

# British Society of Criminology

The British Criminology Conference: Selected Proceedings. Volume 5. Papers from the British Society of Criminology Conference, Keele, July 2002. This volume published August 2003. Editor: Roger Tarling. ISSN 1464-4088. See end of file for copyright and other information.

## **A Review of the Corrective Work Order in Singapore:**

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### **Abstract**

One of the punishments available in Singapore for the offence of littering is to require the offender to spend a specified number of hours picking up litter in a public place (called the "Corrective Work Order"). This punishment has two main aims: it forces the offender to make amends and, perhaps more importantly, it serves to shame the offender in public. When this punishment was introduced in 1992, there was some disquiet in Singapore over the exposure of the offender to public humiliation. Since then, there has been a great interest in many parts of the world in the incorporation of shame in their criminal justice systems. The author argues that not only is the Corrective Work Order too severe, it has also failed to adopt the positive features of the "reintegrative shaming" approach tried out in various forms in different parts of the world. It is also argued that the Corrective Work Order has not been effective in curbing the rise in litter offenders in Singapore. This paper traces the origins of the Corrective Work Order and its implementation, and makes some tentative conclusions as to why the order has not been effective.

### **Introduction**

The introduction of the Corrective Work Order in Singapore in 1992 marked a new development in sentencing policy in the small island republic, in that offenders convicted of littering in public can be ordered to clean public premises for a fixed number of hours.<sup>[1]</sup> Although other non-custodial sentences are available in Singapore's criminal justice system,<sup>[2]</sup> this was the first time that an offender could be ordered by a court to perform a service in the community.<sup>[3]</sup> While statements referring to the reformatory aspects of the Corrective Work Order were made in the Singapore Parliament at the time, it was its deterrent value in causing shame to the offender that was eventually emphasised.<sup>[4]</sup> It is argued in this paper that the intended purpose of the order, which is to shame the offender, has been used in a stigmatising way, in direct contrast to the approach of reintegrative shaming, which is said to be a more powerful weapon towards social control than institutional sanctions.<sup>[5]</sup> It is also suggested that the lack of public agreement on the measure meant that the Corrective Work Order has not been the success it was hoped.

# I. The Legislative Framework

The triggering conditions for a Corrective Work Order to be made are relatively simple and straight-forward.<sup>[6]</sup>

- the offender must be convicted of an offence under either sections 17 or 19 of the Singapore Environmental Public Health Act (Cap 95, 1999 Rev Ed) ("EPHA");<sup>[7]</sup>
- the offender must be 16 years of age or above; and
- the court must be satisfied that it is expedient to the offender's "reformation and the protection of the environment and environmental public health that he should be required to perform unpaid work in relation to the cleaning of any premises".

Once such conditions are met, the court "shall ... unless it has special reasons for not so doing, make a corrective work order requiring [the offender] to perform such work under the supervision of a supervision officer ...".<sup>[8]</sup> In the only case to have considered the wording of these provisions, it was held by the High Court that the imposition of a Corrective Work Order is mandatory once the conditions are satisfied, unless the court finds special reasons why it should not impose it.<sup>[9]</sup> One reason suggested by the case as to why the Corrective Work Order may not be appropriate is where the offender is physically or mentally unsuitable for carrying out the order.<sup>[10]</sup>

