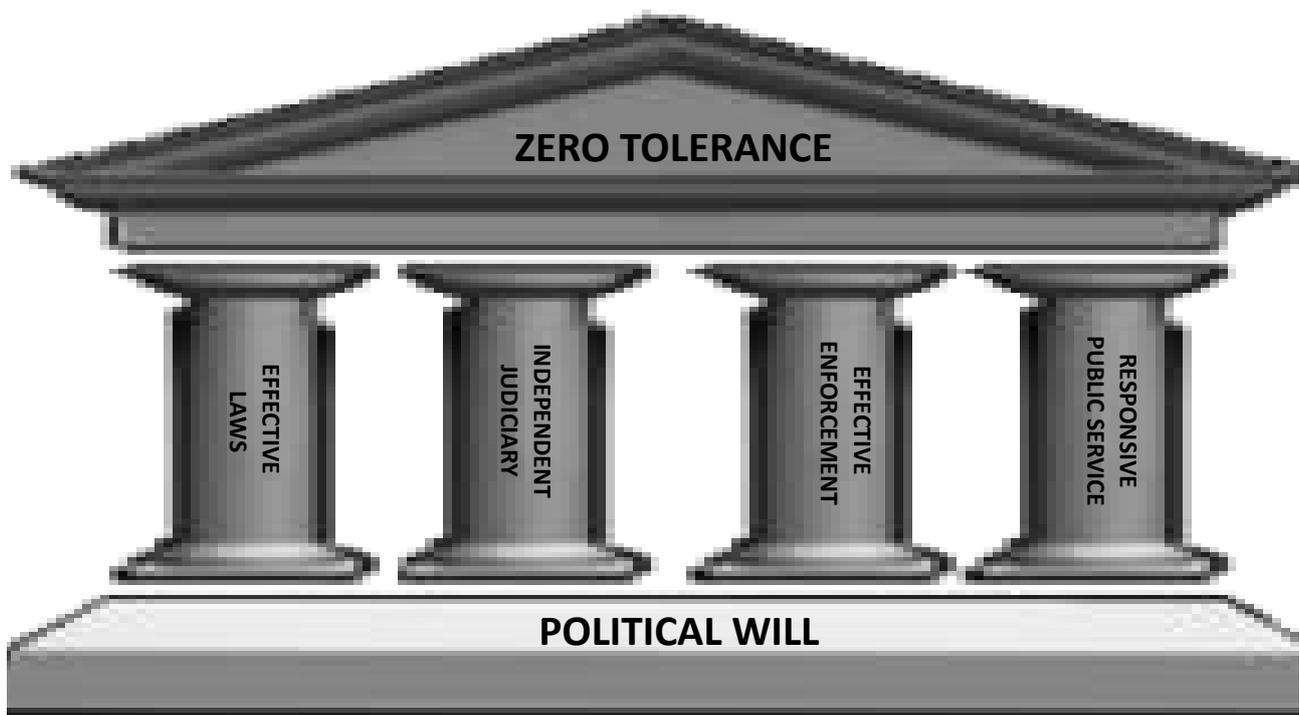


## **CURRENT ISSUES FACED BY SINGAPORE IN INVESTIGATING, PROSECUTING & ADJUDICATING CORRUPTION CASES**

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1. Singapore is well known in the region for her efficient government, tough laws and zero-tolerance towards corruption. It is well-established that the four pillars supporting her fight against corruption are, namely: “Effective Laws”, “Independent Judiciary”, “Effective Enforcement”, “Responsive Public Service”. Together with strong “Political Will” and zero tolerance towards corruption, these four pillars have provided Singapore with the guiding principles to grow from a “Third World Nation” to a modern, technology-savvy, globalized city state with a “First World” economy within a short span of 50 years.



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## I. EFFECTIVE ENFORCEMENT

2. The Corrupt Practices Investigation Bureau (CPIB) is the sole agency tasked with the enforcement of anti-corruption laws in Singapore. The CPIB was established in 1952 when the colonial government then realized that the Police Anti-Corruption Branch (ACB) was ineffective and rife with corruption. The need for an effective anti-corruption agency and strong enforcement action was crucial in the fight against corruption in post-war Singapore. The CPIB was set up as an independent agency, which reports to the Prime Minister's Office to keep corruption in check.

3. The CPIB's efforts in enforcing the corruption laws are well documented through the annals of Singapore's history, especially in the early years of nation building after Singapore obtained independence from the British. Today, CPIB continues to stay vigilant, remain important and relevant in keeping Singapore "Clean".

