

Public Prosecutor v Wong Hwee Ling Patricia [2018] SGDC 297

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Case Number : DAC-915329-2016 & others, Magistrate's Appeal No 9232-2018-01/02

Decision Date : 26 November 2018

Tribunal/Court : District Court

Coram : Marvin Bay

Counsel Name(s) : APP Dillion Kok and DPP Sarah Shi (Attorney General's Chambers) for the prosecution; Accused in person

Parties : Public Prosecutor – Wong Hwee Ling Patricia

[LawNet Editorial Note: An appeal to this decision has been filed in MA 9232/2018/01-02.]

26 November 2018

District Judge Marvin Bay:

These are my grounds for conviction and sentence for the case brought by the Public Prosecutor against Mdm Wong Hwee Ling Patricia ('Mdm Wong'), a 48-year old Singaporean. Mdm Wong had claimed trial to the seven charges involving physical acts and verbal abuse against three police officers, in a sequence of event that occurred in the space of about an hour on 9 April 2016.

2 Mdm Wong represented herself at the trial, which was heard over seven days in November and December 2017, as well as May 2018. The Prosecution's case has encompassed primarily testimonial evidence of the officers involved, other officers present at the scenes, medical evidence of an asserted injury from an alleged kick, and footage from body worn cameras (**BWC**), worn by the officers.

The Charges

3 Mdm Wong faced the following seven charges all arising from alleged acts that had occurred in close succession around 3.00 am and 4 am on 9 April 2016:

Charge	Time / Place	Offence / Particulars	Appeal against/ No appeal
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1. DAC- at about s 332 of the Penal Code (Cap 224, 2008 Sentence
915329- 3.00 a.m., at Rev Ed) ("**Penal Code**")
2016 Deck 4B of a
multi-storey Voluntarily causing hurt to Staff
car park Sergeant Stanley Koh Hong Chin (SSGT
located at Stanley), a police officer being a public
Blk 510A servant in the discharge of his duty as
Jelapang such public servant, by using her left
Road (the hand to grab and twist the fingers of
"**MSCP**") SSGT Stanley.

2. MAC- at about s 6(1)(a) p/u s 6(3) of the Protection No appeal
904864- 3.00 a.m., at from Harassment Act (Cap 256A, 2015
2016 a stairwell Rev Ed) ("**POHA**")
between
Deck 2B and Using the following abusive words to
Deck 3A of SSGT Stanley:
the MSCP
a. "Curse your mother";
b. "Your mother is a prostitute"; and
c. "Son of a prostitute".

3. DAC- at about s 332 of the Penal Code Voluntarily Conviction
915330- 3.00 a.m., at causing hurt to Staff Sergeant Stanley
2016 a stairwell Koh Hong Chin, a police officer being a
between public servant in the discharge of his
Deck 2B and duty as such public servant, by kicking
Deck 3A of him once on his right thigh.
the MSCP

4. MAC-907544-2016	at about 3.30 a.m., at a stairwell between Deck 2B and Deck 3A of the MSCP	s 6(1)(a) p/u s 6(3) of the POHA Using the following abusive words to Senior Station Inspector Abdul Halim Bin Mazlan: a. "You die faster better still, simple right no need job to do no need to earn money"; b. "Your wife suck c--k, your mother suck c--k, eh Halim! Your mother suck c-k ah, suck a hundred c--ks!"; c. "Charge your mother for sucking a hundred c--ks"; and d. "Your mother is a prostitute, your mother suck a hundred c--ks".	No appeal
5. DAC-915332-2016	at about 3.30 a.m., at Deck 2B of the MSCP	s 353 of the Penal Code Using criminal force against Senior Station Inspector Abdul Halim Bin Mazlan, a police officer being a public servant in the execution of his duty as such public servant, to wit, by spitting saliva onto his face	Sentence
6. MAC-904865-2016	at about 3.50 a.m., in a police car en route to Jurong Police Div HQ	s 6(1)(a) p/u s 6(3) of the POHA Using the following abusive words to Sergeant Siti Aminah Binte Mohd Jamaluddin: a. "Siti go and suck c--k 10 dollars each time, don't be a police go and suck c--k 10 dollars one time"; b. "Siti, your husband will betray you and f--k many woman"; c. "And then Siti will be strike by lightning, you know why, her husband will f--k the prostitute, Siti husband will f--k the prostitute, Siti is going to commit suicide and jump down from 10 storey, Siti you're gonna jump down and commit suicide! Curse to you! Your daughter is gonna become prostitute!"; d. "Siti, how many man f--k you and leave you how come you don't catch them";	No appeal

e. "It is worse to open your legs to let people f-k f-k f-k f-k f-k! And then byebye Siti you are just for fun, better than go for bars also not as torturing. Go for bar only mah, sit there do nothing sleep sleep sleep come out, better than you open your leg, f-k ah f-k ah f-k ah f-k ah, Siti you are so fun, what a f-king pussy bye-bye, I don't love you, I just f-king you for fun you are such an idiot, b-t-h! Open your leg and f-k for free and then suck my c-k";

f. "Hello Siti, you suck c-k is a good person is it, eh got take money or not ah, suck for free ah? Siti, you suck for free is it? How many you suck ah can I ask you? And then you let people f-k already then like that no need to pay you one ah, then bye-bye ah Siti, you let people f-k your pussy like that then bye-bye like that no need collect money one ah"

g. "You worse than prostitute, prostitute at least collect some money, you free of charge, you sucking c-k no need to collect money"

h. "Siti your mother give birth to you free of charge, got suck c-k no need to collect money and then suck all the guy byebye to you, and then people f-k f-k f-k f-k your pussy, don't need to collect one dollar, that's why you got no money you become police";

1. "You and your husband, your son and daughter you three generation go and die! That's it! God will curse you! And you will come to pass! You'll get into accident at the front part and you will die";

j. "Siti you are the prostitute, your child is going to be prostitute, your daughter is going to be prostitute, your husband is going to f-k many woman, your husband f-k you and f-k many woman, your boyfriend f-k you and f-k any woman, your mother is a prostitute, your father also f-k many woman, your daughter will be f-k by many man, ah so funny. You get into accident in 3 months' time and you die a terrible

death, because you are cursed you are not fit to do this job, you probably don't even have primary 6 education";

k. "You dumb already or you dead? Oie, CB!"; and

l. "Eh c-k sucker, I got a hair here handle with care, very expensive one, you don't have money to buy you know, what I am saying is I got a hair here, my wig 300 dollars you don't have money, your pay very small, you better handle with care, you suck 10 c-k also cannot afford it".

7.	DAC-915331-2016	at 4.00 a.m., at the lock-up holding area of Jurong HQ	Voluntarily causing hurt to Sergeant Siti Aminah Binte Mohd Jamaluddin (SGT Siti), a police officer being a public servant in the discharge of her duty as such public servant, by kicking her once on her right thigh.	Conviction
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Limited areas of appeal

4 Of the seven charges she was convicted and sentenced for, Mdm Wong has separately appealed against convictions in two section 332 Penal Code charges (DAC-915330-2016 and DAC-915331-2016), and sentences in two other Penal Code charges (DAC-915332-2016; a s353 Penal Code charge, and DAC 901329-2016; a section 332 Penal Code charge), Mdm Wong has not filed any appeal against the three POHA which were proceeded against her.

Agreed areas

5 Mdm Wong did not dispute that the three police officers were public servants in the discharge of their duty. There is no dispute that the officers, who were clad in their service uniforms, were attending to a scene at a multi-storey car park at Blk 510A Jelapang Road pursuant to a complaint. Other charges had related to acts done *en route* to Jurong Divisional HQ, and finally at the lock-up area of the Divisional HQ itself. Mdm Wong admitted that she had uttered certain words particularised in the charges, but sought to argue during the trial that they were not abusive or were justified from the circumstances. The prosecution did not dispute that Mdm Wong had consumed alcohol prior to driving to the Multi Storey Car Park where the events had unfolded. Mdm Wong also did not dispute that her police statements were given voluntarily.

Order of witnesses

6 The prosecution's case encompassed the testimonies of seven witnesses. Mdm Wong was the sole defence witness, having elected to give evidence on her own behalf after the allocution calling for her defence was administered, upon the close of the

prosecution's case.

PW-1	Senior Staff Sergeant Lin Yuheng (Investigating Officer)
PW-2	Police Staff Sergeant Stanley Koh Hong Chin (SSGT Stanley)
PW-3	Police Corporal Prem S/O Rengasamy (CPL Prem)
PW-4	PW4 Dr Timmasarathi Srikanan
PW-5	Police Senior Station Inspector Abdul Halim Bin Mazlan (SSI Halim)
PW-6	Police Special Constabulary Sergeant Marc Amiruddin Nabill Bin Abdul Malek (SGT Marc)
PW-7	Woman Police Sergeant Siti Aminah Binte Mohd Jamaluddin (SGT Siti)
DW-1	Mdm Wong Hwee Ling Patricia (Mdm Wong)

Chronological and holistic coverage of these grounds of decision

7 In these grounds, I have set out an account of the events that **all seven charges** were premised upon in chronological order. Where the inclusion of certain details is necessary for coherence and a better understanding of the flow of events, I have narrated events and explained findings for charges even where Mdm Wong has **not** filed an appeal against the specific conviction or sentence arising from that charge. As all seven charges arose broadly from the same **extended transaction** lasting about an hour, it would have been otherwise, in my view, incomplete to discuss the basis of the two convictions and two sentences appealed against by Mdm Wong, in isolation of, and untethered from, the surrounding circumstances.

Charge DAC-915329-2016: s 332 of the Penal Code; Grabbing and Twisting SSGT Stanley Koh's Fingers

8 This was chronologically the first offence in the sequence of events. Mdm Wong was charged as follows:

8 th CHARGE (Amended)

You,

WONG HWEE LING PATRICIA (F/48)

are charged that you, on the 9th day of April 2016, at about 3.00am, at Deck 4B of a multi-storey car park located at Block 510A Jelapang Road, Singapore, did voluntarily cause hurt to Staff Sergeant Stanley Koh Hong Chin, a police officer being a public servant in the discharge of his duty as such public servant, to wit, by using your left hand to grab and twist the said Staff Sergeant Stanley Koh Hong Chin's fingers, and you have thereby committed an offence punishable under Section 332 of the Penal Code (Cap 224, 2008 Rev Ed).