Although there is the requirement that the court "consider the physical and mental condition of the offender and his suitability for carrying out the requirements of such order",<sup>[11]</sup> the court derives little professional assistance in assessing which offenders are indeed suitable for the Corrective Work Order. This may be compared with the requirement in England that a pre-sentence report be obtained whenever the court is considering whether to impose a "Community Punishment Order".<sup>[12]</sup> In Singapore, the discretion is shifted instead to the prosecution to decide whether to prosecute the offender for littering. If the prosecution decides to do so, the Corrective Work Order will normally follow. It has been revealed that, in practice, those found guilty of minor littering offences such as discarding a cigarette butt are offered a composition fine of \$150<sup>[13]</sup> and, if they choose to compound the offence,<sup>[14]</sup> also have to undergo a counselling session. However, those guilty of a serious littering offence such as throwing out or leaving behind bags of refuse, styrofoam boxes, packets of food or old furniture will be charged in court. The harsher approach applies to a recalcitrant offender too, even if he/she had committed a minor littering offence in the past and is now being prosecuted for another such offence.<sup>[15]</sup> This accords with the statement by the Government that its intention is to impose the Corrective Work Order on "recalcitrant littering offenders and those who commit serious littering offences which directly cause pollution or give rise to cleansing problems".<sup>[16]</sup>

It was also held in the High Court case that the prosecution did not have to discharge a burden of satisfying the court beyond reasonable doubt that a Corrective Work Order would be expedient for the reformation of the offender and the protection of the environment and the environmental public health. These were merely "broad considerations laid down by the legislature to guide the court in deciding whether a corrective work order would be appropriate in a particular case".

Furthermore, in order to show that an offender is "recalcitrant", the High Court held that it was sufficient to show that the offender had previously committed the same offence on at least *one* occasion. The fact that the previous instance committed by the offender in the High Court case was four years ago did not mean that he was not "recalcitrant". The offender was instead characterised by the court as not having seen the "error of his ways" and as having "obstinately chosen to defy or ignore the widespread calls for a heightened sense of graciousness and civic-consciousness in our society".<sup>[17]</sup> Moreover, the offender need not have been convicted of the previous offence - it is sufficient if the previous offence was one which had been compounded.<sup>[18]</sup>

Hence, it can be seen that very little residual discretion is left to the court in making the Corrective Work Order once the triggering conditions are satisfied, and it would seem that the local courts have no misgivings in making the order in accordance with the wishes of the legislature.

Procedurally, a court is required to explain to the offender in ordinary language the purpose and effect of the Corrective Work Order, and in particular, the requirements under section 21B EPHA and the Environmental Public Health (Corrective Work Order) Regulations 1992. The consequences of failure to comply with either section 21B EPHA or the regulations must also be made known to the offender, as must the power of the court to review the order on the

application of the offender or the Commissioner if circumstances change after the order is made.<sup>[19]</sup>

An offender may breach a Corrective Work Order in any of the following circumstances:<sup>[20]</sup>

- failure to report to the supervision officer any change of address or telephone number at which he/she may be contacted;
- failure to perform the work in a satisfactory manner as required by the supervision officer;
- failure to perform the number of hours specified in the notice of such work at such time and at such place as he/she may be instructed by the supervision officer;
- failure to wear a protective vest or other apparel as required by the supervision officer;
- failure to comply with any reasonable directions given by the supervision officer while performing the work;
- behaving in an offensive, intimidating, threatening or disorderly manner towards the supervision officer or any other person who is performing the work; and
- engaging any other person to carry out the work.

If a breach occurs, the court may issue a summons requiring the offender to appear before the court or may issue a warrant for the offender's arrest.<sup>[21]</sup> Where the court is satisfied that the offender has breached the Corrective Work Order, the court may order him/her to pay a fine not exceeding \$5,000 or imprison the offender for a term not exceeding 2 months.<sup>[22]</sup>

It was reported in December 2001 that more than 3,600 people had performed Corrective Work Orders since their introduction.<sup>[23]</sup> The questions that immediately come to mind are whether the Corrective Work Order has indeed been effective in curbing litter offenders in Singapore, and what the factors are which have led to its success or failure.

## II. The Effectiveness Of The Corrective Work Order

In 1994, the then Singapore Minister for the Environment was clear in his mind that the Corrective Work Order had been effective. He gave three reasons for this in a reply to a Member of Parliament:<sup>[24]</sup>

- none of those who had served a Corrective Work Order had been caught for littering again, indicating that the order has been effective on an individual level;
- places where Corrective Work Orders had been carried out were much cleaner, suggesting that the sight of offenders carrying out the order had deterred others from littering; and
- the number of littering offences had dropped from 432 per month in 1990 to 349 in 1994.