4. In terms of strategy, the CPIB adopted a 3-D approach in enforcing corruption; mainly, to "Detect", "Deal" and "Deter". The CPIB consciously embarked on the following initiatives to ensure that the 3-D approach is adhered to:

- a. Continuously building public confidence in the country by promoting CPIB's commitment in fighting corruption, so as to increase public awareness and willingness to report corruption crimes.
- b. Zero-tolerance for corruption by investigating all cases irrespective of how small the sum of money involved and by pursuing anonymous complaints.
- c. Encouraging whistle-blowing and self-policing within government departments.
- d. Embarking on the enforcement of targeted corruption-prone areas
- e. Cooperation with other enforcement and regulatory agencies to weed out potential corruption trends.
- f. Embarking on pro-active intelligence projects.
- g. Consciously engaging in international fora and cooperation on anti-corruption initiatives.

5. However, in a globalized world today, the key challenge for any enforcement agency is to have the ability to stay nimble, responsive to the changing environment and challenges while also staying relevant to operate across national borders combating transnational crimes. As we know, transnational crime is borderless. Organized crime, criminal activities and its players operate outside national borders or across borders and their adverse consequences have no boundaries. With globalization, criminal elements are able to move and operate more freely and

together with technology; the perpetrators are able to transfer the proceeds of crime instantaneously.

6. Sovereign nations, with their respective borders and laws, are handicapped, constantly facing challenges and barriers to arrest, prosecute and deter criminals who operate outside the boundaries of the offended state. In order to commence investigations against such transnational criminals, the offended country or policing agency are often faced with limitations of its existing laws, extraterritorial rights and jurisdiction of dealing with either her citizens or non-citizens.

7. Like any other country, transnational crimes do affect Singapore. Corruption is a known transnational crime that knows no borders. As such, the CPIB is also constantly faced with corrupt criminal activities with international implications whether involving her citizens or non-citizens.

## **II. SINGAPORE AND THE CPIB'S EXPERIENCE**

8. In recent years the CPIB has faced many challenges and some of the current issues faced by Singapore in investigating, prosecuting and adjudicating corruption cases take the following forms:

- a) Transnational investigation,
- b) Increase in formal foreign requests for assistance (MLAT) lacking in understanding of the local legal framework,
- c) Impact of social media,
- d) Money laundering investigation, following the money trail,
- e) Effective laws,
- f) Forensic evidence,
- g) International cooperation; and
- h) Greater transparency.

*Note: The CPIB will share a case study from Singapore which encompasses the above eight issues.*

## **III. BACKGROUND OF THE CASE**

9. In 1994, the CPIB investigated one Wilson Raj Perumal (WRP), a Singapore national, for attempting to offer a bribe of S\$3,000/- to a soccer player in a local non-professional league competition to fix the results of the game. WRP was found guilty and convicted in court and

sentenced to 12 months, imprisonment. In 1997, the CPIB investigated a local syndicate for bribing players and officials to fix soccer matches in Singapore's national semi-professional soccer league. WRP and 12 others (8 soccer players, 1 referee, 1 financier and 2 runners) were investigated by CPIB for "Match Fixing". WRP was subsequently charged (total of 12 counts) and convicted in court in 1998 for the offence of bribing a soccer referee and players in return for fixing the results of matches. WRP was sentenced to imprisonment for 16 months.

10. In organized sports, "Match Fixing" occurs when a scheduled match is played out to a pre-determined result, which violates the spirit of the game, short-changing the paying fans, and would more often than not involve an organized syndicate which is deeply entrenched into criminal activities such as corruption, illegal bookmaking and cheating the Tote-Board. The Singaporean authorities recognized that "Fixed Matches" or "Thrown Games" are motivated by gambling and corruption. If left unchecked, there will be a rise in criminal elements, which in turn would fuel social ills and cause disrepute to the sport.

11. In combating illegal soccer betting and corruption in the soccer fraternity, the Singapore Tote-Board decided to accept soccer bets for matches played in Singapore and popular soccer leagues in Europe. The CPIB worked closely with the soccer fraternity to weed out these corrupt players and officials by conducting regular polygraph examinations and through the investigation of suspected individuals. For the last decade, the CPIB had clamped down hard on match-fixers by diligently investigating every allegation of soccer "Match Fixing", so much so that WRP and his corrupt associates had to leave Singapore and operate overseas.

