

Harnessing Harassment

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For several weeks, a woman has been receiving e-mails from her ex-boyfriend who threatens to send their intimate photos to her family and friends, unless she agrees to resume their relationship. Is this harassment? Can this woman turn to the law for help? Can she make a police report?

In another case, a single male employee is propositioned by his married, female supervisor. How does he prove sexual harassment to his management?

School children are frequently bullied online and offline, some leading to traumatic consequences for the young and the innocent. What remedies do they and their parents have?

Harassment, as the above examples illustrate, is fraught with complexities and ambiguities, especially where definition, legislation and solutions are concerned. Sexual harassment, while stereotypically depicted as involving a man as the perpetrator and a woman as the victim, could happen the other way around and even between two members of the same sex. Repercussions suffered by victims of harassment can be dire, ranging from embarrassment, emotional distress and fear to suicide in the more serious cases.

Harassment has become a serious concern in Singapore and many feel that the government and others concerned should address this issue in a concerted way. That was the context of the Institute of Policy Studies (IPS) conference on Harassment in Singapore: Realities, Conundrums and Approaches Moving Ahead. The conference, held on 18 November 2013, was attended by about 100 representatives from academia, the legal profession, civil service, non-governmental organisations, voluntary welfare organisations and the media.

Mr K Shanmugam, Minister for Law and Minister for Foreign Affairs, delivered the opening address and participated in a dialogue session at the close of the conference. Also in attendance were Ms Indranee Rajah, Senior Minister of State, Ministry of Law and Ministry of Education, and Member of Parliament Baey Yam Keng.

The conference consisted of three panels, each with two expert speakers and a moderator offering their insights on a particular topic. The first panel focused on sexual harassment and stalking, with Ms Corinna Lim, President, Association of Women for Action and Research, and Asst. Prof. Goh Yihan, Faculty of Law, National University of Singapore (NUS), pointing

out the legislative limitations in addressing harassment – for example, the Women’s Chapter addresses domestic harassment only within the family context.

In the second panel, Ms Esther Ng, President and Founder, Coalition against Bullying for Children and Youth, and Ms Tan Bee Joo, Co-Director, Singapore Children’s Society, shared with the audience the work their organisations have been doing in managing and curbing bullying of children and youth.

Finally, the third panel addressed harassment in the online context. Both Mr Jonathan Yuen, Partner, Rajah & Tann LLP, and Prof. Tan Cheng Han, Chairman, Centre for Law & Business, Faculty of Law, NUS, focused on possible legal and non-legal remedies for victims of cyber-harassment.

The deliberations of the conference provided a sense of urgency and some new directions as to how harassment could be harnessed if not eliminated. First, the existing piecemeal approach of having disparate pieces of legislation is insufficient in addressing multi-faceted problems like cyber-bullying, harassment and stalking. Second, a unified anti-harassment law should not be too specific in its definition so as to keep pace with changing social realities and technological developments. Third, the law should be a last resort, not the first, and that non-legal remedies should be made available to the victims so they can seek quick and less costly solutions.

A refrain that ran throughout the conference was that despite potential limitations, the law continues to provide a signalling effect, reinforcing the boundaries of what constitutes acceptable and unacceptable behaviour in our society.

Please click [here](#) for a fuller report of the conference’s presentations and discussions.

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