This offence carries a maximum sentence of 7 years' imprisonment.

9 Mdm Wong does not dispute her conviction on this charge, and has only appealed against the sentence imposed. Nevertheless, given that the events occurred in a continuum, it would still be appropriate to set out the sequence of events, and the testimonies of salient witnesses on the issue of her guilt. I have also set out positions taken and statements made, by Mdm Wong at trial, as her conduct at trial was a very relevant consideration in her sentencing, specifically as a basis of the extent of the imprisonment sentence imposed.

10 The prosecution relied on, *inter alia*, the testimony of Staff Sergeant (SSGT) Stanley Koh. SSGT Stanley had been multi-storey car park located at Blk 510A Jelapang Road with his partner, Corporal (CPL) Prem S/O Rengasamy, to investigate calls to police of the disturbance caused by loud music being played from a stationary car parked there. He had parked their patrol car nearby and proceeded on foot to the fourth level of the car park. Finding Mdm Wong with her parked Red Mercedes at the scene, CPL Prem had first engaged her. SSGT Koh had observed that Mdm Wong '*reeked of alcohol smell and was very frustrated*'. Mdm Wong had been '*frustrated and hysterical*' as she complained of disturbances caused by other motorcyclists who, she asserted, had '*created a lot of noise*' in the vicinity. SSGT Koh had waited for some ten minutes as Mdm Wong vented her unhappiness over the conduct of the motorcyclists.

11 According to SSGT Stanley, the situation only escalated when Mdm Wong was seen to try to walk away from the MSCP. He had intercepted her before she could leave the MSCP, and asked her '*very firmly*' whether she had consumed any alcohol before driving, as was his duty as a police officer. He had noted Mdm Wong becoming '*more aggressive*' in tone as he queried her. Mdm Wong had told SSGT Stanley not to '*stare*' at her or point his fingers at her. She had then proceeded to grab hold of his right index and middle fingers, and twist them downward. SSGT Stanley had been shocked by this development, and stated that Mdm Wong's action had indeed caused him pain. He had then called for a female police officer for backup assistance, and for a breathalyser device to be brought to test for her prior consumption of alcohol. SSGT Stanley's account of the act was documented in his BWC, with the salient footage played in court

12 SSGT Stanley asserted that in his five years in the police force, Mdm Wong was the first person who had reacted in such an adverse manner to being pointed at.

Mdm Wong's defence in relation to the grabbing and twisting charge

13 Mdm Wong admitted that she grabbed SSGT Stanley's fingers, but denied twisting his fingers. While Mdm Wong did admit to having grabbed and pulled SSGT Stanley's fingers downwards and sideways, and had not released his fingers immediately. I found Mdm

Wong's position rather difficult to sustain as the actions involved in grabbing and pulling an individual's fingers downwards and sideways would inevitably result in the digits subjected to a twist.

14 Mdm Wong's position was that she had been provoked into grabbing SSGT Stanley's fingers as a result of his aggressive posture and *'the way he looked'*, and spoke. She has taken especially grave issue with SSGT Stanley pointing his forefinger at her. The prosecution pointed out that Mdm Wong was herself seen to have pointed a finger at SSGT Stanley's face. The prosecution had also at cross-examination, pointed out to Mdm Wong that the video footage had shown SSGT Stanley gesturing with his hands but **not** actually pointing at her. Mdm Wong had then contended that *'it's not just about fingers'*, and that she had been roused to react by SSGT Stanley overall aggressive appearance.

Subsequent events

15 SSGT Stanley Koh had then sought to take Mdm Wong from the fourth level to the ground by traversing a flight of stairs. Even this was not without incident. CPL Prem had led the way down, followed by Mdm Wong, and SSGT Stanley bringing up the rear. SSGT Stanley then asserted that Mdm Wong had, *en route* to the third level, swung her arms behind as they walked down, causing SSGT Stanley's mobile phone (which he was then holding) to fall off his grip. SSGT Stanley had arrested the fall of his phone before it impacted against the floor, and then decided to place her under arrest *'to prevent matters from escalating further'*

16 It was at this point where the incidents forming the subject matter of two charges MAC-904864-2016 and DAC-915330-2016 occurred. Turning first to MAC-904864-2016, this was a charge for using abusive words against SSGT Stanley, which constituted an offence contrary to section 6(1)(a) of POHA and punishable under section 6(3) of the said Act. Mdm Wong has not appealed against either conviction or sentence in respect of this charge, but the inclusion of the salient facts surrounding the charge is useful for a proper appreciation of the setting and circumstances leading to Mdm Wong's assault of the same police officer in DAC-915330-2016, where Mdm Wong has appealed against her conviction.

Contemporaneous behaviour of using abusive words against SSGT Stanley Koh

17 As mentioned, Mdm Wong has not appealed against either sentence and conviction for having uttered abusive words to SSGT Koh, which were *"Curse your mother"*; *"Your mother is a prostitute"*; and *"Son of a prostitute"*.

18 The BWC footage (Exhibit 2) substantially records Mdm Wong admitting to uttering the abusive words, and Mdm Wong has not categorically denied having uttered the abusive words. Despite there being no appeal, the inclusion and discussion her utterances in these grounds is, in my mind, necessary for a proper analysis of Mdm Wong's state of mind and intent where the two other charges of twisting SSGT Koh's fingers and subsequently kicking him are covered in these grounds, as these acts of violence were broadly contemporaneous with this documented episode of verbal abuse of the same officer.

19 At trial, Mdm Wong denied any malign intent, despite the words seeming, in plain language to be offensive. She raised two explanations for these utterances, which seemed to be incongruously at odds with each other.

20 Mdm Wong argued that the words uttered were **not abusive**, asserting that that whether this was offensive was a “*matter of culture*”. Apparently with a view to bolstering this curious claim, Mdm Wong started that a celebrity who had previously allegedly been a prostitute had achieved respect despite having a notorious past. From this, she had sought to make the connection that being called a prostitute was not necessarily an offensive label.

21 Second and far more to the point of the proceeded assault charges, Mdm Wong also claimed to have been **provoked** by SSGT Stanley. She stated that after she was handcuffed, SSGT Stanley had “*grabbed*” her arms for an inordinate period of some 45 seconds. She also alluded to taking offence by his manner and the verbal exchange the two had had at the time.

Charge DAC-915330-2016: s 332 of the Penal Code: Kicking SSGT Stanley Koh’s right thigh (Appeal against Conviction)

22 For DAC 915330-2016, Mdm Wong was charged as follows:

9 th CHARGE (Amended)

You,

WONG HWEE LING PATRICIA (F/48)

are charged that you, on the 9th day of April 2016, at about 3.00am, at a stairwell between Deck 2B and Deck 3A of a multi-storey car park located at Block 510A Jelapang Road, Singapore, did voluntarily cause hurt to Staff Sergeant Stanley Koh Hong Chin, a police officer being a public servant in the discharge of his duty as such public servant, to wit, by kicking the said Staff Sergeant Stanley Koh Hong Chin once on his right thigh, and you have thereby committed an offence punishable under Section 332 of the Penal Code (Cap 224, 2008 Rev Ed).

23 SSGT Stanley testified that after he had placed Mdm Wong in handcuffs, he held on to her while waiting for other police personnel to reach the scene. Mdm Wong had initially been seated on a step with her back against the wall while SSGT Stanley remained in a squatting or crouching on top of the flight of steps, one step above Mdm Wong, diagonally behind her right. His evidence was that Mdm Wong had turned to face him, raised her leg and kicked him on his right thigh.

24 While this kick was not captured on the BWC, SSGT Stanley was heard exclaiming, ‘**You see what you doing**’ In court, he testified that he had felt an impact against his right thigh, causing SSGT Stanley to feel shocked along with a sensation of pain emanating from his right thigh from the impact site of the inflicted kick.

Account of CPL Prem S/O Rengasamy

25 SSGT Stanley's account is corroborated by his partner CPL Prem S/O Rengasamy. In a statement made fresh after the incident Exhibit P5, CPL Prem had noted Mdm Wong appearing hostile even after she had been handcuffed. The salient part of his account in P5 is as follows:

8 Based on what SSgt Stanley had told me, we had arrested the female driver for the offence of voluntarily causing hurt to a public servant under Sec 332 Cap 224. SSgt Stanley then requested for a female police officer to be at scene.

9. While waiting for the female police officer to arrive, the female subject was hostile and tried to break free even she was being handcuffed. ***I then saw the female driver raised her right leg backwards to hit SSgt Stanley however due to the angle I am standing***, I could not see if the kick had hit onto SSgt Stanley. I had noticed SSgt Stanley moving away to avoid her leg. Subsequently, the female driver kept scolding SSgt Stanley loudly and she mentioned to SSgt Stanley "*Your mother is a prostitute*"

26 From this account CPL Prem had seen Mdm Wong raising her right leg in a backward motion to kick SSGT Stanley, but did not actually see the kick land, on account of the angle he had been standing from. He had nevertheless seen SSGT Stanley moving backwards, as if to recoil from the kick. In his court testimony, CPL Prem was candid about his limited ability to recall the exact sequence of events but maintained his account after his memory was refreshed by viewing the video clip, and was able to identify the point in the video where the kick had occurred at timestamp 17.40 in the footage. He was also able to recall SSGT Stanley exclaiming "*You see what you doing!*". He also recalled Mdm Wong '*actually raised her leg to hit*' SSGT Stanley, but did not see the leg impacting against him. CPL Prem was forthright in again stating that because of the angle he was standing, he could not '*really verify which part*' of Mdm Wong's leg had struck his partner. He could however recall that Mdm Wong had moved her right leg in the action he had witnessed, and that her left leg had been her bracing limb, and that she had been standing '*nearer to the wall*'.