The Minister repeated his confidence in the value of the Corrective Work Order in Parliament in 1995.<sup>[25]</sup>

The fact that none of the 300-odd persons who were punished with [Corrective Work Orders] have committed the same mistake again is clear evidence that it is effective.

However by 1997, the Government's stance had changed dramatically. It was admitted in Parliament that:<sup>[26]</sup>

[I]n the case of littering, my Ministry notes that the offence is still very common. [In 1996], a total of 7,790 litterbugs were caught and punished. This was a third higher than 5,707 litterbugs caught a year before. When [the Corrective Work Order] started in 1992, there were about 4,000 only. So, the maximum penalty, through our Corrective Work Orders, has not been a sufficient deterrent to make some people take the extra effort to put litter in its proper place and my Ministry is therefore considering increasing the penalties for littering.

It was reported in the local newspapers that the number of persons serving Corrective Work Orders was 376 in 1997, rising to a high of 581 in 1998, and dropping to 486 in 1999 and 451 in 2000.<sup>[27]</sup> The number of persons serving a repeat Corrective Work Order increased from 9 in 1996 to 23 in 2000.<sup>[28]</sup>

Looking at the number of littering offenders caught and the number of Corrective Work Orders made may only be a rough measure of whether the order has been effective, but it is the Singapore government's response to this failure to control the rise in littering offences that should be noted. Its response was that the Corrective Work Order was insufficient as a

deterrent and that heavier penalties were needed for a "hardcore minority who are indifferent to littering".<sup>[29]</sup> Three key changes were made to the scheme.<sup>[30]</sup>

First, the court may now impose a Corrective Work Order in addition to a fine, whereas previously the Corrective Work Order may only be imposed in lieu of any other order, punishment or sentence. Second, the maximum duration of the Corrective Work Order was increased from 3 hours to 12 hours.<sup>[31]</sup> And third, the former provision that "The instructions given by the supervision officer ... shall, so far as practicable, be such as to avoid any interference with the times, if any, at which the offender normally works or attends a school or other educational institution" has now been deleted. In its place is the provision that "The supervision officer shall not require an offender to work under one or more corrective work orders for a continuous period exceeding 3 hours in a day".<sup>[32]</sup>

These latest amendments to the Corrective Work Order may have "worked" in the sense of lowering the number of littering offenders for now, as can be seen in the drop in the number of persons serving Corrective Work Orders in 1999 and 2000, but the more important question is whether it will continue to do so in the longer term.<sup>[33]</sup>

### III. Public Reactions

Although the offender may only be ordered to perform work for a maximum of 12 hours under the Corrective Work Order,<sup>[34]</sup> with or without a fine, the way the scheme has been used is perceived by many to be disproportionate to the wrong committed by the offender.

At the introduction of the scheme in 1992, some Members of Parliament in Singapore expressed the fear that the Corrective Work Order might lead to the public humiliation<sup>[35]</sup> and degradation of the offender.<sup>[36]</sup> These fears were indeed realised when the first group of persons performing Corrective Work Orders at a public beach in February 1993 were hounded by the local and international media. There was no escape - all offenders, under the regulations requiring them to wear a protective vest, wore a bright green luminous vest with the words "Corrective Work Order" on the back.<sup>[37]</sup>

One Member of Parliament complained that serious criminals such as murderers and drunk drivers were spared similar public humiliation,<sup>[38]</sup> while another compared it to the public humiliation of "counter revolutionaries" during the Cultural Revolution in China.<sup>[39]</sup>

The then Minister for the Environment defended the scheme by explaining that doing the Corrective Work Order in privacy such as in a charity home would not make the offender "understand the damage that can be caused to the environment because of littering and to make him realise the efforts needed to remove the litter".<sup>[40]</sup> As for the wearing of an identifying vest, the then Minister's explanation was the need to distinguish offenders serving Corrective Work Orders from workers assigned to pick up litter and volunteers cleaning up public places.<sup>[41]</sup>