#### **IV. THE CASE STUDY**

##### **A. Transnational Investigation**

12. Instead of mending his ways, WRP, who is a hard-core criminal, continued his soccer "Match Fixing" exploits. In early 2011, WRP was arrested in Finland for using forged travelling documents and was also wanted by Interpol for being involved in "Match Fixing" of soccer matches throughout several European soccer leagues such as the UK, Finland, Hungary, Italy, Croatia, and Bulgaria. (Note: At this juncture, WRP was also a fugitive, on the run from the Singaporean authorities for committing a spate of crimes). While in Finnish custody, WRP ratted on his associates and identified his boss and financier to be one Dan Tan, another Singaporean, as the mastermind behind the "Match Fixing" scandal. Dan Tan was alleged to head one of the world's largest and most aggressive "Match Fixing" syndicates, supposedly linked to the triads from China and the Balkan states (e.g., Croatia, Serbia, etc.) and ties with the Russian and Italian mafias. WRP was sentenced to two years, imprisonment and spent a year in the Finnish prison before being handed over to the Hungarian authorities in 2012 to help them with their investigation on "Match-Fixing". On the other hand, Dan Tan, who was implicated by WRP, was indicted by the Italian and Hungarian authorities in 2011 and 2012, respectively, in absentia.

## **B. Increase in Foreign Requests for Assistance Lacking in Understanding of the Local Legal Framework**

13. Like many countries, Singapore does not have extradition treaties with most of the European states. The Singapore authorities had no jurisdiction over the “Match Fixing” cases that took place in the European leagues. Like many transnational crimes, criminal activities and organized crime groups that operate outside Singapore’s national borders render the local (Singapore) authorities helpless as they have no *locus standi* over the investigation.

14. In investigating one of the biggest “Match Fixing” scandals in Europe, the European authorities had sought the assistance and involvement of the Singapore authorities. However, due to the differences in legal framework, Singapore was unable to partake in the above investigation from the onset.

## **C. Impact of Social Media**

15. In early 2013, “Match Fixing” news became the flavour of the month. At every available opportunity, the social media would highlight that members of one of the main syndicates involved in the scandals were Singaporeans. This led to the inference that Singapore was an international hub for soccer “Match Fixing” and where organized crime in the soccer fraternity was allowed to thrive freely. The social media had carved an agenda to make Singapore take centre stage in the above scandals. The European authorities, without verifying the legitimacy of some of the information, fueled the slanted agenda by giving the media access to interview WRP (who was under house arrest) to sensationalize the “Match Fixing” scandals. Dan Tan, who was located in Singapore, was also not spared. The media, both foreign and local, had also approached Dan Tan for his comments, and his versions on the alleged “Match Fixing” scandal were further fanned to create more heat.

16. While under house arrest in Hungary, WRP was happily “singing” away and giving interviews to the media on the role he played and how the Singaporean syndicate fixed matches all over Europe, Africa, the Middle East and Asia. WRP felt that his arrest in Finland was a betrayal by the syndicate. Thus, WRP decided to get even by ratting on Dan Tan. WRP implicated Dan Tan as a financier and exposing Dan Tan’s links with criminal elements in the Balkans, Russia, Italy and China. WRP’s agenda was to put himself and Singapore in the spotlight in return for being a “star witness” to help the European authorities with their investigation. Dan Tan, whose name was linked to several sports-related companies, confirmed his involvement in some soccer-related business venture in Europe in organizing friendly matches, but he denied his involvement with WRP in fixing matches. Dan Tan counter-alleged that WRP was not trustworthy, a traitor; and had run off with his money to set up a soccer-related business to rival him and his associates.

17. Within a month, WRP and Dan Tan achieved infamous cult statuses. Like celebrities, the media openly aired their feud. Exposure of their scandalous mud-slinging tirades at each other grabbed tabloid headlines across the globe. Meanwhile, unflustered by the fanfare and accusation of being indifferent, the Singapore authorities, from the ringside, were gathering

momentum to throw a knock-out punch to floor the foreign media for their biased reporting and to bring the house down by knocking out the corrupt “Match Fixing” syndicate.

#### **D. Money-Laundering Investigation: Following the Money Trail**

18. As early as 2012, upon receiving news of the allegations that a transnational organized crime syndicate based in Singapore was actively involved in international “Match Fixing”, the Singapore authorities, in their typical low profile fashion, had established a soccer Joint Investigation Team (JIT) led by senior investigators from the Singapore Police Force (SPF), the CPIB and the Intelligence Department to look into the matter. The lack of visible response to the media, both local and foreign, about Singaporeans’ involvement in international “Match Fixing” was a deliberate tactic by the Singapore authorities to put the syndicate off their guard.