Mdm Wong's defence

27 Mdm Wong's defence is that it would have been impossible for her to kick SSGT Stanley due to their relative positions on the stairs. Stating that she would have to do a "*somersault for the front of [her] heel to reach*" SSGT Stanley and, her leg would be blocked by the concrete steps.

28 SSGT Stanley stated that she was seated only one step below him instead of the two steps that Mdm Wong had contended, and also that her back was towards the wall rather than the staircase railing, and she could see him. At cross-examination, Mdm Wong conceded that she was indeed sitting with her back to the wall and she was facing SSGT Stanley. She also acknowledged that SSGT Stanley was not directly behind her but somewhere to her right. She also claimed that it was impossible for her to kick him in the span of time of 'one second'.

Analysis of the opposing accounts

29 Given their relative positions (which was also documented in the BWC) I do not see the kick as impossible, or even improbable, by any means, SSGT Stanley had alluded to Mdm Wong making a shift to turn rightward to administer the kick. In that close range, and where Mdm Wong could make out SSGT Stanley's proximate location from her position, it would be possible to snap a quick kick, with that simple pivot motion, within a short time frame.

30 CPL Prem had described SSGT Stanley's immediate reaction and exclamation. He himself had seen Mdm Wong execute her attempt, but did not see the kick land. I am satisfied with CPL Prem's candour, and SSGT Stanley's wholly plausible recollection. Given their accounts, their immediate reactions (as documented in the BWC record), along with the circumstantial evidence, where Mdm Wong could have easily braced against the wall to execute the kick, I was of the view that Mdm Wong did, in fact, execute the kick which had connected against SSGT Stanley's body.

Prelude to the spitting event

31 Prior to the event where SSI Halim SSI Abdul Halim Bin Mazlan received a stream of spittle from Mdm Wong (which was the subject matter of the next charge where Mdm Wong has appealed against the imposed sentence), he had been subject to a torrent of abusive words . SSI Halim, who had been the team leader on duty on the material night, had arrived at the scene with his partner, SI Qodlyzakaand.

32 The officers had found Mdm Wong venting her displeasure in relation to her prior interactions with SSGT Stanley. As SSI Halim awaited the arrival of a female police officer at the scene, he had spoken with Mdm Wong in a measured tone and was told by her that SSGT Stanley had molested her. When SSI Halim had admonished Mdm Wong to follow instructions, Mdm Wong had lashed out at him, "*You die faster better still, simple right no need job to do no need to earn money*".

33 SSI Halim testified that he instructed Sergeant Siti Aminah Binte Mohd Jamaluddin to administer a Breathalyzer test to Mdm Wong but their efforts could not yield an interpretable result. As he sensed that Mdm Wong was uncooperative SSI Halim proceeded to take Mdm Wong back to the police station. When SGT Siti brought Mdm Wong down a flight of steps and escorted her to the car, Mdm Wong unleashed another stream of vituperation, "*Your wife suck c-k, your mother suck c-k, eh Halim! Your mother suck c-k ah, suck a hundred c-ks!*" at the stairwell. When Mdm Wong was escorted past SSI Halim at the door of the stairwell, SSI Halim directed Mdm Wong to watch her language to avoid more charges being levied against her. Mdm Wong had replied, '*Charge your mother for sucking a hundred c-ks*'. As Mdm Wong was escorted to the police car, she continued her to shout, '*Your mother is a prostitute, your mother suck a hundred c-ks!*' These words were audibly documented in the BWC footage (Exhibit 2). Mdm Wong has not denied saying all of the abusive words. Unsurprisingly, SSI Halim told the court that he felt angry and insulted by these words.

34 As a tell-tale indicator to what had likely motivated her acts against SSI Halim, Mdm Wong had, at trial stated that she had been **provoked**, and that been especially piqued, when SSI Halim had persisted in pointing his forefinger at her nose. And had admonished

her ***“You woman, look at your behaviour”***, Mdm Wong had taken umbrage as she viewed the statement to be disparaging. For completeness, It was evident to me even if Mdm Wong had somehow taken offence in SSI Halim’s remark, which appeared to be a mild retort in the context of her withering tirade, Mdm Wong’s conduct would **not** fulfil the defence specified under s 6(4) of the POHA.

DAC-915332-2016: s 353 of the Penal Code: Spitting saliva onto SSI Halim’s face (Appeal against Sentence)

35 Mdm Wong was charged as follows:

11 th CHARGE (Amended)

You,

WONG HWEE LING PATRICIA (F/48)

are charged that you, on the 9th day of April 2016, at about 3.30am, at Deck 2B of a multi-storey car park located at Block 510A Jelapang Road, Singapore, did use criminal force to Senior Station Inspector (2) Abdul Halim Bin Mazlan, a police officer being a public servant in the execution of his duty as such public servant, to wit, by spitting saliva onto the face of the said Senior Station Inspector (2) Abdul Halim Bin Mazlan, and you have thereby committed an offence punishable under section 353 of the Penal Code (Cap 224, 2008 Rev Ed).

36 For this charge, Mdm Wong has not appealed against her conviction, but only against sentence. Notwithstanding this, it would be relevant to set out the sequence of events, as well as Mdm Wong contentions at trial to allow a more holistic understanding of the sentence imposed.

37 SSI Halim testified that as Mdm Wong was escorted to the police car, he had been walking behind her. Mdm Wong had, as she neared the left rear door of the police car, turned around and spat on his face, with the ejected spittle landing all over his face. SSI Halim had wiped his face and proceeded to ensure that Mdm Wong was safely placed in the police car.

Mdm Wong’s Defence

38 Mdm Wong conceded to have emitted a “mist” of saliva from her mouth, but denied directly spitting at SSI Halim’s face and claimed that she had not directed this ‘mist’ of saliva at any person in the vicinity. She asserted that she was instead, expressing a gesture of ***‘disappointment’***.

39 I found Mdm Wong contention to be unsupportable, as the footage patently showed her to be walking and talking and suddenly turning to emit her claimed ‘mist’ of saliva, which appeared, from the footage, to be more an ejected stream of a considerable amount of spittle, than a mere ‘mist’. If her intent were merely to express disappointment, or exasperation for that matter, it would be most peculiar for Mdm Wong to turn around, face SSI Halim, and then eject her saliva in an exact trajectory that would land on SSI Halim’s face.

40 The events surrounding Mdm Wong's ejection of spittle was caught on SSI Halim's BWC. In the footage, Mdm Wong had been hurling verbal abuse against SSI Halim, before she was seen to turn around to face him, angle her head towards him and forcefully eject the saliva in the region around his face. The context of Mdm Wong shouting insults at SSI Halim, and the aforementioned actions before the discharge of saliva strongly support the prosecution's contention that the spitting was a deliberate act. I had found, from the combination of the actions depicted in the BWC footage, along with the context of Mdm Wong hurling a stream of virulent epithets before the incident, that Mdm Wong's characterisation of this being from a misdirected 'mist' of saliva vented from disappointment to be highly spurious and hopelessly improbable. As can be seen from the image taken from SSI Halim's own BWC (reproduced below), Mdm Wong at the instant after launching her load of spittle, was squarely facing him, with her head arched at an angle, lips pursed and her eyes directed at him.

Exchange between Mdm Wong and SGT Siti in relation the breathalyser test

41 The interactions between Mdm Wong and SGT Siti which culminated with SGT Siti receiving a kick from Mdm Wong spanned a longer period than that of the other police officers. SGT Siti had been called to the scene after SSGT Stanley had called in for female police officer to attend to Mdm Wong, and administer a breathalyzer test. SGT Siti had arrived with her partner; SC SGT Marc Amiruddin. In court, SGT Siti, stated that Mdm Wong had at their first encountering each other complained that she had been touched by a police officer, and that the officer had also pulled her dress up. Mdm Wong then went on to pull her dress up, and exposing her undergarment, causing Siti to be shocked, and that the male officers had turned to avert their gaze. Mdm Wong had appeared uncooperative when SGT Siti tried administering the breathalyzer test. An invalid sample was returned. When Mdm Wong took the test, indicating that she had not blowing sufficient air into the breathalyzer device. When SGT Siti sought Mdm Wong's co-operation to properly blow into the device, the following exchange took place:

SGT Siti	Eh blow properly lah., You need me to teach you how to blow meh?
Mdm Wong	I don't do blowjobs, sorry. You may be very good at sucking c -k
SGT Siti	Take a deep breath then blow
Mdm Wong	You are an expert at sucking, I don't
SGT Siti	Excuse me, please blow like how you blow a balloon
Mdm Wong	I don't blow balloons as well. I don't blow guys

SGT Siti	Pity you lor, no childhood
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Mdm Wong	Oh no, they lick me. I don't blow them. You blow them, you don't get licked
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40 According to SGT Siti, Mdm Wong had proceeded from her use of *double-entredes* on oral sex to escalate into a barrage of insults and expletives against SGT Siti from the time they were in the police car up till the point she was placed in the charge office holding room in the police station.

41 Mdm Wong admitted to her use of these words to SGT Siti, which she aptly characterised to be '*horrible*'. She however asserted that she had been triggered by SGT Siti stating "*You stay alone meh? How come nobody, what*" and "*You have no husband, no man ah?*".

42 The prosecution has contended that SGT Siti had never uttered such words, which were not reflected in any of the video footages in Exhibit P2. Mdm Wong has variously asserted that there was a break in the videos which did not cover SGT Siti's arrival, that SGT Siti might have *whispered* the disputed words into her ear, and finally that she may have heard wrongly because she was intoxicated.

43 As the dispute over these alleged words are not recorded in any of Mdm Wong's cautioned statements, and only surfaced in Mdm Wong's testimony in court, I would rule it unlikely that SGT Siti uttered these remarks, which had somehow escaped being recorded by the various devices present at the scene, including Mdm Wong's own mobile phone (where she had made an incomplete recording of events).

