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#### Public Opinion On The Death Penalty In Singapore: Survey Findings

Chan Wing Cheong Tan Ern Ser Jack Lee Braema Mathi

lawcwc@nus.edu.sg soctanes@nus.edu.sg

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# PUBLIC OPINION ON THE DEATH PENALTY IN SINGAPORE: SURVEY FINDINGS

Chan Wing Cheong
Tan Ern Ser
Jack Lee
Braema Mathi

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About the authors
Chan Wing Cheong is an Associate Professor at the Faculty of Law, National University of Singapore.
<b>Tan Ern Ser</b> is an Associate Professor at the Department of Sociology, Faculty of Arts and Social Sciences, National University of Singapore.
Jack Lee was formerly an Assistant Professor at the School of Law, Singapore Management University.
Braema Mathi was the former President of MARUAH, a human rights NGO, in Singapore.

#### **PREFACE**

The genesis of this research project was a visit to Singapore by Roger Hood, Professor Emeritus of Criminology at Oxford University and joint author of *The Death Penalty: a Worldwide Perspective*, on 9 July 2013 where he gave a presentation on the public attitudes towards the death penalty in Malaysia. The report showed that there was in fact little public support for the mandatory death penalty in Malaysia – less than half favoured the mandatory death penalty and few would impose it on any of the scenarios involving capital offences that they were asked to judge.<sup>2</sup>

Several members of the research team were in the audience and the presentation got us thinking: if the level and strength of support for the death penalty in Malaysia – a country that is so similar in culture and its laws to Singapore – is so much lower than what it is commonly thought to be, could the same findings be made in Singapore?

Furthermore, if the level of public support is not as high as it is thought to be in Singapore, what would be its implications? That would certainly undercut one of the two rationales put forward by the Singapore Government to justify the death penalty's continued existence: public support and its effectiveness as a deterrent. We do not have much reliable data on the death penalty's effectiveness in Singapore or indeed, in any part of the world,<sup>3</sup> but the issue of public support is something that can be easily ascertained. Further questions for analysis even if there is public support are the strength of such support and whether it is held more or less strongly by different segments of the population in Singapore – aspects which the Singapore surveys have not examined so far.

Some portions of the research findings can be found in a journal article.<sup>4</sup> The complete results of the research project are presented in this report.

 $^3$  There is a large body of literature in the US on the absence of the death penalty's deterrent effect. In *Yong Vin Kong* v *PP* [2010] 3 SLR 489 at [118], the Singapore Court of Appeal noted the absence of such local research:

... although there is room for arguing that there is insufficient evidence that the MDP [mandatory death penalty] deters serious offences like murder, it can equally be said that there is insufficient evidence that the MDP does not have such a deterrent effect. Surveys and statistical studies on this issue in one country can never be conclusive where another country is concerned. The issue of whether the MDP has a deterrent effect is a question of policy and falls within the purview of Parliament rather than that of the courts.

Now see Franklin E Zimring, Jeffrey Fagan and David Johnson, "Executions, Deterrence, and Homicide: A Tale of Two Cities" (2010) 7(1) Journal of Empirical Legal Studies 1 which compares the homicide rates of Singapore (which practises the death penalty) and Hong Kong (which does not).

<sup>4</sup> Wing-Cheong Chan, Ern Ser Tan, Jack Tsen-Ta Lee and Braema Mathi, "How Strong is Public Support for the Death Penalty in Singapore?" *Asian Journal of Criminology* (forthcoming). There are some minor differences (≤1%) in the figures given in the journal article as compared to the ones in this report due to rounding up/down and recalculations. The figures contained in this final report are accurate.

<sup>&</sup>lt;sup>1</sup> Roger Hood and Carolyn Hoyle, *The Death Penalty: a Worldwide Perspective* (5th Edition, Oxford University Press, 2015).

<sup>&</sup>lt;sup>2</sup> Roger Hood, *The Death Penalty in Malaysia* (London: The Death Penalty Project, 2013).

#### **ACKNOWLEGEMENTS**

The public opinion survey in Singapore is based on an instrument designed by Roger Hood, Professor Emeritus of Criminology at Oxford University, and commissioned by The Death Penalty Project in London. We are grateful for permission given by Roger Hood and The Death Penalty Project to replicate the survey – with some changes to take into account the local context – in Singapore. This report largely follows Roger Hood's report on the Malaysian public opinion survey. We thank Roger Hood and the executive co-directors of The Death Penalty Project, Saul Lehrfreund and Parvais Jabbar, for their guidance and support throughout this project.

We are grateful to Michael Hor, Professor and Dean of the Faculty of Law, University of Hong Kong, who was encouraging and supportive of having a wide spectrum of members for the project team. Roger Hood and Michael Hor kindly agreed to be consultants to this project and they gave us many helpful suggestions on the wording of the survey and its subsequent analysis.

We are fortunate in being able to appoint Q Research Consulting, a market survey company, to translate and execute the fieldwork. We thank Lee Ming Hui and Jasmine Ong for their help in administering the survey and answering all our queries so efficiently.

This final report benefitted from the discussions we had with members of the audience at the public seminar held to release the survey results at the NUS Law Faculty on 9 December 2016. It was also subsequently presented at a forum organised by MARUAH on 27 May 2017. We thank all the academics, lawyers, legal officers, members of the civil society and the public who gave us their comments.

Last but not least, we would like to acknowledge the generous funding from NUS and the Ministry of Education's Academic Research Fund which enabled us to carry out this project (WBS Number R-241-000-140-112).

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<sup>&</sup>lt;sup>1</sup> Roger Hood, The Death Penalty in Malaysia (London: The Death Penalty Project, 2013).

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#### **SUMMARY OF FINDINGS**

A total of 1,500 Singaporeans aged between 18 to 74 years were interviewed face-to-face for the purposes of this survey. The results showed:

#### Interest and knowledge

The death penalty is not a subject that most respondents were interested in or felt that they were knowledgeable about:

- There were 2.5 times more respondents who said that they were "not interested or concerned at all" about the death penalty as compared to those who said that they were "very interested or concerned" about it.
- Most people (about 8 in 10 persons) rarely talked about the subject to others (at most once a year or not at all)
- There were 1.6 times more respondents who said they knew little or nothing about the death penalty as compared to those who said they knew at least something about it
- Only one-third could give an estimate of the number executed in the last 10 years which was "more or less" correct

#### Support for death penalty

Despite the apparent lack of interest and knowledge of the subject, most respondents claimed to be in support of the death penalty when asked about it. The support is, however, equivocal and nuanced:

- About 7 in 10 persons supported the use of the death penalty 'in general' (but fewer than 1 in 10 supported it strongly)
- However, a higher proportion (about 9 in 10 persons) supported the use of the death penalty when asked specifically about three types of capital offences: namely, intentional murder, drug trafficking (above certain amounts) and non-lethal discharge of a firearm when committing certain crimes (referred to hereafter as 'firearms offences')
- Those who supported the death penalty in general were more likely to be above 50 years-old, have at least a university degree, identify themselves as Taoist but did not consider themselves to be very religious, or were Chinese.
- However, less than half supported the *mandatory* death penalty for each of these three offences
- More than half in fact supported the discretionary death penalty for drug trafficking and firearms offences

- About one-quarter thought that there were too many executions in the last 10 years (based on their own estimates)
- When presented with scenarios containing factual circumstances of cases of intentional murder, drug trafficking, and firearms offences (all of which would have merited the mandatory death penalty under Singapore law), the level of support for the death penalty was in fact lower than what the respondents had claimed it to be:

#### Intentional murder scenarios

- Of the 6 scenarios (3 judged by half of the respondents and 3 judged by the other half), more than half of the respondents chose the death penalty in only 4 scenarios
- O The highest proportion (64.1%) was for a robbery murder by a man who had a criminal record for robbery
- o The lowest proportion (16.9%) was for murder committed by a woman who had been abused by her husband for many years
- O Support of the death penalty is therefore considerably less than the 92.2% who said they supported it for intentional murder

#### Drug trafficking scenarios

- o In none of the 4 scenarios (2 judged by half of the respondents and 2 judged by the other half) did more than half of the respondents choose the death penalty
- O The highest proportion (46.7%) was for smuggling 25 kilograms of heroin into Singapore on a boat by a man who had a previous conviction for drug possession
- o The lowest proportion (16.7%) was in the case of a woman smuggling 100 grams of heroin hidden in a suitcase. She was carrying the suitcase for a man she met on holiday as a favour
- O There is therefore little support for the death penalty in typical cases of drug trafficking brought before the courts, despite 86.9% of respondents having claimed that they supported it

#### Firearms offences scenarios

- O Half of the respondents judged one scenario and the other half judged the other scenario involving a firearms offence. Less than one-third of the respondents chose the death sentence in either scenario
- Only one-quarter chose the death sentence in the case involving an armed person with no previous convictions breaking into a house at night
- o Even where the burglar had a previous conviction for housebreaking and he shot and wounded the householder, only 31.4% chose the death sentence
- o Support for the death penalty in firearms offences is therefore also lower in reality despite the 88.8% who said they supported it

#### Support for mandatory death penalty

- Only 5% of respondents who claimed to support the mandatory death penalty chose death for all the scenarios that they were asked to judge
- o This is far lower than the 47.1% to 32.7% who said they supported the mandatory death penalty for intentional murder, drug trafficking and firearms offences

#### Support for death penalty in cases of passive participation

- O Respondents were presented with 2 scenarios concerning passive participation in crime. In the first scenario, a man stood by and watched while another killed the victim in a fight, but he could be said to have intended the victim's death as well by shouting encouragement. Only 8.8% thought that he deserved the death sentence
- O The second scenario involved a bank robbery where a man drove the robber, who he knew had a gun, to the bank. He was told that the gun would only be used to scare and not to injure anyone. Only 9.9% thought that the death sentence should be imposed
- O In both of these scenarios, the death sentence would have been mandatory under Singapore law

#### Reasons for supporting death penalty

Respondents who said they supported either the mandatory or discretionary death penalty were asked to identify the main reason for doing so:

- The most common main reason given by those who supported the mandatory death penalty for at least one of the three crimes was based on deterrence: 62.1% in the case of intentional murder, and 65.7% in drug trafficking and firearms offences
- A deterrence rationale was also used to justify retaining the death penalty despite a worldwide trend towards abolition of the death penalty
- For those who supported the discretionary death penalty, the most common main reason was because of the need to consider the individual circumstances of each offender: 57.8% in the case of intentional murder, 53.5% in drug trafficking, and 51.5% for firearms offences.

#### Proof of deterrence and innocence

The level of support for the death penalty is largely dependent on it being a uniquely effective deterrent and free from error in its administration:

- If the death penalty were not proven to be a better deterrent for murder, drug trafficking or firearms offences, between 38.4% and 49.4% of those who supported it would change their minds
- The shift in opinion was even greater if it was proved that innocent persons have sometimes been executed. Between 61.5% and 67.6% of those who supported the death penalty for at least one of the three crimes would change their minds

#### Preferred alternative measures for reducing crimes

Respondents were asked to rank a number of measures in respect of how effective they might be in reducing very violent crimes leading to death and in reducing trafficking in illegal drugs:

- In both situations, "better moral education of young people" was ranked first by about half of the respondents and "more effective policing" ranked first by about a quarter of the respondents
- "Greater number of executions" in both situations was ranked last by about threequarters of the respondents

#### Preferred alternative sentence to death penalty

The strength of support for the death penalty was tested by offering alternatives to it, namely life imprisonment (with or without possibility of release) or a determinate term of imprisonment:

- Respondents were asked if they would still support the death penalty if the Singapore Government were to replace it by a discretionary term of full life imprisonment (without possibility of release). Between 62.0% (for murder) and 49.1% (for drug trafficking) would still continue to support the death penalty
- If the death penalty were to be abolished completely for all crimes, most would support replacing it with life imprisonment without possibility of being released: 68.6% in the case of murder, 49.2% for drug trafficking, and 55.6% for firearms offences
- However, there was greater support for life imprisonment with possibility of release when respondents were given factual scenarios to judge

#### Global trends

Respondents were told of the worldwide trends towards complete abolition of the death penalty as well as the mandatory aspect of it even among countries which retain the death penalty. They were asked if they thought Singapore should follow these trends:

- 71.1% thought that Singapore should not follow other countries towards universal abolition. This is however considerably lower than the proportion who had said they favoured the death penalty for specific crimes: ranging from 92.2% for intentional murder to 86.9% for drug trafficking
- Although 66.2% of those who favoured the mandatory death penalty for at least one of the crimes thought that Singapore should keep it that way, it should be remembered that 39.6% of the total sample was already opposed to the mandatory death penalty. So, the proportion of the total sample which would support maintaining the mandatory death penalty when told of the global trend was only 39.9%

#### **Implications**

The findings of this survey show that while a majority of the public is in favour of the death penalty when the question is asked in general terms, it is certainly not an opinion that is held strongly or unconditionally. When asked to choose between measures which respondents thought would be most effective in reducing violent crimes leading to death and illegal drug trafficking, about three-quarters ranked "greater number of executions" last. Furthermore, if there was evidence that innocent persons had been executed, support for capital punishments dropped dramatically by more than 60%. It would therefore be misleading to say, without qualifications, that there is public support for the death penalty in Singapore.

Furthermore, the mandatory death penalty has weak support. Only about one-third of the respondents were in favour of the mandatory death penalty for drug trafficking and firearms offences. When given realistic scenarios and asked what sentence would be appropriate, only 5% of those who said they favoured the mandatory death penalty chose death in all the scenarios they judged. For those who participated in a capital offence, but did not kill the victim, less than 1 in 10 thought that the death penalty was deserved when the mandatory death sentence would have resulted in such cases under Singapore law. It can therefore be surmised that a majority actually favour giving judges the discretion to determine the appropriate sentence according to the circumstances of each case.

It is sincerely hoped that the findings of this survey will inform future discussions about the death penalty and possible sentencing reforms in Singapore. It also forms a baseline which can be used to assess possible shifts in public opinion in Singapore in the future.

### CHAPTER 1: INTRODUCTION

#### **Background**

2012 was a watershed year in which the Singapore Government changed the law to allow judges the discretion to impose life imprisonment instead of the death penalty for non-intentional murder and in certain situations of drug trafficking where the mandatory death sentence would have applied before. This signalled a willingness to re-examine its hitherto policy of mandatory death sentences for such crimes and to use better means to differentiate offenders in terms of individual culpability. This stance was confirmed in 2017 when Singapore's Minister for Law and Home Affairs, K Shanmugam, said in Parliament:

... no Government glorifies in having the death penalty or imposing it on anyone. ... We are not dogmatic about this. We listen to arguments. We listen to people. We will listen to anyone with a good point of view, and we will make up our mind.

On the international front, there has been a global trend towards the abolition of the death penalty in many parts of the world. A moratorium on the death penalty had been approved by the UN General Assembly six times since 2007,<sup>3</sup> and both the current and the former UN Secretary-Generals António Guterres and Ban Ki-Moon have repeatedly called on all Member States to abolish the practice.<sup>4</sup> The latter in particular said that:<sup>5</sup>

The right to life is the foundation of all human rights. The taking of life is irreversible, and goes against our fundamental belief in the dignity and worth of every human being. ... There is no place for the death penalty in the 21<sup>st</sup> century.

At the end of 2016, 104 countries have abolished the death penalty in law for all crimes. Twenty years ago, in 1997, only 64 countries had done so. If we include the countries that have abolished

<sup>&</sup>lt;sup>1</sup> Amendments were made via Penal Code (Amendment) Act 2012 (Act 32 of 2012) and Misuse of Drugs (Amendment) Act 2012 (Act 30 of 2012). The relevant provisions came into effect on 1 January 2013. Even persons who had been sentenced to the mandatory death sentence under the previous law could have their cases "resentenced" under the new law. See Wing-Cheong Chan, "The Death Penalty in Singapore: in Decline but Still Too Soon for Optimism" (2016) 11(3) Asian Journal of Criminology 179.

<sup>&</sup>lt;sup>2</sup> K Shanmugam, "Parliamentary debate on the motion 'strengthening Singapore's fight against drugs" (5 April 2017), para [70], available at http://www.mha.gov.sg.

<sup>&</sup>lt;sup>3</sup> The most recent General Assembly Resolution, A/RES/71/187, was passed on 19 December 2016 with 117 votes in favour, 40 against, 31 abstentions and 5 absent. Although the number of countries that opposed the resolution declined steadily each time, Singapore has consistently voted against the resolutions.

<sup>&</sup>lt;sup>4</sup> http://www.un.org/apps/news/story.asp?NewsID=57848 and

http://www.un.org/apps/news/story.asp?NewsID=48192.

<sup>&</sup>lt;sup>5</sup> Death Penalty and the Victims (Ivan Šimonović, ed) (United Nations, 2016), p.7.

the death penalty in practice, a total of 141 countries – or about 70% of the countries in the world – have abolished the death penalty in law or in practice.<sup>6</sup>

Furthermore, the use of the death penalty in Singapore has actually fallen to very low numbers. In 2014 to 2016, there were between 2 to 4 executions a year as compared to 76, the highest number in Singapore's history, recorded in 1994.<sup>7</sup> There were in fact no executions at all in 2010, 2012 and 2013.<sup>18</sup> This has led to speculation by some commentators that Singapore may be moving with the global trend towards greater restrictions on the use of the death penalty and its eventual disuse.<sup>9</sup>

In contrast, the Singapore Government's public stance is that the death penalty ought to continue and that it enjoys broad support amongst Singaporeans. In 2016, Foreign Minister Vivian Balakrishnan said that "there are very high levels of support on the part of our people for the death penalty to remain on our books". <sup>10</sup> In 2007, the then Deputy Prime Minister Professor S Jayakumar said, "the death penalty is the will of the majority". <sup>11</sup> This belief in public support extends to members of the Singapore Court of Appeal, the nation's highest court. <sup>12</sup> However, until the present survey there did not exist any accurate and systematic data on the level of public support for the death penalty in Singapore. The few small-scale surveys reported in the media (which can be criticised for not adopting a rigorous methodology) include:

<sup>&</sup>lt;sup>6</sup> Death Sentences and Executions 2016 (Amnesty International, 2017). However, countries in Asia may be outliers in that China, Iran, Vietnam, Pakistan and Saudi Arabia are believed to be the top 5 countries with the most executions between 2013 to 2016 while others such as Indonesia and India (for terrorist offences) have re-started executions after brief suspensions on its use.

<sup>&</sup>lt;sup>7</sup> See the *Singapore Prison Service Annual Statistics* Release, available at http://www.sps.gov.sg/, and Wing-Cheong Chan, "The Death Penalty in Singapore: in Decline but Still Too Soon for Optimism" (2016) 11(3) Asian Journal of Criminology 179.

