

IN THE CROWN COURT AT SOUTHAMPTON

Southampton Combined Court Centre
The Courts of Justice
London Road
Southampton, Hampshire
SO15 2XQ

BEFORE:

**HIS HONOUR JUDGE WILLIAM MOUSLEY KC
THE HONORARY RECORDER OF SOUTHAMPTON**

BETWEEN:

R

PROSECUTION

- and -

**VICKRUM DIGWA
KIRAN KAUR**

DEFENDANTS

Legal Representation

Mr Nicholas Lobbenberg King's Counsel (Barrister) on behalf of the Prosecution

Mr Neil Anthony King (Barrister) on behalf of the Prosecution

Mr Jeremy Patrick Wainwright King's Counsel (Barrister) on behalf of the Defendant (Digwa)

Mr Benjamin Hargreaves (Barrister) on behalf of the Defendant (Digwa)

Mr Mark Watson King's Counsel (Barrister) on behalf of the Defendant (Kaur)

Other Parties Present and their status

Mr *Sagib Ajile* (Punjabi Interpreter)

Witness Evidence of Gurnam Singh (Full evidence)

Hearing date: 18 May 2026

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A **Dr Singh:** I swear by Waheguru that the evidence I shall give will be the truth, the whole truth, and nothing but the truth.

B **Mr Lobbenberg:** Can you please give the Court your full name?

Dr Singh: Yeah, my name is Dr Gurnam Singh.

C **Mr Lobbenberg:** And this is unfortunately a really big room and lots of people have some difficulty in hearing what witnesses say. So could you please answer across to the jury? I know you're giving the courtesy of looking at me, don't. Look at them please, they're the people that matter in this court. You're a doctor but you're not a medical doctor are you?

D **Dr Singh:** No, I'm not

Mr Lobbenberg: What's your job?

E **Dr Singh:** Yeah, I'm a Professor of Sociology at the University of Warwick, so I'm a PhD in Sociology.

Mr Lobbenberg: And what is your particular expertise in?

F **Dr Singh:** As I said, I'm a Sociologist so I'm interested in, my specialism is race and ethnicity so I've got a deep knowledge of minority communities. But I'm also, I write, I publish and I've written extensively on the Sikh religion. At the university I'm also the Sikh faith advisor in the university so I advise on anything to do with Sikh student and staff related issues.

G **Mr Lobbenberg:** I think you also appear on a Sikh television channel?

H **Dr Singh:** Yeah, yeah, I've been, for the last 15 years I've been regularly presenting programmes on Sikh TV channels.

Mr Lobbenberg: Alright, and I think you've signed the expert declaration about your independence?

A **Dr Singh:** Absolutely, I have no knowledge of the case other than that what's already been reported previously in the media.

B **Mr Lobbenberg:** Thank you. Now you've got a, you've made a report and a witness statement, have you got them both *with* --

Dr Singh: Yes.

C **Mr Lobbenberg:** Thank you very much. Now I wonder if you could help us please, I'm going to go to your second page of your report. The nature and importance of the five Ks. Could you tell the jury what are the five Ks?

D **Dr Singh:** Yeah, the five Ks, they, they, they use the word K because in Punjabi they are called the kakar which starts with the letter K, the equivalent of Punjabi. So one of them is the kanga which is a small wooden comb that's placed usually in, under the turban in the hair. It's a --

Mr Lobbenberg: And is these, what's, are these things that must always be worn or carried?

E **Dr Singh:** Yeah, for somebody who's initiated, we, in the literature they call them baptised Sikhs, we call them Amritdhari Sikhs. These are, these would be anybody, male or female, who have undertaken certain vows to follow the strict Sikh codes of conduct and those five Ks are compulsory requirements for any baptised Sikh to have in their presence as much as humanly possible at all times.

F **Mr Lobbenberg:** Alright, so first of all, kanga.

G **Dr Singh:** Yeah, the kanga, this is a wooden, small wooden comb and it symbolises cleanliness but it's also got practical use, they actually comb the hair.

Mr Lobbenberg: Alright.

H **Dr Singh:** Another one is the kashera which is specific type of undergarment, it's underwear and it, as I say, it symbolises chastity, self control but it's also, within the kind of martial tradition, it's also seen as a very practical undergarment, especially if you're riding horses. So

you often find the warrior kind of clans amongst the Sikhs wear quite large kasheras, this is called kashera.