Prelude to the kick alleged by SGT Siti

44 In a similar vein, before the incident where SGT Siti reported being kicked by Mdm Wong, she had, in the course of the journey back to the police station, had a further verbal exchange where Mdm Wong uttered a lengthy tirade. These words were documented in the BWC footage (Exhibit 2), with Mdm Wong's intensity, emphasis, volume and clarity of diction in her utterances making these words essentially unequivocal. Mdm Wong, on her part, did not deny the exchange, a tirade which had lasted for more than half an hour; from 3.29 a.m. to 4.03 am as documented on an officer's BWC. The latter part of this exchange, when Mdm Wong referred to her wig, is especially noteworthy. To better understand and assess Mdm Wong's likely state of mind in the immediate period preceding the contested kick, the words are set out below.

"Siti go and suck c--k 10 dollars each time, don't be a police go and suck c--k 10 dollars one time";

"Siti, your husband will betray you and f--k many woman";

"And then Siti will be strike by lightning, you know why, her husband will f--k the prostitute, Siti husband will f--k the prostitute, Siti is going to commit suicide and jump down from 10 storey, Siti you're gonna jump down and commit suicide! Curse to you! Your daughter is

gonna become prostitute!";

"Siti, how many man f-k you and leave you how come you don't catch them";

"It is worse to open your legs to let people f-k f-k f-k f-k f-k! And then byebye Siti you are just for fun, better than go for bars also not as torturing. Go for bar only mah, sit there do nothing sleep sleep sleep come out, better than you open your leg, f-k ah f-k ah f-k ah f-k ah, Siti you are so fun, what a f-king pussy bye-bye, I don't love you, I just f-king you for fun you are such an idiot, b-t-h! Open your leg and f-k for free and then suck my c-k";

"Hello Siti, you suck c-k is a good person is it, eh got take money or not ah, suck for free ah? Siti, you suck for free is it? How many you suck ah can I ask you? And then you let people f-k already then like that no need to pay you one ah, then bye-bye ah Siti, you let people f-k your pussy like that then bye-bye like that no need collect money one ah"

"You worse than prostitute, prostitute at least collect some money, you free of charge, you sucking c-k no need to collect money"

"Siti your mother give birth to you free of charge, got suck c-k no need to collect money and then suck all the guy byebye to you, and then people f-k f-k f-k f-k your pussy, don't need to collect one dollar, that's why you got no money you become police";

"You and your husband, your son and daughter you three generation go and die! That's it! God will curse you! And you will come to pass! You'll get into accident at the front part and you will die";

"Siti you are the prostitute, your child is going to be prostitute, you daughter is going to be prostitute, your husband is going to f-k many woman, your husband f-k you and f-k many woman, your boyfriend f-k you and f-k any woman, your mother is a prostitute, your father also f-k many woman, your daughter will be f-k by many man, ah so funny. You get into accident in 3 months' time and you die a terrible death, because you are cursed you are not fit to do this job, you probably don't even have primary 6 education";

"You dumb already or you dead? Oie, CB!"; and

"Eh c-k sucker, I got a hair here handle with care, very expensive one, you don't have money to buy you know, what I am saying is I got a hair here, my wig 300 dollars you don't have money, your pay very small, you better handle with care, you suck 10 c-k also cannot afford it".

45 It was quite plain to me that Mdm Wong was extremely agitated, making personalised attacks against Sgt Siti, using highly sexualised and degrading imagery. For the purpose of these grounds, I found her repeatedly expressed concern about her wig (as highlighted in the italicised portion above) to be very significant. This point will be elaborated on further in this judgment.

DAC-915331-2016: s 332 of the Penal Code: Kicking SGT Siti's right thigh (Appeal against Conviction)

46 The charge was framed as follows:

10th CHARGE (Amended)

You,

WONG HWEE LING PATRICIA (F/48)

are charged that you, on the 9th day of April 2016, at about 4.00am, at the lock-up holding area of Jurong Police Divisional Headquarters located at 2 Jurong West Avenue 5 Singapore, did voluntarily cause hurt to Sergeant Siti Aminah Binte Mohd Jamaluddin, a police officer being a public servant in the discharge of her duty as such public servant, to wit, by kicking the said Sergeant Siti Aminah Binte Mohd Jamaluddin once on her right thigh, and you have thereby committed an offence punishable under Section 332 of the Penal Code (Cap 224, 2008 Rev Ed).

47 SGT Siti’s testimony was that after arriving at the police station, Mdm Wong had been escorted to the charge office holding room, and asked to stand against a wall to await her turn to enter the charge office. SGT Siti was standing beside Mdm Wong, an arm’s length away, and had decided to place Mdm Wong’s handbag and wig on the floor. She placed the wig on top of the bag, on the floor behind Mdm Wong’s left.

48 SGT Siti stated that Mdm Wong had then used her right leg to administer a kick to her lower right thigh. SGT Siti had reacted immediately by pointing at Mdm Wong and exclaiming “Eh ah!”.

49 This incident was captured in part by SGT Marc’s BWC, where Mdm Wong had moved her right leg in SGT Siti’s direction. The point of impact could not be observed as another police officer had walked across the BWC’s view at the projected moment of contact. SGT Siti’s account was corroborated by SGT Marc who saw Mdm Wong lift up her right leg and kicked SGT Siti. SGT Marc, was however unable to see where the kick landed as his view had also been blocked by the police officer who was walking past in between SGT Marc and Mdm Wong.

49 Notwithstanding this development, the verbal exchange between SGT Marc and Mdm Wong in the immediate aftermath is telling:

SGT Marc	You cannot kick police officer!	50 Mdm Wong denied having kicked SGT Siti, and asserted that she had executed a scooping, not kicking motion, to scoop up her wig. This appears implausible,
Accused	I don’t respect c–ksuckers.	considering that Mdm Wong’s wig was to her left and behind her, which begged the question of why she had not used her left leg. Also I was perplexed that she would use her foot to retrieve a wig, which was a
SGT Marc	Wah.	costly item she held dearly, as discerned from her vociferous exchange with SGT Siti, where she had exhorted its cost (\$300) and expressed doubts that SGT Siti could afford such an item. To recap, she had stated:

“Eh c–k sucker, I got a hair here handle with care, very expensive one, you don’t have money to buy you know, what I am saying is I got a hair here, **my wig 300 dollars you don’t have money**, your pay very small, you better handle with care, you suck 10 c–k also cannot afford it”.

51 Mdm Wong’s defiant demeanour on the BWC footage, and the fact that she did **not deny or contradict** SGT Marc’s accusation at the scene added significant circumstantial weight that SGT Siti had indeed been kicked.

52 By the same token, it would be highly unlikely for SGT Marc, within the seconds elapsing after seeing Mdm Wong’s action, to seek to opportunistically **frame** Mdm Wong by contriving, or feigning a shocked reaction, and then to deliberately mischaracterise Mdm Wong’s action, where he was recorded to have unambiguously accused her of executing a kick against a police officer.

Discovery of bruise

53 SGT Siti had later visited a washroom, where she had noted the presence of redness and bruising on the lower inner part of her right thigh, along with associated pain. She had sought medical attention at Ng Teng Fong General Hospital later and was found to have sustained a 3cm by 3cm bruise over the lower right thigh. SGT Siti’s evidence was that Mdm Wong was “the only one who kicked me on that day and there’s(sic) no other people who did anything to me.

The kick was assessed by the treating doctor to be consistent with the injury site documented upon his examination of SGT Siti

54 Dr Srikanan Timmarsarathi was the doctor had examined SGT Siti at Ng Teng Fong General Hospital, and had documented her injuries in a report which stated:

The above-mentioned subject was seen by Dr. Srikanan T1MMASARTHI on 09/04/2016 at 08:27 hrs at emergency medicine department. She presented with history of alleged assault on 09/04/2016. She was the police officer on duty and she claimed that she was kicked over her right thigh by the accused.

On examination she was well oriented with stable vital signs. Her systemic examination was unremarkable. **There was bruise of 3 x 3 cm over anterior aspect of right lower thigh with tenderness.**

She was symptomatically treated and discharged from emergency department on the same day

Impression: Alleged assault with contusion of right thigh

55 The injury was, as mentioned above, the 3cm by 3cm bruise over SGT Siti’s lower right thigh. During cross-examination, BWC footage was played for Dr Srikanan to analyse. Dr Srikanan’s evidence was that that from the observed footage, **‘the patient’s (Mdm Wong’s) leg would be at the particular lining of where you can get an injury’**. Simply stated, Dr Srikanan had expressed his view that Mdm Wong’s leg had been, at the last observable frame of the footage, been positioned in such a manner where a kick thrown would have

been able to connect against a point above SGT Siti's knee to inflict the injury seen. Dr Srikaran was candid in stating the limitations of his analysis, particularly that he could not see the actual impact from the kick in the footage, as the view was blocked by the officer who walked across the BWC at the time the kick was projected to have landed. Dr Srikaran was also candid in noting that video was 'tilted' in such a manner as to make it difficult to assess the amount of pressure applied on the site of contact upon the kick being executed.

56 All considered, the evidence would point to a kick against SGT Siti to have been **deliberately executed**. While the act as recorded (and partially seen) seemed to be impulsive, there was plainly an element of malice, as the build-up of exchanged words over her wig (as described above), and its final deposition on the floor by SGT Siti appear to have piqued Mdm Wong. From the BWC footage, the manner she unleashed the kick does demonstrate, in my view, rather apparent bottled-up anger.

57 Hence, the circumstances, as set out above, points to this act being done in an indignant rage at Mdm Wong's perceived mis-treatment of her wig. There had already been a preceding seething animosity against Sgt Siti following their earlier exchanges, where Mdm Wong's **own case** was, quite ironically, that Sgt Siti had grievously disparaged her. Mdm Wong's over-500 word vulgar near-soliloquy while she was escorted by Sgt Siti to the station showed a steadily escalating level of aggression, which in my judgment, culminated in her venting her anger and unleashing the kick against Sgt Siti's leg, after she discovered that her wig had been placed on the floor.