<sup>&</sup>lt;sup>8</sup> A moratorium on executions was applied when the death penalty was reviewed by the Government in 2011 such that there were no executions in 2012 and 2013. The lack of executions in 2010 is anecdotally due to the constitutional challenge of the mandatory death penalty brought in the case of *Yong V vii Kong v PP* [2010] 3 SLR 489.

<sup>&</sup>lt;sup>9</sup> Michael Hor, "Singapore's death penalty: the beginning of the end?" in Roger Hood and Surya Deva (eds), *Confronting capital punishment in Asia: human rights, politics and public opinion* (Oxford University Press, 2014); Andrew Novak, "The future of the mandatory death penalty in Malaysia and Singapore" (2014) 1 The Indonesian Journal of International and Comparative Law 303.

<sup>&</sup>lt;sup>10</sup> Intervention at the High-Level Side Event at the UN General Assembly, "Moving Away from the Death Penalty: Victims and the Death Penalty", on 21 September 2016, para [7]. Transcript available at https://www.mfa.gov.sg/content/mfa/media\_centre/press\_room/pr/2016/201609/press\_20160922.html. Note that Minister Balakrishnan concluded by saying "we do not take this support for granted and from time to time, we will continue to review our legislation and make changes according to our circumstances".

<sup>&</sup>lt;sup>11</sup> "The meaning and importance of the Rule of Law", keynote address at the International Bar Association Rule of Law Symposium on 19 October 2007, para [25]. Transcript available at https://www.mlaw.gov.sg/news/speeches/keynote-address-by-dpm-prof-s-jayakumar-at-the-iba-rule-of-law-symposium.html.

<sup>&</sup>lt;sup>12</sup> In Chew Seow Leng v PP [2005] SGCA 11 at [40], the Singapore Court of Appeal said:

The mandatory death penalty imposed under the [Misuse of Drugs Act] reflects our society's abhorrence of drug trafficking, and counsel presented nothing before this court to show that society's views have changed on this issue. . . .

- A survey by REACH conducted in 2016 on 1,160 randomly selected Singapore residents aged 15 and above via a computer-assisted telephone interview.<sup>13</sup> It found that 80% of respondents felt that the death penalty should be retained. But only 57% supported the death penalty outright and 23% said "it depends", while 13% were opposed to it. No information was given as to the profile of the respondents, methodology or the survey questions.
- A survey in 2013 by the National Council Against Drug Abuse of 2,075 youths aged between 13 and 21 years-old found that between 70.4% and 82.6% agreed with the statement, "The death penalty is appropriate for drug trafficking". <sup>114</sup> No information was given on the survey methodology and how the drugs legislation in Singapore and its sentencing regime was explained to the respondents.
- Minister for Law K Shanmugam was quoted in 2012 saying that "our internal surveys show that 70 percent of Singaporeans favour the death penalty". <sup>15</sup> No information was given as to the profile of the respondents, methodology or the survey questions.
- A 2006 survey by a local newspaper found that "96% of S'poreans back the death penalty" from a survey of 425 respondents aged 20 years and older. The profile of the respondents, methodology or the survey questions was also not given. The survey was in fact carried out 3 weeks after the hanging of Australian, Nguyen Tuong Van, who was convicted of drug trafficking in Singapore. This episode caused some friction between Singapore and Australia at the time.

These earlier studies are also incomplete in that they sought to assess support for the death penalty in the abstract only. The present study additionally assesses whether the support changes if alternative sentencing options are offered and by posing the question in relation to different offence scenarios and offender characteristics. Reasons for support for the death penalty are also elicited and any differences in support between the diverse communities in Singapore noted.

<sup>&</sup>lt;sup>13</sup> REACH, "Findings of Poll on Attitudes towards the Death Penalty" (6 October 2016), available online at https://www.reach.gov.sg.

<sup>&</sup>lt;sup>14</sup> National Council Against Drug Abuse, *Youth Perception Survey 2013*, available online at https://www.ncada.org.sg/what-we-know/youth-perception-survey-2013.

<sup>&</sup>lt;sup>15</sup> Jeremy Au Yong, "Death penalty change not based on winning votes: Shanmugam", *The Straits Times*, 4 August 2012

<sup>&</sup>lt;sup>16</sup> Lydia Lim and Jeremy Au Yong, "96% of S'poreans back the death penalty", The Sunday Times, 12 February 2006.

#### Methodology

The public opinion survey used was designed by Roger Hood, Professor Emeritus of Criminology at Oxford University, and had been successfully implemented in Trinidad (2010)<sup>17</sup> and in Malaysia (2012).<sup>18</sup> Some refinements were made to the instrument to take into account the local context.

The survey was translated into the other three official languages of Singapore, Chinese, Malay and Tamil, by Q Research Consulting, which was appointed to administer the survey. A pilot survey involving 30 respondents was carried out in March 2016 to gauge the response to the survey, assess if there were difficulties in answering any of the questions, and obtain general feedback. Some survey questions were subsequently modified in view of the feedback.

The fieldwork of the survey was carried out between April and May 2016 on 1,500 Singaporeans aged between 18 to 74 years-old in face-to-face interviews. Only Singaporeans were selected as it was felt that they rightly have the greatest interest in how the country's laws should be framed.

The respondents were part of a sample of residential addresses purchased from the Singapore Department of Statistics which generates a random list of addresses representative of the national distribution of dwelling types, thereby capturing the different population groups in Singapore. The "next birthday" method was used in selecting the person in the household to be surveyed. For this study, a conscious effort was made to over-sample Malays and Indians in order to ensure that there would be sufficient cases in these ethnic groups for analysis. The demographic breakdown of the respondents can be found in Appendix 1. The final results were weighted to mirror Singapore's general population.

All the completed surveys from each interviewer were randomly checked and at least 20% validated by Q Research Consulting. The required consent form was signed by each respondent before proceeding with the survey. Q Research Consulting reported its fieldwork to the authors on a weekly basis. The survey was approved by the NUS Institutional Review Board.<sup>19</sup> A response rate of 74% was achieved for this survey.

The survey questions can be found in Appendices 2 and 3.

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<sup>&</sup>lt;sup>17</sup> Roger Hood and Florence Seemungal, *Public Opinion Survey on the Mandatory Death Penalty in Trinidad* (2011), available online at http://www.deathpenaltyproject.org/legal-resources/research-publications/death-penalty-survey-trinidad/

<sup>&</sup>lt;sup>18</sup> Roger Hood, The Death Penalty in Malaysia (London: The Death Penalty Project, 2013).

<sup>&</sup>lt;sup>19</sup> Approval Number: NUS 2672; Reference Code: A-15-178.

## CHAPTER 2: INTREST, KNOWLEDGE, AND GENERAL SUPPORT FOR DEATH PENALTY

#### Interest or concern about death penalty

Table 2.1 shows the proportion of respondents who are interested or concerned about the death penalty. Although almost the same percentage of respondents (49%:51%) were interested or concerned with the death penalty as compared to those who were not interested or concerned, but there were 2.5 times more respondents who were "not interested or concerned at all" with the death penalty as compared to those who were "very interested or concerned".

Table 2.1: Interest or concern about death penalty in Singapore

Level of interest	Percent
Very interested or concerned	4.5
Interested or concerned	44.5
Not very interested or concerned	39.7
Not interested or concerned at all	11.3
Total: high interest or concern	49.0
Total: low interest or concern	51.0

#### Talking to others about death penalty

The level of interest or concern in the death penalty was also reflected in the extent to which it is a topic of conversations with others. Table 2.2 shows that 86.4% of Singaporeans do not talk with others about the death penalty at all or only talk about it occasionally.

Table 2.2: Talking to others about death penalty

Frequency of discussion	Percent
Many times a year	1.1
Several times a year	12.6
At most once a year	32.4
Never talk about it	54.0
Total: high frequency	13.7
Total: low frequency	86.4

#### Knowledge about death penalty

The proportion of respondents who claimed to have some knowledge about the use of the death penalty in Singapore is 38% (see Table 2.3). This figure is lower than the proportion of those who expressed high interest or concern in the death penalty, but more than those who said they talked with others about it at least several times a year.

Table 2.3: Knowledge about use of death penalty in Singapore

Level of knowledge	Percent
Know a great deal	2.5
Know something about it	35.5
Know little about it	50.7
Know nothing about it	11.3
Total: high knowledge	38.0
Total: low knowledge	62.0

The lack of knowledge about the death penalty was also reflected in answer to the question whether the death penalty was the only available sentence for those convicted of murder, drug trafficking and firearms offences. While there have been legal reforms with respect to murder and drug trafficking such that the judge can choose to sentence a person to life imprisonment instead of death in certain circumstances in these two offences, it is still the mandatory sentence for discharging a firearm while committing certain offences, even if no injury had been caused. Only one-third of the respondents thought that the death sentence was mandatory for such firearms offences (see Table 2.4).

Table 2.4: Is death the only sentence a judge can impose?

Offence	Only sentence (%)	Not the only sentence (%)
Murder (including non-intentional murder)	26.4	73.6
Drug trafficking above specified amounts	33.9	66.1
Firearms offence	33.8	66.2

#### Estimate of numbers executed in last 10 years

We asked the respondents to estimate the number of persons executed in Singapore in the last 10 years (i.e. between 2006 to 2015) for murder, drug trafficking and for discharging a firearm while committing certain offences. This serves to check if their claim to possess interest or knowledge about the use of the death penalty in Singapore is objectively verifiable. The correct answers are 13 for murder, 16 for drug trafficking and 3 for firearm offences. An answer is considered "more or less correct" if it is within 50% either way of the correct figure (i.e. between 7 to 19 for murder, 8 to 24 for drug trafficking, and between 2 to 4 for firearms offences). Only a minority could give a figure within this range (see Table 2.5). Overall, only 37.0% of the respondents gave a figure which was "more or less correct" for any of these crimes.

Table 2.5: Estimate of executions in last 10 years

Estimate of executions	Murder (%)	Drug trafficking (%)	Firearm offences (%)	
More than 50% above the actual number	38.2	34.3	39.4	
More or less correct	27.8	39.4	22.2	
More than 50% below the actual number	29.1	26.3	38.4	

#### Opinion on number of executions estimated in last 10 years

Based on the number of executions estimated by the respondent, we asked whether he or she thought that that number was "too few", "too many" or "just about right". Slightly more than half thought that this was about the right number, but more importantly, only 8.1% thought that the number was too low (see Table 2.6).

Table 2.6: Opinion on number of executions estimated in last 10 years

Opinion	Percent
Too many	26.3
About the right number	57.9
Too few	8.1
Don't know	7.7

#### Support in general for death penalty

The respondents were posed a general question of whether they favoured or opposed the use of the death penalty. Table 2.7 shows that while 71.9% of the respondents support the death penalty, only 8.7% indicated strong support for it. The overall figure of 71.9% is similar to some of the previous surveys conducted in Singapore which were interpreted to show *strong* support of the death penalty when the question is posed in the abstract.<sup>1</sup>

Table 2.7: Support in general for death penalty

Support	Percent	
Strongly in favour	8.7	
In favour	63.2	
Oppose	22.7	
Strongly oppose	2.8	
Not sure	2.6	
Total: in favour	71.9	
Total: oppose	25.5	

#### Correlates of support

There is no statistically significant relationship between support/non-support for the death penalty and interest in the topic (see Table 2.8). However, those who talk about the death penalty with others at least several times a year are more likely to oppose the death penalty, while those

<sup>&</sup>lt;sup>1</sup> See for example, the survey conducted by REACH, "Findings of Poll on Attitudes towards the Death Penalty" (6 October 2016), which found that 80% of the respondents supported the death penalty.

who claim at least some knowledge about the use of the death penalty in Singapore are more likely to support the death penalty (see Tables 2.9 and 2.10). Not surprisingly, those who thought that the number of executions was "about the right number" or "too few" were also more likely to support the death penalty (see Table 2.11).

Table 2.8: Support for death penalty by level of interest

Support	Low interest (%)	High interest (%)
Strongly in favour	8.6	8.7
In favour	63.2	63.2
Oppose	23.1	22.3
Strongly oppose	2.0	3.8
I am not sure	3.1	2.0

p = 0.177 (not significant)

Table 2.9: Support for death penalty by frequency of discussion

Support	Low frequency (%)	High frequency (%)
Strongly in favour	8.8	7.8
In favour	63.3	62.7
Oppose	22.9	21.6
Strongly oppose	2.2	6.9
I am not sure	2.9	1.0

p = 0.002 (significant)

Table 2.10: Support for death penalty by level of knowledge

Support	Low knowledge (%)	High knowledge (%)
Strongly in favour	7.0	11.2
In favour	62.0	65.2
Oppose	25.5	18.3
Strongly oppose	2.7	3.0
I am not sure	2.8	2.3

p = 0.002 (significant)

Table 2.11: Support for death penalty by opinion on number of executions in last 10 years

Support	Too few (%)	About the right number (%)	Too many (%)	Don't know (%)
Strongly in favour	12.3	10.2	3.8	9.6
In favour	61.5	70.7	51.8	47.8
Oppose	18.9	16.8	36.5	24.3
Strongly oppose	4.1	1.0	6.1	3.5
I am not sure	3.3	1.3	1.8	14.8

p = 0.00 (significant)

#### CHAPTER 3: SUPPORT FOR DEATH PENALTY IN SPECIFIC OFFENCES

Although there are more than 20 offences in Singapore which carry the death penalty, it is used for basically three types of offences only: murder, drug trafficking, and non-lethal discharge of a firearm while committing certain offences. For the period 1991 to 2016, those executed for murder accounted for 26.6% of the total, drug trafficking 71.5%, and firearms offences 1.9%.

It was explained to the respondents that under Singapore law, persons convicted of intentional murder, most types of drug trafficking, and discharging of a firearm while committing certain offences would receive in a mandatory death sentence. A mandatory sentence means that a judge is unable to take into account the circumstances in which the crime took place or of the personal characteristics of the convicted person; the judge will have no choice to impose any other sentence.

The respondents were told that murder can be committed when death is caused with different "states of mind". However, the mandatory death sentence applies only in the case of intentional killing in Singapore. In other forms of murder, such as acting with an intention to cause an injury which is very likely to cause death, or with knowledge that death is very likely to happen, the judge has a choice to impose the death penalty or life imprisonment. Unless told otherwise, the respondents were to assume that the questions on murder in the survey related to intentional killing.

With regard to drug trafficking, it was explained that under Singapore law a person who is found in possession of certain quantities of illegal drugs will be presumed to be trafficking in them unless the defence proves otherwise. The more harmful the drug is considered to be, the smaller the amount of it being possessed/trafficked will lead to the death penalty being imposed. It was further explained that the judge only has a choice not to impose the death penalty for drug trafficking (if the quantity of drug involved is above the stipulated amount) in two very limited situations:

(i) If he or she is a courier who has only transported the drug and played no further role *and* has substantively assisted the Central Narcotics Bureau in disrupting drug trafficking activities in Singapore or elsewhere; and

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<sup>&</sup>lt;sup>1</sup> Wing-Cheong Chan, "The Death Penalty in Singapore: in Decline but Still Too Soon for Optimism" (2016) 11(3) *Asian Journal of Criminology* 179.

(ii) If he or she is a courier who has only transported the drug and played no further role *and* is shown to be suffering from a mental condition that diminishes his or her responsibility.

The respondents were told that unless they were directed otherwise, they are to assume that these two limited situations do not apply in the questions that they will be asked. In other words, they would be asked for their opinion about drug trafficking situations where the death penalty would be mandatory.

In terms of firearms offences, it was explained that no one needs to have been killed or injured. If a killing took place, it could be the offence of murder. In firearms offences, it would be a mandatory death sentence where a firearm has been discharged while committing offences such as housebreaking, robbery, extortion or kidnapping, whether or not any injury was caused.

#### Support for death penalty in 3 capital offences

There was greater support for the death penalty when the 3 capital offences were mentioned (see Table 3.1)<sup>2</sup> as compared to when the respondent was asked in general (see Table 2.7).

Offence Support for the Support for mandatory Support for death penalty death penalty (strong discretionary death (%) support in brackets) (%) penalty (%) Intentional murder 92.2 47.1 (33.4) 45.1 Drug trafficking 86.9 54.2 32.7 (22.2) 52.5 Firearms offences 88.8 36.3 (27.8)

Table 3.1: Support for death penalty in 3 capital offences

The highest support was in the case of intentional murder, with an almost even split between support for the mandatory and discretionary death sentence for this offence. However, for drug trafficking<sup>3</sup> and firearms offences, there was a clear majority in favour of the death penalty being discretionary (i.e. the judge given a choice whether to impose the death penalty or not according to the circumstances of the case). Between the two offences, the proportion in favour of the

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<sup>&</sup>lt;sup>2</sup> Those who are against the death penalty for that crime and those who did not give a response have been excluded from the table.

<sup>&</sup>lt;sup>3</sup> Although the survey posed questions relating to the specific drug involved (heroin, cocaine, methamphetamine, cannabis and opium), the difference in responses were very minor (≤ 1%). Unless stated otherwise, the results reported for "drug trafficking offences" are taken from responses to persons convicted of trafficking 15g or more of heroin.

mandatory death penalty – and also give it strong support – is slightly more for firearms offences than for drug trafficking offences.

#### Reasons for supporting mandatory or discretionary death penalty

Respondents who chose the mandatory death sentence were asked to rank the following reasons why they support making it mandatory rather than to give the discretion to the judge to decide whether it is deserved after considering all the circumstances of the case. The reasons given were:

- (i) To have a sufficiently powerful deterrent to these crimes: Unless the punishment is certain, with no exceptions, it will not be a sufficiently powerful deterrent.
- (ii) Everyone found guilty of one of these crimes deserves to die: There can be no excuses for committing murder/drug trafficking/using firearms while committing a crime.
- (iii) Everyone convicted of one of these crimes should be treated the same otherwise it will be unfair: Judges vary too much in how they treat similar cases.
- (iv) Relatives of people affected by one of these crimes can receive satisfaction: This is the only way to make sure that all people who have had a close relative affected by murder/drug trafficking/using firearms while committing a crime can receive satisfaction.

It can be seen from Table 3.2 that deterrence was the most important reason for choosing the mandatory death penalty for all 3 capital offences, particularly for drug trafficking and firearms offences. The other reasons (retribution, ensuring equal treatment, and assuaging victims'/relatives' needs) were seen as far less important.

Table 3.2: Main (first ranked) reason for supporting mandatory death penalty

Main reason	Intentional murder (%)	Drug trafficking offences (%)	Firearms offences (%)
To have a sufficiently powerful deterrent	62.1	65.7	65.7
Everyone found guilty deserves to die	20.3	17.2	18.8
Judges vary too much, everyone to be treated equally	15.0	15.8	13.1
Only way to satisfy victims/relatives	7.0	5.5	6.3

Respondents who said that they were in favour of a discretionary death penalty for at least one of the 3 capital offences were asked to rank the following reasons:

- (i) Circumstances differ and people differ: Not everyone who commits one of these crimes deserves to die. Mitigating circumstances should always be taken into account.
- (ii) Some people who commit one of these crimes may deserve another chance, they can be rehabilitated. The death penalty should be reserved only for those who could never be rehabilitated.
- (iii) The death penalty should be reserved only for those who have committed the most heinous forms of these crimes.

