



National Council of Churches of Singapore

新加坡基督教全国教会理事会

Majlis Kebangsaan Gereja-Gereja Singapura

திருச்சபைகளின் தேசிய மன்றம்

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NCCS' Response to Minister K. Shanmugam's parliamentary speech on the Court of Appeal Ruling on Repeal of Section 377A

We refer to Minister K. Shanmugam's parliamentary address regarding the recent Court of Appeal judgement on the constitutional challenge to Section 377A (s377A) of the Penal Code.

2. We agree that matters relating to sexuality are socially charged issues which are highly contentious in nature and deeply divisive for society if not handled properly. In this regard, we affirm the government's approach of upholding, as mentioned by Prime Minister Lee Hsien Loong in 2007, "a stable society with traditional heterosexual family values, but with space for homosexuals to live their lives and to contribute to society."¹ Minister Shanmugam has acknowledged that this position remains our stand today.

3. In light of the above, we view that the Government's and AGC's position that s377A be retained but not proactively enforced successfully achieves this delicate balance between the different (and in fact opposing) interests of various groups. This "unique compromise" which Singapore has struck has worked so far in preventing a deeper wedge from being driven within our society, and fostering Singapore to be "an inclusive society, where mutual respect and tolerance for different views and practices are paramount."

4. We agree with the Court's consistent position that matters related to sexuality, and in this particular case whether to repeal s377A, remain within the province of Parliament rather than the judiciary. As Minister Shanmugam affirmed, "Socially charged issues, such as s377A, call for continued discussion and open-ended resolution within the political domain, where we can forge consensus, rather than in win-lose outcomes in Court."

¹<https://www.straitstimes.com/politics/full-parliamentary-speech-by-pm-lee-hsien-loong-in-2007-on-section-377a> dated 24 Oct 2007.

5. We will continue to work closely with the government as it considers the “best way forward” on s377A, which includes consulting the different groups and engaging the different viewpoints, and we are heartened to hear that the government will do this in a manner that “continues to balance between [...] different viewpoints, and [avoid] causing a sudden, destabilizing change in social norms and public expectations.” We also note the government’s recognition that “the heterosexual stable family remains the social norm,” and the current legal position reflects “our society’s norms, values and attitudes.”