



## The Year in 2012

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Singapore's gross domestic product (GDP) grew by 1.1% in 2012, narrowly averting a technical recession in the last two quarters of the year. It is below the growth rate of 2011 which stood at 4.8% but is within the government's forecast of about 1% to 3% growth made at the beginning of 2012. The unemployment rate for the third quarter of 2012 held steady at 2.8% for residents and 3.0% for Singapore citizens, compared to 2.9% for residents and 3.1% for Singapore citizens in the same quarter of 2011.

In terms of public discourse on government policy, there was a greater focus on the question of policy principles and political values in 2012 – what Singaporeans value and government should seek to deliver. Many policies were tweaked to reflect new governance priorities. There was also a strong emphasis on the need for public accountability and integrity in both the private and public spheres. It was a year when there was a more involved process of engagement between the government and civil society as well as citizens at large.

### **REVIEWING AND BOLSTERING CURRENT SYSTEMS**

#### ***Ministerial Salaries***

At the start of 2011, Prime Minister (PM) Lee Hsien Loong announced a review of political remuneration in response to public sentiments expressed during the 2011 General Election (GE).<sup>1</sup> The Committee to Review Ministerial Salaries, led by Gerard Ee, released its recommendations on 4 January 2012. It recommended that the President's yearly salary be reduced by 51% to \$1.54 million, the Prime Minister's salary reduced by 36% to \$2.2 million, and the pay of entry-level ministers reduced by 37% to \$1.1 million. Specifically, a minister at the tail end of the entry MR4 level would start with a yearly pay of \$935,000. Salaries at the MR4 grade would be pegged to the median income of Singapore's 1,000 highest Singapore citizen earners, and then discounted by 40%.

This departs from the previous system where MR4 salaries were benchmarked against the median income of the highest eight earners in six professions, and then discounted by a third.

National Bonus would instead be calculated according to a broader set of benchmarks that includes the growth rate of the country's GDP, the unemployment rate, the increase in real income of Singaporeans at the median and in the bottom 20th percentile. This is to ensure that political leaders are cognisant of the need for their policies to address widening income gaps.

In coming up with the recommendations, Ee said that his committee sought to balance three guiding principles: competitive salaries to draw talent, the spirit of sacrifice of the public service ethos, and a transparent one-wage system.<sup>2</sup>

A number of MPs and political observers believed that Singaporeans would feel satisfied with the significant cuts and new formula that was suggested, while political parties such as the National Solidarity Party (NSP) and the Singapore Democratic Party (SDP) pointed out that the salaries were still high in comparison with what other world leaders earn. The NSP argued that in an age of widening income gaps, the highest earners would earn so much more than the ordinary man-in-the-street, as would ministers by extension of this formula.<sup>3</sup>

The main opposition party in parliament, the Workers' Party (WP) suggested an alternative formula — by pegging ministerial salaries to the MX9 grade salary, which is “the salaries of divisional directors in the Civil Service (excluding the Administrative Service)”. WP MPs felt that this benchmark would be closer to the “general wage levels of Singaporeans” and reflect a “whole-of-government, people-up” approach.<sup>4</sup> Deputy Prime Minister (DPM) Teo Chee Hean and then MP Lawrence Wong said in response that the MX9 represented a small group of senior officers in Singapore's civil service whose pay, in turn, was benchmarked against high earners in the private sector, and not the “general wage level” of Singaporeans as the WP had thought.<sup>5</sup>

The WP also came under fire for not sharing all its suggestions when the Committee conducted its interviews. MPs from the People's Action Party (PAP) suggested that the WP was trying to get political mileage out of the debate rather than being serious about improving the system. WP Non-constituency Member of Parliament (NCMP) Gerald Giam refuted this, saying that the party had provided all the feedback it had at that point to the Committee, and that if the WP were not serious about improving the system, they could have turned down the request to meet the Committee and chosen not to contribute their ideas.<sup>6</sup>

The ministerial salaries debate shed light on how ruling party PAP would deal with an increased opposition presence in parliament. DPM Teo chose to emphasise the similarities between the positions of the PAP and the WP in closing the debate, seeking to bring about a new national consensus on this contentious issue of ministerial salaries.<sup>7</sup>

### ***The Budget Debate***

The 2012 Budget, the first after the watershed 2011 GE saw the government strengthen social security safety nets as well as beef up healthcare and public transport systems that had been facing public criticism for over-crowding. The budget included utilities rebates, top-ups to the Central Provident Fund (CPF) accounts of low-income citizens and housing initiatives designed to provide seniors with greater cash flow. Other elements included increasing subsidies in education and healthcare for low-income earners, and making permanent the Goods and Services Tax (GST) voucher scheme paid to lower and middle

income households to offset the GST. The government also increased CPF contribution rates for older workers and self-employed persons, and incentivised the hiring of Singaporeans with disabilities and seniors by introducing the new Special Employment Credit scheme. Regarding transport, the budget set aside \$1.1 billion to increase the number of buses in service and to fund the running costs of these buses over the next 10 years. In addition, there was a commitment to open a new rail section annually for the next five years to meet the target of having 400,000 households situated within 400 metres of MRT stations.<sup>8</sup> Healthcare infrastructure would be strengthened and healthcare professionals' wages would also see an increase in anticipation of the need to address the demands of an expanding and ageing population.<sup>9</sup>

To curb reliance on foreign labour, the government indicated it would improve on its Productivity and Innovation Credit (PIC) scheme so that smaller companies would benefit from reimbursements, and with additional grants for capability development and upgrading of infrastructure.<sup>10</sup> This was coupled with the news that the dependency ratio ceiling for foreign labour and man-year entitlement quotas would be tightened to reduce the use of foreign workers.<sup>11</sup>

MPs of all political stripes noted the difficulty that Small and Medium Enterprises (SMEs) were likely to face in adjusting to the tightening of supply of foreign labour — the cost of businesses would rise at a time when they are facing higher property prices.<sup>12</sup> WP MPs suggested the use of finer sector-specific ratios rather than the three broad ones being used at the time.<sup>13</sup> DPM Tharman Shanmugaratnam responded that this would be counter-productive as the sectors that were most in need of foreign labour were precisely the ones that needed to become more productive.<sup>14</sup> Recognising the concerns raised, the Ministry of Manpower announced a few weeks after the Budget debate that the employment period of unskilled foreign workers would be extended to a maximum of 10 years. This would enable workers to gather greater experience and skill and therefore contribute to higher productivity to benefit their companies and the economy.<sup>15</sup>

