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MOH probing person who spread HIV on purpose

This could be the first such case here. If found guilty, the person could be jailed and fined

By Lee Hui Chieh

SOMEONE here is now being probed by the [Ministry of Health \(MOH\)](#) for what could be Singapore's first case of a person who knowingly infected someone else with HIV through sex.

This person's partner was not told of the risk of contracting HIV, the virus that causes Aids.

The ministry declined to say more about the case.

If found guilty, the person could be fined up to \$10,000 and jailed for up to two years.

Under the Infectious Diseases Act, it is an offence for someone who knows he is HIV-positive to have sexual intercourse with another person.

There is no distinction between protected and unprotected sex in the act.

The exception is when the person who is told of the risk before sex decides to go ahead with it anyway.

So far, there have been no reports of anyone being charged with this offence here.

But others have been punished for a related offence - that of lying about their sexual history when donating tainted blood, which could have compromised the safety and integrity of blood stocks here.

Nine men caught whitewashing their sexual history have been jailed for between one and 15 months in the last 16 years.

Other countries have come down against individuals who knowingly spread HIV to unsuspecting sex partners.

In Britain, at least 11 people have been jailed for between two and 10 years for this since 2001.

Elsewhere in the last three years, at least six others have been thrown behind bars for up to 12 years in Australia, French Guiana in South America, the island of Rhodes in Greece and Zimbabwe in Africa. At least two more individuals were charged recently in Canada and the United States.

Here, efforts have been made in recent years to ensure that at least the spouses of HIV-positive patients - if not also their extramarital sex partners - are told about their illness.

Since July 2005, the MOH has been tracing and informing the spouses of infected patients who refuse to come clean.

It used to be that a patient's consent was needed for the spouse to be told. But not anymore.

The mid-2005 change seems to have spurred more patients to come clean with their spouses.

In the last six months of 2005, the ministry had to break the news to 51 spouses, at least two of whom

were later found to be infected.

Last year, the ministry had only 18 names on its list of spouses to be told. Ten have been told, of which six have tested negative. The last eight are being followed up on.

The fall from 51 to 18 came despite the number of married HIV-positive patients holding steady between 2005 and last year - 101 in 2005 against 109 last year.

Aids activist group Action for Aids (AFA) encourages patients through support group meetings to tell their partners about their condition, and most do so, said its executive director Lionel Lee.

Prosecution could help 'in preventing the spread of HIV by making people take responsibility for their actions', he said.

Former Nominated MP and AFA vice-president Braema Mathi said: 'Knowing that you have the disease is a different matter from knowing the mode of transmission.

'How the disease is spread should be clearly explained to patients at the time of diagnosis, then it is fair to say that they know.'

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