There has also been apparent misunderstanding by some Members of Parliament and the public that the Corrective Work Order would only be used against recalcitrant offenders who have committed *serious* littering offences.<sup>[42]</sup> Two successive Ministers for the Environment had to explain several times in Parliament that the order was not being applied indiscriminately and that only about 7% of the littering offenders caught were served with a Corrective Work Order.<sup>[43]</sup>

The key to understanding the Government's approach is that, right from the time of the legislation's enactment, it was the purported deterrent value in using the Corrective Work Order to publicly humiliate the offender that was emphasized:

If we go along with the suggestions made ... that the offenders be made to carry out the [Corrective Work Order] in charitable homes, away from the glare of publicity, then I am afraid the objective of the Bill will be lost. For it to be an effective deterrent, the [Corrective Work Order] will have to require the offenders to clean and pick up litter in public places, such as beaches and parks.<sup>[44]</sup>

Is the punishment humiliating? The [Corrective Work Order] is intended to make the offender realise that what he has done has an adverse impact on the environment and the community. The purpose of the [Corrective Work Order] is to reform him, make him realise the damage done and the effort needed to correct it. It may be humiliating for the offender, but if it serves the purpose, then it is for a good cause and it will be an effective deterrent. There is really no reason for anyone to litter in the first place. If he chooses to, then he must be prepared to bear the consequences.<sup>[45]</sup>

Indeed, various changes were made, since its enactment, to the time and venue of performance of the Corrective Work Order, *intentionally* to humiliate the offender. Initially, offenders were made to clean up parks and beaches. In July 1993, offenders started to serve out their Corrective Work Orders in housing estates.<sup>[46]</sup> They were subsequently also made to clean up the places that they had littered;<sup>[47]</sup> and in 1996, the time of the work was changed from 4 pm to 9.30 am on a Sunday.<sup>[48]</sup> The reason for the last change was in order to draw the attention of residents visiting the markets or shops on that day.

## IV. Reflections On Use Of The Cwo

While psychological and anthropological studies may support the theory that shame influences the acceptance and enforcement of social norms, the experience of the Corrective Work Order in Singapore shows that the Government's attempts to exploit shame as a form of punishment may be counterproductive.

The lessons from Singapore are significant in view of attempts in other parts of the world to incorporate shame as one of the new tools in the criminal justice arsenal. In the US, some courts have required certain sex offenders to place an advertisement in the newspaper or on their residence that identified them as a sex offender.<sup>[49]</sup> In the State of Nevada, a judge may order a defendant convicted of drunk driving to perform a minimum of 48 hours of community work while dressed in clothing that identified him/her as a drunk driving offender.<sup>[50]</sup> Even in England, the BBC aired a programme recently on an experiment where drivers caught for speeding in a town centre were given a choice either of receiving a traffic summons or of meeting young students from a nearby school to explain why they were speeding and be questioned by them.<sup>[51]</sup>

In Singapore, suggestions have been made from time to time to extend the concept of the Corrective Work Order to other forms of inconsiderate behaviour, in the belief that such orders were effective. These suggestions include those who:

- throw things from their high rise homes;<sup>[52]</sup>
- do not switch off their mobile phones during a movie;<sup>[53]</sup>
- park in handicapped lots but are able-bodied;<sup>[54]</sup>
- damage public property by skateboarding stunts;<sup>[55]</sup>
- do not clean up after their dogs;<sup>[56]</sup>
- make excessive noise: for example neighbours who talk, quarrel, or play their radio and television sets too loudly; drivers and motorcyclists who rev their engines or allow their car alarms go off through the night; and children playing games in the void decks of flats;<sup>[57]</sup>
- abuse their wives.<sup>[58]</sup>

However, it is cautioned that the present scheme of the Corrective Work Order may not be the best approach to tackling any of these social problems. One writer has indeed warned that:<sup>[59]</sup>

Legal theorists should not be over quick to extend the norm theorists' *descriptive* insight - that people obey norms in part because of shame sensitivities - to legal *prescriptions* for public shaming, if the primary aim is to reinforce cooperation among the audience.