Table 3.2 shows that among those who support the discretionary death penalty, the main reason for doing so is the belief that mitigating circumstances should always be taken into account.

Table 3.3: Main (first ranked) reason for supporting the discretionary death penalty

Main reason	Intentional murder (%)	Drug trafficking offences (%)	Firearms offences (%)
Circumstances differ and people differ	57.8	53.5	51.5
Some people may deserve a second chance	19.6	27.4	22.7
The death penalty should be reserved for the most heinous forms of these crimes	27.1	23.2	31.0

## CHAPTER 4: PROOF OF DETERRENCE, INNOCENCE, AND GLOBAL TRENDS

#### Proof of deterrence and innocence

Considering that the two most common reasons used to justify the death penalty is the belief in its effectiveness as a deterrent form of punishment, and that it reflects the culpability of the offender, respondents who chose the death penalty for at least one of the 3 capital offences were asked the following questions:

- (i) Suppose that new scientific evidence proved that the death penalty was not a better deterrent than life or very long imprisonment for murder, drug trafficking or firearms offences. Would you then still favour the use of the death penalty or change your mind?
- (ii) Suppose it was proved to your satisfaction that innocent people have in fact sometimes been executed. Would you then still favour the use of the death penalty for murder, drug trafficking or firearms offences or change your mind?

Table 4.1 shows the respondents' answer to the first question, and table 4.2 shows the answer to the second question.

It should be noted that the figures reported in Table 4.1 are from those who had indicated support for the death penalty. So even though a majority would still support the death penalty when given the information, between 38.4% to 49.9% changed their minds. Furthermore, a sizeable minority of between 35.5% to 47.2% of those who had supported the death penalty would now oppose it if it were no longer an effective deterrent.

If we consider that some of the respondents are already against the death penalty in each of these 3 offences, those who would favour retaining the death penalty in the light that it is not uniquely effective is even smaller. Only 56.8% of the total sample would do so in the case of intentional murder, 44.2% for drug trafficking, and 48.0% for firearms offences.

Table 4.1: Support for death penalty by those in favour of it even if not proven a better deterrent

Support	Intentional murder (%)	Drug trafficking offences (%)	Firearms offences (%)
Would still favour it	61.6	50.1	54.0
Would then oppose it	35.5	47.2	43.1
Don't know/Don't have an opinion	2.9	2.7	2.9

The shift in support for the death penalty is even more dramatic if innocent persons have sometimes been executed (see Table 4.2). Only a minority of between 32.4% and 38.5% of those who indicated support for the death penalty for at least one of the 3 offences would continue to support it and most (between 61.5% and 67.6%) had changed their minds.

Similarly, if we consider that some of the respondents were already against the death penalty, there were even fewer who would still favour the death penalty if innocent persons have been executed. Only 35.5% of the total sample would support it for intentional murder, 28.5% for drug trafficking offences, and 31.7% for firearms offences.

Table 4.2: Support for death penalty by those in favour of it even if innocent persons have been executed

Support	Intentional murder (%)	Drug trafficking offences (%)	Firearms offences (%)
Would still favour it	38.5	32.4	35.7
Would then oppose it	58.1	64.5	60.8
Don't know/Don't have an opinion	3.4	3.1	3.5

The results from these two questions show that the support for the death penalty is largely dependent on proof of its unique effectiveness and freedom from error in its administration.

#### Global trends

The respondents were asked 2 questions relating to global trends to abolish the use of the death penalty. First, all the respondents were told that about 100 countries have now abolished the death penalty for all crimes, and that more are doing it every year. They were asked whether Singapore should aim to follow this practice and abolish the death penalty. If the answer was

"no", they were asked to give a reason why this should be the case. A total of 71.1% of respondents said that Singapore should not follow the global trend, while 24.6% said that Singapore should do so (see Table 4.3). The proportion who still favoured the death penalty is however considerably lower than the proportion who said they were in favour of it for specific offences: 92.2% for intentional murder, 86.9% for drug trafficking, and 88.8% for firearms offences (see Table 3.1).

The most common rationale given for retaining the death penalty in Singapore was based on deterrence (64.4%), followed by retribution (17.2%) and state sovereignty (9.4%) (see Table 4.4).

Table 4.3: Should Singapore follow global trend to abolish death penalty?

What Singapore should do	Percentage
Singapore should keep death penalty	71.1
Singapore should abolish death penalty	24.6
Don't know	3.7

Table 4.4: Reasons for supporting retention of death penalty

Reason	Percentage
As a deterrent to keep Singapore safe / deter repeat offending	64.4
Required for heinous crimes / Life for life	17.2
Stick to our own rules which have worked well	9.4
Physical, social or cultural situation in Singapore is different	6.4
Lack of resources for alternative punishments	1.6
Provide fairness and justice to the relatives	0.4
No misuse of death penalty in Singapore	0.4
Religious beliefs	0.1

For respondents who support the mandatory death penalty for at least one of the three offences (n=896), they were told that most countries that still have the death penalty have abolished the mandatory aspect of it, leaving the decision whether to impose it for the worst cases to the judge. They were asked whether Singapore should follow the other countries and abolish the mandatory imposition of the death penalty. A total of 66.2% said that Singapore should keep the mandatory death penalty as it is, while 30.9% said that Singapore should follow the lead of the other countries (see Table 4.5). However, it should be noted that 39.6% of the total number of

respondents were already either against the death penalty or favoured the death penalty being discretionary. Hence, those who would still prefer keeping the mandatory death penalty as it is in view of the global trend only comprised 39.9% of the total number of respondents.

Table 4.5: Should Singapore follow global trend to abolish the mandatory death penalty?

What Singapore should do	Percentage
Singapore should keep mandatory death penalty	66.2
Singapore should abolish mandatory death penalty	30.9
Don't know	3.0

<sup>\*</sup>N = 896 for this question

Although a majority responded to both questions that Singapore should not follow global trends with regard to the death penalty, it should be noted that the death penalty for intentional murder, drug trafficking and firearms offences have existed for a long time in Singapore. It is perhaps surprising that the figure is not *higher* than it is considering that most of the respondents would have grown up knowing only this system of punishment for these offences in Singapore.

<sup>&</sup>lt;sup>1</sup> See Wing-Cheong Chan, "The Death Penalty in Singapore: in Decline but Still Too Soon for Optimism" (2016) 11(3) *Asian Journal of Criminology* 179.

# CHAPTER 5: PREFERRED ALTERNATIVE MEASURES AND SENTENCES

#### Preferred measures for reducing crimes

The respondents were given a list of measures to rank in terms of effectiveness to reduce violent crimes leading to death in Singapore. The results are given in Table 5.1 with the percentage of respondents ranking each measure first and last.

Table 5.1: Preferred measures for reducing violent crimes leading to death

Measures	Ranked first (%)	Ranked last (%)
Better moral education of young people	56.2	7.1
More effective policing to bring criminals to justice and make punishment more certain	27.1	4.0
More effective policies to control the trade in drugs	6.0	5.6
More effective policies to control the possession of firearms	5.2	9.3
Greater number of executions of murderers	4.9	74.8

The respondents were asked to do the same for measures which they thought were most likely to reduce the amount of trafficking in illegal drugs in Singapore (see Table 5.2).

Table 5.2: Preferred measures for reducing illegal drug trafficking

Measures	Ranked first (%)	Ranked last (%)
Better moral education of young people to reduce the demand for drugs	52.4	9.8
More effective policing to bring the leading drug dealers to justice	23.9	6.6
More effective border controls to reduce the trade in drugs	17.0	6.3
Greater number of executions of people caught trafficking in illegal drugs	6.3	77.9

A strong preference for better moral education rather than more executions can be seen in both cases where more than half of the respondents ranked the former first in effectiveness. The results show that the use of executions is not regarded as a highly effective measure in dealing with intentional murder or drug trafficking in Singapore.

#### Support for death penalty if it is replaced with life imprisonment

The alternative punishment of life imprisonment without the possibility of being released, or in other words, imprisonment for the duration of the natural life of the prisoner, is used to assess how strongly held is the desire for the death penalty. Respondents who were in favour of the death penalty in general (n = 1079) were asked if they would still continue to support it if the Singapore Government proposed to replace it with a discretionary maximum term of life imprisonment without the possibility of ever being released, which can be imposed according to the circumstances of the case. The support for the alternative form of punishment is stronger in drug trafficking and firearms offences than for murder (see Table 5.3).

Table 5.3: Support for replacement of death penalty with life imprisonment without possibility of release

Support	Murder	Drug trafficking (%)	Firearms offences (%)
Still strongly support death penalty	16.8	11.7	11.9
Still prefer death penalty	45.2	37.4	38.6
Would then be content with the alternative	28.6	38.9	37.4
Would then strongly support the alternative	5.2	7.4	7.5

<sup>\*</sup>N = 1079 for this question

#### Preferred alternative sentence if death penalty is abolished

Respondents were asked what they would prefer the maximum sentence to be if the death penalty were to be abolished for all crimes in Singapore and discretion given to the judge to impose the appropriate sentence. A majority would prefer replacing the death penalty with what is perceived to be the next most severe punishment: life imprisonment without the possibility of ever being released (see Table 5.4).

However, when asked to judge actual scenarios, it can be seen from Figures 7.1, 7.2 and 7.3 that the respondents were more likely to favour life imprisonment *with the possibility of release* if they had not chosen the death penalty.

Table 5.4: Preferred sentence if death penalty is abolished

Preferred sentence	Murder (%)	Drug trafficking (%)	Firearms offences (%)
Life imprisonment without the possibility of ever being released	68.6	49.2	55.6
Life imprisonment with possibility of release after at least 20 years in prison	24.1	36.4	32.1
Maximum imprisonment of 20 years with length of imprisonment according to the circumstances	7.3	14.4	12.3

## CHAPTER 6: EXTENSION OF LIABILITY

The provision in the Singapore Penal Code on "joint enterprise" as well as accomplice liability in the Arms Offences  $Act^2$  allow for parties to a criminal offence to be punished with the death penalty even though he or she did not actually commit the capital crime or discharge the firearm himself or herself.<sup>3</sup> Two scenarios in the survey test support for such an extension of criminal liability. Roughly half of the respondents answered the first scenario (n = 743), while the other half answered the second scenario (n = 758).

In the first scenario, the respondents were told:

Mr A and Mr B, two 23 year-old men were hanging out together when Mr C appeared, whom Mr A did not like. Mr A and Mr C started arguing over a young woman they were interested in. A fight began during which Mr A pulled out a knife and stabbed Mr C to death. Mr B saw the knife and had shouted to Mr A "go on", but otherwise simply stood and watched, making no attempt to intervene. Mr A was subsequently convicted of the murder of Mr C and he was sentenced to death.

For Mr B who simply stood and watched but encouraged Mr A and made no attempt to stop him, do you think he should be:

- (i) Sentenced to death just like Mr A because he let Mr A kill Mr C;
- (ii) Punished with imprisonment for the death of Mr C; or
- (iii) Punished with imprisonment but for a less serious offence since he did not attack Mr C?

<sup>&</sup>lt;sup>1</sup> This is known as acting with "common intention" in local jurisprudence. Section 34 of the Penal Code reads:

When a criminal act is done by several persons, in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if the act were done by him alone.

The seminal case on this in local law is Daniel Vijay s/o Katherasan v PP [2010] 4 SLR 1119.

<sup>&</sup>lt;sup>2</sup> Section 5 of the Arms Offences Act reads:

Where any arm is used by any person in committing or attempting to commit any offence or where an offence under section 4A has been committed by any person, each of his accomplices present at the scene of the offence who may reasonably be presumed to have known that that person was carrying or had in his possession or under his control the arm, shall, unless he proves that he had taken all reasonable steps to prevent the use of the arm, be guilty of an offence and shall on conviction be punished with death.

<sup>&</sup>lt;sup>3</sup> Other provisions allowing for this possibility are ss 109, 111, 113, 149 and 396 of the Penal Code. If an abettor abets a capital offence and it is committed, the abettor is punished with death (s 109 of the Penal Code). Even if the abettor did not set out to abet a capital offence, he or she could be considered to have abetted it nonetheless under certain circumstances (ss 111 and 113 of the Penal Code). Section 149 of the Penal Code imposes the same liability for offences committed by members of an unlawful assembly comprising 5 or more persons; while s 396 of the

Under Singapore criminal law, it can be argued that Mr B, by shouting "go on" to Mr A, showed that he shared Mr A's intention to kill Mr C. Since Mr A was sentenced to death for Mr C's murder, Mr B could also suffer the same fate via s 34 of the Penal Code. The results showed that only 8.8% agreed with the current law which allows the death penalty to be imposed for Mr B's passive participation in murder committed by Mr A. There was a sizeable minority of 36.4% who did not think he should be punished for the death caused but for a less serious offence instead (see Table 6.1).

Table 6.1: Sentence for passive participation in murder

Sentence	Percent
Sentenced to death because he let Mr A kill Mr C	8.8
Punished with imprisonment for the death of Mr C	52.9
Punished with imprisonment but for a less serious offence	36.4
Don't know	1.8

<sup>\*</sup>N = 743 for this question

In the second scenario, the respondents were told:

Mr X and Mr Y are two 23 year-old men who decided to rob a bank. Mr Y knew that Mr X had a gun but was told by Mr X that he needed the gun only to scare the cashier into submission. He drove Mr X to the bank, while he waited outside in the car. Mr X went in, waved the gun and demanded that the cashier hand over the money. The cashier pressed the alarm bell. Mr X shot her dead and ran out of the bank. He jumped into the car and was driven away by Mr Y. Mr X was subsequently convicted of killing the cashier and attempting to rob the bank with a gun for which he was sentenced to death.

For Mr Y who drove the car but did not enter the bank, do you think he should be:

- (i) Sentenced to death just like Mr X because he participated in the robbery where a gun was used even though he did not shoot the cashier;
- (ii) Punished with imprisonment for participating in the robbery where a gun was used; or
- (iii) Punished with imprisonment but for a less serious offence since he did not shoot the cashier?

Penal Code involves murder committed by one of the persons when committing gang robbery such that all the others can be punished with death or life imprisonment even if he or she did not commit the murder.

Mr Y in this scenario would be punished with the mandatory death penalty under s 5 of the Arms Offences Act if the facts were to occur in real life since he was an accomplice who was present at the scene of the offence and he knew that Mr X had a gun with him.<sup>4</sup> The survey showed that only 9.9% of respondents would agree with this result (see Table 6.2).

Table 6.2: Sentence for passive participation in firearms offence

Sentence	Percent
Sentenced to death because he participated in the robbery where a gun was used	9.9
Punished with imprisonment for participating in the robbery where a gun was used	65.3
Punished with imprisonment but for a less serious offence	24.1
Don't know	0.8

<sup>\*</sup>N = 758 for this question

the robbery (ss 111 and 113 of the Penal Code).

<sup>&</sup>lt;sup>4</sup> Alternatively, Mr Y can also be punished with death as an abettor: he can be taken to have abetted the murder of the cashier if he knew that it was likely that Mr X would shoot her during the robbery even though he only abetted

### CHAPTER 7: RESPONSES TO SCENARIOS

The 1500 respondents were randomly divided into two groups of 743 and 758 respondents, and each group was presented with 6 scenarios, thus totally 12 scenarios altogether (see Appendices 2 and 3 for the survey questions). Half of these scenarios had aggravating features, while the other half had mitigating features. The respondents were told that the person in each scenario had been sentenced to death but they were to state what sentence they thought the person deserved.

Of the 12 scenarios, there were 6 cases of intentional murder (2 robbery murders, 2 domestic murders and 2 drug related murders), 4 cases of drug trafficking (2 involving heroin and one each involving cocaine and cannabis), and 2 cases of discharging a firearm.

#### Intentional murder scenarios

#### Case 1 (mitigating)

A man robbed a local shop with a gun and shot the owner in the head. He took away with him \$300 in cash. He had not previously been convicted of any crime. He was convicted of murder and sentenced to death.

Table 7.1: Sentence for robbery murder with mitigating circumstance

Sentence	Total respondents (%) N = 743	Respondents favouring mandatory death penalty (%) N = 327
Death sentence	51.9	69.6
Life imprisonment without possible release	19.3	12.5
Life imprisonment with possible release after 20 years in prison	22.2	15.2
Determinate term of imprisonment	6.5	2.7

Only 51.9% thought that death was the appropriate sentence, while 48.1% did not, given the mitigating circumstance that the man did not have any previous convictions. Even among those who favoured the mandatory sentence for all cases of murder, 30.4% did not impose it in this scenario.

#### Case 2 (aggravating)

A man robbed a local shop with a gun and shot the owner in the head. He took away with him \$300 in cash. He had previously been in prison twice for robbery. He was convicted of murder and sentenced to death.

Table 7.2: Sentence for robbery murder with aggravating circumstance

Sentence	Total respondents (%) N = 758	Respondents favouring mandatory death penalty (%) N = 380
Death sentence	64.1	79.4
Life imprisonment without possible release	20.1	13.7
Life imprisonment with possible release after 20 years in prison	12.5	5.7
Determinate term of imprisonment	3.1	1.2

A total of 35.9% of those who judged this scenario did not think that death was the appropriate sentence, even though the person had a criminal record for robbery, as compared to 92.2% who said they supported the death penalty for intentional murder (see Table 3.1). Even among those who favoured the mandatory sentence for murder, 20.6% did not choose it.

#### Case 3 (aggravating)

A woman deliberately poisoned her husband who died, so that she could be free to live with her lover. She was convicted of murder and sentenced to death.

Table 7.3: Sentence for domestic murder with aggravating circumstance

Sentence	Total respondents (%) N = 743	Respondents favouring mandatory death penalty (%) N = 327
Death sentence	51.1	65.7
Life imprisonment without possible release	20.2	14.1
Life imprisonment with possible release after 20 years in prison	20.5	15.9
Determinate term of imprisonment	7.5	4.1

Just over half (51.1%) thought that this case of deliberate, cold-blooded murder deserved the death sentence. Even among those who support the mandatory death penalty for murder, only 65.7% chose it as the most appropriate sentence while 34.3% did not.

#### Case 4 (mitigating)

A woman who had been abused by her husband for many years decided to kill him by deliberately poisoning his food. A neighbour discovered the death of the husband and reported it to the police. She was convicted of murder and sentenced to death.

Table 7.4: Sentence for domestic murder with mitigating circumstance

Sentence	Total respondents (%) N = 758	Respondents favouring mandatory death penalty (%) N = 380
Death sentence	16.9	22.9
Life imprisonment without possible release	14.4	16.2
Life imprisonment with possible release after 20 years in prison	39.3	39.9
Determinate term of imprisonment	27.0	19.2

Only 16.9% of respondents thought that death was the appropriate sentence, while only 22.9% of those respondents who said that all persons convicted of murder must be sentenced to death chose it for this scenario.

