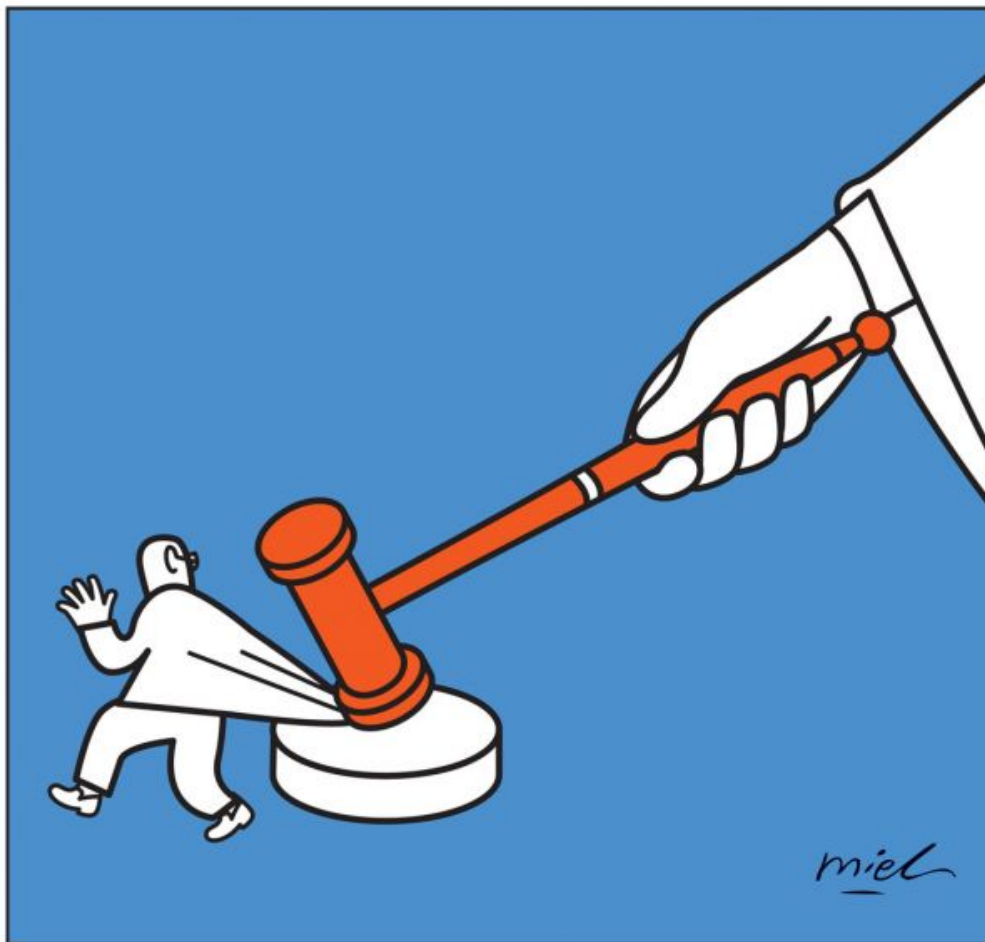


Racist attacks

Deterrence should continue to be the norm in sentencing: Observers

Stiff penalties like jail needed to signal zero tolerance for racism, clamp down on such incidents



ST ILLUSTRATION: MIEL



Jean Iau

Zero tolerance and deterrence should continue to be the norm in sentencing those who commit racist attacks here in order to clamp down on such incidents, say observers.

Such sentences frequently involve a jail term and are handed out to deter the offender - and others - from committing or repeating similar acts.

In response to queries from The Straits Times, the Attorney-General's Chambers said last Friday that it will continue to seek deterrent sentences to "deter actions that may cause harm to our community and racial harmony".

It added: "Deliberate acts generating ill will between different racial groups and denigrating other races in Singapore will not be tolerated. Offenders who commit such acts will continue to be dealt with firmly and in accordance with the law."

This comes after a woman was sentenced to four weeks' imprisonment last Wednesday for hurling profanities and racist insults at another woman on the bus for over seven minutes.

Siti Ai'sha Jaffar, 40, called the 33-year-old victim a "stupid Indian" during her tirade, which the court heard was unprovoked.

In passing a deterrent sentence, District Judge Tan Jen Tse called the attack "prolonged and savage" and said: "In no way can this (sort) of offence... stand in our society."

Criminal lawyers whom ST spoke to said the courts typically practice zero tolerance for racism, and jail sentences are the norm in cases involving seditious or offensive remarks made against a person's race, nationality or religion.