One danger is the fine line between the use of shame to publicly humiliate and stigmatise, and reintegrative shaming where it is the act of the offender which is shamed but the offender accepted back into society once appropriate redress is made.<sup>[60]</sup> In the case of the Corrective Work Order in Singapore, there is no support or ritual of forgiveness for the offender from the community after performance of his/her cleaning duties. Furthermore, the officially sanctioned media attention, public denunciation through donning of identifying green vests, and the performance of the Corrective Work Order in places and at times when visibility is greatest, all cause the offender to be deeply entrenched in the public consciousness as a deviant identity. The experience of the Corrective Work Order in Singapore also shows how easy it is to label, expel and ostracise the offender, and when the penalty no longer "works", to increase the levels of stigmatization. There needs to be greater reflection and study on the concept of "shame" itself, and how it can be positively incorporated into the criminal justice system. Unfortunately, time to reflect on such issues is seen as a luxury in Singapore, as in many other places, where being "tough on crime" (which, in the case of Singapore, includes littering offences) is high on the political agenda.

On the other hand, if the Corrective Work Order is apparently so powerful a weapon in stigmatising offenders, why has it not "worked" in the sense of reducing the number of littering offenders in Singapore? Several reasons may explain this failure. First, from the newspaper reports and debates surrounding the introduction and use of the Corrective Work Order, it is suggested that the public did not accord such grave moral culpability to litter offenders. If this is so, then the key ingredient to shaming, that the offenders would be compromised in their social standing in the community by having performed the Corrective Work Order, would be missing. In other words, it is not something to be "ashamed" about.<sup>[61]</sup>

Second, the shock value in the penalty lies in its novelty. Now that the Corrective Work Order has become a routine and accepted measure, it ceases to interest the public at large. At the introduction of the Corrective Work Order, six Members of Parliament spoke on the Bill expressing their concerns. The subject was raised again each year during the annual Budget debate on the Ministry of Environment. However, by the time of the last amendment to the law, in 1999, only one Member of Parliament spoke on it. News coverage of the offenders has also trailed off as compared to the media frenzy in the initial stages. Without this capacity to shock the public, the measure has lost its deterrent value.

Third, as psychologists and anthropologists have noted, the expressive effects of shame penalties are highly contextual and unpredictable.<sup>[62]</sup> There is suggestion that the gang subculture in Singapore now sees the performance of a Corrective Work Order as a requirement for initiation to gang membership.<sup>[63]</sup> Hence, the Corrective Work Order is not something undesirable for this subgroup but succeeds rather in enhancing the self-esteem of the offender.

In any case, the experience of the Corrective Work Order in Singapore shows that an approach which emphasises public humiliation only reaps superficial results. A person may conform with the law in his/her conduct because of a fear of punishment and not because of the internalisation of norms. The report of a 1996 survey by the National Youth Achievement Award Council on more than 8,300 youths in Singapore noted that over three-quarters rated protecting the environment as "very important". However, their response was not because they wanted to live in a green and pleasant environment - 41.4% said it was because of their fear of the Corrective Work Order, while 32.7% listed fines as a reason.<sup>[64]</sup>

In view of the above, the response of the new Acting Minister for the Environment in Singapore to a call by some for even stronger penalties for littering offenders is welcome. He is reported to have said:<sup>[65]</sup>

We may get immediate results, but it's not sustainable in the long term. First, you make them pick up litter, then clean public toilets, and then what?

If a person suffers from insomnia, you give him sleeping pills. If, after a while, these no longer have an effect, do you keep increasing the dosage? Because if you do, then you are creating an addict.

