



FOR IMMEDIATE RELEASE
8 March 2017

PP v JOSHUA ROBINSON

- **Prosecution took into consideration the fact that securing a guilty plea from Robinson would spare three young victims the trauma of testifying and being cross-examined at trial.**
- **Joshua Robinson did not commit ‘sexual assault’. Because the two victims were above 14 years of age when Robinson committed the sexual acts with them, the offence of statutory rape was not committed. Because the victims had consented to the sexual acts, the offences of rape and outrage of modesty were also not committed.**
- **Caning is not provided for any of the offences Robinson was charged with.**
- **The sentencing is broadly in line with relevant sentencing precedents.**
- **The Attorney-General’s Chambers does not differentiate between Singaporeans and non-Singaporeans in discharging our duties.**

1. There has been public attention to this case, and calls from some members of the public for an appeal against the sentence imposed and for caning to be imposed. Following careful review of the matter, the Public Prosecutor has decided not to appeal against the sentence.

2. Joshua Robinson (“Robinson”) pleaded guilty to 9 charges for offences of sexual penetration of minor under 16 punishable under section 376A(2) of the Penal Code, making an obscene film punishable under section 29(1)(a) of the Films Act, possession of obscene films punishable under section 30(1) of the Films Act, and exhibiting an obscene object to a young person punishable under section 293 of the Penal Code. He was sentenced in the District Court to a total of 4 years’ imprisonment. Details of the charges and the sentence imposed per charge are in the annex to this media release.

3. Before the District Court, the Prosecution had sought a total sentence of 4 to 5 years’ imprisonment. The Prosecution’s sentencing position was made known to defence counsel and to the District Court at a pre-trial conference in September 2016. The Prosecution’s sentencing position was conveyed to Robinson before he made his decision in December 2016 to plead guilty. In arriving at this sentencing position, the Prosecution took into account, among other things, the fact that by securing a guilty plea, the three young victims would be spared the trauma of having to testify and be cross-examined in a trial.

4. There have been some public comments that Robinson committed “sexual assaults” and that he should have been charged with rape or statutory rape, and / or outrage of modesty. There have also been suggestions that Robinson should have been sentenced to caning.
5. The Attorney-General’s Chambers (“AGC”) would like to clarify the following:
 - (a) For the sexual acts committed with the two 15 year-old victims, Robinson was charged with the offence of sexual penetration of a minor under 16 years of age, punishable under section 376A(2) of the Penal Code. This was the most serious charge that the Prosecution could have brought on the facts of this case.
 - (b) As these two victims were above 14 years of age at the time when Robinson committed the sexual acts with them, the offence of statutory rape was not committed.
 - (c) Both these victims had consented to the sexual acts. Therefore, the offences of rape and outrage of modesty were not committed. By the same token, these were not cases of “sexual assault”.
 - (d) While caning is provided for the offence under s 376A(3) of the Penal Code for sexual penetration of a minor **under 14** years of age, caning is not provided for any of the offences Robinson was charged with.
6. The sentences imposed in this case were broadly in line with relevant sentencing precedents. In light of the sentencing position which the Prosecution had conveyed to Robinson and the fact that his subsequent plea of guilt had spared the victims from the ordeal of a trial, the Public Prosecutor will not be appealing against the sentence.
7. The AGC would like to assure the public that in discharging our duties, we do not differentiate between Singaporeans and non-Singaporeans.
8. The AGC will be discussing with the Ministry of Law whether the relevant legislation should be reviewed to enhance sentencing for some of the offences.

For queries, please contact:

Ms Jade Chen

Manager

Tel: 6908 8224

Email: jade_chen@agc.gov.sg

Ms Lai Xue Ying

Manager

Tel: 6908 3067

Email: lai_xue_ying@agc.gov.sg

ANNEX (Details of Robinson's charges and the sentences imposed)

Offence	Sentence imposed per charge
3 counts of sexual penetration of minor under 16 punishable under section 376A(2) of the Penal Code	24 months' imprisonment per charge All three terms were ordered to run concurrently
4 counts of making an obscene film punishable under section 29(1)(a) of the Films Act	12 months' imprisonment per charge All four terms were ordered to run concurrently
Possession of obscene films punishable under section 30(1) of the Films Act	6 months' imprisonment
Exhibiting obscene object to young person punishable under section 293 of the Penal Code	6 months' imprisonment

Another 20 charges were taken into consideration for the purpose of sentencing.

The total sentence ordered by the District Court was 4 years' imprisonment. The District Court ordered the sentences for the following charges to run consecutively:

- (a) one charge of sexual penetration of minor: 24 months;
- (b) one charge of making an obscene film: 12 months;
- (c) the charge of possession of obscene films: 6 months;
- (d) the charge of exhibiting obscene object to young person: 6 months.