The WP saw this budget as a policy shift by the government in response to the watershed GE of 2011, but PAP members quickly rose to refute and reframe this. WP chairman and MP Sylvia Lim said that the proposed budget measures had demonstrated that the government had “course-corrected to ensure that our poor, elderly and disabled are not stuck in isolated pockets of poverty in our island of prosperity”, although more could still be done.<sup>16</sup> Minister of State for the Ministry of Health and PAP MP Amy Khor denied this charge, calling the budget a “reinforcement of an existing policy” instead.<sup>17</sup> WP Secretary-General and MP Low Thia Khiang also said the budget was a significant step in the direction of a “first world social safety net”, with its focus on the people and those at the margins of society, even if this came with the implication of slower economic growth.<sup>18</sup> To this, DPM and Finance Minister Tharman Shanmugaratnam responded that he did not “like the idea of this first world safety net because it means first world taxes and first world debts”.<sup>19</sup> Many developed countries had previously put off the task of paying for social spending to future generations, and now had to pay the price for this, he explained.<sup>20</sup> In response to a query from WP MP Pritam Singh on what the government was doing for less well-off Singaporeans, DPM Tharman said that a Singaporean living in a two-room Housing and Development Board (HDB) flat as part of a family of four would receive almost five dollars in government benefits for each tax dollar paid in his or her lifetime.<sup>21</sup>

## ***Managing the Population Conundrum***

### *Handling Immigration*

From 2007 to 2011, Singapore became home to 259,040 new Permanent Residents (PRs) and 92,310 new citizens. This list now includes the super-rich like Facebook founder Eduardo Saverin, who renounced his American citizenship and became a Singapore PR.<sup>22</sup> However, between 2007 and 2011, the number of new PRs has fallen from a high of 79,167 in 2008 to 27,521 in 2011. In the same period, the number of new citizens has also fallen from a high of 20,513 in 2008 to 15,777 in 2011.<sup>23</sup>

After the budget debate, the issue of foreign workers in Singapore remained a key topic of public discussion.<sup>24</sup> In April, DPM Tharman cautioned that Singapore could see a decline in competitiveness like Taiwan if it were to adopt a “closed-door policy against foreigners”. Referring to a survey by the East Asian Institute at the National University of Singapore, DPM Tharman said that Taiwan had suffered a decline in real wages and the flight of local talent when it tightened access to foreign workers.<sup>25</sup>

In the middle of the year, the National Population and Talent Division and the Institute of Policy Studies (IPS) released population scenarios pointing to the grim outcome of a shrinking population size and declining age support ratio in the case of zero immigration. IPS’ scenarios further pointed out that the population size would decline even if the total fertility rate (TFR) increases from 1.24 to 1.85.<sup>26</sup>

Although the government tightened restrictions on immigration, this was somewhat mitigated by the implementation of the Long Term Visit Pass-Plus (LTVP+), which allows foreign spouses of Singapore citizens to remain in the country for three years on first application, and five years with subsequent renewals. The LTVP+ will let holders work and receive healthcare subsidies for inpatient treatment at restructured hospitals.<sup>27</sup>

The government also tweaked policies to give further priority to citizens over PRs in access to education and healthcare. Citizens would receive absolute priority in the primary one school registration process,<sup>28</sup> putting aside a previous ruling that citizens would get an extra ballot above those of PRs in trying to get the last spots in their preferred primary school. Healthcare subsidies to PRs was also reduced to half of what citizens enjoy for the majority of income bands in April and October 2012. This followed a measure introduced in 2010 where the gap in healthcare subsidies received by citizens and PRs was widened to 20%.<sup>29</sup> School fees for PRs and other foreign children would be raised in 2013.<sup>30</sup>

In the discussion on how Singapore could manage its inflow of foreign labour, the PAP’s strategy of consensus-building, by emphasising the common aspects between positions held by itself and any opposition voices, was strongly featured.<sup>31</sup>

### *Promoting Child-bearing and Family Life*

The government promised measures to promote child-bearing and family life. At his National Day Rally speech, PM Lee emphasised the importance of solving practical problems faced by parents who are considering having children rather than just providing financial incentives for parenthood. The government would consider implementing policies to “promote flexible work arrangements” and “improve work culture and employer attitudes”. It would create

Medisave accounts for newborns to help defray medical expenses that parents' might incur. Paternity leave would also be introduced alongside greater provision of infant and childcare. The National Population and Talent Division will unveil ideas in a White Paper on Population in January 2013.<sup>32</sup>

Responses to the introduction of mandated, longer paternity leave varied, with the change being seen as generally positive, although there were disagreements over how this policy should be implemented. The National Trades Union Congress (NTUC) commented that while this was an improvement on the two days of paternity leave currently provided by most unionised companies, the paternity leave should not come from the 16 weeks of maternity leave currently due to new mothers. NTUC also proposed extending maternity leave to six months.<sup>33</sup>

The Singapore National Employers Federation (SNEF) argued that legislating paternity leave might increase rigidity in the labour market as some companies were already giving generous annual leave that fathers could utilise. Also, it would be difficult to track how much leave had been taken if both parents were to share what was previously the mother's maternity leave. Lastly, companies might need to take on extra workers to replace those on leave and this would be difficult if specialised skills were needed.<sup>34</sup> Lim Soon Hock of the Centre for Fathering and the National Family Council countered this, and said companies would have close to nine months to make arrangements before a newborn arrives and parents take leave, so introducing more generous paternity leave would not result in such a large challenge for manpower planning.<sup>35</sup>

## **Labour Relations**

### *Wage Shock Therapy*

Nanyang Technological University Economics Professor Lim Chong Yah, who was formerly chairman of the National Wages Council, proposed in April 2012 that the government implement a wage "shock therapy" to compel companies to improve low-wage worker productivity levels and narrow the income gap. He suggested a 50% increase in wages for those earning \$1,500 a month or less and freezing the wages of those making \$15,000 a month or more for a three-year period.

This proposal was met with swift criticism from the labour union, employers and the government. Labour chief Lim Swee Say said that this was a "very risky" suggestion that could lead to many workers losing their jobs and result in structural unemployment if productivity did not increase to the same extent in three years.<sup>36</sup> The Singapore Business Federation, which represents the interests of the business community in Singapore, said that the implementation of Lim's plan could "impact the sustainability of SMEs who are major employers of low wage workers",<sup>37</sup> and that increases in wages should come with gains to productivity in order to be sustainable.<sup>38</sup> PM Lee also reminded Singaporeans how the country had "plunged into a very deep recession" when wages were last raised sharply in 1985.<sup>39</sup>

In the end, the National Wages Council proposed in its regular advisory on wages in May 2012 that employers increase the wages of workers earning up to \$1,000 a month by a minimum quantum of \$50, which the government accepted.<sup>40</sup>

## *Labour Strikes*

Singapore also experienced its first strike in 26 years on 27 November 2012 when 171 SMRT bus drivers refused to go to work, disrupting 10% of SMRT's bus services.<sup>41</sup> The striking workers, who were from China, had called for more equitable pay to that of Singaporean and Malaysian drivers as well as for better living conditions. When 88 of these bus drivers refused to return to work for the second day, disrupting 5% of SMRT's bus services,<sup>42</sup> Acting Manpower Minister Tan Chuan-Jin labelled the action an "illegal strike".<sup>43</sup> Four SMRT bus drivers were charged under the Criminal Law (Temporary Provisions) Act with instigating the strike and under Section 109 of the Penal Code for "abetting the instigation offence". One of them was also charged with using a website post to incite workers to strike.<sup>44</sup> A fifth driver pleaded guilty to being a "hostile and aggressive participant"<sup>45</sup> in the illegal strike and was sentenced to six weeks' jail.<sup>46</sup>

