1. Deputy Speaker, the Ministry of Manpower, as the other co-chair of the Inter-Agency Taskforce on Trafficking in Persons, supports the Private member’s Bill by Mr Chris De Souza. We thank the Member for working closely with various stakeholders to produce this significant piece of legislation.

**Existing measures**

2. SMS Masagos has pointed out, we already have various pieces of legislation like the Employment Act and the Employment of Foreign Manpower Act to provide basic protection for workers in Singapore. MOM also regularly reviews these laws to ensure that these protections remain relevant to the present day context. In spite of the presence of a large foreign work permit holder population in Singapore, based on the number of cases we have come across over the years¹, we have good reason to believe that TIP is not an endemic problem here. For example, since introducing the NGO TIP case referral framework in August 2013, we have received 14 labour TIP referrals from NGOs of which 6 were found to have some elements of labour trafficking. Of these 6 cases, 4 of them are

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¹ In 2013, 49 cases were found to have elements of labour trafficking. Investigations for most of these cases are ongoing.
at the enforcement stage and 2 are currently under investigations. Foreign workers in Singapore are largely treated in accordance with the law by their employers. In a 2014 foreign worker survey commissioned by the MOM and the Migrant Workers’ Centre covering about 3500 WPHs, more than 88% of WPHs indicated that they were happy working in Singapore.

3. That said, from time to time we do come across cases where workers are denied their rights or abused. In those instances, MOM has been using both the existing laws as well as other administrative tools at our disposal to take stern enforcement action against employers who commit these offences or infringements. In addition, we provide necessary assistance to all TIP victims, while their cases are being investigated, including offering them access to the Temporary Job Scheme, Change of Employment, which Mr Zainal Sapari suggested earlier, and accommodation and food if required. Those staying in our government funded shelters are also allowed to work within the shelter premises. Mrs Lina Chiam raised the issue of employment for trafficked victims from non-traditional source countries (NTS). We offer all TIP victims necessary assistance, including access to employment through the TJS and Change of Employment, subject to their work pass source controls. Hence, trafficked victims from NTS countries, like all others who apply for work permit or work pass from
NTS countries, will not be allowed to work in service and manufacturing sectors, in line with our work pass source control measures. So they are treated no differently. Otherwise, it will unwittingly incentivise some to abuse or circumvent these work pass source control measures by claiming to be trafficked victims, a concern rightly highlighted by Mr Zainal Sapari and Dr Janil Puthucheary. Nonetheless, these trafficked victims from NTS countries would be given and offered all victim care and protection measures as they are accessed to be needed. In addition, they can also work within our government funded shelters.

Enhancing effectiveness

4. The Prevention of Human Trafficking Bill complements MOM’s existing efforts and increases the tools and effectiveness with which we can deal with TIP cases, which often manifests as the most egregious form of worker abuse. First, the TIP Bill provides tougher penalties for labour TIP cases compared to penalties under the EFMA. In 2012, MOM investigated a potential labour TIP case involving an employer of a foreign domestic worker (FDW). Our investigations revealed that the maid was physically abused, given little food, illegally confined and her salary withheld. MOM classified it as a full labour TIP case which carries a maximum penalty of 1 year imprisonment and fine of $10000 under the Employment of Foreign
Manpower Act. However, with the TIP Bill the errant employer, if found guilty, could be liable for mandatory prison sentence of up to 10 years and a mandatory fine of up to $100,000, which would send a much stronger deterrent message.

5. Second, the Bill adds another lever for MOM to go after the most egregious offences, particularly those perpetrated by syndicates. As an enforcement bill, it gives clarity to definitions of key trafficking indicators and harmonises them with international norms. It further provides an enhanced framework of heightened penalties that reflects the severity of TIP offences. This equips agencies with more effective levers to deal with the many facets of TIP comprehensively and holistically. As SMS Masagos had pointed out, the Bill includes caning as a penalty. This is not something we take lightly. It is a serious punishment for a very serious offence. But it is necessary to send a strong deterrent message.

Implementation

6. Deputy Speaker, while the Bill can provide a definition of TIP based on the UN TIP Protocol, prosecution ultimately depends on a judgement of the facts of the case. It is widely acknowledged amongst enforcement officials we have spoken to in places like Australia, the US, South Korea and Taiwan that prosecuting full blown TIP cases can be a challenge,
especially in the labour arena. Some cases might meet the “act” and “means”, but proving “purpose” can be more challenging. And there are other permutations. Australia had only one labour TIP conviction in 2012 and 6 trafficking cases in 2013 while South Korea with approximately 700,000 low skilled migrant workers had about 11 labour TIP convictions in 2013². As a former public prosecutor, member Mr Chris deSouza has often shared these challenges prosecuting TIP cases. Not every instance of worker abuse is trafficking. Nor should we deem it so. We cannot be loose in our classification of TIP as there are severe penalties involved.

7. However, I would like to assure the House that enforcement officers do have other appropriate tools at their disposal to deal with offences and infringements, whether or not these can eventually be made out to be TIP cases. As was rightly pointed out earlier, the provisions in the current Bill have to be read with other existing legislation to appreciate the full enforcement and prosecution arsenal. The powers afforded by the Prevention of Human Trafficking Bill increases the tools and the firepower to deal with the most serious offences and offenders.

² Trafficking in Persons Report, June 2014 by Department of State, United States of America
Prevention measures against Trafficking

8. Deputy Speaker, the title of the Bill is the Prevention of Human Trafficking Bill. But, the task of preventing trafficking does not reside solely in the realm of enforcement. Education is just as crucial, and in this regard, the government, through the TIP Inter-Agency Taskforce is committed to raising public awareness, which would help prevent trafficking from happening upstream through, inter alia, early referral of cases, and even responsible business practices along the supply chain. This is being done through initiatives like the TIP awareness grant³, which has been awarded to partners such as the civil society organisations and educational institutes. Some of the activities conducted include exhibitions, conferences, and movie screenings to reinforce key TIP concepts and messages in our collective consciousness. We are pleased that each year, we are getting more and better ideas from many stakeholders. We encourage those who feel passionately about the subject to come forward.

³ The grant amount is $80,000, and grants have been awarded in 2013, as well as 2014.
Conclusion

9. Deputy Speaker, the root causes of trafficking run deep. Eradicating it will be a long term effort by all stakeholders. What we are doing with this Bill is sending an unequivocal signal that Singapore is serious about preventing trafficking. We too will pay our part and will use all necessary means to deter as well as enforce against such an egregious crime. As a responsible member of the international community, we can do no less. I therefore urge Members to give your fullest support to the Bill and thank my member, Mr Christopher de Souza once again for leading this effort.