

KEY POINTS OF MINISTER'S SPEECH

1. Minister started the conference by explaining the social context and background of the issue of harassment. He observed that harassment can take place anywhere and in any form. For instance, the issue of bullying of children is not new; it can take place in schools or outside, in the form of name-calling or inappropriate jokes. Another form of harassment was sexual harassment, whether within or outside the workplace. Stalking was also a growing problem which could be highly disruptive to the lives of many people, and often in devastating ways. With the increasing pervasiveness of the Internet which has created unprecedented levels of speed and interactivity in communication, online harassment has also become an increasing problem. A recent Microsoft Study of 2012 found that Singapore has the second highest rate of cyber-bullying among youth in the world. In light of this growing problem of harassment, the conference was timely as it brought together experts in the field to discuss the problems, identify the gaps in our laws and brainstorm possible solutions.
2. Minister observed that it was useful, in this context, to examine what other jurisdictions have done to combat harassment. For instance, the UK, New Zealand and South Africa have standalone harassment legislation. In Singapore, a general sense that emerged was that our laws are inadequate in this regard. There is no comprehensive piece of legislation on harassment, and provisions in existing laws which deal with harassment in certain situations are inadequate. Furthermore, recent case law has cast doubt on whether a victim can sue another for harassment in Singapore.
3. Minister expressed his view that the criminal law should only be used as a last resort and suggested adopting a graduated approach, with the type of response being dependent on the severity of the harassing act. People should be allowed, as far as possible, to seek self-help remedies without having to go to the police and the courts. Where self-help fails, the law can intervene with suitable civil remedies. Finally, only the most egregious types of conduct should be criminalised.
4. While Minister acknowledged that his Ministry could not deal with all the wide-ranging issues through legislation, the conference was the start of a conversation between the government and the people to identify the norms towards which society ought to move to address harassment, which will provide a solid framework upon which the laws can be built. The remaining issues would ultimately have to be dealt with by the society accepting some conventions, norms or behaviour.