Other than these individuals, 29 other SMRT bus drivers were given a stern warning from the Police, had their work permits revoked, and were repatriated.<sup>47</sup> Along with bearing the cost of repatriation, SMRT also paid these 29 drivers pro-rated *ex gratia* bonuses and reimbursed them for all claims owed.<sup>48</sup> It was also told by the Ministry of Manpower that it had failed to properly manage the drivers' grievances and that it had to do better in the future.<sup>49</sup>

The NTUC released a statement in support of the actions taken by the government to signal that it agreed there were "proper ways of dealing with issues and disagreement" in a "nation ruled by law".<sup>50</sup> It also added that while foreign workers were allowed to become union members, the majority of the foreign bus drivers in SMRT were not members, which meant that the National Transport Workers' Union had no mandate to represent them at the time.<sup>51</sup>

The People's Republic of China government urged Singapore to "the rights and interests of Chinese workers according to local laws", while netizens from China criticised SMRT for paying the Chinese drivers less and for treating them unfairly. There was also anger over Singaporeans' comments that Chinese workers who were unhappy with the situation in Singapore should simply leave.<sup>52</sup> Some netizens also blamed Chinese job placement agencies for not explaining the laws and rules of countries before sending people out to work overseas.<sup>53</sup> While this issue involved foreign workers from China, the government stressed that it would not affect bilateral ties.<sup>54</sup>

While Singaporeans felt that it was wrong for the bus drivers to go against the rules on the calling of strikes, many empathised with the workers.<sup>55</sup> Some members of the public said it was a reminder of the cost of Singapore's dependence on foreign labour;<sup>56</sup> that the incident raised questions about "labour laws, trade unionism and workers' rights",<sup>57</sup> and Singapore's public transport, foreign worker and wage policies.<sup>58</sup>

## ***Housing***

The HDB resale price index climbed 0.6% in the first quarter, 1.3% in the second, 2% in the third, and 2.5% in the fourth – all less steeply than corresponding quarters in 2011. The government also introduced 27,084 Built-To-Order (BTO) flats, the highest number of flats made available in a year since 2002 when the system was introduced. The HDB also plans to offer at least 20,000 more BTO flats in 2013.<sup>59</sup>

The application rate for first-time applicants improved “from 2.2 applicants per available flat in March [2012] to 1.6 applicants” in May 2012. The application rate for second-time applicants improved from 10.8 applicants per available flat in March 2012 to 8.8 applicants per available flat in May 2012. According to a newspaper report, this was also a vast improvement over the second-time application rate a few months prior in November 2011 and January 2012, at 25.9 and 25.6 applicants per available flat, respectively. Minister for National Development Khaw Boon Wan said that if “first-timer application rates hold steady at below 2”, more second-time applicants will stand a better chance of getting a flat.<sup>60</sup>

HDB announced that the construction of 2,000 rental flats in Punggol, Sembawang, Yishun, Bukit Batok and Sengkang for lower-income families will be completed from 2014.<sup>61</sup> It is also reviewing the ethnic quotas for public rental flats.<sup>62</sup> The CPF Special Housing Grant was also extended in August 2012 to allow low-income families to buy three-room flats, instead of the previous limit of two-room flats.<sup>63</sup>

Minister Khaw also assured single Singaporeans he would review policies to allow them to buy BTO flats.<sup>64</sup>

At the end of the year, the HDB announced changes that would enhance their Silver Housing Bonus and Lease Buyback Scheme, aimed at helping asset rich but cash poor seniors increase the amount of cash they have available. The Silver Housing Bonus provides incentives for seniors to downsize while the Lease Buyback Scheme allows seniors to sell some of the years of their flat’s lease back to the government.<sup>65</sup>

### **Education**

In 2012, the debate over education centred on developing an inclusive education system and on reducing the academic pressure on students.

To this end, the Ministry of Education (MOE) abolished the secondary school banding system that ranked schools based on their academic performance. However, information on “value-addedness of schools” will still be provided.<sup>66</sup> While some principals were in favour of this change, parents felt that this would not change the situation much as unofficial rankings would emerge. Some teachers also felt that this would affect schools that were less established, as parents would not have enough information to judge their performance. In addition, parents might not know when schools have improved.<sup>67</sup>

To highlight the focus on holistic development of students as opposed to just academic development, the MOE announced that the students with top scores in national examinations — the Primary School Leaving Examination (PSLE), GCE “N” and “O” Levels — will no longer be named. Instead, data on the performance of the whole cohort will be provided.<sup>68</sup> It also announced funding for schools to develop niches of excellence. Previously, schools would only get funding from MOE after their niche areas were recognised.<sup>69</sup>

In keeping with this emphasis on the holistic development of student, the MOE took a stronger stance on private tuition, stating that teachers “should not recommend tuition to students or parents as a form of learning support”.<sup>70</sup>

In addition to these changes, Crest Secondary School will open in 2013 to provide vocational training to Normal (Technical) stream students.<sup>71</sup> Five hundred more places for children with special needs will also be available at Pathlight School and Metta School from 2013.<sup>72</sup>

### *Preschools*

In his National Day Rally speech, PM Lee outlined plans to create a statutory board to oversee preschool education, encourage new preschool operators to enter the sector, and raise the standard of teachers through training. Support will also be given to lower and middle-income families to ensure the affordability of preschools. However, PM Lee stated that the preschool sector will not be nationalised.<sup>73</sup>

### *PSLE*

There was vigorous debate about whether the PSLE should be scrapped or reformed. DPM Tharman expressed the view that the PSLE should be reformed, arguing that problems with the PSLE stemmed from it differentiating pupils on a very fine level, with students sitting for the PSLE differentiated by “an aggregate of their exact scores” and given an exact number grade, while students sitting the GCE “N” and “O” levels received letter grades that encompassed a band of numbers.<sup>74</sup> Senior Minister of State Lawrence Wong felt that it was more important for Singaporeans’ mindsets to be changed, for them to have a broader definition of success.<sup>75</sup> Many parents agreed that the PSLE scoring system should be changed, but some recognised that a reformed broader scoring system could be less transparent and operate on less objective criteria.<sup>76</sup>

### *Universities*

PM Lee also announced plans to increase the number of publicly-funded universities by making the Singapore Institute of Technology (SIT) and SIM University (UniSIM) Singapore’s fifth and sixth publicly-funded universities.<sup>77</sup> These universities will focus on providing full-time applied degrees. The number of part-time university places available at UniSIM will also be increased, and students on these courses will be given government bursaries and loans similar to those given to part-time students at other universities in Singapore. This increase will amount to an additional 3,000 full-time undergraduate places a year by 2020, allowing 40% of every cohort to get a university education, an increase from the 27% that currently receive one.<sup>78</sup>