A

The third one is the kesh which is the uncut hair which is kept underneath the turban, it's got to be carefully maintained and the turban is there to protect the kesh, or as a, it's not only there to protect but it's also in itself symbolic of the kind of Sikh identity and this is something that both males and females can, *are* required to wear, although many females will tend to wear like what's called a *chunni* or headscarf rather than the full turban although there are examples of Sikh women also wearing full turbans

B

The fourth one is the kara which is the steel bracelet or iron bracelet that's worn around the wrist. Again this has symbolic significance around unity, around the Sikh kind of spiritual values but again some of the kind of, the warrior, those who belong to warrior traditions will wear quite thick karas, maybe they can also be protective made out of iron but there's no regulations to what thickness should be the kara.

C

D

And the last one is the kirpan. The kirpan is a small sheath weapon which is worn under a gatra which is a strap that goes round the body. It symbolises self defence and the duty to protect and stand up for the weak and the oppressed, and it's important that the kirpan --

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His Honour Judge Mousley: Can you, sorry, can you just slow down a bit please, if --

Dr Singh: It's, it's --

F

His Honour Judge Mousley: You don't mind? Can you just slow down a moment, please, sorry.

G

Dr Singh: Yes, yes, yeah.

His Honour Judge Mousley: It symbolises what, sorry?

H

Dr Singh: It's, it's primarily seen as a defensive weapon --

His Honour Judge Mousley: Yeah.

A

Dr Singh: And that it should only be unsheathed in order to protect or stand up against the weak and oppressed. It should not be used as an offensive weapon, that's the key distinction. There are other weapons within the Sikh kind of a tradition that would be offensive weapons but the kirpan, the word itself means merciful, it means honour, yeah? So it's, it's, it's very important to understand this as a, as, as a purely defensive weapon. So these are the five Ks.

B

Mr Lobbenberg: Thank you. So concentrating on the kirpan itself, *kirpa* means mercy or compassion, *an* means honour or dignity.

C

Dr Singh: That's right, yeah.

Mr Lobbenberg: So you put them together and that is the concept of the kirpan.

Dr Singh: Absolutely.

D

Mr Lobbenberg: So it's not a weapon in the usual sense?

E

Dr Singh: Well, it's clearly something that has the potential to do physical harm and, and, you know, it could, if, if used with that intent, but the, the spiritual or the kind of religious significance for that is that it's essentially a defensive weapon, it's not offensive, and it's, and it, and it's also, there's a requirement to use it proportionately which means that you would not, normally not unsheathe the kirpan unless there's no other way of responding. It's got to be used, or weapons more generally within the Sikh tradition would be only deployed as a last resort --

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Mr Lobbenberg: All right.

Dr Singh: And, and proportionately.

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Mr Lobbenberg: Thank you. Now, I'd like you to look at some exhibits in this case. I wonder, could we have exhibit 1?

H

(pause)

Mr Lobbenberg: And if we just hold that up and show it to everybody, we've already looked at that. This was around the neck of Vickrum Digwa. Do you recognise that item?

A **Dr Singh:** Yeah, it's a small kirpan.

Mr Lobbenberg: Does the wearing of such an item satisfy the religious requirement to carry a kirpan?

B **Dr Singh:** Okay, so the, the Sikh code of conduct which is, which is overseen by the Sikh religious authorities in Amritsar, it's called the Sikh Rehat Maryada, does stipulate certain requirements by the five Ks that Sikhs should never remove those five Ks from the body, and the kirpan, it doesn't actually stipulate the length of the kirpan's blade, it doesn't stipulate that, but custom and practice is that this is, this can be between three inches up to nine inches. I think in the report I do make some reference to Wembley Stadium and how they define that and some, and Lord's Cricket Ground, and other authorities will determine that locally, but there's no actual fixed length within the code of conduct, but it's usually between three to nine inches, and I think that, that the blade on that is over three inches.

Mr Lobbenberg: So that blade satisfies the religious requirement?

E **Dr Singh:** Yes and no, in the sense that the requirement doesn't define the length of the blade, but many Sikhs would see that as requiring the basic requirement for one of the five Ks.

Mr Lobbenberg: Thank you. Can we look at item, the second item please, exhibit 2?