#### Case 5 (mitigating)

A young man aged 19 deliberately shot dead a drug dealer who had failed to pay a debt. He had no previous convictions for violence and had said that he killed the victim on the orders of an older man. He was convicted of murder and sentenced to death.

Table 7.5: Sentence for drug related murder with mitigating circumstance

Sentence	Total respondents (%) N = 743	Respondents favouring mandatory death penalty (%) N = 327
Death sentence	27.9	40.9
Life imprisonment without possible release	16.9	13.1
Life imprisonment with possible release after 20 years in prison	39.5	35.3
Determinate term of imprisonment	15.2	10.3

Only 27.9% thought that the death sentence was appropriate in this scenario, while only 40.9% of those who favoured the mandatory death sentence for murder thought it was appropriate in this case.

#### Case 6 (aggravating)

A man aged 35 with previous convictions for violence and drug possession deliberately shot dead a rival drug dealer who had failed to pay back a debt. He was convicted of murder and sentenced to death.

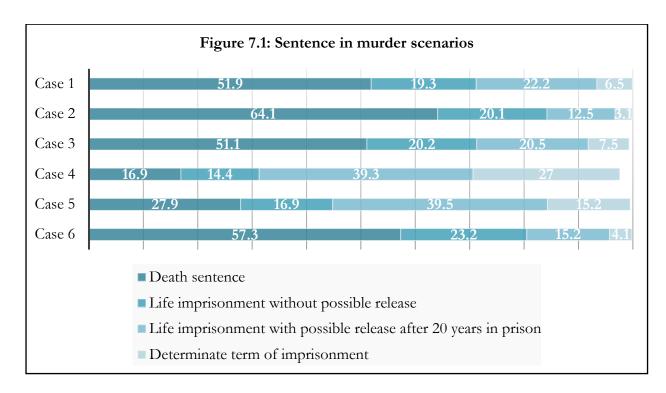
Table 7.6: Sentence for drug related murder with aggravating circumstance

Sentence	Total respondents (%) N = 758	Respondents favouring mandatory death penalty (%) N = 380
Death sentence	57.3	73.2
Life imprisonment without possible release	23.2	16.6
Life imprisonment with possible release after 20 years in prison	15.2	7.8
Determinate term of imprisonment	4.1	2.5

In this fairly heinous scenario involving a drug dealer with previous convictions for violence, only 57.3% chose the death sentence while 42.7% did not. Of those who favoured the mandatory death penalty for murder, 73.2% chose it while 26.8% did not.

#### Sentences chosen in murder scenarios

It can be seen from Figure 7.1 that in cases where only a minority chose the death penalty (cases 4 and 5), a life imprisonment sentence with possible release under supervision after at least 20 years in prison if found to be no longer a danger to society was the preferred option. This may be compared with the respondents' preference when asked for an alternative sentence if the death penalty were to be abolished (see Table 5.4). In reality, respondents were more willing to consider life imprisonment with the possibility of release if given the factual circumstances of the case.



In each of the scenarios, the respondents were told that the person had been sentenced to death (which would have been the case if the scenarios happened in real life). However, there is in fact little public agreement with the use of the death penalty in the murder scenarios. Less than half (44.9%) of all respondents agreed with the death sentence for all the cases they judged when given the factual circumstances, and even less, about one-third, agreed with it if there were mitigating circumstances (see Table 7.7). These proportions are far less than the 92.2% who said they were in favour of the death penalty for intentional murder (see Table 3.1).

Table 7.7: Respondents choosing death penalty in murder scenarios

Offence	Percentage
All six murder scenarios	44.9
Three murder scenarios with aggravating circumstances	57.5
Three murder scenarios with mitigating circumstances	32.1

#### Drug trafficking scenarios

#### Case 7 (aggravating)

A Singaporean man aged 30 was arrested when he sailed into Singapore. Following a tip-off to the police, 25 kilograms of heroin was found hidden inside the panels in the cabin of the boat. He had a previous conviction for possessing a small amount of heroin, below 15 grams, but claimed that he knew nothing about the hidden heroin. He was convicted of drug trafficking and sentenced to death.

Table 7.8: Sentence for trafficking in heroin with aggravating circumstance

Sentence	Total respondents (%) N = 743	Respondents favouring mandatory death penalty (%) N = 251
Death sentence	46.7	72.2
Life imprisonment without possible release	20.7	12.9
Life imprisonment with possible release after 20 years in prison	23.3	11.5
Determinate term of imprisonment	8.2	2.2

More than half (53.3%) did not think that death was the appropriate sentence for this scenario involving a large quantity of heroin trafficked by a person previously convicted of heroin possession. This must be compared to the 86.9% who said they supported the death penalty for trafficking 15 grams of more of heroin (see Table 3.1).

Of those who said they favoured the mandatory death penalty for drug trafficking, more than one-quarter (27.8%) did not impose this sentence even in this serious case of drug trafficking.

#### Case 8 (mitigating)

A Singaporean woman aged 21 was stopped by Immigration at Changi Airport and when searched was found to have 100 grams of heroin hidden in a false bottom of her suitcase. She claimed that a foreign man she had met on holiday had asked her to carry the suitcase as a special favour. She had no previous criminal record. She was convicted of drug trafficking and sentenced to death.

Table 7.9: Sentence for trafficking in heroin with mitigating circumstance

Sentence	Total respondents (%) N = 758	Respondents favouring mandatory death penalty (%) N = 240
Death sentence	16.7	35.5
Life imprisonment without possible release	7.4	6.2
Life imprisonment with possible release after 20 years in prison	32.1	26.2
Determinate term of imprisonment	40.0	28.9

Only a minority of respondents (16.7%) thought that the death sentence was appropriate in this typical case involving a drug courier. Such a case would attract the mandatory death penalty under Singapore law considering that the quantity of heroin was well above the level sufficient to trigger the presumption of drug trafficking.

Among those who said they supported the mandatory death penalty for drug trafficking, only about one-third (35.5%) would actually sentence this person to death.

#### Case 9 (mitigating)

A foreigner aged 20 was arrested when he arrived at Changi Airport from overseas because his behaviour aroused suspicion. He was found to be carrying a package containing 100 grams of cocaine. He said he was asked to deliver the package by his boss and had no idea what was in it. He had no previous convictions. He was found guilty of drug trafficking and sentenced to death.

Table 7.10: Sentence for trafficking in cocaine with mitigating circumstance

Sentence	Total respondents (%) N = 743	Respondents favouring mandatory death penalty (%) N = 254
Death sentence	20.9	35.6
Life imprisonment without possible release	13.5	16.3
Life imprisonment with possible release after 20 years in prison	34.9	32.0
Determinate term of imprisonment	27.1	13.5

In this case involving a drug courier who was a foreigner, only 20.9% thought that the death penalty was the appropriate sentence. Of those who stated that they favoured the mandatory death penalty for drug trafficking, only about one-third (35.6%) would apply it to this scenario.

#### Case 10 (aggravating)

A Singaporean man aged 25 was arrested in Singapore on suspicion that he was dealing in drugs. His property was searched and 500 grams of cannabis was seized. He had a previous conviction for selling cannabis in small amounts on the street. He claimed that someone else had left the 500 grams of cannabis at his house without telling him. He was convicted of drug trafficking and sentenced to death.

Table 7.11: Sentence for trafficking in cannabis with aggravating circumstance

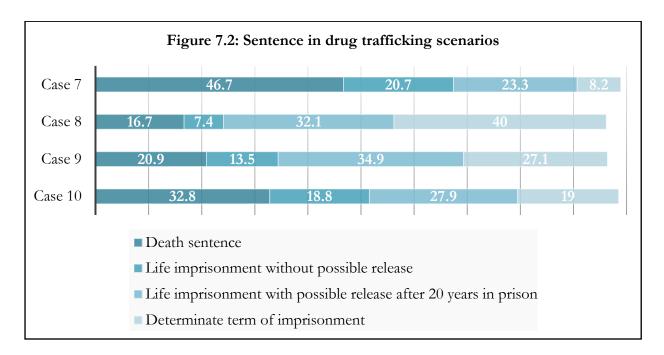
Sentence	Total respondents (%) N = 758	Respondents favouring mandatory death penalty (%) N = 240
Death sentence	32.8	57.9
Life imprisonment without possible release	18.8	16.8
Life imprisonment with possible release after 20 years in prison	27.9	14.9
Determinate term of imprisonment	19.0	9.9

Only 32.8% of the respondents thought that death was the appropriate sentence for a convicted drug dealer who was found in possession of a quantity of cannabis which would trigger the mandatory death sentence in Singapore. Of those who support the mandatory death penalty for this offence, slightly more than half (57.9%) would sentence the person to death.

#### Sentences chosen in drug trafficking scenarios

Figure 7.2 shows that less than half of the respondents chose the death penalty for any of these four scenarios involving drug trafficking. At the highest, only 46.7% chose the death penalty even in the most serious case of importing a large amount of heroin. Imprisonment, either life imprisonment (with or without the possibility of release) or for a determinate period, was the preferred option as compared to the death penalty. In fact, only a minority chose the option of life imprisonment without the possibility of ever being released even in the scenarios with aggravating features.

Cases involving drug traffickers with mitigating circumstances (cases 8 and 9) received the lowest support for the death sentence. This reinforces the point that a large majority of Singaporeans would prefer a discretionary rather than a mandatory sentence to reflect the individual culpability of the offenders.



There is also little public agreement with Singapore's use of the death penalty for drug trafficking offences, which may be surprising considering the Government's strong stance against such offences. Less than 3 in 10 of all respondents (29.2%) chose the death penalty for all the drug trafficking scenarios they dealt with, meaning that the majority did not support it (70.8%). Even less (18.7%) support use of the death penalty where the drug trafficking scenario had mitigating

circumstances (see Table 7.12). These figures should be compared with the 86.9% who claimed that they supported the death penalty for drug trafficking (see Table 3.1).

Table 7.12: Respondents choosing death penalty in drug trafficking scenarios

Offence	Percentage
All four drug trafficking scenarios	29.2
Both drug trafficking scenarios with aggravating circumstances	39.6
Both drug trafficking scenarios with mitigating circumstances	18.7

#### Firearms offence scenarios

#### Case 11 (mitigating)

A man aged 19 broke into a house at night carrying a loaded pistol. The householder heard him come into the residence and went to see what was happening, carrying a stick. The burglar shot at the householder but missed his target. He ran away but was later caught by the police, convicted for a firearms offence and sentenced to death. He had no previous convictions.

Table 7.13: Sentence in firearms offence with mitigating circumstance

Sentence	Total respondents (%) N = 743	Respondents favouring mandatory death penalty (%) N = 258
Death sentence	25.0	46.8
Life imprisonment without possible release	20.6	19.7
Life imprisonment with possible release after 20 years in prison	31.5	19.8
Determinate term of imprisonment	22.3	13.3

This burglary scenario involved a shot being fired but did not result in any injury. A total of 75.0% of the respondents did not think that death was the appropriate sentence. This should be compared to the 88.8% who said they supported the death penalty for persons convicted of a firearms offence (see Table 3.1). Even among those who said they favoured the mandatory death penalty for this type of offence, slightly more than half (53.2%) did not impose it in this scenario.

#### Case 12 (aggravating)

A man aged 30 broke into a house at night carrying a loaded pistol. The householder heard him come into the residence and went to see what was happening, carrying a stick. The burglar shot at the householder and caused a wound in his arm, which was not fatal. He ran away but was later caught by the police, convicted for a firearms offence and sentenced to death. He has a previous conviction for housebreaking and had served a prison sentence.

Table 7.14: Sentence for firearms offence with aggravating circumstance

Sentence	Total respondents (%) N = 758	Respondents favouring mandatory death penalty (%) N = 287
Death sentence	31.4	52.9
Life imprisonment without possible release	24.3	19.1
Life imprisonment with possible release after 20 years in prison	26.0	16.8
Determinate term of imprisonment	17.6	10.5

In this variation of the burglary scenario, a shot was fired at the householder which resulted in injury. Even in this situation, 68.6% did not think that the death sentence was appropriate. Of those respondents who said they supported the mandatory death penalty for firearms offences, almost half (47.1%) did not choose it in these circumstances.

#### Sentences chosen in firearms offence scenarios

Figure 7.3 shows that although the death sentence was the preferred option of about a third of the respondents who 'sentenced' case 12, where the burglar with a previous conviction shot and injured the home owner, a life imprisonment sentence (with or without possibility of release) was chosen by more than half (50.3%) of them.

Similarly, more than half (52.1%) thought that a life imprisonment sentence (with or without possibility of release) was the appropriate sentence for case 11 involving a burglar who fired a shot but did not injure anyone.

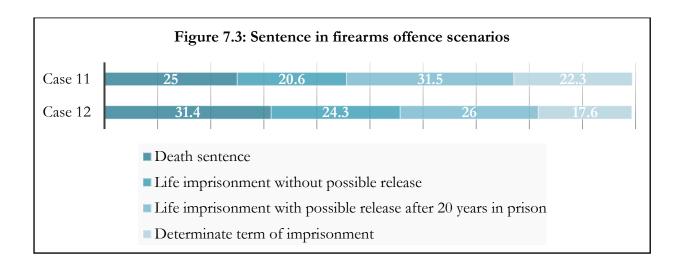


Table 7.15 shows that few would agree with the mandatory death penalty for firearms offences which is the law in Singapore. Only 28.2% of all respondents would impose it in both scenarios involving such offences. As with intentional murder and drug trafficking, actual support for the death penalty in firearms offences is far less than the 88.8% who said they supported it when they were asked in the abstract (see Table 3.1).

Table 7.15: Respondents choosing death penalty in firearms offence scenarios

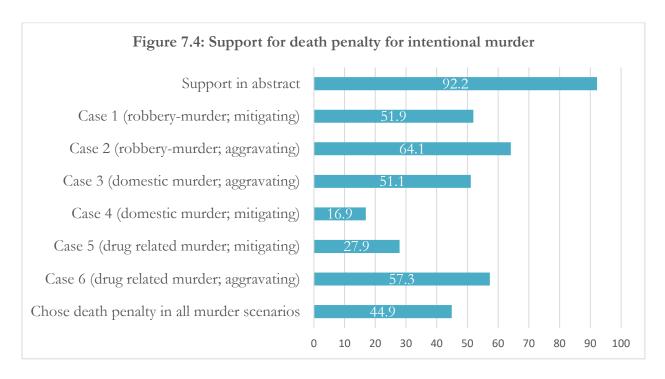
Offence	Percentage
Both firearms offence scenarios	28.2
Firearms offence scenario with aggravating circumstances	31.4
Firearms offence scenario with mitigating circumstances	25.0

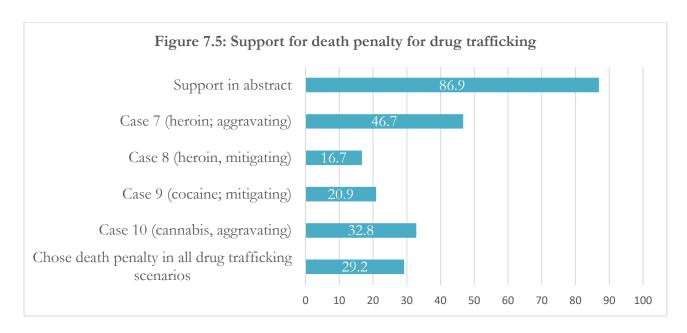
#### Support for death penalty based on all scenarios

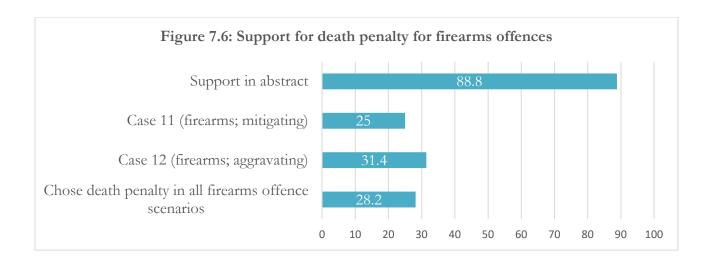
It may be recalled that 71.9% of all respondents said that they supported the death penalty 'in general' (see Table 2.7); and 92.2% supported it for intentional murder, 86.9% for drug trafficking, and 88.8% for firearms offences (see Table 3.1). However, when given specific circumstances and asked to judge what would be the most appropriate sentence, it was found that the death penalty did not in fact enjoy such high support (see Figures 7.4, 7.5 and 7.6).

In the intentional murder scenarios, only a small minority chose the death penalty in two of the scenarios containing mitigating circumstances (cases 4 and 5). In case 4 in particular, only 16.9% of respondents thought that the death sentence was appropriate, and 83.1% did not think so.

In none of the drug trafficking or firearms scenarios did a majority of the respondents think that the death sentence was appropriate. Of the drug trafficking scenarios, the highest proportion of respondents who chose the death sentence was 46.7% (case 7) and the lowest was 16.7% (case 8). In both the firearms scenarios, less than a third of the respondents thought that the death sentence was appropriate.







Furthermore, it should be noted that the offenders could have been sentenced to the mandatory death penalty if any of these scenarios were to happen in reality. The results should be compared with the proportion of respondents who said that they favoured the mandatory death penalty: 47.1% for intentional murder, 32.7% for drug trafficking, and 36.3% for firearms offences (see Table 3.1).

Tables 7.16, 7.17 and 7.18 show the proportion of respondents who *both* said they supported the mandatory death penalty for each of the offence types *and* chose the death penalty for *all* the different scenarios they were asked to judge. Only a quarter (24.8%) of the 47.1% who had said they supported the mandatory death penalty for intentional murder actually imposed it for *all* three of them when faced with the task of sentencing these varied murder scenarios. This amounts to just one in eight (11.7%) of the total sample of 1,500. Thus there was a gap of 35.4% between support in the abstract and support when faced with factual circumstances in the scenarios. Though smaller, there were similar gaps in support when faced with the two drug trafficking scenarios (22.5%) and the one firearms offence scenario (18.1%) that they judged.

Table 7.16: Proportion who supported mandatory death penalty for all murders and imposed it for all three murder scenarios they judged

Murder	As percentage of those favouring mandatory death penalty (%) $N = 706$	As percentage of total sample (%) N = 1500
Death chosen for all three scenarios	24.8	11.7
Death not chosen for any scenario	12.9	6.1

Table 7.17: Proportion who supported mandatory death penalty for drug trafficking and imposed it for both drug trafficking scenarios they judged

Drug trafficking	As percentage of those favouring mandatory death penalty (%) $N = 491$	As percentage of total sample (%) N = 1500
Death chosen for both scenarios	31.2	10.2
Death not chosen for any scenario	30.5	10.0

Table 7.18: Proportion who supported mandatory death penalty for firearms offences and imposed it for the firearms offence scenario they judged

Firearms offence	As percentage of those favouring mandatory death penalty (%) N= 545	As percentage of total sample (%) N = 1500
Death for that scenario	50.1	18.2
Death not chosen for that scenario	49.9	18.1

More importantly, of those who said they favoured the mandatory death penalty in each of the offence types, a number did not select the death sentence in *any* of those scenarios involving that offence: 6.1% in murder, 10.0% in drug trafficking, and 18.1% in firearms offences. Actual support for the death penalty in general, including its mandatory imposition, is therefore in fact far weaker that it appears to be.