### **Healthcare**

In 2012, the Singapore Democratic Party released a policy paper laying out a blueprint for the reform of healthcare policy that elicited a large public response. At the end of December 2012, the Health Minister Gan Kim Yong announced plans to review healthcare policy to ensure that it remains affordable.<sup>79</sup>

### **Reshuffling of Ministries**

A significant cabinet reshuffle took place in July, in which three new ministries, the Ministry of Social and Family Development (MSF), the Ministry of Culture, Community and Youth (MCCY) and the Ministry of Communications and Information (MCI) were formed after the restructuring of the former Ministry of Community Development, Youth and Sports and



Ministry of Information, Communication and the Arts. This round of reshuffling also saw the promotion of first-Cabinet members Chan Chun Sing to head the MSF, Tan Chuan-Jin to head the Ministry of Manpower and Lawrence Wong to helm the MCCY. Grace Fu became the second woman in Singapore to be promoted to a full minister.<sup>80</sup>

### ***Mandatory Death Penalty***

#### *Drug Trafficking*

The Misuse of Drugs (Amendment) Bill was passed on 14 November 2012. It removed the mandatory death penalty for drug couriers who “co-operate substantively with the authorities” or are “judged to have diminished responsibility”.<sup>81</sup> In these cases, judges can mete out a maximum sentence of life imprisonment with at least 15 strokes of the cane. Opinion in parliament was divided over this, with some PAP MPs such as Edwin Tong, Liang Eng Hwa and Christopher de Souza expressing the need for tough anti-drug laws. Arguing in favour of the policy were WP MPs Sylvia Lim and Pritam Singh, who felt that the bill did not remove the mandatory death penalty completely even if the change was a step in the correct direction. Nominated Members of Parliament (NMPs) Laurence Lien, Eugene Tan and Faizah Jamal argued for the abolishment of the death penalty.<sup>82</sup>

#### *Murder*

The Penal Code (Amendment) Bill, which made the death penalty mandatory in murder cases if the intention to kill is present, was also passed on 14 November 2012. MPs were generally in favour of this change, although they disagreed on the level of discretion judges should have in ordering death sentences for murderers. PAP MP Alvin Yeo felt that judges should not be given too much discretion in sentencing as this might result in public backlash if sentences were deemed too light, as seen in other countries. However, WP MP Sylvia Lim felt that judges should be given discretion in all murder cases as there are many possible reasons why an individual might harbour the intention to kill.<sup>83</sup>

### ***Gambling***

The Casino Control (Amendment) Bill, which gives the National Council on Problem Gambling the power to “impose a visit limit or exclusion order on a gambler”, was passed on 15 November 2012. While some MPs suggested allowing the government to set a limit on the amount of losses or expenditure gamblers could incur, Acting Minister for Social and Family Development Chan Chun Sing disagreed, as he felt this would allow people to “pass their personal responsibility to the state”.<sup>84</sup>

The issue of online gambling was also raised, with PAP MPs Denise Phua and Zainal Sapari arguing that the young were at risk of gambling addiction via easily accessible gambling websites. The government is currently reviewing the current regulatory framework used for non-casino gambling to see if it can be extended to cover online gambling.<sup>85</sup>

## **ACCOUNTABILITY AND PUBLIC INTEREST**

### ***Graft Cases***

In 2012, a spate of graft cases involving public servants came to light. Former Central Narcotics Bureau director Ng Boon Gay and former Singapore Civil Defence Force chief Peter Lim were charged with corruptly receiving sexual gratification in exchange for government contracts.<sup>86</sup> Further, National Parks Board assistant director Bernard Lim was suspended from his post after failing to declare a conflict of interest in the purchase of bicycles for which he was the approving authority; he was a friend of the owners of the bicycle supplier in the purchase contract.<sup>87</sup> The head of the civil service Peter Ong acknowledged that these episodes had dented the public service's image. Ong said that the public service "will not hesitate to take firm and decisive action" in future instances of such transgressions to continue to "preserve trust in the public service, and ensure that individual failings do not lead to systemic weaknesses".<sup>88</sup>

### ***Inquiry into SMRT Train Disruptions***

A Committee of Inquiry that was appointed to investigate the train disruptions of December 2011 found both the SMRT Corporation as well as the Ministry of Transport (MOT) and the Land Transport Authority (LTA) culpable. While these breakdowns were determined to have occurred due to the shortcomings of SMRT's maintenance regime, Minister for Transport Lui Tuck Yew recognised that these incidents also happened under the watch of the MOT and LTA, who were the regulators.<sup>89</sup> In July, Lui assured WP NCMP Gerald Giam and WP MP Pritam Singh that the \$1.1 billion announced in the budget earlier in the year would not go into "fatten[ing the]... bottom line" of transport operators, and that rather, the goal was to "make sure that the commuters benefit from having more reliable, more frequent, less crowded buses".<sup>90</sup>

### ***City Harvest Church***

In the middle of the year, several leaders from the City Harvest Church (CHC) were charged with the misuse of \$50 million in church funds or facilitating the process. This included CHC founder Kong Hee, a vice president and a member of its management board, CHC's investment manager and also its finance manager. They are alleged to have utilised church funds to boost the secular music career of Kong's wife, Ho Yeow Sun.<sup>91</sup> The response of the accused persons to date include a statement stating that \$24 million was put into investment bonds, and returned to CHC in full with interest, and that the group did not lose an additional \$26.6 million.<sup>92</sup> This episode threw up the question of whether churches should continue to be regulated as charities.<sup>93</sup>

### ***Hougang By-election***

#### ***Campaigning***

The WP leadership expelled its MP for the Hougang Single Member Constituency (SMC) Yaw Shin Leong from the party on 14 February 2012 after Yaw failed to give an account to the WP and Singaporeans when news of his extramarital affair leaked. The WP said he had betrayed the trust of the party and the people, especially Hougang residents, by not answering to the allegations, and believed that it was only fair that Hougang residents get

another opportunity to pick their MP.<sup>94</sup> Yaw did not contest the expulsion and subsequently left the country.

In PM Lee's first statement after the expulsion, he said he would consider whether and when to call a by-election. This led to a protracted public debate on whether a by-election should be called. A resident in Hougang represented by an opposition-linked lawyer took the case to the courts, charging that the prime minister was obligated by the Constitution to call a by-election in a timely manner should a SMC be vacated. PM Lee eventually called the by-election on 9 March 2012, and set the Polling Day for 26 May 2012. The by-election eventually took place about three months after the seat was vacated by WP MP Yaw Shin Leong.<sup>95</sup>

Before the by-election was called, there was a vigorous debate between NMP Eugene Tan, WP MP Sylvia Lim and PAP MP Hri Kumar Nair. MP Hri Kumar Nair argued that Singapore's "parliamentary democracy is based on the principle that elections are fundamentally about voters choosing between different political parties to lead the country", as opposed to choosing between individuals, such as in the United Kingdom's parliamentary democracy. As a result, "there is no requirement to call an immediate by-election, unless the vacancy affects the Government's mandate".<sup>96</sup> However, NMP Eugene Tan and WP MP Sylvia Lim rebutted this claim in separate letters, citing Article 49(1) of the Constitution, which directs that "whenever a seat of a Member is vacant for any reason other than a dissolution of Parliament, the vacancy shall be filled by election in the manner provided by or under any law relating to Parliamentary elections for the time being in force". They argued that the use of the word "shall" as opposed to "may" indicates that a by-election is mandatory.<sup>97</sup> In addition, while the PM is given the opportunity to choose the timing of the by-election, "Section 52 of the Interpretation Act provides that where an act is to be done with no time limit prescribed, it should be done 'with all convenient speed'".<sup>98</sup> This was eventually resolved in a court of law (see next section "Application in High Court").

