

Indian teenager loses discrimination case - RTHK

2016-05-30 HKT 18:23

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The District Court has ruled against an Indian teenager who sued the police for racial discrimination.

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Richard Pyne reports

An Indian teenager who sued the government and a police officer for racial discrimination has lost his case in the District Court.

This was the first time a police officer had been sued under the Racial Discrimination Ordinance since it came into effect in 2009.

Arjun Singh was 11 years old in 2010 when he was arrested for allegedly assaulting a woman as he left the Wan Chai MTR Station.

He alleged that the police discriminated against him on the ground of race.

Singh has demanded an apology and made claims for damages. He has also asked the court to direct the Commissioner of Police to investigate and discipline the officer concerned.

But after a 16-day hearing, which was concluded in September 2014, the District Court ruled that even though what happened to Singh was unpleasant – he had failed to prove that he had been discriminated against.

The court heard that Singh bumped into a Chinese woman on an escalator while exiting the station.

A scuffle ensued and the woman called the police – but only Singh was arrested.

He was taken to Wan Chai Police Station, and Singh alleged he was coaxed into admitting his guilt and was treated discriminatorily.

But Acting Chief District Judge Justin Ko ruled that the officer at the scene did have a reasonable suspicion to arrest Singh.

He said there was also no evidence of any "high-handed, insulting, malicious or oppressive" conduct to award any damages.

However, Unison, a non-governmental organization advocating racial equality said the case reveals how anti-discrimination law fails to protect the rights of local ethnic minority, and said it was deeply disappointed with the judgement.

Puja Kapai, an executive committee member of the charity, urged the government to review the Racial Discrimination Ordinance.

"What this case shows is that the (Racial Discrimination) Ordinance makes it that much harder for a mistreated or differently-treated ethnic minority to make a claim," she told RTHK.

Last updated: 2016-05-31 HKT 01:30