



SINGAPORE MEDICAL COUNCIL

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PRESS RELEASE BY THE SINGAPORE MEDICAL COUNCIL ON ITS DISCIPLINARY PROCESSES

1. In the light of recent media reports following the appeals to the High Court by Dr Low Chai Ling and Dr Georgia Lee, the Singapore Medical Council (SMC) has found it appropriate to clarify various matters that have arisen so that those unfamiliar with SMC's disciplinary procedures may better understand the issues involved.

2. Two preliminary points need to be made. First, the Medical Registration Act seeks to protect the health and safety of the public by creating mechanisms to ensure that medical practitioners are competent and fit to practise medicine. In this way, the SMC seeks to uphold the standards of medical practice in Singapore, and public confidence in the medical profession. In 2010, the Medical Registration Act 2003 (Old MRA) was amended to strengthen and streamline SMC's disciplinary processes and enhance SMC's disciplinary powers. These changes were in recognition of the changing demands and expectations of patients and the public towards doctors. The amended Medical Registration Act (Current MRA) was brought into force on 1 December 2010, and applies to disciplinary matters on and after that date.

3. Second, Dr Low and Dr Lee's cases were disciplinary matters brought up under the Old MRA before the Current MRA came into force. Their cases were therefore dealt with in accordance with the processes under the Old MRA. The same is true for any other disciplinary matters before 1 December 2010.

4. The Current MRA has enhanced the SMC's ability to regulate the professional conduct of doctors and protect the health and safety of the public. The SMC can now, on its

own accord, initiate disciplinary action if it receives information of professional misconduct or disreputable behaviour by doctors, for example where there is credible information of professional misconduct or disreputable behaviour or ethical breaches in the medical profession. This is in addition to its longstanding powers to commence disciplinary proceedings upon receiving complaints¹ against doctors.

5 Both the Old MRA and the Current MRA provide for Complaints Committees (CCs) to be appointed to inquire into complaints against doctors and determine how the complaint should be dealt with. The CC members are senior members of the medical profession and laypersons who volunteer their services.

6 The Current MRA has increased the options available to the CCs in order to enable them to better address the broad range of professional misconduct and disreputable behaviour, while also facilitating the rehabilitation of doctors. Subject to the provisions of the Current MRA, a CC has, among other things, the power to dismiss an unmeritorious complaint, issue a letter of advice in a less serious case, in an appropriate case refer the matter for mediation between the doctor and the patient, or appoint an investigator to carry out investigation and report to it, and after considering the report, where appropriate, direct an inquiry to be held by a Disciplinary Tribunal (formerly called a Disciplinary Committee under the Old MRA). In addition, a CC where appropriate, can seek a report on the status of the doctor's medical practice (from an investigator appointed to carry out the investigation), or seek a report on the status of his physical or mental fitness; order the doctor to seek and take advice in relation to the management of his medical practice; and/or undergo further education or training, or medical or psychiatric treatment or counselling.

7 The Current MRA has also made changes to the composition of the Disciplinary Tribunals. It now provides for a retired judge or senior lawyer to be a member (or Chairman) of the Disciplinary Tribunal together with senior doctors². This is expected to significantly improve the quality and pace of the proceedings before the Disciplinary Tribunals, particularly in dealing with legal issues that may arise, while preserving the fundamental principle of self-regulation.

¹ Complaints would include written complaints from the public supported by statutory declaration or written complaints from public officers.

² In the event that the Chairman of the Disciplinary Tribunal (DT) is a senior lawyer or retired judge, the other members of the tribunal will comprise of doctors.

8 The SMC will appoint a Review Committee chaired by a senior doctor assisted by a senior legal practitioner and comprising senior doctors and other legal practitioners to optimise the disciplinary processes. The Review Committee will look into the administrative processes and develop more efficient and better ways to manage the disciplinary process and mitigate the increase in time and expense for disciplinary proceedings.

9 In respect of the cases involving Dr Low Chai Ling and Dr Georgia Lee, the SMC stands guided by the High Court's decision in Dr Low's case. The decision provides valuable guidance in other disciplinary cases involving the conduct of doctors in the practice of Aesthetic Medicine, and in the review of the "Guidelines on Aesthetic Practices for Doctors" by the SMC in consultation with its partnering professional bodies. Separately, the SMC, through its lawyers, has applied to the High Court to set aside the Disciplinary Committee's orders against Dr Georgia Lee in view of the High Court's decision in Dr Low's case.

10 The SMC will continue to protect the health and safety of the public and ensure that medical practitioners are competent and fit to practise medicine and uphold the high standards of medical practice in Singapore.



PROF TAN SER KIAT
PRESIDENT



PROF K SATKU
REGISTRAR

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