At the risk of unnecessary repetition, the results from this part of the survey on responses to scenarios show the following:

- There was a great difference between the proportion of respondents who claimed that they supported the death penalty and the proportion who chose it in the scenarios presented to them. This shows that actual support for the death penalty if given factual circumstances of the case was often only favoured by a minority.
- The scenario with the highest level of support for the death penalty was intentional shooting of a shop keeper during a robbery resulting in death by a man who had previously been imprisoned twice for robbery. A total of 64.1% of respondents chose the death penalty in this case. This is much lower than the 92.2% who said they favoured the death penalty for intentional murder.

- Of the four drug trafficking scenarios, the highest proportion favouring the death penalty was only 46.7%. Of the other three scenarios, far fewer chose death as their preferred sentence (between 16.7% to 32.8% only). This shows a lack of strong support for the death penalty for drug trafficking offences in reality, in contrast to the 86.9% who supported it for drug trafficking in the abstract.
- The same can be seen in the case of firearms offences. Less than one-third of all respondents chose death as the most appropriate sentence when they were given the facts of the case, as compared to the 88.8% who said they favoured the death penalty for this type of offence in general.
- Where the scenarios involved mitigating circumstances, a considerably lower proportion of respondents chose the death penalty. The highest proportion was in a robbery murder scenario by a man with no previous convictions (51.9%). The next highest proportion was considerably lower involving a drug related murder by a young man with no previous convictions who acted on orders (27.9%). This shows that respondents consider mitigating circumstances to be important in determining whether the death penalty is deserved.
- Of those who supported the mandatory death penalty for intentional murder, drug trafficking or firearms offences, far fewer actually applied this in practice by choosing the death sentence in every scenario involving those offences they were asked to judge. This shows that there is in fact very weak support for the mandatory death penalty in practice. Furthermore, only 5% of the total sample chose death as the most appropriate punishment for *all six* scenarios that they judged.

# CHAPTER 8: PERSONS MORE LIKELY TO SUPPORT DEATH PENALTY

An exploratory study was made of whether there are any differences in support for the death penalty in general according to the respondents' demographic characteristics, namely, in terms of gender, age, household income, highest education, housing type, religion, religiosity and ethnicity. It was found that, broadly speaking, Singaporeans are more supportive of the death penalty (see Tables 8.1 to 8.8) if they are:

- Older (50 years or above)
- Highly educated (at least a university degree)
- Taoist
- Of lower religiosity, or
- Chinese.

The proportion of those who are for or against the death penalty given in Tables 8.1 to 8.8 are different from the figures given in Table 2.7 because some respondents declined to provide their demographic details.

Table 8.1: Support for death penalty by gender

Gender	Against (%)	Support (%)
Male	26.4	73.6
Female	26.0	74.0
Total	26.2	73.8

p = 0.876 (not significant); N = 1462 for this question

Table 8.2: Support for death penalty by age<sup>1</sup>

Age	Against (%)	Support (%)
Young adult	30.7	69.3
Older adult	25.1	74.9
Near senior	22.9	77.1
Senior	22.3	77.7
Total	26.2	73.8

p = 0.03 (significant); N = 1463 for this question

<sup>&</sup>lt;sup>1</sup> The age categories are: young adult (18 to 33 years-old), older adult (34 to 49 years-old), near senior (50 to 65 years-old), senior (66 to 74 years-old).

Table 8.3: Support for death penalty by monthly household income<sup>2</sup>

Monthly household income	Against (%)	Support (%)
Lower	29.8	70.2
Lower middle	25.6	74.4
Middle	24.1	75.9
Upper middle	22.0	78.0
Total	25.9	74.1

p = 0.22 (not significant); N = 1393 for this question

Table 8.5: Support for death penalty by housing type

Housing type	Against (%)	Support (%)
HDB 1 to 3 room flat	29.7	70.3
HDB 4 room flat	28.6	71.4
HDB 5 room flat or larger	22.8	77.2
Private condominium	23.0	77.0
Landed property	20.5	79.5
Total	26.2	73.8

p = 0.09 (not significant); N = 1460 for this question

Table 8.4: Support for death penalty by education

Education	Against (%)	Support (%)
Primary	21.8	78.2
Secondary	30.4	69.6
Post-secondary	28.9	71.1
Diploma	26.7	73.3
Degree	20.9	79.1
Total	26.2	73.8

p = 0.02 (significant); N = 1462 for this question

Table 8.6: Support for death penalty by religion

Religion	Against (%)	Support (%)
Protestantism	25.4	74.6
Catholicism	38.1	61.9
Buddhism	23.4	76.6
Taoism	13.2	86.8
Islam	37.4	62.6
Hinduism	35.1	64.9
No religion	23.2	76.8
Total	26.2	73.8

p = 0.00 (significant); N = 1445 for this question

<sup>&</sup>lt;sup>2</sup> The household income categories are: lower income (up to SGD2,999), lower middle income (SGD3,000 to SGD7,999), middle income (SGD8,000 to SGD12,999), upper middle income (SGD13,000 or higher). The median monthly household income (including employer Central Provident Fund contributions) in 2016 was SGD8,846 (*Key Household Income Trends, 2016* (Singapore Department of Statistics, 2017).

Table 8.7: Support for death penalty by religiosity

Table 8.8: Support for death penalty by ethnicity

Religiosity	Against (%)	Support (%)	Ethnicity	Against (%)	Support (%)
1 (Not religious)	24.2	75.8	Chinese	22.7	77.3
2	22.8	77.2	Malay	39.0	61.0
3	20.9	79.1	Indian	34.9	65.1
4	24.9	75.1	Others	44.4	55.6
5	27.0	73.0	Total	26.2	73.8
6	29.5	70.5	p = 0.00 (significan	nt); N = 1463 for this	s question
7 (Very religious)	40.6	59.4			
Total	26.3	73.7			

A logistic regression analysis using age, religion and education as predictors reinforces the findings from the bivariate analysis (see Table 8.9). The logistic regression shows:

- Seniors are 1.8 times more likely to support the death penalty than young people
- Catholics are 2 times less likely, compared to Protestant Christians, to support the death penalty; but Taoists are 2.3 times more likely than Protestant Christians to do so
- Those with degree qualifications are 1.7 times more likely than those with Primary or lower education to support the death penalty

Table 8.9: Logistic regression of support for death penalty by age, religion, and education

	В	S.E.	Wald	df	Sig.	Exp(B)
Age			<mark>9.085</mark>	<mark>3</mark>		
Older adult	.296	.157	3.571	1	.059	1.345
Near senior	.503	.181	7.704	1	<mark>.006</mark>	<mark>1.654</mark>
Senior	.581	.275	4.466	1	<mark>.035</mark>	1.787
Religion			30.734	6	.000	
Catholicism	685	.312	4.836	1	.028	<mark>.504</mark>
Buddhism	.144	.208	.478	1	.490	1.155
Taoism	.821	.301	7.447	1	<mark>.006</mark>	<mark>2.274</mark>
Islam	381	.221	2.965	1	.085	.683
Hinduism	413	.300	1.904	1	.168	.661
No Religion	.140	.219	.409	1	.522	1.150
Education			11.612		.020	
Secondary	098	.231	.180	1	.671	.907
Post-Secondary	.250	.280	.801	1	.371	1.284
Diploma	.281	.261	1.157	1	.282	1.325
Degree	.539	.269	4.026	1	<mark>.045</mark>	<mark>1.715</mark>
Constant	.582	.309	3.547	1	.060	1.790

Reference Categories: Age (young adult), Religion (Protestantism), Education (Primary or lower education).

The highlighted categories are statistically significant at p < 0.05.

## APPENDIX 1: DEMOGRAPHIC CHARACTERISTICS OF SAMPLE

The following table shows the demographic profile of the survey respondents (n = 1500) as compared to the Singapore general population. Malays and Indians were intentionally oversampled in order to obtain sufficient responses from these ethnic communities for analysis. The raw data was weighted to ensure that the sample mirrors Singapore's general population.

	Number of respondents	Percentage of respondents	Percentage of general population
Gender			
Male	757	50	50
Female	743	50	50
Age			
18 to 34 years	583	39	34
35 to 54 years	561	37	36
55 to 74 years	356	24	30
Ethnicity			
Chinese	964	64	77
Malay	257	17	15
Indian	257	17	7
Others <sup>2</sup>	22	1	1
Housing Type <sup>3</sup>			
Studio / 1 and 2 room HDB	65	4	6
3 room HDB	258	17	18
4 room HDB	545	36	32
5 room HDB / Executive / Maisonette / HUDC	397	26	24
Executive Condominium / Condominium / Other Apartments	161	11	14
Landed Properties	72	5	6
Others	2	0	0

<sup>&</sup>lt;sup>1</sup> The data on gender, age and ethnicity are derived from *Population in Brief 2016* (jointly published by the National Population and Talent Division, Singapore Department of Statistics, Ministry of Home Affairs and Immigration & Checkpoints Authority, 2016) for Singaporeans between 15 to 74 years-old. The data on housing type are derived from the *General Household Survey 2015* which includes both Singaporeans and Singapore Permanent Residents.

<sup>&</sup>lt;sup>2</sup> Persons who are not Chinese, Malay or Indian are classified as Others. This could include Europeans, Eurasians, Arabs and so on.

<sup>&</sup>lt;sup>3</sup> About 80% of Singaporeans live in public housing built by the Housing and Development Board (HDB) or the Housing and Urban Development Company (HUDC). The latter built housing for the middle income group who did not qualify for HDB flats between 1974 and 1982, with HDB taking over HUDC thereafter. All the housing types described here are public housing, except for condominiums/apartments, landed properties and others.



## APPENDIX 2: SURVEY QUESTIONS (1)



Language used in Interview



### **Public Opinion on the Mandatory Death Penalty in Singapore**

Good morning/afternoon/e Singaporeans think of the de				g a nationwide study on what apore.
•	right or v	wrong answers and	d we seek only your opinio	of questions on your view of the n. The survey will take about 30
	dentificat	ion of you or your	family. Your participation in	nat none of it will be released in this study is voluntary. Will you
START HERE:				
The adult with the next birt	hday sho	uld complete this	questionnaire.	
Interviewer Name			Supervisor Name	
Respondent Name				
Address	Blk:		Unit:	Postal Code:
·	Street	:		
a) Nationality	1	Singapore Citize	n only	
b) Age			Years old (18 to 74 year	rs old only)
Date of Successful Inte	rview			(dd/mm/yyyy)
Interview Start Time				(24 hr, hh:mm)

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### **SECTION A**

	110W IIIterested III		asout	the acath	penalty i	n Singapore?		`
1	Not interested OR	2 Not very inter	rested	3 🗌	Intereste	d OR 4	Very	interested
	concerned at all	nor concerne	d		concerne	d T	OR co	oncerned
A2	How much do you	ı happen to know abou	t the u	se of the o	death pen	alty in Singapo	ore?	
1	Know nothing about it	2 Know little ab	out it	ા ગા	(now som	ething 4	] Know	a great deal
АЗ	How often have y	ou talked with other pe	ople a	bout the i	ssue of th	e death penal	ty?	
1	I never talk about it	2	а	31	Several tin /ear	nes a 4	] Many	times a year
A4	-	roughly how many peo 2015? How many for murd imes?	-				_	-
a) M	urder +	b) Drug b) trafficking	-	+ c) fi	Discharging irearm whi ommitting ertain crim	le	= To	[P1001301.7.7.1]
<b>A5</b>	what do you thin	er of persons executed i k about the number of p er to give the total number be	person	s execute	d in Singa	=		out right, or
1	Too few	2 About the right			many		99 Do	n't know
						 No		Yes
Ė	vould like to ask you death penalty in Sin	about the law on the u gapore	se	In <u>EVERY</u> of judge can whether o	ase the choose	in <u>certa</u> circumstance	s defined	The judge has no choice. The death
			***************************************	impose th pena	e death	by LAW the just choose wheth to impose the penalt	er or not e death	penalty must be imposed BY LAW in <u>EVERY</u> case
A6.a	is the death penalty	ed of <u>murder</u> in Singapo the only sentence that		•	e death lty	choose wheth	er or not e death	imposed BY LAW
A6.a	is the death penalty judge can impose? For people convict drugs in Singapo amounts depending		the gal	pena	e death lty	choose wheth to impose th penali	er or not e death	imposed BY LAW in <u>EVERY</u> case
	is the death penalty judge can impose?  For people conviction of the death penalty judge can impose?  For people conviction of the death penalty judge can impose?  For people conviction of the death penalty judge can impose? So the death penalty judge can impose? So thousebreaking, robb	ted of trafficking in illere above certain specion the drug concerned, the only sentence that the only sentence th	the egal fied the arm ore, the ting bing,		e death lty	choose wheth to impose th penalt	er or not e death	imposed BY LAW in <u>EVERY</u> case
A6.b	is the death penalty judge can impose?  For people convict drugs in Singapo amounts depending is the death penalty judge can impose?  For people convict when committing is the death penalty judge can impose? Sind housebreaking, robbe even if there is no interpolate in the control in the con	ted of trafficking in illere above certain specion the drug concerned, the only sentence that the only sentence th	the egal fied the arm ore, the ting bing, and	pena 1 1	e death lity	choose wheth to impose th penalt 2	er or not e death	imposed BY LAW in EVERY case  3   3

# MANDATORY DEATH SENTENCE CRIMES

In Singapore everyone without exception convicted of



INTENTIONAL MURDER,



most types of DRUG TRAFFICKING,



and DISCHARGING A FIREARM while committing certain offences

### MUST BE SENTENCED TO DEATH.

The judge **CANNOT** take into account the circumstances in which the crime took place or the personal circumstances or character of the person convicted. ===this is called the **MANDATORY DEATH SENTENCE**.

The judge has NO discretion (choice) to impose any other sentence.



Murder can be committed when death is caused with different "states of mind", including:

- i) an intention to cause death;
- ii) an intention to cause an injury which is very likely to cause death;
- iii) knowledge that death is very likely to happen.

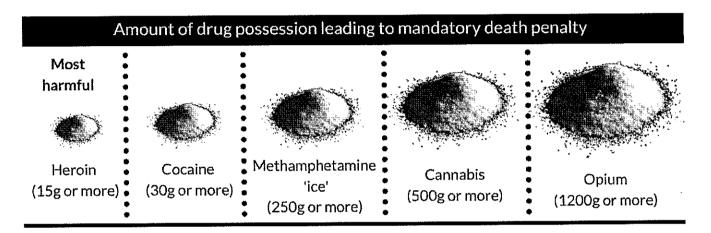
However, the mandatory death sentence applies only in the case of intentional killing. In other forms of murder, the judge has a choice to impose the death penalty or life imprisonment.

For the questions on murder, unless I tell you otherwise, we are only concerned with INTENTIONAL KILLING where the mandatory death penalty applies.

NOTE: Answer question A8a before moving on

# **DRUG TRAFFICKING**

Everyone who is convicted of having in their possession the following amounts of illegal drugs will be **PRESUMED** to be trafficking in them unless the defence proves otherwise. Please note that the more harmful the drug is considered to be, the smaller the amount of it possessed will lead to the death penalty being imposed.



However, a judge has a choice NOT to impose the death penalty in two limited situations:

- (i) if he/she is a courier who has only transported the drug and played no further role and has substantively assisted the Central Narcotics Bureau (CNB) in disrupting drug trafficking activities in Singapore or elsewhere; and
- (ii) if he/she is a courier who has only transported the drug and played no further role and is shown to be suffering from a mental condition that diminishes his/her responsibility.

For all the questions on drug trafficking, unless I tell you otherwise, assume that these two situations DO NOT apply.

IN OTHER WORDS WE ARE ONLY ASKING ABOUT SITUATIONS WHERE THE DEATH PENALTY WOULD BE MANDATORY.

NOTE: Answer question A8b-f before moving on



Please note that **NOBODY NEEDS TO HAVE BEEN KILLED OR INJURED** – if a killing took place, then it would be murder.

NOTE: Answer question A8g before moving on

### A8 I would like to know whether you

- agree with this law OR
- think the judge should be able to pass a different sentence depending on the circumstance OR
- are against the death penalty for each type of crime and would like to see it abolished, and replaced by life or long-term imprisonment.

For persons convicted of	Against the death penalty for this crime. Would like to see it abolished and replaced by life or long-term imprisonment	The judge should be allowed to decide whether or not to choose the death penalty according to the circumstances	In favour of the death penalty being mandatory for everyone	Don't know / Have no opinion either way
Murder				
a) Intentional Murder	1	2□ Ο	3□ ●	99 🗌
Drug trafficking				
b) Trafficking 15 grams or more of heroin	1	2□ Δ	3□ ▲	99 🗌
c) Trafficking 30 grams or more of cocaine	1	2□ Δ	3□ 🛦	99 🗌
d) Trafficking 250 grams or more of methamphetamine ("ice")	1 🗆	2□ 🛆	3 🗆 🛕	99 🗌
e) Trafficking 500 grams or more of cannabis	1	2□ Δ	3 🗆 🛕	99 🗌
f) Trafficking 1,200 grams or more of opium	1	2□ Δ	3 🗌 🛕	99 🗌
Firearms Offences				
g) Discharging a firearm when committing housebreaking, robbery, extortion or kidnapping, even if there is no intent to kill or injure anyone and no one is in fact killed or injured	1	2 □	3 🗔 🚾	99 🗌

A9 If IN FAVOUR of mandatory death s	entence re	OF INTENTIONAL I	VIUKDEI	<u>₹</u> :
How strongly do you agree with the mandatory death penalty for intentional murder?	i 1   1	agree with it very strongly	2 🗍	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A10a)	entence f	or <u>trafficking 15 g</u>	rams or	more of HEROIN:
How strongly do you agree with the mandatory death penalty for those convicted of trafficking 15 grams or more of heroin?	: II I	agree with it very strongly	2	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A10b)	entence f	or <u>trafficking 30 g</u>	rams or	more of COCAINE:
How strongly do you agree with the mandatory death penalty for those convicted of trafficking 30 grams or more of cocaine?	1 1 1	l agree with it very strongly	2 🗌	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A10c) A10c If <u>IN FAVOUR</u> of mandatory death s	entence f	or <u>trafficking 250</u>	grams o	or more of
How strongly do you agree with the mandatory death penalty for those convicted of trafficking 250 grams or more of methamphetamine "ice"?	1 11 1	l agree with it very strongly	2 🗌	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A10d)	entence f	or <u>trafficking 500</u>	grams o	or more of CANNABIS:
How strongly do you agree with the mandatory death penalty for those convicted of trafficking 500 grams or more of cannabis?	1 1 1	l agree with it very strongly	2 🗌	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A10e)	entence f	or trafficking 1,20	0 gram	s or more of OPIUM:
How strongly do you agree with the mandatory death penalty for those convicted of trafficking 1,200 grams or more of opium?	1 11 1	I agree with it very strongly	2	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A11 If <u>IN FAVOUR</u> of mandatory death	sentence	for <u>FIREARM OFF</u>	ENCES:	
How strongly do you agree with the mandatory death penalty for those convicted of <u>firearms</u> offences where a firearm has been discharged while certain offences are committed but nobody has been killed or even injured?	: 11 1	l agree with it very strongly	2	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge

\*If the mandatory death sentence was supported for at least one of the crimes in A8

Why do you support a mandatory death sentence rather than leaving it to the discretion of the Judge after hearing all aspects of the case?