The election was a straight fight between the PAP and the WP — with other opposition parties recognising the WP's claim on the constituency — and the WP candidate Png Eng Huat emerged victorious with 62.1% of the votes.<sup>99</sup> Election campaigning was largely a low-key affair compared with the 2011 GE, with candidates focusing on working the ground, keeping the message on how the by-election was a local affair and not a national one, and organising a minimal number of rallies. PAP candidate Desmond Choo, who adopted the slogan "always here for you",<sup>100</sup> emphasised that he would be an independent voice in parliament, and outlined what he could do for the constituency if elected.<sup>101</sup> WP candidate Png Eng Huat did not have a slogan, saying he would take a no-frills approach to his campaign<sup>102</sup> and appealed to voters to choose him as an "opposition voice" as well as based on his track record.<sup>103</sup> Png's candidacy was strongly backed by WP Secretary-General Low Thia Khiang who was also MP for Hougang for 20 years.

PAP leaders such as DPM Tharman attempted to frame the by-election as a local election,<sup>104</sup> to which WP MP Low Thia Khiang responded that the difference between that and one that was focused on national issues was not so "clear cut".<sup>105</sup> Other WP members said that national issues affected Hougang residents just like local ones, and voting the WP in would be a means of having "an appropriate level of checks and balances on the

government".<sup>106</sup> The WP called on the Hougang constituency to send him to "Parliament so that the Workers' Party can continue to be your voice in Parliament".<sup>107</sup>

It was the party leaders and other members on both sides, rather than the candidates themselves who took on the task of criticising the opposing party.<sup>108</sup> There was, for instance DPM Teo Chee Hean, who questioned the integrity of WP candidate Png Eng Huat and asked Hougang residents to consider why the WP was putting forward a candidate it did not consider good enough to send as a NCMP to Parliament.<sup>109</sup> Png's integrity was questioned by DPM Teo after Png's comment that he took his name out of the ballot for the NCMP post because of his 'personal stand' against the scheme was proven to be untrue in an unattributed leaked photograph of the minutes of that WP meeting.<sup>110</sup>

In the midst of the hustings, an anonymous person claiming to be a WP member leaked the minutes of a WP Central Executive Committee meeting. This was when Png's candidacy was publicly questioned at the time of the Hougang SMC by-election, and criticisms were levelled at WP for nominating Png when the party had not even considered him for the NCMP role after the 2011 GE. Going by the name of "secret squirrel", the person who leaked the minutes claimed to have done so with the intention of confirming that Png Eng Huat was indeed considered for the NCMP post at the time.<sup>111</sup> Png's clarification that he was referring to the 'voting process, not the voting slip' did little to silence the criticism of DPM Teo.<sup>112</sup>

Responding to perceptions of party interference, PAP candidate Desmond Choo held that he was his 'own man' with his 'own vision for Hougang', and that he would not let the PAP leadership 'distract me from how I want to run my campaign in Hougang', strangely disavowing the battle that was taking place on his behalf at the leadership level.<sup>113</sup> Likewise, WP candidate Png Eng Huat later said that he was putting his best efforts into campaigning and was not coasting on the influence of Low Thia Kiang, the former WP MP for the ward, as well as on the influence of the WP, even though party branding clearly did play a part in the battle.<sup>114</sup>

Some incidents in particular brought into question the unity of the WP. A party known for its strict party discipline, WP saw members stray from the party line, resign from the party and leak confidential information.<sup>115</sup> The revelation that former senior WP member Poh Lee Guan had filed for and was issued a political donation certificate on the eve of Nomination Day gave way to speculation of his intentions to contest in the Hougang by-election. This was before WP declared that it had nominated Png Eng Huat as its candidate. On Nomination Day, Poh explained that his intention was to be an "unofficial spare tyre" for the party, and that the decision to file for a certificate was "a unilateral move... that the party didn't know about".<sup>116</sup> Poh was chastised by WP Secretary-General and MP Low Thia Kiang<sup>117</sup> and was later expelled from the WP.<sup>118</sup>

In another incident days before Nomination Day, Sajeev Kamalasanan resigned from the WP and expressed disappointment that he had not been made a party cadre even with his "substantial contributions".<sup>119</sup> As a result, the WP had to fight accusations of racism, with party Chairman Sylvia Lim maintaining that the WP was a multi-racial party.<sup>120</sup> Sajeev defended the close timing of his announcement with the by-election as being "incidental" and the result of a natural progression of talks with WP Chairman Lim that did not go well.<sup>121</sup>

### *Application in High Court*

As mentioned above, this incident also saw a Hougang resident question the limits of the prime minister's discretion in calling for a by-election. Hougang resident Vellama Marie Muthu filed an application in the High Court to determine whether the prime minister had unfettered discretion in deciding if or when a by-election would take place in her constituency in March. She also sought a mandatory order for PM Lee to call for the by-election within a three-month period or a "reasonable time" as determined by the courts.<sup>122</sup> This was in reaction to PM Lee's earlier remarks that a by-election was "a very serious matter", and "[on] whether and when to hold a by-election in Hougang, I will consider the matter carefully... [there] are many other issues on the national agenda right now".<sup>123</sup> Days after Vellama filed her application, PM Lee announced that he would hold a by-election but that he would take factors such as the interests of Hougang residents, the priority of national issues, and international happenings that "[affect] our prosperity and security" into consideration when deciding on the timing.<sup>124</sup>

In April, Justice Philip Pillai, the presiding judge on the case, granted leave for the application to be heard in open court for the reason that "the very low threshold for leave [had] been met".<sup>125</sup> Following a series of appeals from both sides in the lead-up to the by-election, the Attorney General's Chambers (AGC) withdrew its appeal against Justice Pillai's earlier decision to grant leave after the by-election and instead sought to strike out the application on the grounds that there was no real need for the case to be heard because the by-election had been conducted. AGC's move to strike out the application was dismissed by Justice Pillai and he proceeded to hear Vellama's application.