A better option is to understand why the person has insomnia and solve the problem at the source.

The question we must ask ourselves is why? Why do young Singaporeans who grew up in a clean and green environment continue to litter?

In this way, we can then attempt to change bad habits through public education.

It can only be hoped that the underlying philosophy behind the Corrective Work Order and its use will be re-examined.<sup>[66]</sup>

## Notes

<sup>1</sup> Environmental Public Health (Amendment) Act 1992 (Act 32 of 1992). The amendments came into force on 1 November 1992.

<sup>2</sup> Eg, placing an offender on probation or imposing a fine.

<sup>3</sup> By a recent amendment to the Children and Young Persons Act (Cap 38) in 2001 (Act 20 of 2001), the Juvenile Court may now order a juvenile offender to perform community service of up to 240 hours (section 44(1)(f)). For adult offenders, the Corrective Work Order remains the only specific order where the offender may be ordered to perform work in the community.

<sup>4</sup> Official Reports, Parliamentary Debates, 14 September 1992, col 212 (Dr Ahmad Mattar); and 21 March 1995, col 881 (Mr Mah Bow Tan).

- <sup>5</sup> John Braithwaite, *Crime, Shame and Reintegration* (1989, Cambridge University Press). See also John Braithwaite, Stephen Mugford, "Conditions of Successful Reintegration Ceremonies" (1994) 34 *British Journal of Criminology* 139.
- <sup>6</sup> S 21A Environmental Public Health Act ("EPHA"). This scheme has obvious similarities with the Community Service Order available in England since 1973 under the Powers of Criminal Courts Act 1973. The order in England is now renamed the Community Punishment Order, s 44 Criminal Justice and Court Services Act 2000, and the court's powers for making the order can be found in ss 46-50 Powers of Criminal Courts (Sentencing) Act 2000. Some comparisons between the two schemes will be made below.
- <sup>7</sup> S 17 EPHA prohibits throwing of refuse etc in any public place such as the throwing of a bottle, can, food container or food wrapper in any public place. S 19 EPHA prohibits the dropping, scattering, spilling etc of substances such as dirt, sand, earth, gravel etc in a public place, whether from a moving or stationary vehicle or in any other manner.
- <sup>8</sup> S 21A(1) EPHA.
- <sup>9</sup> *PP v Lim Niah Liang* [1997] 1 Singapore Law Reports, 534, 538.
- <sup>10</sup> However, this is already provided for by s 21A(4) EPHA. This suggests that the phrase "special reasons" must refer to wider considerations.
- <sup>11</sup> S 21A(4) EPHA.
- <sup>12</sup> S 36 Powers of Criminal Courts (Sentencing) Act 2000.
- <sup>13</sup> One pound sterling is equivalent to 2.8 Singapore dollars as at 3 October 2002.
- <sup>14</sup> Compounding an offence has the effect of an acquittal of the accused person, s 199(4) Criminal Procedure Code (Cap 68, 1985 Rev Ed).
- <sup>15</sup> Official Reports, Parliamentary Debates, 14 September 1992, col 211 (Dr Ahmad Mattar); Official Reports, Parliamentary Debates, 2 November 1995, col 163 (RAdm Teo Chee Hean).
- <sup>16</sup> Official Reports, Parliamentary Debates, 14 September 1992, col 203 (Dr Ahmad Mattar).
- <sup>17</sup> *PP v Lim Niah Liang* [1997] 1 Singapore Law Reports 534, 540.
- <sup>18</sup> *PP v Lim Niah Liang* [1997] 1 Singapore Law Reports 534, 539. This ignores the general approach that the composition of an offence has the effect of an acquittal of an accused person.
- <sup>19</sup> S 21A(5) EPHA.
- <sup>20</sup> Regulation 6, Environmental Public Health (Corrective Work Order) Regulations 1992.
- <sup>21</sup> S 21C(1) EPHA.
- <sup>22</sup> S 21C(2) EPHA.
- <sup>23</sup> Goh Chin Lian, "Drop in litterbugs doing CWO and repeat cases" *The Straits Times*, 20 December 2001. It was also reported that up to the year 2000, the number of persons who have performed Corrective Work Orders stood at 3,377, Margaret Perry, "A little litter, a mountain of woes" *The Straits Times* 15 March 2001.
- <sup>24</sup> Official Reports, Parliamentary Debates, 5 December 1994, col 985 (Mr Mah Bow Tan).
- <sup>25</sup> Official Reports, Parliamentary Debates, 21 March 1995, col 881 (Mr Mah Bow Tan).
- <sup>26</sup> Official Reports, Parliamentary Debates, 29 July 1997, col 1238 (Encik Sidek bin Saniff).
- <sup>27</sup> "Number of littering offences continue to rise" *The Straits Times* 31 January 1999; "Three-time litterbug" *The Straits Times*, 4 August 2000; Goh Chin Lian, "Drop in litterbugs doing CWO and repeat cases" *The Straits Times*, 20 December 2001.
- <sup>28</sup> Sharmilpal Kaur, Terence Poon, "Is CWO flagging in ability to deter" *The Straits Times*, 14 June 2001. The first person to serve a Corrective Work Order twice was in 1996, Dominic Nathan, "Recalcitrant litterbug gets second CWO" *The Straits Times*, 19 May 1996; and the first person to serve it three times was in 2000, Eunice Lau, "Her life's littered with CWOs" *The Straits Times*, 24 September 2000.
- <sup>29</sup> Official Reports, Parliamentary Debates, 4 May 1999, col 1318 (Mr Yeo Cheow Tong).
- <sup>30</sup> Environmental Public Health (Amendment) Act 1999 (Act 22 of 1999).
- <sup>31</sup> It was reported that the most severe penalty imposed so far has been an 8-hour Corrective Work Order and a \$1,000 fine meted out in 2000, Margaret Perry, "A little litter, a mountain of woes" *The Straits Times* 15 March 2001.
- <sup>32</sup> S 21B(3) EPHA.
- <sup>33</sup> The apparent success of the amendments may be due to increased media attention at the time rather than any increase in the deterrent effect of the penalties.
- <sup>34</sup> This may be compared to the 40 to 240 hours under the English Community Punishment Order, s 46(3) Powers of Criminal Courts (Sentencing) Act 2000.
- <sup>35</sup> Official Reports, Parliamentary Debates, 14 September 1992, col 207 (Mr Chin Harn Tong) and col 210 (Mr Ho Peng Kee).