Under the Penal Code, those who say anything that is heard by the victim, or gesture, or place an object in the sight of the victim with the deliberate intention of wounding their religious or racial feelings, can be jailed for up to three years, fined, or both.

Those who knowingly promote enmity between different groups on grounds of religion or race and perform acts prejudicial to the maintenance of harmony can face the same penalty under the same Act.

Under the Sedition Act, it is a crime to speak or publish anything that promotes feelings of ill will and hostility between different races in Singapore. First-time offenders can be fined up to \$5,000, jailed up to three years, or both.

Lawyers said that aggravating factors for these offences include the nature or content of the offensive material, the reach of the offensive material, the offender's agenda and the disquiet caused.

When asked if he noticed an upward trend in such offences, Quah Woo and Palmer's Mr Sunil Sudheesan said it might be a case of more people making reports.

"Similar to sexual harassment cases, I think these incidents have always happened but more people are coming forward and more incidents are being recorded now," he said, calling the general deterrence a "must factor" in such sentences.

"The simple lesson must be 'don't be a racist, or you will go to jail'," he added.

However, Mr Cory Wong from Invictus Law Corporation mentioned cases where the mental condition of the offender contributed to the crime.

Citing the case of Lee Dji Lin, who had a delusional disorder and got a mandatory treatment order (MTO) and probation after she placed raw pork outside the home of a Malay Muslim neighbour, Mr Wong said: "This does raise the question of whether MTO or probation can be imposed for even the most heinous of racist acts committed by a seriously mentally unwell offender or a particularly young offender. Is this something that will sit well with the public? What are the exact limits that we can put up with? Only time will tell."

Offenders given an MTO have to undergo treatment for their mental condition in lieu of jail time.

Lawyer Gloria James of Gloria James-Civetta & Co said that aside from implementing harsher laws and a tough judicial stance, a better understanding of the root cause of such issues would be more effective in moving towards racial harmony.

Researchers whom ST spoke to concurred that what goes on in the courts can only go so far in eradicating racism in the community.

Associate Professor Leong Chan-Hoong from the Singapore University of Social Sciences said that highlighting the seriousness of the offence is one option. But this will not address the distortion in racial attitudes and discrimination in private.

Dr Mathew Mathews, principal research fellow at the Institute of Policy Studies, said that though media coverage of such cases will help more people become aware that they face stiff penalties if they hurl racist abuse, there will be the occasional few who continue to do so.

"What is important then is for society to know what to do when such incidents happen - we should take a firm stand against racist attacks and continue to affirm our commitment to make Singapore a truly multicultural society.

"This comes with public education and a better understanding of the strengths and weaknesses in our multicultural society," he said.

Past cases of racist, religious offences here

AMOS YEE

In 2016, the then 17-year-old was sentenced to six weeks' jail and a \$2,000 fine for failing to turn up at a police station and intending to wound the feelings of Muslims and Christians.

He made Facebook and blog posts, which intended to wound Muslim feelings. He also admitted to posting one video online, intended to wound Christian feelings.

The crimes were committed between November 2015 and April 2016.

RACIST COMMENTS MADE TO OFF-DUTY POLICE OFFICER

A 43-year-old man was jailed for seven days on Nov 27 last year for deliberately wounding the racial feelings of a police officer and using insulting words that caused him distress during Hari Raya Puasa in 2019.

The 51-year-old police officer and his family were out visiting on June 6, 2019, when the man stopped his green Maserati behind the police officer's vehicle at a petrol station in Punggol Central.

As he was unable to overtake the officer's car on the right, he drove to its left, stopped and confronted the officer, hurling a racial insult.

BLOGGERS JAILED FOR SEDITION

In 2005, two men, then aged 27 and 25, were convicted in a landmark case after they posted racist remarks online against the Muslim Malay community.

The 27-year-old was jailed for a month for a blog post he wrote that was filled with inflammatory remarks about the community and religion.

The other man was jailed for one day and fined \$5,000 for a comment on a dog lovers' forum.

They were responding to a Straits Times letter from a reader who asked if uncaged pets were allowed in taxis after she saw a dog sitting on a passenger seat. She was concerned as many Muslims are forbidden by their faith to come into contact with a dog's saliva.

Jean lau

Get unlimited access to all stories at \$0.99/month

- Latest headlines and exclusive stories
- In-depth analyses and award-winning multimedia content
- Get access to all with our no-contract promotional package at only \$0.99/month* for the first 3 months

[Subscribe Now](#)

* Terms and conditions apply

Join ST's Telegram channel here and get the latest breaking news delivered to you.

RECOMMENDED