In the end, Justice Pillai dismissed Vellama's application in August 2012 on the grounds that the Constitution does not require an election to be called to fill vacant parliamentary seats, and as such there is "no prescribed time within which such elections must be called".<sup>126</sup> However, he found that her application raised questions concerning "public law issues of general importance" and noted that where these questions were involved, "it may be inappropriate to make a costs order against the applicant even where the judicial review is wholly unsuccessful".<sup>127</sup>

Vellama's lawyer filed an appeal in August against the judgement made by Justice Pillai that "there is no requirement in the Constitution to call elections to fill elected Member vacancies".<sup>128</sup>

### ***Resignation of Speaker of Parliament***

The Speaker of Parliament, Michael Palmer, resigned from the PAP and his political positions on 12 December 2012, after admitting to having an "improper" relationship with a People's Association staff member.<sup>129</sup> His resignation was accepted by PM Lee. Deputy Speaker Charles Chong became the Acting Speaker, Minister of State Teo Ser Luck was charged with overseeing Palmer's Punggol East constituency, and MP Zainal Sapari became the chairman of the Punggol East town council.<sup>130</sup>

Attention immediately turned to when PM Lee would call a by-election in Palmer's single member constituency of Punggol East. In a similar response to the situation when the Hougang SMC fell vacant, PM Lee stated that he would "carefully consider whether to call a

by-election in Punggol East and, if so, when". He also assured Singaporeans that he would make his decision "based on what is best for the constituents of Punggol East and the country", pointing to several ongoing national issues such as Our Singapore Conversation and the National Population and Talent Division's White Paper on population.<sup>131</sup>

If a by-election is called, the Punggol East constituency is likely to see a multi-party fight, as three opposition parties or candidates have expressed their interest — the WP, whose candidate Lee Li Lian received 41% of the votes in the 2011 GE, the Singapore Democratic Party, the Reform Party and a former Singapore People's Party member Benjamin Pwee who may run as an independent.<sup>132</sup>

Palmer's resignation also sparked a debate over whether he should have resigned, with some arguing that Palmer's private indiscretion did not have an impact on his ability to perform his duties as Speaker of Parliament, an MP and chairman of the town council.<sup>133</sup> However, others argued that Palmer's resignation was in line with Singaporeans' desire for those in public positions to have clean images and not to "develop sexual relationships that put them in potential conflict-of-interest situations".<sup>134</sup>

### ***Dispute between the Aljunied-Hougang Town Council (AHTC) and Action Information Management Pte Ltd (AIM)***

The dispute began in December 2012 after the AHTC was not given a grade for corporate governance in the annual report card for town councils released by the Ministry of National Development as the AHTC's auditor's report was still pending. AHTC and WP chairman Sylvia Lim explained that the delay was due to the town council having to change its financial software system and its auditor.<sup>135</sup> However, AIM, the company that originally provided the computer and financial systems to the AHTC issued a statement that the company had extended their contract with the AHTC twice, and would have been agreeable to further extensions. AIM later released the exchange of letters between the AHTC and AIM, in which the AHTC stated that they were developing their own Town Council Management System to replace that provided by AIM.<sup>136</sup> In response, AHTC chairman Sylvia Lim claimed that the first extension given by AIM was "fought for" and the second extension was only given to the staff from the PAP's former managing agent for the town council,<sup>137</sup> and that they did not believe that it would be easy to obtain any further extensions..<sup>138</sup> The AHTC also explained that they needed to develop their own IT system as the "possible termination of the computing and financial systems at short notice by AIM [was] hanging over AHTC like the proverbial Sword of Damocles".<sup>139</sup>

This incident drew attention to how AIM had come to own the Town Council Management System used by 14 PAP town councils. PAP town councils explained that the system was owned by 14 PAP town councils and was developed by National Computer Services Pte Ltd. The Town Council Management System software that was developed was sold in a leaseback scheme through an open tender in 2010 to AIM, which was the only among five companies that collected the tender agreement to submit a bid. Under the bid submitted by AIM, it "offered to buy the software for \$140,000 and manage the system at a monthly fee of \$785 per town council, for an initial term ending on Oct 31, 2011".<sup>140</sup> AHTC chairman Sylvia Lim questioned how the "public interest was served when the PAP-managed town councils, which developed the computing and financial systems at significant cost and co-owned

them, sold them off to a third party which could exercise rights of termination if there was a 'material change' in the composition of a Town Council".<sup>141</sup> Teo Ho Pin, the co-ordinating chairman for these 14 PAP town councils, stated that this was to "facilitate the options for future development" and that the contract between the TCs and AIM was in line with existing financial regulations.<sup>142</sup>

This dispute is ongoing as of 31 December 2012.

## **THE EVOLVING LANDSCAPE OF EXPRESSION, ENGAGEMENT AND GOVERNANCE**

### ***Our Singapore Conversation***

In his 2012 National Day Rally speech, PM Lee announced that Minister for Education Heng Swee Keat would be leading Our Singapore Conversation, "a national conversation on 'Our Singapore' to define what sort of country we want and how we can achieve it".<sup>143</sup> At the point of writing, it has been reported that 10,000 Singaporeans have participated locally, overseas and online, with another 4,000 taking part in a survey on their aspirations for Singapore. Minister Heng stated that policy suggestions that arise, such as that of covering neo-natal and congenital diseases under the MediShield insurance scheme, could be reviewed and implemented quickly without waiting till the conclusion of the consultation process.<sup>144</sup>

### ***Immigration***

There were several episodes of tension between Singaporeans and foreigners as the country continued to debate on the number of foreigners that Singapore should host. In April 2012, PM Lee expressed his concern about the growing divide between these two groups.<sup>145</sup>

Apart from the use of moral suasion, the state has also mobilised several other institutions to manage these tensions. In July 2012, the People's Association Integration Council was set up to facilitate the integration of new immigrants into the larger community.<sup>146</sup>

### ***Sun Xu***

In a microblog post in February 2012, Sun Xu, a National University of Singapore student and MOE scholar from China, posted that "there are more dogs than humans in Singapore" and attracted much public ire. This comment was about his experience with some middle-aged men, who would glare at him or mutter under their breath after he had accidentally brushed past them in public spaces.<sup>147</sup> Sun's subsequent apology did little to assuage the anger of many Singaporeans.<sup>148</sup> Netizens were also outraged by PAP MP Baey Yam Keng's response that Singaporeans "need to reflect, are we the way that they described".<sup>149</sup> He later explained that his remarks were made in the context of a reporter's query and also that Singaporeans should be more open to criticism.<sup>150</sup> While Baey apologised in parliament several days later to those who felt wounded by his remarks, he stood by his comments about giving Sun the benefit of the doubt. He said the episode demonstrated "how deep the negative sentiment" against foreigners was.<sup>151</sup> Sun was reprimanded by his university, fined \$3,000, ordered to complete three months of community service before he would be allowed to graduate as well as asked to return the \$8,200 in scholarship benefits received in the semester. Netizens debated if these penalties were sufficient.<sup>152</sup> PM Lee said that while Sun ought to have refrained from making such comments, Singaporeans should be able to

accept his apology, move on, and not think that “all immigrants are like that” as a result of a single episode.<sup>153</sup>