<sup>36</sup> Official Reports, Parliamentary Debates, 14 September 1992, col 208 (Encik Ibrahim bin Othman). See also Official Reports, Parliamentary Debates, 21 March 1995, col 870 (Mr Peh Chin Hua).

<sup>37</sup> Regulation 6(1)(d) Environmental Public Health (Corrective Work Order) Regulations 1992.

<sup>38</sup> Official Reports, Parliamentary Debates, 10 March 1993, col 928 (Mr Chin Harn Tong).

<sup>39</sup> Official Reports, Parliamentary Debates, 10 March 1993, col 929 (Mr Teo Chong Tee).

<sup>40</sup> Official Reports, Parliamentary Debates, 10 March 1993, col 934 (Dr Ahmad Mattar).

<sup>41</sup> Official Reports, Parliamentary Debates, 10 March 1993, col 935 (Dr Ahmad Mattar).

<sup>42</sup> Official Reports, Parliamentary Debates, 10 March 1993, col 926; Official Reports, Parliamentary Debates, 2 November 1995, col 163-168.

<sup>43</sup> Official Reports, Parliamentary Debates, 18 March 1994, col 1282 (Mr Mah Bow Tan); Official Reports, Parliamentary Debates, 21 March 1995, col 881 (Mr Mah Bow Tan); Official Reports, Parliamentary Debates, 2 November 1995, col 163 (RAdm Teo Chee Hean).