Assessment of Mdm Wong's credibility

58 In the course of the trial, it became evident that Mdm Wong's account on the events of the night in question tended to drift inexplicably, not just in the aspects of the case that were critical to the charges, but also in other salient areas of surrounding facts. Mdm Wong was asked during cross-examination whether she had lied to SSGT Stanley and CPL Prem when they first arrived on the scene. The officers had asked her what she was doing at the scene, and she claimed to be a concerned resident who had come down to investigate loud noises caused by motorcyclists. The DPP put it to her this was untrue, because investigations had shown her to have driven back to the scene after consuming alcohol, and that she had, in fact been returning to her unit after parking her car. The prosecution has in their set of Prosecution's Submissions documented Mdm Wong's repeated episodes of prevarications and circumlocutions to avoid giving a definitive answer. Essentially, for this aspect alone, Mdm Wong first asserted that she did not lie because she was intoxicated. She then changed her account to say that she did not see a need to lie as she had already admitted to drinking and driving, Mdm Wong then declined to answer questions about whether her statement to the officers was untrue, maintaining that she was very sensitive to the word 'lie', and that '*everybody lies*'. Upon further questioning, she finally admitted that her statement was untrue.

59 More concerning, in my view, with Mdm Wong's repeated assertions of SSGT Stanley conducting himself inappropriately in the course of their interactions. She had told SSI Halim that SSGT Stanley had 'molested' her and later SGT Siti that '*an officer*' (apparently SSG Stanley) had pulled her dress up She had seemingly modified this to an accusation of callous inaction on his part in a recorded statement made hours later at 1.50 pm. In Exhibit

P6 at page 2, Mdm Wong had claimed in her statement that when she fell down the stairs and her '*white skirt flip up and my pink panties was revealing*', and that she told SSGT Stanley to '*place my skirt back down as it was inappropriate*'. SSGT Stanley was, according to her, impassive to her pleas and she had not been allowed to adjust her skirt until the next group of officers arrived. Mdm Wong maintained this in her cautioned statement recorded on 9 April 2016 at 4.35 p.m. complaining of '(SSGT Stanley's) *outrage of my modesty, leaving my skirt flipped up with front panty showing and repeatedly ignoring me*'.

60 None of these troubling assertions were borne out in the substantial BWC video documentation of the scene, with nothing in Exhibit P2 showing Mdm Wong to be in a compromised state of having her skirt flipped up, or her panties exposed. During the course of the trial, her account became more convoluted where she asserted that she had asked **CPL Prem** instead, to make SSGT Stanley adjust her skirt for her, as she had found addressing SSGT Stanley herself to be a disagreeable notion. Mdm Wong had made a series of ill-defined allegations against SSGT Stanley of gross impropriety which would have been serious if they were true. When presented with contrary evidence, she had flippantly modified her account, and seemed unconcerned when this was again debunked by documentary and testimonial evidence, stating that she could not recall the event, or even her previous answers at the previous tranche of the trial, accurately. This did not conduce to showing Mdm Wong to be a witness of significant probity or veracity in recalling salient events.

Despite prior consumption of alcohol, accused was aware of the nature of her acts

61 Mdm Wong states in her set of written submissions: '*The accused apologizes sincerely for being intoxicated that night that have caused some upset to the officers. If she was not in that intoxicated state, it would be entirely different for sure*'. In my judgment, while Mdm Wong showed every sign of being inebriated during the time of the offences she was charged with, she cannot avail herself to the defence of intoxication. s 85(1) of the Penal Code provides that voluntary intoxication is not a defence and shall not be taken into account in the determination of whether Mdm Wong had the requisite ***mens rea***, except to the extent provided for in ss 85(2)(a)-(b) and 86(2) of the Penal Code.

62 s 85(2) of the Penal Code requires specific proof that Mdm Wong ***did not know*** at the material time that her acts were wrong, or that she did not know what she was doing; and (a) that her state of intoxication was caused without her consent, or (b) that she was by reason of intoxication insane, temporarily or otherwise, at the time of using the acts were performed.

63 Mdm Wong, who has admitted to drinking voluntarily before driving back to the MSCP, and was by no means alcohol *naïve*, as she had admitted that she knew how she would behave after consuming alcohol, and particularly admitted that she knows that she "always started cursing especially' when intoxicated.

64 I am also satisfied that Mdm Wong's acts throughout the course of the night show her to be in general control of her mental and physical faculties. She had initially managed to address the police officers in a calm and genteel manner and became physically and verbally abusive towards them when she was not allowed to leave the scene, and asked to

take the breathalyzer test. Mdm Wong had thereafter engaged with police officers in a rather **sophisticated, if offensive**, word-play. She had notably distorted SGT Siti's enjoinment to blow to a disquisition on blow jobs. Tellingly, Mdm Wong was able to **calculate** the trajectory of her spittle to effect their landing on SSI Halim's face. She also had had sufficient sense of **balance, co-ordination and proprioception** to execute two kicks, albeit that there with some support from the walls at the scene.

65 In the final analysis, the alcohol consumed did not incapacitate Mdm Wong or render her unable to understand the nature and consequences of her action. At worst, Mdm Wong's consumption of alcohol served to put her in a particularly unrestrained, uninhibited and belligerent state of mind.

66 There is thus no evidence that Mdm Wong lacked the necessary intention to commit the offences under s 86(2) of the Penal Code. The requirements to invoke this defence are as stated in ***Tan Chor Jin v Public Prosecutor*** [2008] 4 SLR(R) 306 at [27].

Mdm Wong has never been diagnosed with any mental illness or personality disorder, which did not involve alcohol use

67 While Mdm Wong's acts against three police officers and her indecent tirades against them (which was especially virulent and prolonged in SGT Siti's case) might give pause to consider if Mdm Wong had been labouring under any mental health challenges or personality disorders, Mdm Wong has indicated that she has **never** been diagnosed with any mental illness or attendant condition which might offer a pathological explanation to her behaviour. Mdm Wong indicated that she had sought psychiatric help to deal with her challenges in relation to alcohol use only. She had, however, declined to obtain a report from her treating psychiatrist, citing the cost of obtaining such a report. Given her prior professional consultation, it would be clear to me that her psychiatrist would have likely flagged out to Mdm Wong if he had suspected her to be suffering from any mental or psychological condition. This being particularly the case as Mdm Wong had faced a similar situation of having abused and assaulted police officers in 2010, and would be expected to have some insight to her propensity for such behaviours. She would then have been expected to have sought a professional opinion, if she had any concern that she was suffering from any mental or psychological conditions which might lead to an increased propensity to commit offences of this nature. All considered, I was of the view that Mdm Wong's conduct, while somewhat extreme in her intensity and prolonged tirade of obscene references, was not so grossly abnormal as to take this out of the realm of the range of behaviours seen in individuals who have become disinhibited and emboldened after having consumed substantial amounts of alcohol.

Conviction on the proceeded charges

68 Mdm Wong has essentially made bare denials in relation to kicking SSGT Stanley and SGT Siti, citing the kick in the former to be 'impossible' and in the latter case to be a misunderstood manoeuvre, as she was intent on retrieving her wig. Mdm Wong's defence for the other charges as discerned from her written submissions and oral statements were that she should be abdicated of responsibility for her actions by blaming the putative victims for 'triggering' her. In her written submissions, she emphasised that: *'The accused*

had zero intention to do anything that night, not to (SSGT) Stanley or anyone and have no agenda at all. In fact the accused was very much hurt (and harmed) by the series of treatment given to her that night'. Mdm Wong asserted that 'if not for the badly staged circumstances, she (Mdm Wong) would most likely have been able to chit-chat with (SSGT) Stanley'.

69 For the POHA charges (where she has not pursued her convictions or sentences), there is no doubt that Mdm Wong's language, directed against the officers was intensely abusive, with personalised obscene references which were calculated by her to cause profound offence. Most peculiarly, Mdm Wong sought to make the case that the officers should have exhibited a higher level of **resilience** and **tolerance** to her abusive behaviour, as she had been in a patently intoxicated state, by exhibiting a series of articles of uncertain provenance and apparently sourced from the Internet, to prove her point. These articles, with titles like 'Abusive language was protected under the First Amendment to the United States Constitution', 'Swearing at police is not a crime, Judge rules', 'If This Article Offends You, Don't Become a Cop and 'Police officers who violate citizen's right must be punished', appear largely to be rather polemically expressed opinion pieces that do not aid her case, as they would certainly not reflect the extant laws of this country in these areas. Indeed, the statutory regime and case-law on harassment, abuse and assault of police officers is well established, and will be discussed in detail in the latter part of these grounds.

70 In relation to the arguments advanced in her set of submissions, Mdm Wong has tried to justify her actions to be a reaction to slights, whether real or imagined, committed against her by the police officers concerned. There are ample avenues to vent grievances of this nature by way of making a complaint to proper higher authority. Nothing justifies a dissatisfied private citizen to take the law into his or her own hands to abuse, or visit violence on, a police officer, or other public officer. Ultimately, I would agree with the prosecution's stance that a close study of the evidence does not show Mdm Wong to be entitled to avail herself to any defence recognised by law.

71 I am of the view that Mdm Wong's self-induced intoxication only caused her to be more belligerent and uninhibited than she would otherwise be, and did not cause any cognitive incapacitation which would have lessened her culpability. Mdm Wong had the **presence of mind** and wherewithal to record a segment of her interactions with scene officers using her mobile phone. As can be seen from the BWC video footage, Mdm Wong had maintained sufficient proprioception and balance to execute the kicks to SSGT Koh and Sgt Siti, and also the visio-spatial judgment to direct the passage of a stream of spittle onto SSI Halim's face.

72 Specifically, I found that Mdm Wong had caused injuries and pain to SSGT Stanley and SGT Siti, and had spat at SSI Halim through acts which were entirely voluntary and deliberate. In relation to the kicks against SSGT Stanley and SGT Siti, while the BWC video footage may not have documented the acts conclusively, the entirety of the evidence, including the testimonies of the respective victims, reactions of scene witnesses, medical opinion (in SGT Siti's case) and other circumstantial evidence are sufficient for me to form the view that the Prosecution has adduced and presented sufficient evidence to prove its case beyond reasonable doubt. Ultimately, I was of the view that Mdm Wong could not effectively invoke any defence known to law for any of the charges proceeded with.