It is not required for you to choose and rank all reasons, you can choose only those which are relevant to you.

If there is more than one reason, rank the most important as 01, the next as 02 etc. If there is only one reason, code the reason as rank 01.

Only read out the statements for the type of crimes that are applicable, if the type of crime is not applicable (i.e. not in favour of mandatory death penalty in A8), tick 97 for "does not apply".

	Main Reasons (RANK if applicable)	12.1	12.2 <b>A</b> Drug Trafficking	12.3 Firearms Offences
a)	To have a sufficiently powerful deterrent to these crimes Unless the punishment is certain, with no exceptions, it will not be a sufficiently powerful deterrent to these crimes			
b)	Everyone found guilty of one of these crimes deserves to die  There can be no excuses for committing murder/ drug trafficking/ using firearms while committing a crime. Everyone found guilty of one of these crimes deserves to die			
<b>c)</b>	Everyone convicted should be treated the same otherwise it would be unfair Judges vary too much in how they treat similar cases. Everyone convicted of murder/ drug trafficking/ using firearms while committing a crime should be treated the same otherwise it would be unfair			
d)	Relatives of people affected by one of these crimes can receive satisfaction  This is the only way to make sure that all people who have had a close relative affected by murder/ drug trafficking/ using firearms while committing a crime can receive satisfaction			
e)	Does not apply	97 🗌	97 🗌	97 🗌

	(read out type of crime in favour of discretionar ot required for you to choose and rank all reasons, you re is more than one reason, rank the most important as	can choose only those whi		RANK le the reason as rank 01
	Main Reasons (Rank if applicable)	13.1 O Intentional Murder	13.2 🛕 Drug Trafficking	13.3
a)	Circumstances differ and people differ: not everyone who commits one of these crimes deserves to die. Mitigating circumstances should always be taken into account.			
b)	Some people who commit one of these crimes may deserve another chance, they can be rehabilitated.  The death penalty should be reserved only for those who could never be rehabilitated.			
с)	The death penalty should be reserved only for those that have committed the most heinous forms of these crimes.			
d)	Does not apply	97 🗌	97 🗌	97 🗌
DZ DZ A:	**If a mandatory/discretionary de  **If a mandatory/discretionary de  Suppose that new scientific evidence life or very long imprisonment for mu  Would you then still favour the use of (Read out type of crime in favour of mandatory)	proved that the dea order, drug trafficking f the death penalty o	th penalty <u>was not a</u> or firearms offences. r change your mind?	
	In	1	uld chill	I don't know / don't have
	1	oppose it fav		an opinion
	1		3 🗆	99
		2		- valera aradunguni mimulaini limiliinin

99 <u> </u>
99 🔲 🐪
99 🗌 Don'
lis

aspect of death penalty for <u>all</u> offences, leaving the decision whether to impose it for the very worst

NO: Singapore should keep

the mandatory death

penalty law as it is

cases to the judge. Does this information affect your support for the mandatory death penalty?

2 🔲 \*

YES: Singapore should follow

mandatory imposition of the

death penalty.

1

other countries and abolish the

99 🗌

Not sure

### **SECTION B**

People have different ideas about sentences which should be given to offenders. You will now be presented with several case examples and be asked about your personal opinion in each case.

**Q18.** A man robbed a local shop with a gun and shot the owner in the head. He took away with him \$300 cash. He had not previously been convicted of any crime. He was convicted of murder and sentenced to death.

18R1

### Who?

- A man



### What happened?

- He robbed a local shop with a gun
- Shot the owner in the head
- Took away with him \$300 cash



### **NO PREVIOUS CONVICTIONS**

He was convicted of murder and sentenced to death. Which sentence would you prefer / thinks he deserves?

a)	A sentence ofyears in prison	1	Years
b)	Life imprisonment with the possibility of release under supervision after at least 20 years in prison if found to be no longer a danger to society	2 🔲	
c)	Life imprisonment without the possibility of ever being released	3□	
d)	Death sentence	4 🗌	*
e)	Other (Specify):	5	

### # If (d. death penalty) WAS chosen in B18:

B18.1 What is the MAIN reason that you CHOSE the death penalty? (Choose one only)

a)	Because he deserves it: a life for a life	1
b)	Because it is necessary to deter others from murder	2 🗌
c)	To make sure he cannot kill again	3 🗌
d)	Because it is necessary to provide justice to the victim's relatives	4
e)	Other main reason (Specify):	5 🗌

### If (d. death penalty) WAS NOT chosen in B18:

B18.2 What is the MAIN reason that you DID NOT choose the death penalty? (Choose one only)

a)	Because he has no previous convictions and deserves another chance to reform				
b)	Imprisonment is sufficient punishment in these circumstances: death would be excessive				
c)	I am against the death penalty in principle for murder				
d)	Other main reason (Specify):	4			

A woman deliberately poisoned her husband who died, so that she could Q19. be free to live with her lover. She was convicted of murder and sentenced to death.

W	ho? - A woman	What happened? - She <u>DELIBERATELY</u> poisoned her	
		husband, who died	
		So that she could be free to live with her lover	
:		She was convicted of murder and sentenced to death. Which sentence would you prefer / thinks she deserves?	
a)	A sentence ofy	rears in prison	Years
b)	Life imprisonment w least 20 years in pris	vith the possibility of release under supervision after at con if found to be no longer a danger to society	
c)	Life imprisonment v	vithout the possibility of ever being released 3	
d)	Death sentence	4	
e)	Other (Specify):	5	
<b>‡</b> <u>lf</u>	death penalty WAS		
B19.1		N reason that you CHOSE the death penalty? (Choose one only)	1
a)	Because she deserv		1 1
b)		ary to deter others from murder	2 <u> </u>
c)	To make sure she c		4
d) e)	Other main reason	(Specify):	5 🗌
<u>r deatr</u> B19.	n penalty WAS NOT co	nosen in 619: IN reason that you DID NOT choose the death penalty? (Choose one only	)
a)		an she should be shown mercy	1
b)		fficient punishment in these circumstances: death would be excessive	2 🗌
c)		ath penalty in principle for murder	3 🗌
d)	Other main reason		4

**Q20.** A young man aged 19 deliberately shot dead a drug dealer who had failed to pay a debt. He had no previous convictions for violence and had said that he killed the victim on the orders of an older man. He was convicted of murder and sentenced to death.

Who?  - A young man - Aged 19		What happened?  - He shot dead a drug dealer who had failed to pay a debt.		
	- Sa	- <u>NO</u> PREVIOUS CONVICTIONS and that he killed the victim on the orders of an		
		He was convicted of murder and sentenced to Which sentence would you prefer / thinks he d		
a)	A sentence ofy	ears in prison	1 🗌	Years
b)		rith the possibility of release under supervision a on if found to be no longer a danger to society	fter at 2	<del></del>
c)	Life imprisonment v	3 🗌		
d)	Death sentence		4 📗	
e)	Other (Specify):		5 🗌	
<u> </u>	leath penalty WAS ch What is the MAI	osen in B20: N reason that you CHOSE the death penalty? (C	hoose one only)	
a)	Because he deserve	s it: a life for a life		1
b)		ary to deter others from murder		2
c)	To make sure he ca			3 🗌
d)	Because it is necess	ary to provide justice to the victim's relatives		4
e)	Other main reason	(Specify):		5 🗌
If death B20.2	penalty WAS NOT cl What is the MAI	osen in B20: N reason that you DID NOT choose the death pe	enalty? (Choose one only	<b>'</b> )
a)	Because he has no deserves another ch	previous convictions and acted under the influe	ence of an older man, he	1
b)	<del> </del>	ficient punishment in these circumstances: deatl	h would be excessive	2
	-			

I am against the death penalty in principle for murder

Other main reason (Specify):

c)

d)

3 🗌

4

Q21. A Singaporean man aged 30 was arrested when he sailed into Singapore. Following a tip-off to the police, 25 kilograms of HEROIN was found hidden inside the panels in the cabin of the boat. He had a previous conviction for possessing a small amount of heroin, below 15 grams, but claimed that he knew nothing about the hidden heroin. He was convicted of drug trafficking and sentenced to death.

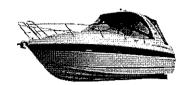
### Who?

- A Singaporean man
- Aged 30



### What happened?

- Sailed into Singapore
- <u>25 KILOGRAMS of HEROIN</u> was found hidden inside the panels in the cabin of his boat





- PREVIOUSLY CONVICTED for possessing a small amount of HEROIN, below 15 grams - Claimed that he knew nothing about the hidden heroin

He was convicted of drug trafficking and sentenced to death. Which sentence would you prefer / thinks he deserves?

a)	A sentence ofyears in prison	1		Years
b)	Life imprisonment with the possibility of release under supervision after at least 20 years in prison if found to be no longer a danger to society	2	i de description de la constant de l	-
c)	Life imprisonment without the possibility of ever being released	3 □	The state of the s	
d)	Death sentence	4	*	
e)	Other (Specify):	5 🗌		

### If death penalty WAS chosen in B21:

B21.1 What is the MAIN reason that you CHOSE the death penalty? (Choose one only)

a) Because this is such a serious crime he deserves to die		1
b)	Because it is necessary to deter others from trafficking in drugs	
c)	To make sure he cannot repeat this crime	
d)	Other main reason (Specify):	4

### If death penalty WAS NOT chosen in B21:

B21.2 What is the MAIN reason that you DID NOT choose the death penalty? (Choose one only)

a)	Because he should be given another chance to reform	
b)	Imprisonment is sufficient punishment in these circumstances: death would be excessive	2 🗌
c)	I am against the death penalty in principle for drug trafficking	3 🗌
d)	Other main reason (Specify):	4 🗆

Q22. A foreigner aged 20 was arrested when he arrived at Changi Airport from overseas because his behaviour aroused suspicion. He was found to be carrying a package containing 100 grams of COCAINE. He said he was asked to deliver the package by his boss and had no idea what was in it. He had no previous convictions. He was found guilty of drug trafficking and sentenced to death.

	o? Aforeigner Aged 20	- Ar beh - Fo	happened? rested at Changi A aviour aroused sus und to be carrying taining 100 GRAM	spicion a package				
	- Said he was asl		er the package by NO PREVIOUS CO		o idea v	/hat was	in it	
	Н		icted of drug traffic ntence would you p					
a)	A sentence of	years in pris	on			1		Years
b)	Life imprisonment v		The state of the s	1.00	terat	2		
c)	Life imprisonment v	without the	possibility of ever b	eing released		3 🗌		
d)	Death sentence		en etako ordan da da daga. Maria			4 🔲	*	
e)	Other (Specify):					5 🗌		
<b>★</b> <u>If d</u>	death penalty WAS cl What is the MAI		<u>2:</u> nat you CHOSE the c	leath penalty? (Ch	oose on	e only)		
a)	Because this is such	n a serious c	rime he deserves to	die				1
b)	Because it is necess	sary to dete	r others from traffic	king in drugs		41		2 🗌
<u>c)</u>	To make sure he ca	nnot repeat	this crime					3 🗌
d)	Other main reason	(Specify):			• .		***	4
If death B22.2	n penalty WAS NOT cl		<u>2:</u> nat you DID NOT ch	oose the death per	nalty? (C	hoose on	e only)	
a)	Because he is your should be given and			and acted under	another	's influen	ice, he	1
b)	Imprisonment is su	<del></del>		cumstances: death	would b	e excessiv	/e	2
c)	I am against the dea	ath penalty	in principle for drug	trafficking	**********	<u></u>		3 🗌

d)

Other main reason (Specify):

4

Q23. A man aged 19 broke into a house at night carrying a loaded pistol. The householder heard him come into the residence and went to see what was happening, carrying a stick. The burglar shot at the householder but missed his target. He ran away but was later caught by the police, convicted for a firearms offence and sentenced to death. He had no previous convictions.

### Who?

- A man
- Aged 19



### What happened?

- He broke into a house at night carrying a loaded pistol.
- The householder heard him come into the residence and went to see what was happening, carrying a stick.
- He shot at the householder <u>BUT MISSED</u> HIS TARGET.





He ran away but was later caught by the police
 NO PREVIOUS CONVICTIONS

# He was convicted of firearms offence and sentenced to death. Which sentence would you prefer / thinks he deserves?

a)	A sentence ofyears in prison	1		Years
b)	Life imprisonment with the possibility of release under supervision after at least 20 years in prison if found to be no longer a danger to society	2		_
c)	Life imprisonment without the possibility of ever being released	3 🗌		
d)	Death sentence	4	*	
e)	Other (Specify):	5 🗌		

### If death penalty WAS chosen in B23:

### B23.1 What is the MAIN reason that you CHOSE the death penalty? (Choose one only)

a)	Because this is such a serious crime he deserves to die	
b)	Because it is necessary to deter others from discharging firearms when committing such a crime	2 🔲
c)	To make sure he cannot repeat a firearms offence which could cause death	3 🗌
d)	Other main reason (Specify):	4

### If death penalty WAS NOT chosen in B23:

### B23.2 What is the MAIN reason that you DID NOT choose the death penalty? (Choose one only)

a)	Because he is young and has no previous convictions, he deserves another chance to reform	1
b)	Because nobody was injured, imprisonment is sufficient punishment, death would be excessive	2 🗌
c)	I am against the death penalty in principle for firearms offences where no one is killed	` 3□
d)	Other main reason (Specify):	4

Q24. Mr A and Mr B, two 23 year-old men were hanging out together when Mr C appeared, whom Mr A did not like. Mr A and Mr C started arguing over a young woman they were interested in. A fight began during which Mr A pulled out a knife and stabbed Mr C to death. Mr B saw the knife and had shouted to Mr A "go on", but otherwise simply stood and watched, making no attempt to intervene. Mr A was subsequently convicted of the murder of Mr C and he was sentenced to death.

### Who?

- Two men, Mr A and Mr B
- Both aged 23
- Victim Mr C



### What happened?

- Mr A and Mr C argued over a young woman they were interested in.
- A fight began.
- Mr A pulled out a knife and stabbed Mr C to death.
- Mr B saw the knife and had <u>SHOUTED to</u>
  <u>Mr A "GO ON</u>", but otherwise <u>SIMPLY</u>
  <u>STOOD and WATCHED</u>, making no attempt to intervene.



Mr A was subsequently convicted of the murder of Mr C and he was sentenced to death.

<u>For Mr B</u> who simply stood and watched but encouraged Mr A and made no attempt to stop him, do you think he should be:

Punished with imprisonment but for a less serious offence – since he did not attack MR C	Punished with imprisonment for the death of MR C	Sentenced to death  – just like MR A –  because he let MR A kill MR C	Don't know
1	2	3 🗍	99 🗌

B25	What measures do you think are most likely to be able to reduce very violent crimes leading to death
	in Singapore? Please rank them in order of likelihood.

I am going to read out 5 measures, and if you have anything else to add, please mention it. <u>Please rank 1 for the most likely, 2</u> for the second most likely and etc. Please give a rank to each of these measures.

RANK ALL

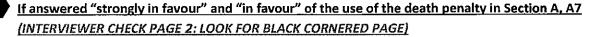
	Measures	Rank
a)	More effective policing to bring criminals to justice and make punishment more certain	
b)	Better moral education of young people	
c)	More effective policies to control the trade in drugs	
d)	More effective policies to control the possession of firearms	
e)	Greater number of executions of murderers	
f)	Other measures:	

## What measures do you think are most likely to be able to reduce the <u>amount of trafficking in illegal</u> <u>drugs</u> in SINGAPORE? Please rank them in order of likelihood.

I am going to read out 4 measures, and if you have anything else to add, please mention it. <u>Please rank 1 for the most likely, 2</u> for the second most likely and etc. Please give a rank to each of these measures

RANK ALL

	Measures	Rank
a)	More effective policing to bring the leading drug dealers to justice	
b)	Better moral education of young people to reduce the demand for drugs	
c)	More effective border controls to reduce the trade in drugs	
d)	Greater number of executions of people caught trafficking in illegal drugs	menintilizationiste e e e e e e e e e e e e e e e e e e
e)	Other measures:	



B27 You said that you favoured the death penalty (which can be either a mandatory or a discretionary death penalty).

Would you continue to support the death penalty if the government proposed to replace it by a discretionary <u>maximum</u> punishment, according to the circumstances, of life imprisonment without the possibility of ever being released?

	Would then strongly support the alternative maximum	Would then <u>be</u> <u>content</u> with the alternative maximum	Still <u>prefer</u> death penalty	Still <u>strongly</u> <u>support</u> death penalty	f Kno App
a) Murder	1	2	3 🗌	4□	
b) Drug Trafficking	1	2 🗌	3 🗌	4 🗌	E
c) Firearms Offences	1	2 🗌	3 🗌	4	:

	Don't Know / Not Applicable
	99 🗌
	99 🗌
Ì	99 🗍

Notes for interviewer. Information to be given to the respondent only if asked:

This question refers to ALL forms of murder and ALL types of drug trafficking.

**B28** 

In the case of murder, only intentional murder is punished with the mandatory death penalty. In the other three forms of murder, the judge has a discretion to impose the death penalty or life imprisonment. These three other forms of murder are where the act that causes death:

- (i) is done with the intention to cause injury which the offender knows is likely to cause death
- (ii) is done with the intention to cause injury, and the injury caused is sufficient to cause death
- (iii) is done with the knowledge that the act is very dangerous that it is extremely likely to cause death

In the case of drug trafficking above certain limits for specified drugs, the punishment is the mandatory death penalty unless the person is:

- (i) a courier and he/she has substantially assisted the CNB in disrupting drug trafficking activities in Singapore or elsewhere; or
- (ii) a courier and is shown to be suffering from a mental condition that diminishes his/her responsibility.

