



MAN CONVICTED FOR ASSAULTING AIR CREW AND ADMINISTERED STERN WARNING FOR UTTERING BOMB THREAT ON SINGAPORE AIRLINES FLIGHT

On 4 November 2022, La Andy Hien Duc, a 37-year-old male American (“**the Accused**”), was convicted of one charge of voluntarily causing hurt under Section 323 of the Penal Code 1871 read with Section 3(1) of the Tokyo Convention Act 1971, for slapping an air crew member (“**the Victim**”) on board Singapore Airlines Flight SQ 33 (“**SQ 33**”). For uttering that there was a bomb on the plane, the Accused was administered a stern warning for using threatening words likely to cause alarm under Section 4(1)(a) punishable under Section 4(2) of the Protection from Harassment Act 2014 read with Section 3(1) of the Tokyo Convention Act 1971. Thereafter, the Prosecution applied for a discharge amounting to an acquittal, which was granted by the Court.

2 On 28 September 2022, while on board SQ33, the Accused shouted that there was a bomb on the plane and searched the bags of other passengers for the alleged bomb. Two members of the air crew, including the Victim, attended to the Accused and verified that there was no bomb. The Accused was brought to the galley as part of the crew’s efforts to calm him down, where he slapped the Victim.

3 As a result of the Accused’s claim that there was a bomb on board, Republic of Singapore Air Force jets were activated to escort the aircraft for its remaining journey. The Accused was arrested after SQ33 landed at Changi Airport.

4 On 29 September 2022, the Prosecution applied for the Accused to be remanded for psychiatric assessment at the Institute of Mental Health (“IMH”). The Court granted the application.

5 The Accused was diagnosed by the IMH psychiatrist to have schizophrenia. It was further found that the Accused genuinely believed that there was a bomb on the plane, due to his mental disorder. He shouted that out to alert the other passengers in the hope of saving them. While he could have taken other actions which would not have resulted in the disturbance, such as quietly alerting the air crew, the Attorney-General's Chambers nevertheless assessed that prosecution was not warranted.

6 However, the offence of assaulting the Victim was not directly related to his schizophrenia, and he was found, during the psychiatric assessment, to have clearly retained the capacity to know that it was wrong to assault the Victim. In light of this, the Prosecution proceeded on this charge. For assaulting the Victim, taking into account that the Accused pleaded guilty and was remorseful, the Prosecution did not object to the Defence's request for a sentence of imprisonment equivalent to the time the Accused had already served in remand. The Court handed down a sentence of four weeks' imprisonment.

7 The Immigration & Checkpoints Authority has stated that the Accused will be deported from Singapore on 5 November 2022. He will be barred from re-entering Singapore.

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ATTORNEY-GENERAL'S CHAMBERS
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