### *Ma Chi*

In another case pointing to tensions between locals and migrants, a fatal traffic accident invited furious public criticism. Footage of the accident, from the camera of a nearby vehicle, showed the driver of a Ferrari ignoring a red light before killing a taxi driver and his passenger, and seriously injuring a motorcyclist.<sup>154</sup> The actions of the Ferrari driver, Chinese national Ma Chi, were chastised even by netizens from China and the Chinese embassy in Singapore issued a statement to urge Chinese nationals residing in Singapore to “respect life, value the safety of themselves and others, abide by its laws and regulations, and live responsibly and gracefully”.<sup>155</sup> This episode saw the conflation of the resentment towards foreigners with the politics of envy, and raised issue of elite foreigners who openly flaunt their wealth and live by their own rules in Singapore.<sup>156</sup> PM Lee and DPM Teo were quick to come out to say that Singaporeans should not fault all foreigners for the incident.<sup>157</sup>

### ***Not In My Backyard***

Another national social trend that the PM highlighted this year was the “not-in-my-backyard (NIMBY) syndrome”.<sup>158</sup> The government’s efforts to build an eldercare centre in a HDB void deck in Woodlands, studio apartments for the elderly in Toh Yi, a nursing home in Bishan as well as rehabilitation centres in Jalan Batu and Mountbatten met with opposition from residents in those areas.<sup>159</sup> While most would agree that these are necessary and desirable for communities, those resisting the plans would prefer if these facilities were hosted elsewhere, with others paying the price of hosting them. Counter petitions were filed in Jalan Batu and Mountbatten for the government to proceed with its intention to build,<sup>160</sup> and in Toh Yi for alternative sites to be used.<sup>161</sup> The authorities responded in a variety of ways — halting construction work in the face of a counter petition, like PAP MP Lim Biow Chuan did in Mountbatten; proceeding after considering opposition feedback and introducing concessions to address concerns about overcrowding as the Ministry of Health did in Woodlands;<sup>162</sup> or replacing lost facilities like the Ministry of Health did in Woodlands and the Housing Development Board did in Toh Yi.<sup>163</sup> A handful of social workers launched their own petition to counter this NIMBY attitude.<sup>164</sup> Some MPs saw the NIMBY syndrome as a function of a more vocal citizenry, while other voices pointed to past episodes like the objection of Serangoon Gardens residents to the building a foreign workers’ dormitory as evidence that this syndrome originated before the 2011 GE.<sup>165</sup> Some commentators felt that by framing such opposition as being NIMBY, the authorities were trying to delegitimise these views and avoid public engagement on the building of these amenities.<sup>166</sup>

Solutions to NIMBY ranged from Singaporeans needing to be more altruistic and politicians needing to motivate the electorate to think of what is best for Singapore as a whole, to utilising “integrative planning, community education and then gaining buy-in through true stakeholder engagement”, to improving the design of eldercare centres.<sup>167</sup>



## **Civil Society**

Apart from the emergence of NIMBY, the key areas for engagement between society and the state related to environmental or heritage preservation, animal welfare, and the welfare of foreign workers.

### *Bukit Brown*

In the Bukit Brown episode, plans by the Land Transport Authority (LTA) to build a road through the cemetery site, made public in September 2011, met with calls and proposals for its preservation by heritage and green groups like Singapore Heritage Society, Nature Society, the Singapore Paranormal Investigators, All Things Bukit Brown, SOS Bukit Brown, Green Corridor and Green Drinks.<sup>168</sup> In the end, although the government attempted to engage Singaporeans on this issue and included concessions such as documenting the graves and agreeing to build an eco-bridge to reduce the impact on the flora and graves in the area,<sup>169</sup> the unmet expectations in terms of the scope of public engagement made this an unhappy episode of state-society relations.<sup>170</sup> In an email interview with *The Straits Times*, Minister of State for National Development Tan Chuan-Jin who led the engagement effort explained that the government's intention was to discuss how "a better road with minimal impact" could be built, rather than whether or not the government would proceed with building the road as some interest groups had perceived.<sup>171</sup> Shortly after, DPM Teo said at the annual Administrative Service dinner that "public engagement should start from the point of policy design, and continue even as we implement these policies", signalling that there would be greater room for a more participatory approach to policy making in the future.<sup>172</sup>

### *Culling of Wild Boars*

In another case, the state's attempts to manage the wild boar population for reasons of public safety met with opposition from some factions of civil society but received the support of others. Incidents of wild boar attacks, where a security guard and a child were injured in Bishan-Ang Mo Kio Park, and a pet dog was killed in Upper Bukit Timah, prompted the National Parks Board (NParks) to act to prevent more serious incidents from taking place.<sup>173</sup> It was reported that NParks met with several animal welfare groups to discuss the use of crossbows to cull the wild boars.<sup>174</sup> Animal rights and welfare group Animal Concerns Research and Education Society (ACRES) said that this method of culling was not a humane or effective long-term solution and suggested sterilising the wild boars instead.<sup>175</sup> Residents living in Upper Thomson Road also saw wild boars as animals in their backyard to be protected, similar to koalas in Australia and pandas in China.<sup>176</sup> This time however, the government had the support of green group Nature Society, which recognised that apart from endangering the public, wild boars had a potential negative impact on the local flora with their tendency to uproot young vegetation and threaten the ability of older trees to regenerate.<sup>177</sup> In the end, NParks clarified that "it had never considered the use of crossbows in culling the animal" and that this method was illegal in Singapore.<sup>178</sup>

### *Migrant Workers' Rights*

Civic groups championing the rights of migrant workers enjoyed a triumph after 10 years of activism when the government made a weekly rest day for maids a legal requirement in

March 2012, to be operationalised at the start of 2013. The groups involved in advocating for this over the years included the Archdiocesan Commission for the Pastoral Care of Migrants and Itinerant People (ACMI), the Humanitarian Organisation for Migrant Economics (HOME), Transient Workers Count Too (TWC2) and the Singapore Committee for United Nations Women.<sup>179</sup> Employers who are unable to give the weekly rest day are required to provide fair compensation. This announcement prompted many employers to express their concerns in forum letters to the newspapers about their liability should their maids get into trouble on their rest days as well as their fears that they would be unable to cope without the maids at home. To this, the Ministry of Manpower responded that it had received and incorporated similar feedback from a consultation exercise into the new law, which is why there would be flexibility for employers and maids to both agree on when the rest day should take place, or that compensation of a day's wage be given otherwise.<sup>180</sup>

In response to a series of incidents where maids had plunged to their deaths while cleaning windows in high-rise apartments, the Ministry of Manpower ruled in June 2012 that maids were only to clean the exterior of windows if their employer or an adult representative were there to supervise the effort, and that window grilles must be installed and locked during the cleaning process. Migrant groups like HOME and TWC2 pointed out that this new rule should also apply when maids hang laundry in high-rise apartments as a pre-emptive measure.<sup>181</sup>

### *Vandalism*

In June 2012, the arrest of a female local artist Samantha Lo for affixing stickers on the buttons of traffic lights and stencil-painting on roads sparked off a huge debate on what is considered vandalism and art. Lo's stickers and paintings were tongue-in-cheek Singlish phrases, and in a forum held to debate the issue several members within the artistic community said that they saw Ms Lo's work as art, and were strongly in support of greater freedom of expression.<sup>182</sup> Law Minister K. Shanmugam responded that the government would revisit its position on vandalism if most of society desired greater room for artistic expression.<sup>183</sup>