19. In March and May 2013, senior members of JIT Singapore met up with representatives of the Global Anti-Match-Fixing Task Force, Interpol and Europol in Lyon, France to review evidence and obtain information on Singaporeans’ involvement in “Match Fixing”.

#### **E. Effective Laws**

20. With the information provided by WRP (via the numerous tabloid interviews) and the European authorities, the JIT invoked the powers provided for in the Prevention of Corruption Act (PCA), Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act (CDSA) and the Criminal Law (Temporary Provision) Act (CLTP) to deal with the corrupt practices and the organized crime syndicate.

21. Singapore’s well-defined laws state the following:

a) **Liability of citizens of Singapore for offences committed outside Singapore.**

Section 37(1) of the Prevention of Corruption Act, Chapter 241 (PCA) provides that “in relation to any citizens of Singapore, outside as well as within Singapore; and where an offence under this Act is committed by a citizen of Singapore in any place outside Singapore, he may be dealt with in respect of that offence as if it had been committed within Singapore”.

b) **Concealing or transferring benefits of criminal conduct.**

Section 47(1) of the Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits), Chapter 65A (CDSA) provides that “Any person who (a) conceals or disguises any property which is, or in whole or in part, directly or indirectly, represents, his benefits from criminal conduct; or (b) converts or transfers that property or removes that property or removes it from the jurisdiction, shall be guilty of an offence”.

c) **Power of Minister to make orders**

Section 30 of the Criminal Law (Temporary Provisions) Act, Chapter 67 (CLTP) provides that “Whenever the Minister is satisfied with respect to any person, whether the person is at large or in custody, that the person has been associated with activities of a criminal nature, the Minister may, with the consent of the Public Prosecutor – (a) if he is satisfied that it is necessary that the person be detained in the interests of public safety,

peace and good order, by order under his hand direct that the person be detained for any period not exceeding 12 months from the date of the order; or (b) if he is satisfied that it is necessary that the person be subjected to the supervision of the police, by order direct that person be subject to the supervision of the police for any period not exceeding 3 years from the date of the order”.

22. As such a large dragnet was cast, intelligence monitoring and gathering were carried out. The Ministry of Home Affairs (Political Will) directed the authorities to use whatever resources available to weed out the individuals involved in the international “Match-Fixing” scandal, which had cast Singapore in a bad light.

23. Tenaciously, investigators worked long hours to gather evidence against the perpetrators. Every company, business and financial document linked to the syndicate members was inspected, and all bank transactions and money trails were thoroughly scrutinized. Nothing was left to chance, and no stones were left unturned to nail the notorious match-fixers.

#### **F. Forensic Evidence**

24. While monitoring Dan Tan and his syndicate members, the investigators had a breakthrough in early 2013. The CPIB had received reliable information that one Eric Ding Si Yang, a known associate of Dan Tan, had contacted three Lebanese soccer match officials (a referee and two linesman) to help the syndicate fix the Asian Federation Confederation (AFC) Cup match between Singapore’s Tampines Rovers FC and India’s East Bengal FC to be played in Singapore on 3 April 2013.

25. Investigations revealed that Eric had arranged for three local prostitutes to provide sexual gratification to the three Lebanese match officials prior to the above-referenced match to induce them to fix the result. Eric’s contact point with the three match officials was the referee, named Ali. The CPIB mounted a sting operation and arrested the three prostitutes and match officials at the premises of the hotel when they were caught with their pants down. The three Lebanese match officials were subsequently charged for corruption in April 2013. They pleaded guilty in court for corruptly receiving sexual gratification in return for fixing the result of a soccer match, and the three match officials were each sentenced to three months’ imprisonment.

26. Eric was subsequently charged a month later for corruption. He had requested a trial for his role in bribing the three Lebanese match officials. In the course of investigating Eric and the three Lebanese match officials, the CPIB seized numerous lap-top computers, storage devices, and hardware. The syndicate had engaged computer vendors to use encrypted software to protect passwords, files, e-mails and data stored in the computer devices. After much effort, the forensic lab officers managed to crack the encrypted devices, which revealed Eric’s involvement in soccer “Match Fixing”. Forensic examination also assisted the authorities to recover trails of e-mail correspondence between Eric and Ali, the Lebanese referee, dating back to 2012.

27. In Eric’s corruption trial, Ali testified against him, and with corroboration of forensic evidence found in Eric’s computer devices, the court found Eric guilty as charged and convicted him of corruption (3 counts). Eric was subsequently sentenced to three years’ imprisonment for

corruptly bribing three Lebanese soccer match officials in the form of sexual gratification with prostitutes in return for fixing the result of a soccer match.