73 Accordingly, having found that the prosecution has proven its case beyond reasonable doubt, I convicted Mdm Wong of all proceeded charges.

Sentencing considerations

DPP's sentencing submissions

74 DPP Sarah Shi submitted that it necessary '(t) o capture the full breadth of the accused's offending conduct and her culpability' for the sentences for one section 332 Penal Code offence; one section 353 Penal Code offence; and one section 6(3) POHA offence to run consecutively. She opined that an aggregate sentence of **at least eight months' imprisonment** would be appropriate, with **three** sentences to run consecutively. Here, even if these sentences were in relation to offences that formed part of the same transaction, there were cogent reasons to run three sentences together.

75 The learned DPP urged the court to consider that there were multiple victims in this instance, along with '**a pressing public interest concern in discouraging the type of criminal conduct**'. the imposition of consecutive sentences would be in keeping with the gravity of her offences, where a straightforward application of the one-transaction rule would result in the accused undeservedly benefitting from the peculiar circumstances of the multiplicity of the offences Mdm Wong had committed against three police officer. She also opined that sufficient weight ought be given to address the interests of general and specific deterrence in discouraging the type of criminal conduct.

Accused's antecedent criminal history

76 In sentencing, I have duly noted that Mdm Wong has related antecedents dating from May 2010, when she was sentenced to terms of imprisonment of one week for a s353 Penal Code offence of assault or using criminal force to deter a public servant from discharge of his duty, and also a sentence of four weeks for voluntarily causing hurt to deter a public servant from his duty; and offence under section s323 of the Penal Code. A separate offence of using indecent threatening, abusive or insulting behaviour toward a public servant was taken into consideration. There is, therefore, a distinct aspect of specific deterrence which should apply to her case

Accused mitigation plea

77 I have also noted Mdm Wong's mitigation plea of the deterioration of her personal and financial circumstances Mdm Wong has explained that she is a trained accountant formerly of a major accounting firm, who had fallen on hard times after tumultuous events in her personal relationships and an unspecified vehicular accident (which I was informed, at this juncture, to be the subject matter of a pending charge). Mdm Wong has indicated that her behaviour was uncharacteristic, and one she attributed to having taken to drink shortly before she encountered SSgt Stanley Koh at the Multi Storey Carpark.

Self-induced inebriation invalid as mitigatory ground

78 The case of **Public Prosecutor v Wong Hoi Lien** [2009] 1 SLR(R) 115, makes it clear that self-induced intoxication should normally be regarded as an aggravating factor. In **Wong Hoi Len** at [26] and [44], the High Court held that '*intoxication should ordinarily be*

considered as an aggravating feature', and '[t]hose who drink, unless they can invoke the defence of intoxication as narrowly defined in the Penal Code, must assume the full consequences of any legal transgressions'.

79 The case of **Stansilas Fabian Kester v Public Prosecutor** [2017] SGHC 185 reiterates the familiar principle that personal hardships are usually not a viable basis to found a mitigation plea.

Offence specific consideration

Commentary in Sentencing Practice for section 332 Penal Code offences

80 Three of the four charges appealed against involve section 332 Penal Code offences. Hence, as a natural starting point for the discussion of sentencing, it would be apt to consider the commentary in *Sentencing Practice*.

An attack upon a public servant in the performance of his duties is a serious offence. Public servants must be given adequate protection and this is reflected in the sentencing for such offences. In general, the offender can expect imprisonment.

The rationale was stated by the District Court in *Ng Cheng Heng v PP* (MA 32/93) as follows: Law enforcement agencies like the police have to take on the unpleasant but important task of enforcing the laws of the land in order to maintain social harmony, peace and justice. In the process they often come into contact with offenders like the accused. Police and other law enforcement agencies must therefore be protected and any act of violence should not be tolerated or condoned'. In the English case of *Fletcher* (1998) 1 Cr App R (S)7, it was said: 'Men in position of these officers, performing a difficult duty in circumstances where sadly they are only too likely to encounter bad temper and unreasonableness, deserve such protection as the courts can give.'

Sentences of three months' imprisonment are often given to first offenders where the assault is relatively minor. Higher sentences in the range of six to 12 months' imprisonment and above can be expected where the is serious, where a weapon is used, or where the offender has a prior record of violence. ***[Emphasis added]***

81 I will now explain from what I have gleaned from a survey of the applicable sentencing tariffs, benchmarks and case precedents for both offences. As the Court of Appeal held in ***Public Prosecutor v UI*** [2008] SGCA 35, at [19]:

19 A high level of consistency in sentencing is desirable as the presence of consistency reflects well on the fairness of a legal system. In contrast, the presence of inconsistency in sentencing diminishes the idea of justice being equal to all in a legal system; it also leads to public cynicism about the legal system in question and, eventually, to the loss of public confidence in the administration of justice...

Sentencing for s 332 Penal Code offences

82 In the case of ***PP v Yeo Ek Boon Jeffrey*** [2017] SGHC 306 ('*Jeffrey Yeo*'), a three Judge Magistrate's Appeal Panel formulated a sentencing framework with graduated bands for the offence of causing hurt to a police officers and public officers who are

performing analogous duties, to enable sentencing judges to find a baseline reference point of ranges to derive their eventual sentences for such case. Tay Yong Kwang JA, in delivering the ground of decision of the court, explained how the framework would be applied:

59 Bearing in mind the prescribed sentencing range for s 332 of the Penal Code and the existing sentencing precedents, the following framework shall apply to cases of causing hurt to police officers and public servants who are performing duties akin to police duties:

Category	Circumstances	Sentencing Band
1	Lesser harm and lower culpability	Fine or up to one year's Imprisonment
2	Greater harm and lower culpability or Lesser harm and higher culpability	One to three years' Imprisonment
3	Greater harm and higher culpability	Three to seven years' Imprisonment

The sentencing band in Category 1 encompasses the existing sentencing norm that was observed in *Zhu Guo Feng* ([8] *supra*), under which **a custodial sentence of two to nine months' imprisonment would generally be imposed for cases involving causing hurt to police officers. This would remain the indicative starting point for most of the offences prosecuted under s 332 of the Penal Code.** Fines should be meted out only in very exceptional cases, where the offending act ranks the lowest in the harm-and-culpability spectrum, for instance, a very young offender shoving a police officer lightly in a one-off incident away from the public's eyes and hearing and pleading guilty early.

60 A non-exhaustive list of factors relating to the harm and the culpability of the offence is set out below to assist in the assessment of harm and culpability. We have not separated the factors into those relating to harm and those pertaining to culpability because they often affect both considerations:

- (a) the degree of hurt caused and its consequences;
- (b) the use or attempted use of a weapon or other dangerous implement or means (eg, biting) and its capacity to do harm;
- (c) the age, lack of maturity or presence of mental disorder where it affects materially the responsibility of the offender;

- (d) **the circumstances leading to the commission of the offence** (eg, the offender's motivations for causing hurt to the victim, whether the offence was planned or premeditated, **whether it demonstrated contempt for police officers and their authority**);
- (e) the timing and location of the offence, in particular whether it was committed within the public's view and hearing;
- (f) whether the offence involved a sustained or repeated attack;
- (g) the number of offenders involved;
- (h) whether the offender intended to inflict more serious hurt than what materialised;
- (i) whether any steps were taken to avoid detection or prosecution; and
- (j) the offender's criminal history and propensity.

61 **The sentencing bands are premised on offenders pleading guilty and not having relevant criminal antecedents.** Appropriate adjustments may therefore be made where the offender claims trial and makes unwarranted allegations against the victim. Similarly, an appropriate uplift in sentence may be justified where the offender has a bad criminal record. [Emphasis added]

83 Category 1 is meant for cases where 'minor injuries are caused, and the bodily pain is momentary and where the culpability is low' (at [63] of *Jeffrey Yeo*). In *Jeffrey Yeo's* case, the offender, who had been charged under s 353 of the Penal Code, after he inflicted a single slap on the left cheek of a police officer who had been one of a group of officers who had roused him from a drunken stupor, received a 10-week sentence on appeal. The Court regarded his offending to be 'at the lower end of Category 1' and noted his show of remorse, youth, and plea of guilt as relevant sentencing factors. I determined that the nature and extent of Mdm Wong's offending in the instant case would be also be within this category.

Comparing instances of sentencing in similar hurt cases involving 'kicking'

84 I have considered the sentences in s332 Penal Code cases with similar factual matrices where the victims received a single kick from the respective accused persons.

85 In *Public Prosecutor v Iskandar Bin Ahmad Jamali*, the accused had pleaded guilty to a single charge under s 332 of the Penal Code, with another charge of pushing an officer on chest with both hands, contrary to under s 353 of the Penal Code being taken into consideration. The accused who had antecedents for drug, traffic and property offences, had been seen behaving in an odd manner by a group of NSF police officers performing foot patrols, in full uniform, in MRT stations on 7 November 2016. The accused attempted to leave after he was approached by the policemen. As he attempted to board an MRT to leave Lavender station, Police Special Constable Corporal Brandon Wee had attempted to block his passage. The accused had used both hands to push Police Special Constable Corporal Wee Jun Kiat Brandon on the chest (the TIC charge), and then used his right leg to **kick** Police Special Constable Corporal Lim Chong Wei on his left abdomen, causing pain. At SGH, SC Lim was discharged on the same day without injuries. On 16 March 2017, the accused had received a sentence of **three months'** imprisonment.

86 In **Public Prosecutor v Sharil Bin Hassan** (DAC 945256/2016), the accused had taken offence upon a belief that a group of Transcom Special Constabulary officers was looking at him. He had confronted Special Constabulary Sergeant Faris Syahir aggressively and gesticulated at him. The other Transcom officers tried to calm the accused down, but the accused had pushed the victim on his left shoulder. Despite being restrained by the other officers, the offender forcibly strained forward and **kick** SC Sergeant Faris Syahir on his left chest, causing him to take a step back. Upon his referral for medical treatment, SC Sergeant Faris Syahir was found to have sustained tenderness over his left anterior chest, and was discharged on the same day. The accused, who had antecedents of property related, modesty outrage and drug offences, received a sentence **of six months' imprisonment** for this charge.

