

**THE PREVENTION OF CRIME (AMENDMENT AND EXTENSION)  
ACT 2013: A COMPARISON WITH THE CRIMINAL LAW  
(TEMPORARY PROVISION) (AMENDMENT) ACT 2013 OF  
SINGAPORE**

By

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The students/authors confirm that the work submitted is their own and that appropriate credit has been given where references has been made to the work of others.

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## **ABSTRACT**

The main concern of this research is to make a comparison on the new amended law in Malaysia which is the Prevention of Crime (Amendment and Extension) Act 2013 (POCA) with Criminal Law (Temporary Provision) (Amendment) Act 2013 (CLTPA) on the effectiveness of the act pertaining to the criminal offences. The comparative issues will cover on 3 aspects where the first issue is the amended law excludes the provision of judicial review. Secondly on the issue of POCA 2013 denying the right to legal representation and perceived by many as being violation to the justice system in Malaysia and lastly on the issue of the incomprehensiveness of the law to stop any future abuse of power. Discussion is also made on the development of the preventive detention legislation in Malaysia and Singapore is being referred to as a model in this aspect.

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# CHAPTER 1: INTRODUCTION

## 1.0 Introduction

This research is about The Prevention of Crime (Amendment and Extension) Act 2013: A Comparison with the Criminal Law (Temporary Provision) (Amendment) Act 2013 in Singapore. This research will cover on the background study, research problems, research question, the objectives of the research, method use in conducting the research, the scopes of the research, the limitations to the research, the significances of the research, literature review and the research plan.

## 1.1 Background

Almost every day we read or hear about news of crimes being committed on a regular basis. Revenge shootings, killings, murders, rapes – all these atrocities have been making the headlines the past few months.

According to police statistics released by the Performance Management and Delivery Unit (Pemandu), indexed crime for the period of January-June 2012 totalled up to 76,247 reported cases. This dropped by 2,120 cases to 74,127 in 2013. However, cases of violent crime increased from 14,811 to 15,098 over the same period. Of this figure, robbery (including gang robbery) with firearms also increased, from 69 cases to 74. Murders rose from 291 cases in the first six months of 2012 to 322 cases in 2013. The worst-hit month of 2013 so far was June, with 14 gang robberies with firearms and three robberies with firearms.<sup>1</sup>

The situation has no doubt gotten worse recently. There seems to be a disturbing trend of a culture of crime permeating throughout the states now. It appears that this scenario happened because of Emergency (Public Order and Crime Prevention) Ordinance (EO) was repealed on 2011.<sup>2</sup> Since then, the police have to resort to the long neglected law; Prevention of Crime Act 1959 (PCA 1959).

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<sup>1</sup> Tashny Sukumaran, "Pemandu: Police statistics show violent crime on the rise", (2013) The Star

<sup>2</sup> Aliza Shah, "Curb crime with new law similar to Emergency Ordinance, says Ahmad Zahid", (2013) New Straits Times