<sup>44</sup> Official Reports, Parliamentary Debates, 14 September 1992, col 212 (Dr Ahmad Mattar).

<sup>45</sup> Official Reports, Parliamentary Debates, 21 March 1995, col 881 (Mr Mah Bow Tan).

<sup>46</sup> Yeo Hwee Yng, "Litterbugs made to clean up housing estate for first time" *The Straits Times*, 19 July 1993.

<sup>47</sup> "Back to the scene of the offence" *The Straits Times*, 1 May 1995.

<sup>48</sup> "First CWO morning clean-up" *The Straits Times*, 11 March 1996.

<sup>49</sup> See examples mentioned by Toni M Massaro, "Shame, Culture and American Criminal Law" (1991) 89 *Michigan L Rev* 1880.

<sup>50</sup> Nevada Revised Statutes §484.3792(1)(a)(2).

<sup>51</sup> "So you think you're a good driver" broadcast on 12 July 2002.

<sup>52</sup> Lydia Lim, Pauline Leong, Josephine James, "Killer Menace" *The Straits Times*, 18 July 2000; Pauline Leong, Josephine James, Neale Cooke, Karen Lee, "Do more to stop HDB menace" *The Straits Times* 21 August 2000.

<sup>53</sup> Arlina Arshad, "Dealing with cell-phone pests" *The Straits Times*, 20 July 2000

<sup>54</sup> Koh Heok Khoon, "CWOs for carpark abuse" *The Straits Times*, 26 August 2000; Gerard Tan Tiang Fo, "Driver deserves Corrective Work Order" *The Straits Times*, 16 October 1996; Jacqueline Yeow Ying Ling, "Make those who park in lots for disabled do charity work" *The Straits Times*, 15 October 1996; Bentley Williams, "Disabled's parking lots: Let 'poachers' do CWOs" *The Straits Times*, 28 May 1996.

<sup>55</sup> Ang Cheng Hock, "Please make the skaters toe the line" *The Straits Times*, 5 February 1999.

<sup>56</sup> "Correct bad social behaviour with fines, cameras, education" *The Straits Times*, 7 December 1995.

<sup>57</sup> Wang Hui Ling, "Noise pollution cause of concern to Zaobao readers" *The Straits Times*, 17 December 1993.

<sup>58</sup> John Lui, "Make wife-beaters do social work, says don" *The Straits Times*, 28 February 1993.

<sup>59</sup> Toni M Massaro, "The Meanings of Shame" (1997) 3 *Psychology, Public Policy, and Law* 645, 649.

<sup>60</sup> See Harold Garfinkel, "Conditions of Successful Degradation Ceremonies" (1956) 61 *American Journal of Sociology* 420.

<sup>61</sup> Newspaper accounts of the contrite reactions of offenders serving Corrective Work Orders are unreliable gauges as they only give a distinctively one-sided view.

<sup>62</sup> Toni M Massaro, "The Meanings of Shame" (1997) 3 *Psychology, Public Policy, and Law* 645.

<sup>63</sup> Sharmilpal Kaur, "He's the average litterbug in S'pore" *The Straits Times*, 3 October 2000.

<sup>64</sup> "Few youths spread 'green' message" *The Straits Times*, 8 January 1997.

<sup>65</sup> Karamjit Kaur, "Cleaning loos for CWOs not the answer: Minister" *The Straits Times*, 17 June 2001.

<sup>66</sup> It should also be noted that those in favour of restorative justice have moved away from the use of shame as a means of serving restorative goals, see Allison Morris, "Shame, Guilt and Remorse: Experiences from Family Group Conferences in New Zealand" and Gabrielle Taylor, "Guilt, Shame and Shaming" in *Punishing Juveniles* (Ido Weijers, Antony Duff eds, Hart Publishing, 2002)



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