87 In **Public Prosecutor v Kugan s/o Kesavan** (DAC-904446-2014), the accused has been approached by a police officer and his partner, when he was seen sitting with persons who had aroused their suspicion. The officers had approached the group, but the accused had kicked the victim on his stomach and punched the victim's head, which had caused pain, along with slight giddiness and heaviness on the head. The accused, who had antecedents for robbery, theft and driving without a license, was sentenced to **three months' imprisonment** on 22 February 2016, after a trial.

88 In the cases above, the injuries sustained by the victims were (as were the cases here) minor, with no medical leave given in the first two instances

89 In assessing the sentencing tariff, I would, with reference to the categories set out in **Jeffery Yeo** reiterate again my determination that for the s332 offences, the officers had suffered **Category 1** 'minor injuries and momentary pain' from the three counts of causing hurt. Taking reference to the abovementioned cases, which had very similar factual matrices, I would believe a sentence of **three months' imprisonment** per charge for the respective kicks against SSGT Stanley Koh and SGT Siti, to be fair. While the kick-inflicted injuries were relatively light (SSGT Stanley did not seek medical attention for the kick, and SGT Siti had a discernible bruise but did not require medical leave), an added dimension to this case would be the various **offender-specific** considerations of Mdm Wong's demonstrable absence of contrition (which will be elaborated on below), for which the court would be required to assign an appropriate weight in sentencing. Mdm Wong has also claimed trial, which would have made her ineligible for any discount in sentence usually accorded in plead guilty cases (particularly where the pleas were taken at an early stage of proceedings).

90 On the separate count grabbing and twisting SSGT Stanley's hand, I was of the view that a similar sentence of three months' imprisonment should be imposed, after factoring in offence and offender-specific factors, as well as other sentencing considerations. While an action performed by a hand may seem, at first blush, to be milder than one executed by a kicking leg, Mdm Wong's action of grabbing a police officer's hand and twisting his fingers, **while he is addressing her**, is in my view, an even stronger expression of contempt and rejection of his authority as a police officer. This impression is substantiated by the manner that she maintains eye-contact, with what seems to me to be a defiant glare, as she twists the officer's fingers. A still image of the event is reproduced below. After repeated viewings of the BWC footage, I am convinced that that SSGT Stanley's expression of alarm, shock

and pain after Mdm Wong's grab and twisting motion is genuine, with nothing to show the reaction to be staged or exaggerated.

Sentencing in similar section 353 Penal Code 'spitting' cases

91 In the joint case of **Public Prosecutor v Ganesh s/o Valas Supa Maniam and Vijay s/o Balakrishnan** (DAC 938127-2017 & ORS, MAC 911220-2017 & ORS), both accused persons were convicted of *inter alia*, spitting on police officers in a park. The two had been with other individuals at the park where they had engaged in a drinking session. When police officers arrived in response to a complaint, the group was found reeking from an alcoholic and comported themselves in a rowdy manner, shouting vulgarities at the attending police officers, with Mr Vijay pointing his middle finger at a police officer Station Inspector Raymond. They continued to make a commotion and disrupted traffic, leading to a decision to place Mr Ganesh under arrest. Mr Vijay sought to thwart this by grabbing a plastic basket to throw at SI Sanjit, who was with Mr Ganesh. Mr Vijay was subdued after a violent struggle, and repeatedly hurled vulgarities at Sgt Khairi before he spat saliva onto Sgt Khairi's face and shoulder (charged as a section 353). Mr Ganesh, among other acts, spat on SI Sanjit trousers and shoe (for which he charged with a s 353 Penal Code offence).

92 The duo were sentenced on 26 January 2018, with Mr Ganesh, who had antecedents including theft, separate counts of causing hurt and abuse to a public servant, criminal intimidation and traffic offences, receiving **three months' imprisonment** for the spitting offence and a total sentence of three months and six weeks' imprisonment. Mr Vijay, who had only an antecedent of disorderly behaviour received **two months' imprisonment** for the spitting offence, for a total sentence of two months and two weeks' imprisonment.

93 In the relatively recent case of **PP v Woo Zhi Heng, Samuel** (DAC 933754-2017 & ORS), the police had responded to a call from the accused's father, as the offender was rowdy and refused his father's demand that he leave the family apartment. The accused continued to be uncooperative and rowdy when the police arrived, and was placed under arrest. On the way to the police station in the police car, the offender shouted vulgarities at the police officer and spat at them. Upon reaching the station, the accused spat at a female police officer's face. On 2 January 2018, the accused was sentenced to **eight weeks' imprisonment** for the section 353 Penal Code charge, and a total sentence of 14 weeks' imprisonment arising from four proceeded charges.

Offender specific considerations

94 I have also noted several aggravating features of this case. Mdm Wong has exhibited a high degree of animosity and contempt against the officers, and has in this trial advanced accusations which have been proven to be both spurious and scurrilous.

Absence of contrition

95 Mdm Wong has demonstrated a conspicuous absence of contrition. DPP Sarah Shi has in the Prosecution's Address on Sentence, noted that Mdm Wong's conduct in the entire proceedings, and assiduously documented manifestations of her *'complete lack of*

remorse' in the course of the trial, and even in the tone and content of her final submissions.

96 In this regard, Mdm Wong had maintained highly personalised attacks against all three officers. Moreover, it was difficult to resist the notion that Mdm Wong had used her right of trial as a platform to slip in disparaging references of the witnesses while presenting her own defence, and persisted to take these pot-shots in her own set of written submissions. For the former, one might attribute her utterances to be ill-judged remarks made at the heat of the moment, but the remarks in her written submissions are particularly egregious given the time to contemplate on the appropriateness of these observations.

97 DPP Shi provided multiple instances. As many of these are repetitive variations of the same offensive theme, I have provided only a representative sample below (SSI Halim seems to have borne the brunt of these personal attacks with no fewer than 29 instances cited in the learned DPP's submissions):

(a) Against SGT Siti:

i. I was not humiliating her as a police officer. ***I was humiliating her as a c--k sucker*** ... So, overall, I wanna say yes, I have been very remorseful, Your Honour.

ii. I will describe her ***standing like a hooker***

iii. ... ***Officer Siti posture and mannerism***. After arriving at the station, while she was leaning one hand on the all(*sic*), body slanted one side and flinging, swirling the accused's wig in the air, ***that particular posture actually is a on-the-street girl standing posture. Officer Siti may wish to know(sic) for personal grooming***

(b) Against SSGT Stanley Koh:

i. SSGT (Koh) is 'rash, impulsive, too quick & hostile to act'

ii. How (SSGT Koh's mother) bring up her son in this manner with ***no moral values***

iii. (SSGT) Stanley was just rush & panicky! He was impulsive & instant to act, jump to conclusions & does what he feels like! ... Stanley seem unable to keep calm & has a very reactive trait

(c) Against SSI Halim:

i. (SSI Halim's) gestures of countlessly and endlessly pointing his index fingers is a very bad habit and stemming from his personal conduct and personal trait.

ii. such ***misconduct and ill behaviour*** of Insp Halim was surely not taught by the Singapore Police Force

iii. Could (SSI Halim) show some proper code of conduct and show that he can behave himself?

iv. (SSI Halim) handles his police duties like his 'home' affairs. (with much inappropriateness, carelessness, and his conduct is undeniably offensive and mostly

insulting others).

- v. Does he has(*sic*) some good moral values?
- vi. Don't mind, is this person employed by our Spore Police Force?
- vii. ***Seriously, is this a senior inspector employed by our Spore Police Force ?***
- viii. (SSI Halim) also covered up truths in trying to protect police officers!
- ix. (SSI Halim) changes truths to his likes..
- x. Overall, Halim may be worse than any intoxicated person
- xi. "He is not a good role model for the juniors (younger persons). As said, if he is not a police officer, his rude ways of demanding others to obey, ill logic and persistent pointing fingers at others (despite being told not to) would certainly have offended thousands of people on the street long ago. This is not a speculation, but a logical deduction.
- xii. "It is only the outfit without authority has protected him all these years [emphasis added]

98 While one might understand the premise of taking the offensive to be, at times, a good defensive tactic, it is unclear how *ad hominem* attacks of such a nature would have helped Mdm Wong defend charges of assaulting (and harassing or verbally abusing, for that matter) multiple police officers. Given that the majority of her statements, which were written at the penultimate hearing stage of final submissions, lack any ***tactical or practical purpose*** in advancing Mdm Wong's defence against the charges of assault, these insults would, at worst, show her to be possibly actuated by malice, or some other retributive motive in making these vituperative attacks. The most generous reading of her submissions would still show Mdm Wong to be lacking in remorse, or indeed simple empathy, for making submissions that were largely frivolous, and peppered with unsubstantiated assertions against her victims, who were, after all, police officers called to perform their duty by attending at the scene of a nuisance noise complaint.

Basis for sentence passed for the section 353 charge Penal Code charge

99 In the final analysis, I found Mdm Wong's spitting at SSI Halim to a deliberate act following a heated exchange between the two, to vent her anger at his admonition to behave, and also demonstrate her contempt for him. I have noted the aggravated circumstances, where SSI Halim's attempts to counsel her to co-operate and maintain her dignity as a woman, had been met with an unrestrained tirade of offensive references to SSI Halim's kin saying, amongst other things, that his mother and wife '*suck a hundred c—ks*'. I also noted Mdm Wong's continued attempts to bait SSI Halim at trial (which were adroitly interdicted by DPP and the court when they occurred). Mdm Wong also had no reservations in passing highly disparaging remarks in her written final submissions, notably '*Could (SSI Halim) show some proper code of conduct and show that he can behave himself?*' and '*Seriously, is this a senior inspector employed by our Spore Police Force?*'. This demonstrated that she remained obstinately unregenerate to the end as to her humiliating and dehumanising act against a senior police officer.

