

Factsheet on the Penal Code Review Committee

During the Ministry of Law's addendum to the President's Address in 2016, the Government announced its intention to undertake substantive reforms in our criminal laws, to ensure that they remain relevant and up-to-date.

2. To this end, the Penal Code Review Committee (PCRC) was convened by the Ministry of Home Affairs and Ministry of Law in July 2016, to undertake a review of the Penal Code, and make recommendations on reforming it.

Composition

3. The PCRC is co-chaired by Senior Minister of State, Ministry of Law, Ms Indranee Rajah S.C., and Parliamentary Secretary, Ministry of Home Affairs, Mr Amrin Amin.¹ It comprises leading practitioners and thought leaders from the private sector, academia and the public sector, including the Attorney-General's Chambers and the Judiciary. The full list of Members is at [Annex A](#).

Terms of Reference

4. The PCRC was tasked to consider several areas of reform in relation to the Penal Code, including:

- (a) Rationalising, recalibrating and modernising General Principles, Defences, Exceptions and Explanations;
- (b) Updating or removing outmoded offences;
- (c) Responding to a changing crime environment; and
- (d) Reviewing punishment provisions to ensure proportionality to the seriousness of the offence.

5. The PCRC's Terms of Reference is at [Annex B](#). The Committee is not reviewing section 377A and the use of the death penalty.

Next Steps

6. The PCRC will complete its review and issue a report of its recommendations later this year. We will invite members of the public to provide feedback on the report when it is released.

¹ The PCRC was co-chaired by SMS (Law) Ms Indranee Rajah S.C. and former-Second Minister for Home Affairs Mr Desmond Lee, until 10 Sep 2017.

Annex A: Members of the Penal Code Review Committee

Chairpersons

Ms. Indranee Rajah S.C.
Senior Minister of State, Ministry of Law

Mr. Desmond Lee (until 10 Sep 2017)
Former Second Minister for Home Affairs

Mr. Amrin Amin (from 11 Sep 2017)
Parliamentary Secretary, Ministry of Home Affairs

Members

Justice See Kee Oon
Judge of the High Court

SAC Sekher Warriar
Singapore Police Force

Justice Aedit Abdullah
Judge of the High Court

DAC Loke Wai Yew
Singapore Police Force

Ms. Mavis Chionh S.C.
Attorney-General's Chambers

Professor Stanley Yeo
National University of Singapore

Mr. Francis Ng S.C.
Attorney-General's Chambers

Professor Amirthalingam Kumaralingam
National University of Singapore

Ms. Thian Yee Sze
Ministry of Law and Ministry of Home Affairs

Associate Professor Chan Wing Cheong
National University of Singapore

Mr. Leong Kwang Ian
Ministry of Home Affairs

Mr. Amarjeet Singh S.C.
Withers KhattarWong

Mr. Lim Zhi Yang
Ministry of Home Affairs

Mr. Wendell Wong
Drew and Napier

Annex B: Terms of Reference of the Penal Code Review Committee

1. The objectives of the Committee are:
 - a. To conduct a thorough and comprehensive review of the Penal Code, and make recommendations on reforming the Penal Code; and
 - b. To study and make recommendations on any other specific reform areas or proposals referred to it by the Minister for Home Affairs and the Minister for Law.
2. The Committee shall consider the following key areas of reform in relation to the Penal Code:
 - a. Rationalising, recalibrating and modernising General Principles, Exceptions and Explanations in the Penal Code. This will include a review of the defences at law so that they properly reflect the level of moral culpability that give rise to criminal liability; and
 - b. Rationalising, recalibrating and modernising the substantive offences in the Penal Code, including proposals with respect to:
 - i. Updating or removing outmoded offences;
 - ii. Responding to a changing crime environment (e.g. new and more sophisticated forms of offences);
 - iii. Removing offences already or better dealt with under other dedicated legislation;
 - iv. Simplifying minute and overly-granular distinctions between offences; and
 - v. Reviewing punishment provisions to ensure proportionality to seriousness of the offence, and bail and arrest powers.