

EMPOWERING ANTI-CORRUPTION AGENCIES: DEFYING INSTITUTIONAL FAILURE AND STRENGTHENING PREVENTIVE AND REPRESSIVE CAPACITIES

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Co-financed by



ISCTE, Lisbon
14-16 May 2008

SINGAPORE EXPERIENCE – DEALING WITH GOVERNANCE AND CORRUPTION

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1 Corruption has a direct and grave impact on the level of poverty in a country.

When corruption is rife, it will inevitably lead to the following:

- a. Diversion of a nation's wealth to the pockets of those in power and their cronies. At times, this includes aid money from others meant as disaster or other relief.
- b. Widening of income gap.
- c. Increasing of business cost.
- d. Decreasing of investments.

2 Corruption control has been top of the Singapore Government's agenda since we attained self-government in 1959 and subsequently independence in 1965. It is a social necessity, inextricably tied to good governance, much less a virtue for its own sake. It supports the meritocratic ideal that we believe in and has strategic significance in our national development. Mr Lee Kuan Yew, our Minister Mentor, said in 1979 when he was Prime Minister, I quote:

“The moment key leaders are less than incorruptible, less than stern in demanding high standards, from that moment the structure of administrative integrity will weaken, and eventually crumble.

Singapore can survive only if Ministers and senior officers are incorruptible and efficient...Only when we uphold the integrity of the administration can the economy work in a way which enables Singaporeans to clearly see the nexus between hard work and high rewards.

Only then will people, foreigners and Singaporeans, invest in Singapore; only then will Singaporeans work to improve themselves and their children through better education and further training, instead of hoping for windfalls through powerful friends and relatives or through greasing contacts in the right places.”

3 From 1959 till now, Singapore's success in the fight against corruption are broadly due on the following:

- a. Strong political will
- b. Effective anti-corruption agency
- c. Effective laws
- d. Effective adjudication
- e. Effective administration and good governance
- f. Strong public support

Political Will

4 Political will is the foundation stone for any anti-corruption movement. It, undoubtedly, is a key ingredient in the transformation effort from Singapore's corruption-infested past. It provided the necessary climate for the growth and sustenance of our anti-corruption movement. With patronage and drive from the top by our government, deeds matched words and anti-corruption programs automatically jump starts without having to contend with problems of consensus building and conflict management.

5 In the early beginning in the 50 and 60%, pay levels were low, society was poorly educated. But that did not stop government from taking a tough stance against corruption. Civil servants were charged in court for corruption even if it was because they were poorly paid and need extra cash. At the same time, government enacted measures to uplift the living standards and pay levels were enhanced over the years.

Effective Anti-Corruption Agency

6 The Corrupt Practices Investigation Bureau reports to the Prime Minister. This gives us functional independence so that no government body can question or influence us in our enforcement and investigation efforts. In fact, by 1992, CPIB's independence of action was more or less guaranteed constitutionally. It was such independence of action that enabled CPIB to take action against Ministers and many top civil servants, all these years.

7 We take the take a total approach towards enforcement and investigation. This ensures we have a good control over the corruption situation. By total approach, we mean:

- a. No case is too small or too big to investigate. We have zero tolerance towards corruption and the message is clear to all that any case will be investigated and dealt with seriously regardless of rank or status.
- b. We are prepared to deal with both giver and receiver of bribes.

- c. We fight corruption in both public and private sectors. We help ensure good governance in both sectors and a level playing field for all.
- d. We are prepared to investigate a case based on the merit of the complaint even if it is anonymous.

The Bureau is also empowered to act on other crimes besides corruption. This is a critical feature as corruption offences often do not occur in isolation but come with other crimes. It would be detrimental to enforcement efforts if anti corruption investigators have to stop short whenever questioning suspects in cases where corruption and crimes are interwoven together.