In situation (i), the judge has a discretion to impose the death penalty or life imprisonment, in situation (ii), the sentence of life imprisonment is imposed.

If the death penalty were to be abolished for all crimes in Singapore and discretion given to the judge, what would YOU prefer the <u>maximum</u> alternative sentence to be?

	Maximum imprisonment of 20 years with length of imprisonment according to the circumstances	Life imprisonment with the possibility of release after serving at least 20 years in prison	Life imprisonment without the possibility of ever being released
a) Murder	1□	2 🗌	3 🔲
b) Drug Trafficking	1	2 🗌	3 🗌
c) Firearms Offences	1 🗍	2 🗌	3 🗌

### **SECTION C: DEMOGRAPHICS**

C1	Gender	•				C5	What	is your religion?		
	1	Male					1	Christianity - Protestant	6 🔲	Sikhism
	2	Female					2 🗌	<b>Christianity</b> - Roman Catholic	7 🗌	Hinduism
							3 🔲	Buddhism	8	Other Religion
C2	What y	ear were you born ir	1?				4 🗌	Taoism or "Pai Shen"		
60	EALtt	4					5 🗌	Islam	9 🔲	No Religion
C3	Ethnici	-	<u>,                                    </u>	ttt		66	To wh	nat extent do you cons	sider vo	urself a religious
	1		3 🗍	Indian	···	C6	perso	•		
	2 🗌	Malay	4 🗌	Others				Not Religious at all" an		
C4	What is	s your highest educa	tion?				Not Religi	Olis		Very Religious
	1	No formal education	-				1	2 3 4	 5 [	
	2 🔲	(never attended school) Some primary edu		•			_			
	3 □	(without PSLE or have B Completed primar	est 1-3 c	ertificate)			_			
		(PSLE or equivalent e.g.	Best 4 ce		- 4	C7	Housi	ng type		
	4 🗌	Some secondary (w pass or have Wise 1-3 c			: 'N' / 'O' level		1	HDB 1-2 rooms		
	5 🗌	Completed second or equivalent e.g. NTC g		ve at least 1	GCE 'N' / 'O' pass		2 🗌	HDB 3 rooms		
	6 🗌	Post-Secondary: Po (have at least 1 GCE 'A'	re U / J				3 🗌	HDB 4 rooms		
		2, polytechnic or SIM ce			g. W. o grade 1 or		4 🔲	HDB 5 rooms / Exec	/ Maiso	onette
	7 🗌	Polytechnic / Diplo		anuivalanti			5 🗌	HUDC		
	8 🗌	Professional Diplo			A, CFA)		6 🗌	Executive condo (EC apartment	:) / Priva	ate condo / Private
	9 🗌	University / Degre	<b>e</b> (bache	elor or honou	ırs)		7	Terrace, Semi-detac	hed, Bu	ngalow
	10 🗌	Postgraduate			-1		8 🔲	Others		
	11	(postgraduate diploma, Others	, musters	s or auctorat	<del>c</del> /					
C8	Month	nly <u>PERSONAL</u> income	e (S\$)			СЭ		thly <u>HOUSEHOLD</u> inco		ГНОМЕ)
	1	No income	10 🗌	7,000-	7,999		1	No income	10 🗌	7,000- 7,999
	2 🗌	Up to 499	11 🗌	8,000-8	3,999		2 🗌	•		8,000-8,999
	3 🗌	500-999	12 🔲	9,000-9			3 🗌			9,000-9,999
	4 🗌	1,000-1,999	13 🗌		-10,999		4 🗆			10,000-10,999
	5 🗌	2,000-2,999	14 🗌	•	-11,999		5 🗌		14 🗌	11,000-11,999
	6 🗌	3,000-3,999	15 🗌		-12,999		6 □ 		15 🗌	12,000-12,999
	7□	4,000-4,999	16 🗌		-13,999 -14,000		7 🗌 8 🔲		16 🗌 17 🔲	13,000-13,999
	8 🗌 9 🔲	5,000-5,999 6,000-6,999	17 🗌 18 🔲	-	-14,999 or higher		9□	•	17 🔲 18 🔲	14,000-14,999 15,000 or higher
				13,000	or influei					
	Phone	Number			<del></del> 1		Inter	view End Time (hh:m	n)	

# APPENDIX 3: SURVEY QUESTIONS (2)







### **Public Opinion on the Mandatory Death Penalty in Singapore**

Good morning/afternoon/evo				a nationwide study on what oore.
	ight or v	vrong answers and v	ve seek only your opinion.	questions on your view of the The survey will take about 30
	entificati	ion of you or your far	mily. Your participation in th	none of it will be released in nis study is voluntary. Will you
START HERE:				
The adult with the next birth	day sho	uld complete this qu	estionnaire.	
			1	
Interviewer Name			Supervisor Name	
Respondent Name				
Address	Blk:		Unit:	Postal Code:
	Street	:		
a) Nationality	1	Singapore Citizen o	only	
b) Age			Years old (18 to 74 years	old only)
Date of Successful Inter	/iew		,	(dd/mm/yyyy)
Interview Start Time				(24 hr, hh:mm)
Language used in Intervi	iew			

# **BLANK PAGE**

### **SECTION A**

	now interested in	on concerned are you abou	ut the death penalty	ın sıngaporer	
1	Not interested OR concerned at all	2 Not very intereste nor concerned	Intereste	; <u>4</u> 1	interested oncerned
A2	How much do you	ı happen to know about the	use of the death per	nalty in Singapore?	
1	Know nothing about it	2 Know little about i	t 3□ Know som about it	nething 4 Know	a great deal
<b>A3</b>	How often have y	ou talked with other people	about the issue of the	ne death penalty?	
1	I never talk about it	2 At most once a year	3□ Several tii year	mes a 4 Many	y times a year
A4	-	roughly how many people 2015? How many for murder? H		= -	
a) M	urder +	b) Drug trafficking	+ c) Discharging firearm wh committing certain crin	$= \begin{bmatrix} T_0 \\ G_2 \end{bmatrix}$	otal b+c)
A5	what do you thin	er of persons executed in Sink about the number of personer to give the total number based of	ons executed in Singa	-	bout right, or
1	Too few	About the right number	3☐ Too many	99 🔲 Do	on't know
				No	Yes
	vould like to ask you death penalty in Sin	about the law on the use gapore	In <u>EVERY</u> case the judge can choose whether or not to	In <u>certain</u> <u>circumstances defined</u> <u>by LAW</u> the judge can	The judge has no choice. The death
			impose the death penalty	to impose the death	penalty must be imposed BY LAW in <u>EVERY</u> case
A6.a	is the death penalty	ed of murder in Singapore,  the only sentence that the	•	ł.	imposed BY LAW
A6.a A6.b	is the death penalty judge can impose?  For people convict drugs in Singapo amounts depending is the death penalty		penalty	to impose the death penalty	imposed BY LAW in <u>EVERY</u> case
	is the death penalty judge can impose?  For people convict drugs in Singapo amounts depending is the death penalty judge can impose?  For people convict when committing is the death penalty judge can impose? Sin housebreaking, robb	ted of trafficking in illegal ore above certain specified on the drug concerned, or the only sentence that the red of discharging a firearm certain crimes in Singapore, by the only sentence that the uch crimes include committing pery, extortion or kidnapping, tent to kill or injure anyone and	penalty  1   1	to impose the death penalty	imposed BY LAW in <u>EVERY</u> case
A6.b	is the death penalty judge can impose?  For people convict drugs in Singapo amounts depending is the death penalty judge can impose?  For people convict when committing is the death penalty judge can impose? Sind housebreaking, robbeven if there is no interest no one is in fact killer.	ted of trafficking in illegal ore above certain specified on the drug concerned, or the only sentence that the red of discharging a firearm certain crimes in Singapore, by the only sentence that the uch crimes include committing pery, extortion or kidnapping, tent to kill or injure anyone and	penalty  1   1   1   1   1   1   1   1   1   1	to impose the death penalty  2   2   2   2	imposed BY LAW in EVERY case  3   3

# MANDATORY DEATH SENTENCE CRIMES

In Singapore everyone without exception convicted of



INTENTIONAL MURDER,





most types of DRUG TRAFFICKING,



and DISCHARGING A FIREARM while committing certain offences

### MUST BE SENTENCED TO DEATH.

The judge **CANNOT** take into account the circumstances in which the crime took place or the personal circumstances or character of the person convicted. ===this is called the **MANDATORY DEATH SENTENCE**.

The judge has NO discretion (choice) to impose any other sentence.



Murder can be committed when death is caused with different "states of mind", including:

- i) an intention to cause death;
- ii) an intention to cause an injury which is very likely to cause death;
- iii) knowledge that death is very likely to happen.

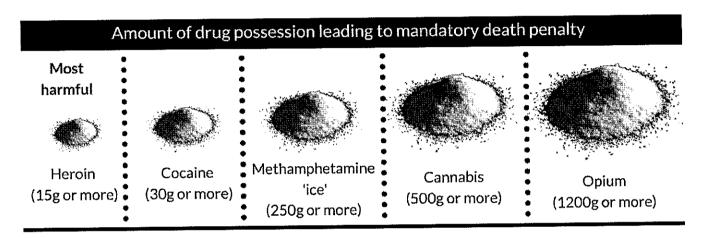
However, the mandatory death sentence applies only in the case of intentional killing. In other forms of murder, the judge has a choice to impose the death penalty or life imprisonment.

For the questions on murder, unless I tell you otherwise, we are only concerned with INTENTIONAL KILLING where the mandatory death penalty applies.

NOTE: Answer question A8a before moving on

# DRUG TRAFFICKING

Everyone who is convicted of having in their possession the following amounts of illegal drugs will be **PRESUMED** to be trafficking in them unless the defence proves otherwise. Please note that the more harmful the drug is considered to be, the smaller the amount of it possessed will lead to the death penalty being imposed.



However, a judge has a choice NOT to impose the death penalty in two limited situations:

- (i) if he/she is a courier who has only transported the drug and played no further role and has substantively assisted the Central Narcotics Bureau (CNB) in disrupting drug trafficking activities in Singapore or elsewhere; and
- (ii) if he/she is a courier who has only transported the drug and played no further role and is shown to be suffering from a mental condition that diminishes his/her responsibility.

For all the questions on drug trafficking, unless I tell you otherwise, assume that these two situations DO NOT apply.

IN OTHER WORDS WE ARE ONLY ASKING ABOUT SITUATIONS WHERE THE DEATH PENALTY WOULD BE MANDATORY.

NOTE: Answer question A8b-f before moving on



Please note that NOBODY NEEDS TO HAVE BEEN KILLED OR INJURED – if a killing took place, then it would be murder.

NOTE: Answer question A8g before moving on

### A8 I would like to know whether you

- agree with this law OR
- think the judge should be able to pass a different sentence depending on the circumstance OR
- are against the death penalty for each type of crime and would like to see it abolished, and replaced by life or long-term imprisonment.

For persons convicted of	Against the death penalty for this crime. Would like to see it abolished and replaced by life or long-term imprisonment	The judge should be allowed to decide whether or not to choose the death penalty according to the circumstances	In favour of the death penalty being mandatory for everyone	Don't know / Have no opinion either way
	and diversity and the second s			
a) Intentional Murder	1	2□ Ο	3 📗 🌘	99 🔲
Drug trafficking				
b) Trafficking 15 grams or more of heroin	1	2□ Δ	3□ ▲	99 🗌
c) Trafficking 30 grams or more of cocaine	1	2□ 🛆	3□ 🛦	99 🗌
d) Trafficking 250 grams or more of methamphetamine ("ice")	1	2□ Δ	3□ 📤	99 🗌
e) Trafficking 500 grams or more of cannabis	1	2□ Δ	3□ ▲	99 🗌
f) Trafficking 1,200 grams or more of opium	1	2□ Δ	3□ 🛦	99 🗌
Firearms Offences				
g) Discharging a firearm when committing housebreaking, robbery, extortion or kidnapping, even if there is no intent to kill or injure anyone and no one is in fact killed or injured		2 □ □	3 🗖 🔙	99 🗌

A9 If <u>IN FAVOUR</u> of mandatory death s	entence	for <u>iNTENTIONAL</u>	MURDE	<u>R</u> :
How strongly do you agree with the mandatory death penalty for intentional murder?	1	I agree with it very strongly	2	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A10a) <b>A</b> If <u>IN FAVOUR</u> of mandatory death s	entence	e for <u>trafficking 15 g</u>	rams o	r more of HEROIN:
How strongly do you agree with the mandatory death penalty for those convicted of trafficking 15 grams or more of heroin?	1	l agree with it very strongly	2	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A10b)	entence	e for <u>trafficking 30 g</u>	rams o	r more of COCAINE:
How strongly do you agree with the mandatory death penalty for those convicted of trafficking 30 grams or more of cocaine	1	I agree with it very strongly	2	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A10c) A10c If <u>IN FAVOUR</u> of mandatory death s <u>METHAMPHETAMINE "ice"</u> :	entence	e for <u>trafficking 250</u>	grams (	or more of
How strongly do you agree with the mandatory death penalty for those convicted of trafficking 250 grams or more of methamphetamine "ice"?	1	I agree with it very strongly	2 🗌	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A10d)	entence	e for trafficking 500	grams (	or more of CANNABIS:
How strongly do you agree with the mandatory death penalty for those convicted of trafficking 500 grams or more of cannabis?	1	I agree with it very strongly	2	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A10e)	entence	e for <u>trafficking 1,20</u>	00 gram	s or more of OPIUM:
How strongly do you agree with the mandatory death penalty for those convicted of trafficking 1,200 grams or more of opium?	1	l agree with it very strongly	2	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge
A11 If <u>IN FAVOUR</u> of mandatory death	senten	ce for <u>FIREARM OF</u> F	ENCES:	
How strongly do you agree with the mandatory death penalty for those convicted of <u>firearms</u> <u>offences</u> where a firearm has been discharged while certain offences are committed but nobody has been killed or even injured?	1	I agree with it very strongly	2	I don't feel very strongly about it but I still prefer it, rather than leaving the choice of sentence to the judge

\*If the mandatory death sentence was supported for at least one of the crimes in A8

A12 Why do you support a mandatory death sentence rather than leaving it to the discretion of the Judge after hearing all aspects of the case?

RANK

It is not required for you to choose and rank all reasons, you can choose only those which are relevant to you.

If there is more than one reason, rank the most important as 01, the next as 02 etc. If there is only one reason, code the reason as rank 01.

Only read out the statements for the type of crimes that are applicable. If the type of crime is not applicable (i.e. not in favour of mandatory death penalty in A8), tick 97 for "does not apply".

	Main Reasons (RANK if applicable)	12.1 Intentional Murder	12.2 A Drug Trafficking	12.3 Firearms Offences
a)	To have a sufficiently powerful deterrent to these crimes Unless the punishment is certain, with no exceptions, it will not be a sufficiently powerful deterrent to these crimes			
b)	Everyone found guilty of one of these crimes deserves to die  There can be no excuses for committing murder/ drug trafficking/ using firearms while committing a crime. Everyone found guilty of one of these crimes deserves to die			
c)	Everyone convicted should be treated the same otherwise it would be unfair Judges vary too much in how they treat similar cases. Everyone convicted of murder/ drug trafficking/ using firearms while committing a crime should be treated the same otherwise it would be unfair	Tamah manada da ana ana ana ana ana ana ana ana		
d)	Relatives of people affected by one of these crimes can receive satisfaction  This is the only way to make sure that all people who have had a close relative affected by murder/ drug trafficking/ using firearms while committing a crime can receive satisfaction			
e)	Does not apply	97 🗌	97 🗌	97 🗌

is n	ot required for you to choose and rank all reasons, yo	ou can choose only those wh	ich are relevant to you.	RANK
the:	re is more than one reason, rank the most important	as 01, the next as 02 etc. If t	here is only one reason, code	the reason as rank 01
	Main Reasons (Rank if applicable)	13.1 O Intentional Murder	13.2 <b>\( \)</b> Drug Trafficking	13.3
a)	Circumstances differ and people differ: not everyone who commits one of these crimes deserves to die. Mitigating circumstances should always be taken into account.			
o)	Some people who commit one of these crimes may deserve another chance, they can be rehabilitated.  The death penalty should be reserved only for those who could never be rehabilitated			
c)	The death penalty should be reserved only for those that have committed the most heinous forms of these crimes			
<b>d)</b>	Does not apply	97 🗌	97 🗌	97 🔲
	<b>\</b> □	eath nenalty was prof	erred for at least one ty	pe of crime in A8
)	**If a mandatory/discretionary description of the second s	e proved that the dea ourder, drug trafficking of the death penalty o	or firearms offences. r change your mind?	<u>etter deterrent</u> th
) <u>/</u> A:	Suppose that new scientific evidence life or very long imprisonment for m Would you then still favour the use of (Read out type of crime in favour of mandato).  Main Reasons	e proved that the dea nurder, drug trafficking of the death penalty o ry/discretionary death pena would then	or firearms offences. r change your mind? olty in A8) ould still	don't know don't have an opinion
) <u>/</u> A:	Suppose that new scientific evidence life or very long imprisonment for m Would you then still favour the use of (Read out type of crime in favour of mandato).  Main Reasons	e proved that the deal surder, drug trafficking of the death penalty o pry/discretionary death penal would then oppose it face	or firearms offences. r change your mind? olty in A8) ould still	don't know don't have
A:	Suppose that new scientific evidence life or very long imprisonment for m Would you then still favour the use of (Read out type of crime in favour of mandato).  Main Reasons	te proved that the dealurder, drug trafficking of the death penalty ory/discretionary death penalty owould then oppose it favores	or firearms offences. r change your mind? elty in A8) uld still your it	don't know don't have an opinion

	Would you then still favour the offences or change your mind? (R	use of the deatl ead out type of crime	n penaity for murder, a in favour of mandatory/discret	ionary death penalty in A8)
	Main Reasons	I would then oppose it	I would still favour it	I don't know / don't have an opinion
	a) For murder	2 🗌	3 🔲	99 🗌
	b) For drug trafficking	2 🗍	3 🗌	99 🗌
	c) For firearms offences	2 🗌	3 🔲	99 🗌
 	practice and abolish the death p	enalty 2 🗆 * N		
²∟	NO) was chosen, please specify w			
	*If the mandatory death sen	itence was suppoi	ted for at least one of th	e crimes in A8
\ <b>\</b>	*If the mandatory death sent You said that you are in favour of asked you about.  Do note, however, that most contained aspect of death penalty for all contained assets to the judge. Does this info	of the <u>mandatory</u> untries that still ha	death penalty for at leas ave the death penalty ha he decision whether to	t one of the crimes we we abolished the <u>manda</u> impose it for the very w

### SECTION B

People have different ideas about sentences which should be given to offenders. You will now be presented with several case examples and be asked about your personal opinion in each case.

**Q18.** A man robbed a local shop with a gun and shot the owner in the head. He took away with him \$300 cash. He had previously been in prison twice for robbery. He was convicted of murder and sentenced to death.