F (pause)

Mr Lobbenberg: If you're wearing exhibit 1, is there any religious requirement to carry that?

G **Dr Singh:** OK, so what I would say there is that certainly some baptised Amritdhari Sikhs would use, would see this as one of their five Ks, so it can be seen as one of the five Ks, yeah, in terms of its length and its shape. It doesn't, as it were, exceed the requirements. But if this is worn [sic], worn in addition to the other kirpan, then suppose the interpretation is in, in the mind of the person who's wearing it, whether they feel this is the five, one of the five Ks or whether the smaller one is one of the five Ks. So I wouldn't be able to determine what goes on in somebody's mind in terms of how they would relate to that. But in terms of the requirement,

H

you do not need two. The requirement is for one, OK? But I wouldn't want to decide which one of the one would fit the requirement, because --

A

Mr Lobbenberg: I understand what you're saying. But there's no necessity to carry that second one for religious purposes if you're carrying the first.

B

Dr Singh: I would say there's no necessity to, to carry two. You're not required to carry two -

Mr Lobbenberg: Right.

C

Dr Singh: And, and, and therefore, I cannot judge which of those two is used in justification to the wearer. Only they can say that. But certainly two is above the requirement. The religious requirement is to carry one kirpan of which either this or the other one could satisfy that requirement.

D

Mr Lobbenberg: Either or?

Dr Singh: Either or.

E

Mr Lobbenberg: But not both?

Dr Singh: There's no minimum requirement to carry both.

F

Mr Lobbenberg: Thank you, and can you please look, there's a white A3 bundle in front of you. It might be folded over.

G

(pause)

Mr Lobbenberg: Maybe inside, yes, there it is, it's folded over. Ladies and gentlemen, can we please turn up our page 9?

H

(pause)

Mr Lobbenberg: Now, you see there an image of exhibit 2 being displayed on the outside of clothing. Do you have any observations about that?

A

Dr Singh: It's certainly not unusual to see Sikhs wearing the kirpan on the outside. But it would be unusual to see them wearing that on, on the outside of a coat or, or, or some kind of external, you know, it's, would be quite normal for them to wear it on the outside of a shirt or even a pullover or a hoodie, but it would seem strange that it would be worn outside of a coat. That would be unusual.

B

Mr Lobbenberg: Why?

C

Dr Singh: Because it, it, generally speaking, Sikhs are advised, when they go into the public, because of the perceived threat that a kirpan might have to somebody who doesn't know the religious significance, that they should wear them discreetly, other than where there's an obvious reason for them to display the weapons, which might be on some kind of religious festival or a procession, in a controlled environment.

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Mr Lobbenberg: All right.

E

His Honour Judge Mousley: Just pause a moment, please.

(pause)

F

His Honour Judge Mousley: Yeah, thank you.

Mr Lobbenberg: Thank you, Professor, and so far, I think that's all the questions I have for you. *Just*, sorry, just one other matter, sorry, which I forgot to ask you about. In your bit of the report that deals with the Sikh turban, it has a name, doesn't it? What's it called?

G

Dr Singh: Dastar.

Mr Lobbenberg: Dastar. Is, it has a, you described it, I think, in passing, as having a, a spiritual significance.

H

Dr Singh: And practical use as well.

A **Mr Lobbenberg:** Thank you. The practical use is for the hair?

Dr Singh: It protects the head, keeps the head warm as well.

B **Mr Lobbenberg:** And symbolic?

C **Dr Singh:** Symbolic, it would be seen as a symbol of sovereignty within kind of mediaeval India. The kings and the sovereigns all wore turbans, and, and because the Sikhs were seen as a kind of proletariat resistance force, a force against the kind of imperialists, they then, as an act of resistance, said that:

 "We will also wear turbans. We will also show you that we can become kings."

D And then, therefore, it, it becomes quite a, quite a sensitive item of clothing. So, for example, to have the turban removed forcibly by somebody else would be seen as a, as a great kind of act of sacrilege because it would be as if it were the king's turban being removed from their head.

E **Mr Lobbenberg:** Thank you. Now, how easy is it to dismount a turban?