Effective Laws

8 Effective laws are enforcement-friendly laws that give us the necessary teeth and the cutting edge. This is particularly necessary because corrupt practices, by their very nature, make evidence collection and the eventual conviction in a court of law difficult. Corrupt practices are consensual in nature, with both the giver and the taker motivated by mutual interests. Some of the distinctive features of our law, the Prevention of Corruption Act that gives us the much needed cutting edge are:

- a. An acceptor of gratification can be guilty even if he does not have the power, right or opportunity to return the favor.
- b. Wealth disproportionate to income is admissible as corroborative evidence of corruption in a trial.
- c. Every person under investigation is legally obliged to give information.
- d. Extra-territorial jurisdiction can be exercised against Singapore citizens committing corruption offences outside Singapore.
- e. Punishment is sufficiently deterrent. A single charge attracts a maximum fine of \$100,000 or an imprisonment term not exceeding 5 years or both. A penalty equal to the amount of bribes taken shall also be imposed. In addition, the Corruption, Drug Trafficking and other Serious Crimes

(Confiscation of Benefits Act) can also be invoked to confiscate any benefits derived from corruption from anyone convicted of the crime.

Effective Adjudication

9 Sure detection and strict enforcement of laws, no matter how effective, must however, be complemented by effective adjudication. Detection, prosecution and subsequent court conviction have specific deterrence on offenders. This also has a general deterrence on the like-minded. It is a simple ploy of “killing one to frighten a hundred”. It is about prevention through sure detection and conviction in a court of law. Aided by the tough laws, the Judiciary successfully created a regime of punishment that is deterrent enough to hammer home the message that corruption does not pay.

Effective Administration and Good Governance

10 Corruption control which forms part of the broader framework of good governance in Singapore, has benefited us in at least 2 ways:

- a. Corruption control, a key feature of good governance, helps the government to create national wealth – that initial abundance and prosperity that enables it to pay public officials commensurate wages, thus reducing correspondingly their likelihood of resorting to corruption.
- b. There is an inter-relationship between efficiency and corruption control. The theory is that when an administration is so efficiently run, there is no room for corruption which thrives better in an inefficient and ineffective administration.

11 On-going and sweeping civil service wide reforms under “Public Service in the 21st Century” to attain sound administrative governance, organizational excellence and service excellence can certainly reduce corruption even further. Likewise, various government agencies, including CPIB, are working with private sector organizations and companies to improve the standards of corporate governance to achieve, amongst others, the objective of reducing corruption in the private sector. The public also has direct

access to government to report government wastage and to cut red tape via the internet. Businesses can make suggestions to the Pro Enterprise Panel to enhance business facilitation by the government. Direct channels such as these provide the public and businesses the means to influence the efficiency of government and keep governance strong.

Strong Public Support

12 Public support so vital in any anti-corruption program, is best won through successful action against the corrupt, regardless of color, creed or status and executed without fear or favor, firmly and fairly. Public support cannot be taken for granted. The Bureau makes itself accessible to the public. Anyone with a complaint of corruption has many easy means to lodge the complaint. They can go through the internet, through walk in to the Bureau, through phone calls, through letters and faxes. As we are accessible, we even find public coming to us with problems which are not corruption matters, but matters more appropriately handled by other government departments such as the Police, Immigration or Ministry of Manpower. Our Bureau will not turn away these complainants but will take down the information and pass on to the relevant department. This is in line with the spirit of the government's "No Wrong Door" policy. This approach helps to keep public's faith in the Bureau and in government. Public perception surveys are done regularly by the Bureau and many government departments to gauge public sentiments. The media is an ally in the fight against corruption as it helps highlight the corruptors charged in court. They will often print the photograph of the accused and spread the deterrent messages.

Conclusion

13 Today, Singapore has managed to keep corruption at bay and under control. We have been ranked consistently by PERC and TI as one of the least corrupt nations in Asia and in the world. This, however, does not mean that we have completely eradicated corruption. No societies ever will, given the fact that mankind is fallible, not infallible. I will like to end my presentation with another quote from MM Lee Kuan Yew. He said at the 2005 World Ethics and Integrity Forum and I quote:

“Corruption is incipient in every society and must be continuously purged.....It is a constant fight to keep the house clean. So long as the core leadership is clean, any backsliding can be brought under control and the house cleaned up”

Thank you.