28. Further probe by the CPIB suggested that Dan Tan may have been involved in the procurement of the three local prostitutes through a middle-man for Eric.

29. After Eric and the three Lebanese match officials were arrested in April 2013, the Singapore authorities led by the specially formed JIT members carried out a major operation in September 2013. Dan Tan and a dozen other individuals linked to the “Match Fixing” syndicate were arrested and investigated for their involvement in organized criminal activities. The eventual crackdown on a Singapore-based international “Match Fixing” syndicate led to the incarceration of five members of the syndicate, including Dan Tan, under the CLTP Act. The authorities continue to investigate Dan Tan, Eric and the syndicate members for offences under the CDSA, with the view to convict them for engaging in money laundering activities and to seize their monies and assets as proceeds of crime. As for WRP, the Singapore authorities are patiently waiting for the European authorities to repatriate him back so that he can face criminal charges and be tried in Singapore’s courts.

### **G. International Cooperation**

30. In investigating the above series of cases, the Singapore authorities, including the CPIB, did not shun away from international cooperation or investigating transnational crime. In fact we embrace international cooperation, and the CPIB regularly participates in international anti-corruption initiatives and forums. The CPIB also works closely with its counterparts such as the Malaysian Anti-Corruption Commission (MACC), Brunei’s Anti-Corruption Bureau (ACB), Hong Kong’s Independent Commission Against Corruption (ICAC) and has also signed a Memorandum of Understanding (MOU), known as the Southeast Asian Parties Against Corruption (SEAPAC), to cooperate on anti-corruption initiatives.

31. Continuing on the topic of “Match Fixing”, and with the recent blitz by the CPIB on allegations of “Match Fixing”, the Bureau had also investigated another local syndicate in mid-2012 when the CPIB received information that a Singapore national, one Selva, had conspired with a Malaysian, one Thana Segar, to bribe a soccer referee from the Football Association of Malaysia to fix the result of a match between the Sarawak FA of Malaysia and the Lions XII of Singapore. The match was to be played in Singapore, and when the perpetrators set out in motion to carry out their corrupt act, the CPIB arrested Selva, Thana Segar and the referee and charged them in court for corruption.

32. Thana Segar who was released on bail pending his court trial subsequently absconded and jumped bail. With the assistance and cooperation of our Malaysian counterparts from the MACC, Thana Segar was located in Malaysia. In August 2014, Thana Segar was apprehended by officers from the MACC and surrendered to the CPIB’s custody to face corruption charges in Singapore’s courts. The successful arrest of Thana Segar is a result of the close ties that Singapore has with her neighbours in fighting corruption and recognizing the binding ties via MLATs.

## **H. Greater Transparency**

33. As mentioned earlier in this paper, the CPIB must continue to stay vigilant, remain important and relevant in its ability to stay nimble and responsive to the changing environment and challenges. The Singapore authorities are having to face a higher legal threshold recently when investigating criminal cases and prosecuting individuals in court and are currently reviewing the processes and procedures of the Criminal Justice System (CJS). One of the changes and enhancements in the criminal procedure code is the introduction of evidence by both the prosecution and defence in the discovery process during pre-trial conferences for Penal Code offences.

34. The introduction of the discovery process is to ensure that the accused person is not wrongfully prosecuted and has a fair trial. Any discrepancies and alibis brought up by both prosecution and defence during the discovery process shall be promptly verified or further investigated before going for trial or before the defendant enters into a plea agreement. The discovery process, which entails greater transparency, will help improve judicial fact-finding and thus would not waste the court's time to mete out justice swiftly.

35. With the discovery regime (which is yet to affect corruption cases) in place, it would definitely accord more scrutiny by the defence counsel on our methods of investigation in the future. This in turn would also give the media and members of public more access to information on our work processes and modus operandi when cases go for trial in the courts.

36. In order to cope with greater transparency and scrutiny of our tradecraft, the CPIB must continuously maintain a high standard of professionalism in its investigation processes and methods. Besides investing in continuous training of its officers, new technology and resources, the CPIB had also put in place sound audit procedures as part of good governance on its work processes so as to ensure that the standard of investigation and its officers remain consistently high in delivering results and providing quality public service.

37. In conclusion, I would like to take this opportunity to thank the organizers for allowing me to share in this paper, Singapore and CPIB's experience of trends and challenges that I am sure other jurisdictions are currently facing when investigating, prosecuting and adjudicating corruption cases.