F **Dr Singh:** It's a bit like how long is a piece of string, that question. It really depends on how tightly you've tied the turban, how much expertise you have, and what method of tying you use. I say that because within the Sikh warrior clans, *we'll* call them Nihangs, which, which are still kind of prevalent in India, and in the UK, we have some people who follow those practises. They, they will wear quite ornate turbans, quite large turbans, they call them dumallas, and they can be quite heavy, but they are tied in a particular way so that there's some stability. I could go into much more detail, but I'm sure you've got the general gist. But if, if you're, if you're kind of waking up one morning, you quickly tie your turban around your head and you haven't really had too much time on it, then I know from my own experience, by the end of the day, it can be quite loose. But certainly, a turban can be easily removed by just a simple kind of pressure unless, of course, somebody's specifically tied it in a way that's designed to keep it, say for sports and things like that, where you often do find quite tightly tied turbans.

G

H

Mr Lobbenberg: Thank you. So looking at your, page 3 of your report, last sentence, first paragraph:

A

“Unless they are tied securely, can be easily dislodged by a simple push.”

Dr Singh: Yeah, absolutely, yeah, and I speak from experience there.

B

Mr Lobbenberg: Thank you. Thank you, that’s all the questions I have for you. I know my learned friends wish to have an opportunity to take some instructions.

C

(counsel confer)

His Honour Judge Mousley: Yes.

D

Mr Wainwright: In fact, Your Honour, I’m happy. I’m grateful for my learned friend. I, as a caveat, I may need to take instructions. In fact, I’m content to cross examine.

His Honour Judge Mousley: Thank you, Mr Wainwright.

E

Mr Wainwright: Can we just start, please, with the hair? Because the, one of the five Ks relates to the hair rather than the turban itself. Is that correct?

F

Dr Singh: It’s a bit ambiguous there. It says that, that, that within, within the official Sikh code of conduct, it says that the, the hair is one of the five Ks, but it also says within that, that, that the hair needs to be neatly tied with a turban, and for females, they can wear turbans or they can just wear like a, some kind of head, other headwear. But there are other, other also historic references where it actually says that the turban itself, the word would be keski, which is a small turban, was also one of the five Ks. So there’s, there’s doctrinal disputes around that. But there’s no dispute that a Sikh is required to keep their hair covered --

G

Mr Wainwright: All right.

H

Dr Singh: Either with a turban or some other piece of cloth.

- A** **Mr Wainwright:** Let's just break that down. The first primary requirement is not to cut your hair.
- Dr Singh:** That's right, yeah.
- B** **Mr Wainwright:** *And allow* it to grow, is that correct?
- Dr Singh:** That would be the majority view, and that's what the Sikh, the official Sikh code of conduct says.
- C** **Mr Wainwright:** Because, of course, whilst there may be official codes of conduct, different orders, perhaps different generations, people from different areas might have a slightly different interpretation.
- D** **Dr Singh:** Yeah, they do that. There are some groups that would require a turban for both male and female, for example.
- E** **Mr Wainwright:** So firstly, you've got hair which is grown without being cut, which in most cases is going to lead to quite long hair, and focusing on men, firstly, somebody would tie their hair up to make it neat, often with a small sort of bun on top from tying it up, would that be right?
- F** **Dr Singh:** That, that's right. That's what most, most Sikhs would do. But additionally, you will find, as I said, there, there, there are those who, who are called the Nihangs. These are part of this kind of military order of Sikhs who wear quite high turbans, quite large turbans, so in order for those to be secured, they will often tie pieces of cloth within the kind of hair to kind of, as it were, to, to build a kind of base structure. Any, any engineers amongst you would know that
- G** unless you've got the kind of base right, then anything on top actually will collapse. It's called bunga.
- H** **Mr Wainwright:** Yes. I was going to take it stage by stage.
- Dr Singh:** Okay, sorry, yeah.

Mr Wainwright: So we've got the long hair. We've then got the physically tying the hair up -

A

Dr Singh: Yeah.

Mr Wainwright: And then, as you've mentioned it, we then have the bunga, which is then often a small cloth, which particularly Nihang Sikhs --

B

Dr Singh: That's it.

Mr Lobbenberg: As, once that hair has been tied up as part of the initial tying, may have a bunga.

C

Dr Singh: Absolutely, yeah, yeah. Because without the bunga, you couldn't really add further layers of turbans. It, it just wouldn't, the turban would slip off because of the weight of the turban.

