensure consistency, and therefore fairness, through enhanced oversight over the handling of criminal cases. The Policy Unit oversees all policy work and work processes within AGC's Crime Division, including internal prosecution policies that guide the exercise of our prosecutorial discretion, and proactively identifies areas for improvement. The MSB Unit works closely with the prosecution units in the various ministries and statutory boards to deal with policy issues relating to prosecution matters, and to manage cases across a wide range of domains in order to ensure consistency of standards, as well as to ensure alignment with the principles adopted by the Crime Division. We have prosecutors spread over Ministries and Statutory Boards and these prosecutors work closely with AGC prosecutors.

- c. AGC has also set up a Task Force to enable the more effective and efficient prosecution of cases involving child sexual exploitation, which cases have become more prevalent, unfortunately. With the establishment of the Task Force, only prosecutors of an appropriate seniority will handle such cases. The Task Force will enable us to ensure greater consistency in AGC's approach towards such offences, and also provide prosecutors with access to the requisite training, information and tips on how to approach materials relating to such offences, so as to minimise the risk of secondary trauma and vicarious trauma.

Concluding remarks

27. I conclude by emphasising that the work of the AGC and the Legal Service is vital. In my speech, I have provided numerous examples of how our work relates to and permeates all levels of Singapore society. Legal support is required for every outcome that Forward SG seeks to achieve. This is a high calling, but I have complete confidence that we are up to the task. I am also determined for the AGC and the Legal Service to continue to be vibrant, inclusive, fair, thriving, resilient and united. We aspire to no less a standard, in order for the AGC and the Legal Service to properly serve not just the Government, but the country, with continuing distinction.

28. Now, on behalf of the Legal Service, and in particular the AGC, I pledge our fullest support to the Judiciary in the discharge of your constitutional responsibility to administer justice.

29. Please allow me to take this opportunity to congratulate:
- a. Firstly, Justice See Kee Oon, on his appointment as Judge of the Appellate Division;
 - b. Justice Goh Yihan and Justice Teh Hwee Hwee, on their appointments as Justices of the High Court, and Justice Teh on her concurrent appointment as Presiding Judge of the Family Justice Courts;
 - c. Next, Justice Lee Seiu Kin, on his appointment as Senior Judge of the High Court, as well as Senior Judge Tan Siong Thye and Senior Judge Judith Prakash, on their appointments as Senior Judges of the High Court;
 - d. I would also like to congratulate the newly-appointed Judicial Commissioners of the High Court, Mr Wong Li Kok, Alex, Mr Tan Pheng Wee Christopher, and Ms Tan Ruyan, Kristy, who were appointed with effect from August and October last year. Please allow me to specially congratulate our former colleague, Judicial Commissioner Kristy Tan. Judicial Commissioner Tan was my former partner when we were in private practice and I have known her, and have worked with her, for many years. I was therefore happy when Judicial Commissioner Tan decided to give up her private practice and joined AGC in March 2018 to head the newly formed Advocacy Group at AGC. She served with distinction at AGC leading and developing the Advocacy Group. AGC benefitted greatly from her contributions, and continues to reap the positive impacts of them. I will miss having

Judicial Commissioner Kristy Tan at AGC but AGC's loss is surely the High Court's gain; and

- e. Finally, I would like to congratulate Justice James Leslie Bain Allsop and Justice James Michael Peck, on their appointments as International Judges to the Singapore International Commercial Court.

30. I wish all of these persons the very best in their appointments.

31. And with this, I wish the Chief Justice, Your Honours and all members of the legal community the very best for 2024.