100 Given the above, I did **not** consider the recommendation by the DPP for a four-month term of imprisonment to be excessive at all. Notwithstanding this, I was mindful that the learned DPP's recommendation was to run together **three sentences** for what was essentially a **single** transaction, deriving a global sentence of 8 months' imprisonment. Cognizant of this fact, I was, in the final computation of Mdm Wong's aggregate sentence, minded to ameliorate this sentence, by instead imposing a shorter term of three months' imprisonment, which I considered to be necessary to yield a more **proportionate** resultant global outcome upon the imposition of three consecutive sentences.

General deterrence applicable in instances of abuse and violence against police officers

101 An attack of a police officer has generally been accorded a substantially higher level of gravity. The basis is explained in cases such as **Public Prosecutor v Walter Marcel Christoph** [2013] SGDC 305 where it was held (at [19]-[20]) that:

19. Beyond that, police officers differ from other public servants and other law enforcement officers in a significant way: they are authority figures in our society upholding and standing in representation of law and order.

20. Especially where offences against police officers have the effect of not only preventing or deterring the discharge of their duty, but also the effect of *undermining* them, heavier sentencing is also needed to uphold and re-emphasise the authority the police officer represents and carries. ***It is not just the officers themselves, but also the sense of authority they carry, that has to be protected in the public interest.***

[Emphasis in italics in the original, Emphasis in bold Italics added]

102 Professor Andrew Ashworth in his work *Sentencing and Criminal Justice*, (5th Ed) Cambridge University Press, sought to parse the differences between an assault on a police officer and an act of violence visited an ordinary private individual (at page 166):

Should an attack on a police officer be regarded as more grave than an attack on an ordinary citizen? One answer it that police officers are expected to place themselves in vulnerable positions sometimes, as part of their job, and that people who take advantage of this commit a worse offence. ...society needs people to undertake policing and other positions of authority, and ***a person who knowingly attacks such an official is striking against a fundamental institution in a way that one who attacks a private citizen is not. Because of its great social significance, it should be regarded as more serious.*** [Emphasis added]

103 The aforementioned case of **Jeffrey Yeo** is an appellate authority reiterating the essential and undeniable proposition that police officers are all too frequently exposed to the prospect of violence and aggression in the course of their frontline duties. Their duties entail frequently the officers endangering their own lives and risking their personal safety in the discharge of their duties to protect society by maintaining law and order. Given this, it would be inevitable that the key sentencing consideration in offences against police and frontline public officers engaged in similar duties is that of **general deterrence**, along with specific deterrence for repeat offenders.

104 The application of deterrence is elucidated in the case of **Tan Kay Beng v Public Prosecutor** [2006] 4 SLR(R) 10, where VK Rajah, J stated at [31]:-

Deterrence...is premised upon the **upholding of certain statutory or public policy concerns or alternatively, upon judicial concern or disquiet about the prevalence of particular offences and the attendant need to prevent such offences from becoming contagious.**

Deterrence, as a general sentencing principle, is also intended to create an awareness in the public and more particularly among potential offenders that punishment will be certain and unrelenting for certain offences and offenders. [Emphasis added]

105 A **contemporary** concern which featured in my deliberation of imposing a deterrent sentence was the high incidence of various forms of assault and abuse of police and frontline officers performing similar duties.

Prevalence of assaults against police and other Home Team officers

106 The prevalence of an alarming rise in assaults against officers from the Home Team has been highlighted in an article in the *Straits Times* dated 17 December 2016, which stated that in the first eight months of 2016, there were 328 cases of abuse of Home Team officers. (The figure for the entire year of 2015 was 344 cases.) Thus, on average, a Home Team officer was abused **every single day** in Singapore. To this parlous situation, the Minister for Home Affairs and Law, Mr K Shanmugam, had expressed concern, and said that “anyone who attacks a uniformed officer should learn a lesson which he will never forget; and it should be enough of a deterrence to others”. A subsequent article on the 28 September 2017 edition of *Today* showed the extent of the worsening situation with no fewer than **484 instances** of physical and verbal abuse against uniformed Home Team officers, with the Home Affairs and Law Minister noting that there had a **65 percent** increase in the incidence of abuse between 2014 and 2016.

107 Following the principles of **Jeffery Yeo**, I am of the view that it is incumbent on our courts to support the principle that those who preserve law and order and protect society **concomitantly deserve** to feel assured that they will be **protected adequately** by the laws that they are commissioned to uphold.

108 Attacks against police officers must be taken with the utmost seriousness. It is evident that if left unchecked, these incidents could undermine public confidence in our police officers as authority figures in society and compromise their effectiveness as symbols of law and order. Accordingly, offenders must face the **full force** of the law and deterrent punishments must be imposed to reflect our condemnation of such offences as a society, and a community. This principle was recently reiterated in the *ex-tempore* grounds in **Public Prosecutor v Darragh Jason Peter** (Magistrate’s Appeal 9270/2017), where in enhancing the sentence imposed in a section 332 Penal Code offence to eight months’ imprisonment, See Kee Oon J held :

13 Police officers are the most visible among law-enforcement officers. They are called upon to deal with all manner of risky, unpredictable and potentially dangerous situations. **The courts must firmly uphold their authority each time it is undermined. When offences of such a nature are committed against police officers, there is a strong public interest in ensuring that a clear deterrent message is sent through the sentence of the court.**

The case for three sentences to run consecutively

109 I agreed with the learned DPP's submission that the circumstances of the offences show that that Mdm Wong had demonstrated a *'high degree of contempt for police officers'*, seeking persistently to undermine their authority. Her motivation in committing the offences appeared to be from spite, along with an alcohol-induced disinhibition that seemed to have hardened her resolve to retaliate against the three police officers for perceived slights. Going sequentially, Mdm Wong had been obdurate in refusing, at the multi-storey car park (MSCP), to give a candid answer to the question about whether she had driven her car after drinking. When SSGT Stanley continued to question her, she grabbed and twisted his fingers in defiance. She had been cuffed after she tried to walk away from the scene. Displeased by this restraint by SSGT Stanley, she had cursed SSGT Stanley's mother and called her a prostitute, and thereafter kicked SSGT Stanley's thigh.

110 Attending shortly thereafter, SGT Siti sought to administer the breathalyzer test and became the unfortunate recipient of a sustained stream of abuse which lasted for half-an hour (3.29 a.m. to 4.03 a.m., as documented on SGT Marc's body worn camera). When Mdm Wong remained uncooperative at the scene, SSI Halim sought to have her conveyed to the police station. She had maintained a torrent verbal abuse against SSI Halim for much of their interaction. While Mdm Wong was being escorted to the police car, she had turned to launch her stream of spittle in SSI Halim's face. In the police car on the way to the station, she had continued to verbally abuse SGT Siti. At the station, she had persisted in her verbal abuse against Sgt Siti, and when she thought that SGT Siti had dropped her wig on the floor, she had executed the kick at SGT Siti's right thigh.

111 Carefully considering these circumstances, I am persuaded that the dictates of general and specific deterrence would justify the imposition of **three** consecutive sentences, despite the seven proceeded offences being transacted within a short span of just over an hour.

112 Accordingly Mdm Wong was sentenced as follows:

S/N	Charge	Offence / Particulars	Sentence
	DAC-915329-2016	s 332 of the Penal Code (Cap 224, 2008 Rev Ed) Using her left hand to grab and twist the fingers of Staff Sergeant Stanley Koh Hong Chin ("SSGT Stanley").	3 months (consecutive)

MAC-904864-2016	s 6(1)(a) p/u s 6(3) of the Protection from Harassment Act (Cap 256A, 2015 Rev Ed) (POHA)	1 month (consecutive)
	Using the following abusive words to SSGT Stanley:	
DAC-915330-2016	s 332 of the Penal Code	3 months
	Kicking SSGT Stanley once on his right thigh.	
MAC 907544-2016	s 6(1)(a) p/u s 6(3) of the POHA	1 month
	Using the following abusive words to Senior Station Inspector (2) Abdul Halim Bin Mazlan (SSI Halim):	
DAC-915332-2016	s 353 of the Penal Code	3 months (consecutive)
	Spitting saliva onto the face of SSI Halim.	
MAC-904865-2016	s 6(1)(a) p/u s 6(3) of the POHA	2 months
	Using the following abusive words to Sergeant Siti Aminah Binte Mohd Jamaluddin (SGT Siti):	
DAC-915331-2016	S 332 of the Penal Code	3 months
	Kicking SGT Siti once on her right thigh.	

106 I ordered the sentences in DAC-915329-2016 (3 months), MAC-904864-2016 (1 month) and DAC-915332-2016 (3 months) to run **consecutively**, yielding a total sentence of 7 months.

113 The final sentence of seven months was a full month **lower** than the learned DPP's submission that Mdm Wong should suffer imprisonment of '**at least eight months**' which could have been sufficiently justified on the face of the voluminous and informative

authorities she furnished. Notwithstanding this, I was of the view that it would be just to impose a global sentence of **seven** months after considering Mdm Wong having committed the series of offences in a single spree, while in a seemingly agitated alcohol-fuelled mental state, as well as the fact that she had not re-offended in the intervening years after a similar spate in 2010.

114 Having regarded the totality of Mdm Wong's conduct, it is patent that the final aggregate sentence of seven months imposed is **not** substantially above the normal level of sentences for the most serious of the individual offences committed. Likewise, the effect of the global sentence imposed on Mdm Wong is not one that is crushing or disproportionate to the nature of the offences committed. I do believe also that the final global sentence is entirely in keeping with Mdm Wong's past criminal record and her future prospects.

115 As can be seen from the grounds stated above, I have striven to impose appropriate sentences, with consideration taken to formulate consecutive sentences, intended to be a proportionate and condign punishment for Mdm Wong's unrestrained spree of offences against three police officers. All considered, if the imposed sentences can, in any way, be said to be inadequate, I would believe the inadequacy to have leant on the side of leniency, rather than harshness.

116 Mdm Wong was, upon her application, given a deferment till 14 September 2018 to settle her personal and work affairs before commencing sentence, and filed this appeal within this deferment period, on 24 August 2018.