D

Mr Wainwright: I'm then going to move on to talk about layers. So over that bunga, can one then have a smaller turban before we reach the duwala?

E

Dr Singh: Yes, absolutely, and, and that's, that's, the whole idea is that the bunga becomes the base upon which then you can express your own style. It might be that that's the style of your order. So there are different ways of then tying those turbans. It's quite a kind of art form in itself.

F

Mr Wainwright: Now, now forgive me if I've got this pronunciation wrong. Might the smaller turban be called something like a gesi, is that --

G

Dr Singh: Keski.

Mr Wainwright: Keski, thank you.

H

Dr Singh: Yeah, it's keski.

Mr Wainwright: I knew I'd get that wrong.

- A** **Dr Singh:** Yeah, I think --
- Mr Wainwright:** So the --
- B** **Dr Singh:** Gesi --
- Mr Wainwright:** Keski --
- C** **Dr Singh:** Is Japanese.
- Mr Wainwright:** That could go on top of the bunga, and then after that, again focusing perhaps on Nihang Sikhs, one might have a duwala?
- D** **Dr Singh:** Dumalla.
- Mr Wainwright:** Dumalla.
- E** **Dr Singh:** Dumalla, yeah.
- Mr Wainwright:** And, and does that literally mean two layers?
- F** **Dr Singh:** Yeah, I actually wrote an article on this not long ago, and it actually means two, two layers, so whereas a normal turban is one continuous, one continuous piece of cloth, the dumalla means then another layer upon that in order to build the kind of size of the turban.
- Mr Wainwright:** So for a Nihang Sikh, one might have quite a comprehensive series --
- G** **Dr Singh:** Yeah.
- Mr Wainwright:** Of building on the hair.
- H** **Dr Singh:** That's right, yeah. They might actually more, have more than two. They might have many, and you find some Nihangs who do it for ceremonial purposes more than anything else, having huge turbans, you know.

A **Mr Wainwright:** So whilst having that many attachments, cloth attachments to the hair, might not be deemed necessary by a number of Sikhs, having the dumalla for Nihang Sikhs could be part of their order?

B **Dr Singh:** I think that's right, and I think, you know, the Nihangs, although they, they are part of the, the broader Sikh pantheon, so they, they would still see themselves as part of the mainstream of Sikh, Sikhs, they, they also have their own particular nuances and, and, and, and their own traditions, even within their orders, of which the different kind of styles of turban would be one. There'd be other things as well. *The*, some of the kind of clothes that they wear, some of the, the chants that they might give out. So, so that, that, that in itself, you know, that's true, that, there, and that, and they would see that as, as a requirement for their own, from their own order, as it were.

D **Mr Wainwright:** As part of their approach to a religious element of being a Sikh.

Dr Singh: Absolutely --

E **Mr Wainwright:** For them.

Dr Singh: Yeah. A Nihang Sikh.

F **Mr Wainwright:** A Nihang Sikh. I'm now going to move on just to ask you a few questions about the kirpan, if I may. Now, you've already indicated that, generally speaking, the kirpan could be a blade length between three and nine inches. That's not an absolute rule though, is it?

G **Dr Singh:** It doesn't state the length within the Sikh code of conduct, which is issued by the Sikh authorities in Amritsar. But the, the kind of general kind of custom and practice has been that it's between three to nine inches.

H **Mr Wainwright:** And as far as Sikhs are concerned, they have the right under the Offensive Weapons Act, is this correct, to both possess and carry a kirpan?

Dr Singh: Yes, although I think *with*, you'll know more than me as a, as a lawyer, the, the intent is, is crucial there.

A **Mr Wainwright:** Yes.

Dr Singh: If it's, if it's carried with the intent to cause harm, then that, in a sense, takes it into a different realm.

B **Mr Wainwright:** So, as somebody carrying it to a social occasion, or to work, or to go to a festival, that would all be deemed acceptable?

C **Dr Singh:** Well, as I said, for, for, for a, a, a baptised Sikh, they're normally required to carry it all the time, anywhere they go.

D **Mr Wainwright:** I'm now going to ask you, you've mentioned about, you've been asked questions about the minimum number, but there's no specified maximum number of the amount of weapons that somebody can carry as far as the law is concerned, is there? Provided it's for ceremonial purposes.

Dr Singh: Well, I'm not a lawyer, so I'm not sure of how the law would interpret that.

