

EXTERNAL

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MEDICAL CONCERN

Physician Participation in Corporal Punishment SINGAPORE

In 1991 Amnesty International highlighted the practice of caning in Singapore in a medical letter-writing action (*Singapore: Cruel punishment*. AI Index: ASA 36/03/91) and has continued to oppose caning in Singapore in its annual reports. Singapore law requires a medical officer to be present during caning. In response to continuing protests at canings the president of the Singapore Medical Association (SMA), Tan Kok Soo, recently defended the role of doctors as participants at corporal punishment.

Caning: Cruel Punishment

Caning with a rattan cane, as practised in Singapore, causes extreme pain and commonly results in laceration of the skin which may cause permanent scarring. The victim experiences psychological distress with possible long-term sequelae. Amnesty International considers caning to be a cruel, inhuman and degrading form of punishment, and as such prohibited by international human rights standards, including the Universal Declaration of Human Rights (article 5), the Convention against Torture (articles 2 and 3) and the International Covenant on Civil and Political Rights (article 7). The ethical position of physicians in relation to such punishment is clearly set out in the 1975 Tokyo Declaration of the World Medical Association: *'The doctor shall not countenance, condone or participate in the practice of torture or other forms of cruel, inhuman or degrading procedures, whatever the offence of which the victim of such procedures is suspected, accused or guilty ...'* (article 1).

Physician Participation

Section 231(1) of the Singapore Criminal Procedure Code states: 'The punishment of caning shall not be inflicted unless a medical officer is present and certifies that the offender is in a fit state of health to undergo such punishment.' Section 231(2) stipulates: 'If during the execution of a sentence of caning a medical officer certifies that the offender is not in a fit state to undergo the remainder of the sentence the caning shall be finally stopped.' According to a Singapore prisons department spokesman a doctor is present during caning and examines the offender both before and during the punishment to confirm his fitness to undergo the procedure.

The Singapore Medical Association

In response to a letter from Physicians for Human Rights (PHR), urging the SMA to object to medical participation at canings and to consider sanctions against doctors who are present during corporal punishment, the president of the SMA, Dr Tan Kok Soo, was reported in the Straits Times newspaper on 4 June to have said that the issue was not on the agenda of the SMA and that none of its members had brought it up. He was reported as saying that doctors who were present at canings were not violating medical ethics, and that, although he believed the role of a doctor was to relieve suffering, punishment of criminals was good for society and for the mental wellbeing of

their victims. Dr Tan suggested that PHR turn its attention to the role of doctors in executions in the United States.

Conclusion

Amnesty International believes that caning as practised in Singapore is a cruel, inhuman and degrading punishment and that medical participation in it is a violation of medical ethics. It agrees with Dr Tan that violations of human rights and medical ethics elsewhere in the world must be opposed and is actively working to oppose them, but does not believe that this lessens the obligation to speak out about such violations in Singapore. Amnesty International is calling on the Singapore Medical Association to object publicly to medical participation at canings and to amend the SMA code of ethics so that it condemns such participation.

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To: Medical professionals
From: Medical Office / Research Department - Asia
Date: 13 June 1994

MEDICAL LETTER WRITING ACTION

Physician Participation in Corporal Punishment
SINGAPORE

Keywords

Theme: Corporal punishment/flogging/medical association/medical ethics

Profession/association: Medical association.

Summary

The president of the Singapore Medical Association (SMA), Dr Tan Kok Soo, recently defended medical participation at canings, and said that the SMA does not plan to object to the legal requirement for doctors to be present at canings or to institute sanctions against doctors who participate.

Recommended Actions

Letters from medical professionals, preferably written in English or your own language, should be sent to the addresses below:

- # noting that caning with a rattan cane is a cruel, inhuman and degrading punishment and as such is prohibited by international human rights standards
- # noting that physician participation at such a punishment is a clear violation of medical ethics, as set out, for instance, in the Tokyo Declaration of the World Medical Association
- # acknowledging that violations of medical ethics occur elsewhere in the world but that these do not justify ethical violations in Singapore, pointing out that Amnesty International is actively campaigning against physician participation in executions in the US, and that Amnesty International opposes violations of human rights and medical ethics regardless of country.
- # calling on the Singapore Medical Association to condemn publicly the participation of doctors at canings as a violation of medical ethics and to incorporate this condemnation into its code of medical ethics.

Addresses

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