18R2

### Who?

- A man



### What happened?

- He robbed a local shop with a gun
- Shot the owner in the head
- Took away with him \$300 cash



### He HAD previously been IN PRISON TWICE FOR ROBBERY

He was convicted of murder and sentenced to death. Which sentence would you prefer / thinks he deserves?

a)	A sentence ofyears in prison	1		Years
b)	Life imprisonment with the possibility of release under supervision after at least 20 years in prison if found to be no longer a danger to society	2		
c)	Life imprisonment without the possibility of ever being released	3 🗌		
d)	Death sentence	4	*	
e)	Other (Specify):	5		

### Fig. (d. death penalty) WAS chosen in B18:

B18.1 What is the MAIN reason that you CHOSE the death penalty? (Choose one only)

a)	Because he deserves it: a life for a life	1
b)	Because it is necessary to deter others from murder	2 🗌
c)	To make sure he cannot kill again	3 🗌
d)	Because it is necessary to provide justice to the victim's relatives	4
e)	Other main reason (Specify):	5 🗌

### If (d. death penalty) WAS NOT chosen in B18:

B18.2 What is the MAIN reason that you DID NOT choose the death penalty? (Choose one only)

a)	Because he should be given another chance to reform			
b)	Imprisonment is sufficient pun	ishment in these circumstances: death would be excessive	2	
c)	I am against the death penalty in principle for murder			
d)	Other main reason (Specify):		4 🗌	

Q19. A woman who had been abused by her husband for many years decided to kill him by deliberately poisoning his food. A neighbour discovered the death of the husband and reported it to the police. She was convicted of murder and sentenced to death.

# Who? - A woman - She DELIBERATELY poisoned her husband, who died

### She had been ABUSED BY HER HUSBAND FOR MANY YEARS

# She was convicted of murder and sentenced to death. Which sentence would you prefer / thinks she deserves?

a)	A sentence ofyears in prison	1	L	Years
b)	Life imprisonment with the possibility of release under supervision after at least 20 years in prison if found to be no longer a danger to society	2	A CANADA	
c)	Life imprisonment without the possibility of ever being released	3 🗌	Assessment and the second	
d)	Death sentence	4	*	
e)	Other (Specify):	5 🗌	A	

### If death penalty WAS chosen in B19:

### B19.1 What is the MAIN reason that you CHOSE the death penalty? (Choose one only)

a)	Because she deserves it: a life for a life	1
b)	Because it is necessary to deter others from murder	2
c)	To make sure she cannot kill again	3 🗌
d)	Because it is necessary to provide justice to the victim's relatives	4
e)	Other main reason (Specify):	5 🗌

### If death penalty WAS NOT chosen in B19:

### B19.2 What is the MAIN reason that you DID NOT choose the death penalty? (Choose one only)

a)	Because of what she has suffered she can be shown mercy	1
b)	Imprisonment is sufficient punishment in these circumstances: death would be excessive	2 🗌
c)	I am against the death penalty in principle for murder	3 🗌
d)	Other main reason (Specify):	4

**Q20.** A man aged 35 with previous convictions for violence and drug POSSESSION deliberately shot dead a rival drug dealer who had failed to pay back a debt. He was convicted of murder and sentenced to death.

	o? Aman Aged 35	- He shot dead a rival drug dealer who had failed to pay back a debt	
	PI	REVIOUSLY CONVICTED for violence and drug possession	
		He was convicted of murder and sentenced to death. Which sentence would you prefer / thinks he deserves?	
a)	A sentence of	years in prison	Years
b)	Life imprisonment	with the possibility of release under supervision after at rison if found to be no longer a danger to society	
c)	Life imprisonment	without the possibility of ever being released 3	
d)	Death sentence	4 🗆 🛊	
e)	Other (Specify):	5 🗆	
<u>⊯ lf α</u> B20.1	death penalty WAS What is the MA	chosen in B20: AIN reason that you CHOSE the death penalty? (Choose one only)	
a)	Because he desen	ves it: a life for a life	1
b)	Because it is nece	ssary to deter others from murder	2 🗌
<u>c)</u>	To make sure he o		3 🗌
d)	Because it is nece	ssary to provide justice to the victim's relatives	4
e)	Other main reason	ı (Specify):	5 🗌
<u>If death</u> B <b>20</b> .:	n penalty WAS NOT	<u>chosen in B20:</u> AIN reason that you DID NOT choose the death penalty? (Choose one onl	y)
a)	Because he killed a	another criminal: he does not deserve to die	1
b)	Imprisonment is su	ufficient punishment in these circumstances: death would be excessive	2
c)	I am against the de	eath penalty in principle for murder	3 🗌
d)	Other main reasor	i (Specify):	4 □

A Singaporean woman aged 21 was stopped by Immigration at Changi Airport and Q21. when searched was found to have 100 GRAMS of HEROIN hidden in a false bottom of her suitcase. She claimed that a foreign man she had met on holiday had asked her to carry the suitcase as a special favour. She had no previous criminal record. She was

### convicted of drug trafficking and sentenced to death. What happened? Who? - Stopped by Immigration at Changi Airport - A Singaporean woman - Found to have 100 GRAMS of HEROIN - Aged 21 hidden in a false bottom of her suitcase





- Claimed that a foreign man she had met on holiday had asked her to carry the suitcase as a special favour - NO PREVIOUS CRIMINAL RECORD

> She was convicted of drug trafficking and sentenced to death. Which sentence would you prefer / thinks she deserves?

a)	A sentence ofyears in prison	1		Years
b)	Life imprisonment with the possibility of release under supervision after at least 20 years in prison if found to be no longer a danger to society	2		
c)	Life imprisonment without the possibility of ever being released	3 🔲		
d)	Death sentence	4 🗌	*	
e)	Other (Specify):	5 🗌		

### If death penalty WAS chosen in B21:

What is the MAIN reason that you CHOSE the death penalty? (Choose one only) B21.1

a)	Because this is such a serious crime she deserves to die	1
b)	Because it is necessary to deter others from trafficking in drugs	2 🗌
c)	To make sure she cannot repeat this crime	3 🗌
d)	Other main reason (Specify):	4

### If death penalty WAS NOT chosen in B21:

What is the MAIN reason that you DID NOT choose the death penalty? (Choose one only) B21.2

a)	she should be given another chance to reform	
b)	Imprisonment is sufficient punishment in these circumstances: death would be excessive	2 🗌
c)	I am against the death penalty in principle for drug trafficking	3 🗌
d)	Other main reason (Specify):	4

A Singaporean man aged 25 was arrested in Singapore on suspicion that he was dealing in drugs. His property was searched and 500 grams of CANNABIS was seized. He had a previous conviction for selling cannabis in small amounts on the street. He claimed that someone else had left the 500 grams of cannabis at his house without telling him. He was convicted of drug trafficking and sentenced to death.

### Who?

- A Singaporean man
- Aged 25



### What happened?

- Arrested in Singapore on suspicion that he was dealing in drugs
- His property was searched and <u>500</u> **GRAMS OF CANNABIS** was seized





- PREVIOUSLY CONVICTED for selling CANNABIS in small amounts on the street - Claimed that someone else had left the 500 grams of cannabis at his house without telling him

## He was convicted of drug trafficking and sentenced to death. Which sentence would you prefer / thinks he deserves?

a)	A sentence ofyears in prison	1	· ·	Years
b)	Life imprisonment with the possibility of release under supervision after at least 20 years in prison if found to be no longer a danger to society	2		•
c)	Life imprisonment without the possibility of ever being released	3 🗌		
d)	Death sentence	4 🗌	*	
e)	Other (Specify):	5 🗌		

### If death penalty WAS chosen in B22:

### B22.1 What is the MAIN reason that you CHOSE the death penalty? (Choose one only)

a)	Because this is such a serious crime he deserves to die	1
b)	Because it is necessary to deter others from trafficking in drugs	2
c)	To make sure he cannot repeat this crime	3 □
d)	Other main reason (Specify):	4

### If death penalty WAS NOT chosen in B22:

### B22.2 What is the MAIN reason that you DID NOT choose the death penalty? (Choose one only)

a)	Because he was not dealing in hard drugs like heroin, so he should be given another chance to reform		1
b)	Imprisonment is sufficient puni	shment in these circumstances: death would be excessive	2 🗌
c)	I am against the death penalty in principle for drug trafficking		3 🗌
d)	Other main reason (Specify):		4

A man aged 30 broke into a house at night carrying a loaded pistol. The householder heard him come into the residence and went to see what was happening, carrying a stick. The burglar shot at the householder and caused a wound in his arm, which was not fatal. He ran away but was later caught by the police, convicted for a firearms offence and sentenced to death. He has a previous conviction for housebreaking and had served a prison sentence.

### Who?

- A man
- Aged 30



### What happened?

- He broke into a house at night carrying a loaded pistol.
- The householder heard him come into the residence and went to see what was happening, carrying a stick.
- He shot at the householder and CAUSED A WOUND IN HIS ARM, WHICH WAS NOT FATAL.





- He ran away but was later caught by the police.
- PREVIOUSLY CONVICTED for housebreaking and had served a prison sentence.

### He was convicted of firearms offence and sentenced to death. Which sentence would you prefer / thinks he deserves? 1 Years A sentence of \_\_\_\_years in prison a) Life imprisonment with the possibility of release under supervision after at 2 b) least 20 years in prison if found to be no longer a danger to society 3 🔲 Life imprisonment without the possibility of ever being released c) 4 🔲 Death sentence d) 5 🗌 Other (Specify): e)

### If death penalty WAS chosen in B23:

### B23.1 What is the MAIN reason that you CHOSE the death penalty? (Choose one only)

a)	Because this is such a serious crime: he could have killed this person so he deserves to di	e 1 🗆
b)	Because it is necessary to deter others from discharging firearms when committing succrime	cha 2 🗆
c)	To make sure he cannot repeat a firearms offence which could cause death	3 🗌
d)	Other main reason (Specify):	4

### If death penalty WAS NOT chosen in B23:

### B23.2 What is the MAIN reason that you DID NOT choose the death penalty? (Choose one only)

a)	Because the person was only slightly injured, he deserves another chance to reform	
b)	Because nobody was killed, imprisonment is sufficient punishment, death would be excessive	
c)	I am against the death penalty in principle for firearms offences where no one is killed	
d)	Other main reason (Specify):	4

Mr X and Mr Y are two 23 year-old men who decided to rob a bank. Mr Y knew that Mr X had a gun but was told by Mr X that he needed the gun only to scare the cashier into submission. He drove Mr X to the bank, while he waited outside in the car. Mr X went in, waved the gun and demanded that the cashier hand over money. The cashier pressed the alarm bell. Mr X shot her dead and ran out of the bank. He jumped into the car and was driven away by Mr Y. Mr X was subsequently convicted of killing the cashier and attempting to rob the bank with a gun for which he was sentenced to death.

### Who?

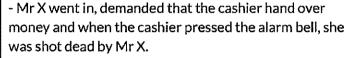
- Two men, Mr X and Mr Y
- Both aged 23



### What happened?

- Mr X and Mr Y decided to rob a bank.
- Mr Y KNEW MR X HAD A GUN, but was told <u>THAT HE</u>
  NEEDED THE GUN ONLY TO SCARE THE CASHIER INTO
  SUBMISSION.











Mr X was subsequently convicted of killing the cashier and attempting to rob the bank with a gun and he was sentenced to death.

For Mr Y who drove the car but did not enter the bank, do you think he should be:

Punished with imprisonment but for a less serious offence  – since he did not shoot the cashier	Punished with imprisonment for participating in the robbery where a gun was used	Sentenced to death  – just like MR X – because he participated in the robbery where a gun was used even though he did not shoot the cashier	Don't know
1	2 🗌	3 🗌	99 🗌

What measures do you think are most likely to be able to reduce <u>very violent crimes leading to death</u> in Singapore? Please rank them in order of likelihood.

I am going to read out 5 measures, and if you have anything else to add, please mention it. <u>Please rank 1 for the most likely, 2</u> for the second most likely and etc. Please give a rank to each of these measures.

RANK ALL

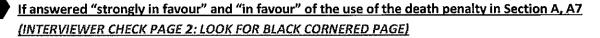
	Measures	Rank
a)	More effective policing to bring criminals to justice and make punishment more certain	
b)	Better moral education of young people	
c)	More effective policies to control the trade in drugs	
d)	More effective policies to control the possession of firearms	
e)	Greater number of executions of murderers	
f)	Other measures:	

What measures do you think are most likely to be able to reduce the <u>amount of trafficking in illegal</u> drugs in SINGAPORE? Please rank them in order of likelihood.

I am going to read out 4 measures, and if you have anything else to add, please mention it. <u>Please rank 1 for the most likely, 2</u> for the second most likely and etc. Please give a rank to each of these measures

RANK ALL

7/	Measures	Rank
a)	More effective policing to bring the leading drug dealers to justice	
b)	Better moral education of young people to reduce the demand for drugs	
c)	More effective border controls to reduce the trade in drugs	
d)	Greater number of executions of people caught trafficking in illegal drugs	rilaikii ishiikkasti makeemme ee make ishi aasi isladam.
e)	Other measures:	



**B27** You said that you favoured the death penalty (which can be either a mandatory or a discretionary death penalty). Would you continue to support the death penalty if the government proposed to replace it by a discretionary maximum punishment, according to the circumstances, of life imprisonment without the possibility of ever being released?

	Would then strongly support the alternative maximum	Would then <u>be</u> <u>content</u> with the alternative maximum	Still <u>prefer</u> death penalty	Still <u>strongly</u> <u>support</u> death penalty	Don't Know / Not Applicable
a) Murder	1	2	3□	4 🗆	99 🗌
b) Drug Trafficking	1 🗌	2 🗌	3 □	4 🗌	99 🗌
c) Firearms Offences	1	2 🗌	3 □	4	99 🔲

Notes for interviewer. Information to be given to the respondent only if asked:

This question refers to ALL forms of murder and ALL types of drug trafficking.

In the case of murder, only intentional murder is punished with the mandatory death penalty. In the other three forms of murder, the judge has a discretion to impose the death penalty or life imprisonment. These three other forms of murder are where the act that causes death:

- is done with the intention to cause injury which the offender knows is likely to cause death
- (ii) is done with the intention to cause injury, and the injury caused is sufficient to cause death
- (iii) is done with the knowledge that the act is very dangerous that it is extremely likely to cause death

In the case of drug trafficking above certain limits for specified drugs, the punishment is the mandatory death penalty unless the person is:

- (i) a courier and he/she has substantially assisted the CNB in disrupting drug trafficking activities in Singapore or elsewhere; or
- (ii) a courier and is shown to be suffering from a mental condition that diminishes his/her responsibility.

In situation (i), the judge has a discretion to impose the death penalty or life imprisonment, in situation (ii), the sentence of life imprisonment is imposed.

If the death penalty were to be abolished for all crimes in Singapore and discretion given to the judge, **B28** what would YOU prefer the maximum alternative sentence to be?

Maximum imprisonmer 20 years with length imprisonment accordin the circumstances		Life imprisonment with the possibility of release after serving at least 20 years in prison	Life imprisonment without the possibility of ever being released			
a) Murder	1	2	3 🖳			
b) Drug Trafficking	1	2 🗌	3 🗌			
c) Firearms Offences	1	2. 🔲	3 🗌			

### SECTION C: DEMOGRAPHICS

C1	Gender				C5	What	is your religion?			
	1	Male				1	Christianity - Protestant	6 <u> </u>	Sikhism	
	2	Female			!	2	<b>Christianity</b> - Roman Catholic	7 🔲	Hinduism	
						3 🗌	Buddhism	8	Other Religion	
C2	What yo	ear were you born in?	į		i	4 🗌	Taoism or "Pai Shen"	•		
						5 🗌	Islam	9 🔲	No Religion	
C3	Ethnicit	<u></u>				To what extent do you consider yourself a religio				
	1 🗌	Chinese 3 🗌	Indian		C6	perso	n?			
	2 🗌	Malay 4□	Others				e rate yourself on a sc Not Religious at all" an			
C4	What is	your highest education	,			Not			Very Religious	
<del></del>	1	No formal education				Religi	ous 2 □ 3 □ 4 □	 ] 5[		
		(never attended school)			•	1 []	على على علا	J 7L	_	
	2 🗌	Some primary education (without PSLE or have Best 1)								
	3 🗌	Completed primary (PSLE or equivalent e.g. Best	A certificate)		C7	Housing type				
	4 🔲	Some secondary (withou	ut at least 1 GC	E 'N' / 'O' level		1	1 HDB 1-2 rooms			
	5 🗌	Completed secondary	pass or have Wise 1-3 certificate) Completed secondary (have at least 1 GCE 'N' / 'O' pass			2 🔲	2 HDB 3 rooms			
	6 🔲	or equivalent e.g. NTC grade 3) Post-Secondary: Pre U / Junior College				3	∃ HDB 4 rooms			
		(have at least 1 GCE 'A' pass 2, polytechnic or SIM certific	nt least 1 GCE 'A' pass or equivalent e.g. NTC grade 1 or			4	onette			
	7 🗌	Polytechnic / Diploma				5 🗆	HUDC	•		
	8	(includes NIE or SIM diploma or equivalent)  Professional Diploma (e.g. ACCA, ICMA, CFA)				6□	Executive condo (EC) / Private condo / Private			
	9 🗌	University / Degree (be	ichelor or hono	urs)		7 🗌	Terrace, Semi-deta	ched, Bu	ıngalow	
	10 🗌	Postgraduate				8 🗌	Others			
	11 🗌	(postgraduate diploma, mas Others	ters or doctora	te)						
C8	Month	nly <u>PERSONAL</u> income (S		· <del>-</del> ·	C9		thiy <u>HOUSEHOLD</u> inco		T HOME)	
	1	No income 10	7,000-	7,999		1 🔲	No income	10	7,000- 7,999	
	2	Up to 499 11	8,000	-8,999		2 🗌	Up to 499	11 🗌	8,000-8,999	
	3 🗌	500-999 12	9,000	9,999		3 🗌	500-999	12 🔲	9,000-9,999	
	4 🗌	1,000-1,999	☐ 10,000	0-10,999		4 🗌		13 🗌	10,000-10,999	
	5 🗌	2,000-2,999 14	<b>11,00</b>	0-11,999		5 🗀	2,000- 2,999	14	11,000-11,999	
	6 🗀	3,000-3,999 15	12,00	0-12,999		6		15 🗌	12,000-12,999	
	7	, -		0-13,999		7 🗆		16	13,000-13,999	
	8			0-14,999		8	_	17 🗌	14,000-14,999	
	9 🗌	6,000-6,999	☐ <b>15,00</b>	0 or higher		9 🗌	6,000-6,999	18	15,000 or higher	
	Phone Number				Inter	rview End Time (hh:m	ım)			
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