E **Mr Wainwright:** Alright, don't worry about that. It's only because it's in your report, but it doesn't matter, we can look at the law separately. Within Sikhism, whilst you've mentioned a minimum requirement, there are those who may carry, in public, more than one kirpan, is that correct?

F **Dr Singh:** Yeah, I can maybe just slightly explain how, how somebody might justify carrying more than one.

G **Mr Wainwright:** Yes, of course.

H **Dr Singh:** So, one of the justifications would be where they, they, they are actually going out into battle. You know, if you were going out into battle, then, you know, you wouldn't just, you would want to equip yourself with any range of weaponry, which is part of that historical tradition. I mean, if you, if you watch Braveheart and things like that, you'll know what I mean, yeah?

A

However, there's no compulsion to carry more than one, although some of these Nihang orders do kind of imply that the carrying of weapons is a celebration, and therefore, it's, it's a noble thing to do to carry more than one weapon. But of course, you have to then balance that against the laws of the, whatever country you live in.

B

Mr Wainwright: And for Nihangs, as well as the general Sikh tradition, weapons can have a specific cultural or religious symbolism for their order, is that correct?

C

Dr Singh: Yeah, there's a, there's actually a, a line that the Nihangs often recite, which I'll, I'll say in the Punjabi and then I'll translate. (foreign language spoken) which means that without weapons, shastars are weapons, then the guru will not give you his blessing or will not give you his presence, yeah? So, it's implying that the guru, whom, whom, from whom the Nihang or the Sikh takes ultimate authority, is pleased if you adorn yourself with weapons, shastars.

D

Mr Wainwright: And particularly, perhaps amongst younger generations of Sikhs and Nihang Sikh, is there within the community more of an attitude towards displaying pride in one's Sikhism and one's traditions?

E

Dr Singh: I think certainly over the last 30 years, there has been a trend in that direction. I think that's due to a lot of social factors. It could be to do with immigration as well. It could be to do with Sikhs in this country feeling more protected by the law. It could be to do with younger generations reclaiming their history and heritage. You often find that amongst third generation is that they kind of are curious about their past. You know, a good parallel would be, say, African Americans who in the 70s and 80s started to reclaim their language, their heritage --

F

Mr Wainwright: I think we need to be careful, we're not going to go into --

G

Dr Singh: Sorry, I'm, I'm a sociologist --

Mr Wainwright: The words --

H

Dr Singh: It's my kind --

Mr Wainwright: Used with, I appreciate that. I'd rather not stray to words used for African American heritage at this stage. So, what you're saying is as part of a, what you see as a general

cultural phenomenon, but including, would it be fair to say, perhaps younger generations of Sikhs in this country, there is a positive attitude towards displaying one's cultural identity?

A

Dr Singh: Yeah, and I think that they would also interpret that given the kind of racism that young, young Sikhs and other minorities face, they would see that as a kind of an act of resistance. For them, an act of resistance is, you're trying to get me to deny my cultural identity, I will now defend it.

B

Mr Wainwright: And display it.

C

Dr Singh: And display it. That's, that would be one, one way of resisting, I guess.

Mr Wainwright: Thank you. I have no further questions.

D

Mr Lobbenberg: Just one matter in re --

Mr Watson: Oh, oh, sorry.

E

Mr Lobbenberg: So sorry --

Mr Watson: No (inaudible)

F

Mr Lobbenberg: Mr, I'd forgotten you were there.

Mr Watson: I'm sure you're not the only one. Professor, I just have a few questions if I may?

Dr Singh: Yes.

G

Mr Watson: Just building on what my learned friend has already asked in relation to, and I'm placing really on the kirpan. As we've heard, it's a mandatory religious requirement, and in your report, helpfully, page 3, you say it's not treated as a weapon in the usual sense. That's right, isn't it?

H

Dr Singh: It isn't, and, and also the word itself implies that it's, the, the reason that I mentioned in the report, to, to try and contrast that between an offensive weapon --

A **Mr Watson:** Yes.

B **Dr Singh:** So, there is what's called the tulwar. The tulwar is a Persian word, and it's the typical Indian swords. You've seen them with the kind of slightly curved, longer blades, and tulwar means, *war* means to attack, *tul* is often understood as being prepared to attack. So the tulwar would be seen as an offensive weapon because the word itself implies to fight. But the kirpan, the word, as I said earlier on, means that this is about honour, and it's about mercy, and it's about protection.