### *Internal Security Act (ISA)*

In October 2012, blogger Alex Au alleged in his blog that Catholic Archbishop Nicholas Chia wrote a letter to civil society group Function 8 expressing his view that the ISA should be abolished. Au then added that the Archbishop withdrew his support after he was called to a meeting with DPM Teo, who is also the Minister for Home Affairs. When this received public coverage, the Archbishop claimed that Function 8 had leaked his letters, to which Function 8 responded by claiming that there had been a third recipient of the archbishop's second letter and that it need not have been them who had leaked it. Several members of the government came out in support of the Archbishop, saying that the Archbishop's behaviour was not coerced and was consistent with the importance he placed on separating religion and politics.<sup>184</sup>

## **Racial Tensions**

### *Amy Cheong*

A senior NTUC employee, Amy Cheong, was sacked by the organisation after making a racist post on Facebook. She had complained about the duration of Malay weddings at public housing void decks in her post, and associated their high divorce rate with the low cost of their weddings. This posting sparked a backlash online, with many calling for NTUC to dismiss her. PAP grassroots leader Lionel De Souza also lodged a police report against Cheong, arguing that her comments “were calculated to promote enmity between different groups on the grounds of race”.<sup>185</sup>

Others felt that while Cheong’s comments could not be justified, the appropriate reaction would have been to educate her and not push back with bully tactics.<sup>186</sup> Former NMP Siew Kum Hong commented that while Cheong’s remarks were inexcusable, it was unnecessary to file a police report. PAP MP Zainal Sapari also added that while he was upset with Cheong’s post, he also did not like some of the responses that her post received which included “threats and calls for her to be sent to prison”.<sup>187</sup>

## **Censorship**

In October 2012, the MDA reclassified *Porn Masala*, one of three films in the compendium *Sex.Violence.FamilyValues*, from an M18 rating to a “Not Allowed for All” rating. This essentially imposed a ban on the film as the “Not Allowed for All” rating indicates that *Porn Masala* cannot be shown. The director of the film, Ken Kwek lodged an appeal with the Films Appeal Committee.<sup>188</sup> Questioned by NMP Janice Koh, Minister for Communications and Information Yaacob Ibrahim argued that this reclassification was not a negative signal and did not indicate that the space for dialogue was getting smaller, as Koh suggested.<sup>189</sup>

## **Cyberspace**

In 2012, the government made new steps towards engaging citizens online. In April, PM Lee launched his official Facebook page and Twitter account and called on netizens to “help shape ideas and understanding of what we can do together to improve lives”. Since then, the PM has used this page to comment on social issues, point to official documents, post updates on his grassroots involvement as well as give light-hearted glimpses to his personal life.<sup>190</sup> His Facebook page is maintained by his staff, but he has said he would publish updates as frequently as he could manage.<sup>191</sup>

## **Defamation**

2012 was also a year when bloggers were taken to task for their comments on the Internet. In February, Alex Au removed purportedly defamatory remarks from his website Yawning Bread after he was served a letter by Foreign Affairs and Law Minister K Shanmugam’s lawyers requesting for him to do so. Au also posted the said served letter as was requested by Minister Shanmugam’s lawyers. These purportedly defamatory remarks involved what Au described as the “relative silence when it came to allegations swirling around K. Shanmugam and Foo Mee Har at various points in the recent past.... That there were rumours is widely known, though as in the Yaw Shin Leong case, no one can point to any proof”. The “allegations” mentioned on Au’s blog referred to online allegations, made

primarily by a netizen named “Scroobal”, that Minister Shanmugam termed “false and scurrilous” in his letter to Au.<sup>192</sup>

Barely a week later, Temasek Review Emeritus (TRE) editor Richard Wan posted an apology for a TRE article that suggested “Prime Minister Lee Hsien Loong had secured, or was instrumental in securing, the appointment of his wife, Madam Ho Ching, as the chief executive officer of Temasek Holdings (Private) Limited for nepotistic motives”.<sup>193</sup> Wan also apologised to Lee Hsien Yang on the TRE website, and removed a defamatory remark made by a netizen from the website and web aggregator Temasek Realm, in response to a letter from Lee Hsien Yang’s lawyers demanding that they do so.<sup>194</sup> This episode signalled that website editors will be held responsible for postings on their websites including those posted under pseudonyms or anonymously.

In July 2012, Alex Au apologised and removed a post where he had suggested that there was bias in the judicial system. Specifically, Au in his post implied that prominent surgeon Woffles Wu had received preferential treatment when he was sentenced too lightly for traffic offenses under Section 81 (3) of the Road Traffic Act rather than section 182 of the Penal Code. Au received an email from the Attorney-General’s Chambers alleging that he was in contempt of court, requesting for him to retract the post as well as publish the letter and an apology within five days from its date.<sup>195</sup>

Prof Ang Peng Hwa, Director of the Singapore Internet Research Centre, pointed out that the state was taking a “corrective” rather than “punitive” approach towards regulating the Internet in these instances.<sup>196</sup>

### *Internet Code of Conduct*

The online community resisted Minister for Communications and Information Yaacob Ibrahim’s call last November to encourage it to develop an Internet code of conduct and self-regulation. Following a closed-door discussion held by the Institute of Policy Studies in April, known online figures and websites like Andrew Loh of Publichouse.sg, Ravi Philemon, Siew Kum Hong, Belmont Lay of New Nation stated their refusals rather unanimously in online posts. The Online Citizen (TOC), which also resisted the idea of a code, cautioned against a blanket approach for all websites, and said it would put up its website moderation policy for other sites to adopt if they wished. In general, bloggers that attended this event viewed the government’s attempts at a code of conduct with distrust and as a way of restricting online free speech. They said that the government’s steps in the recent past to gazette TOC as a political association — which meant that it would be restricted under the Political Donations Act from receiving foreign funding and undeclared sums above \$5,000 — and allegations that prominent bloggers had carried out defamatory acts had reduced the level of trust bloggers had with the government. A government representative said that a code of conduct was necessary or the state would face increasing pressure to police hate speech online and create a situation where the public would rely more on the police to step in.<sup>197</sup>

### **Singapore Public Sector Outcomes Review (SPOR) 2012**

The SPOR was published by the Ministry of Finance at the end of 2012 to review how “the public sector and Singapore have fared” in six broad areas of national interest.<sup>198</sup> Singapore was judged to have done well in handling the economy, creating jobs<sup>199</sup> and “improving

healthcare and broadening educational pathways”, but was still struggling to address public transportation issues and the declining fertility rate.<sup>200</sup> However, NMP Eugene Tan commented that the “rather celebratory” review could have looked “closer at the not-so-good outcomes, so that it doesn’t come across as a feel-good report”.<sup>201</sup> In line with the public’s increased political engagement over the past few years, the review also identified “improving service delivery and strengthening public engagement” as important tasks for the public sector in the future.<sup>202</sup>

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