C **Mr Watson:** Yes.

Dr Singh: Defensive.

D **Mr Watson:** Thank you, and in your report very helpfully you said these are, these are rooted in religious and historical traditions. Now, also, in page 9 of your report, you also include that a Sikh would understand these items essentially as, as religious artefacts, really. Would that be fair to say?

E **Dr Singh:** My experience is that young, well, not just young, but older Sikhs who, who surround themselves with these traditional weapons have emotional attachments to them, but also develop a deep interest in the kind of history and, and, and, and, and the art, the art history of these weapons, and some of them become collectors as well, so, so, yes, I think I would say

F that that, one, one wouldn't usually gather those weapons simply *for one to* use them for offensive purposes. There'd be other weapons I think you could probably access and deploy rather than these, and these can be quite expensive because some of them can be antiques as well.

G **Mr Watson:** Thank you. *Professor, on reflection*, I have no further questions for you. Thank you very much.

H **His Honour Judge Mousley:** Mr Lobbenberg.

Mr Lobbenberg: So sorry to my learned friend. Professor, two words and the difference between them. What does shastar mean?

- A** **Dr Singh:** Shastar means traditional weapons.
- Mr Lobbenberg:** Traditional weapons.
- B** **Dr Singh:** Yeah. Well, there's three words actually, if you want me to break that down. There's, there's shastar, which are weapons that are deployed by holding onto them, so like a sword or like a spear that you would fight with, sticks. But there are others which are projectile weapons --
- C** **Mr Lobbenberg:** Right.
- Dr Singh:** Like firing arrows and throwing. These would be called astars. These are weapons that fly through the sky, and the third one would be bastar --
- D** **Mr Lobbenberg:** I don't think we need to go that far.
- Dr Singh:** That's the clothing that you wear to protect your body.
- E** **Mr Lobbenberg:** All right. But they're all in, in that --
- Dr Singh:** Yeah. But the Shastar is the weapon that you hold in the hand.
- F** **Mr Lobbenberg:** It's a weapon.
- Dr Singh:** Held in the hand.
- G** **Mr Lobbenberg:** Held in the hand, a weapon. That's the, so what is the difference between a kirpan and a shastar?
- H** **Dr Singh:** They could both cause the same amount of damage, and, and in some senses, there's no difference. But I think that somebody who wears a kirpan would rarely ever feel that they would need to unsheathe the kirpan because, as I said, *that* they would see that as a proportionate response, whereas I think somebody who's maybe carrying shastars, in a sense, is, is, is prepared for something else than simply reacting to a situation. There seems to be some kind

A

of proactive intent there that if I go out with lots of weapons, unless I'm going to display them or to talk about them in some educational space, or taking them between, I mean, I used to teach shastars, so we would take them in, in, in, in our cars to places where we would teach classes. But again, there's a very obvious controlled sports kind of dimension to that, just like any other martial artist would. But if I was driving around town with my boot full of shastars without any intention to use them for education or other purposes, then I'm not quite sure how I would justify that.

B

Mr Lobbenberg: Thank you. That's all I ask.

C

His Honour Judge Mousley: Yes. Let me just check, Professor, I don't need to ask you to just clarify anything for me.

(pause)

D

His Honour Judge Mousley: So, do you draw a distinction between the displaying of a kirpan and the unsheathing of the kirpan?

E

Dr Singh: I think there's a clear distinction there in my mind, in that if one unsheathes the kirpan, then you've taken a step towards its utilisation in some way, as opposed to just having it there on display. So, so I would definitely make a distinction there.

(pause)

F

His Honour Judge Mousley: And in what sort of circumstances, well I --

Dr Singh: OK --

G

His Honour Judge Mousley: No, no, no, I won't ask that question. No, all right. Yeah, thank you very much. Anything arising?

H

Mr Wainwright: No, thank you.

His Honour Judge Mousley: Professor, thank you very much --

Dr Singh: Thank you.

A

His Honour Judge Mousley: For coming and giving your evidence.

Dr Singh: Thank you very much.

B

His Honour Judge Mousley: Thank you very much.

The Transcription Agency hereby certifies that the above is an
accurate and complete recording of the proceedings or part thereof.

C

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