



# SINGAPORE MEDICAL COUNCIL

16 College Road, #01-01 College of Medicine Building, Singapore 169854

E-mail Address: [SMC@spb.gov.sg](mailto:SMC@spb.gov.sg)

Website: <http://www.smc.gov.sg>

Fax Numbers: (65) 6221-0558 (Main) / (65) 6258-2134

---

15 July 2020

## PRESS RELEASE

### SENTENCING GUIDELINES FOR MEDICAL DISCIPLINARY TRIBUNALS

The Sentencing Guidelines Committee (the “Committee”), appointed by the Singapore Medical Council (“SMC”) on 1 January 2019, has completed its assignment and has submitted to the SMC a set of Sentencing Guidelines for Singapore Medical Disciplinary Tribunals (the “Guidelines”). The Committee is chaired by Judge of Appeal Justice Judith Prakash, and consists of members of the SMC, doctor representatives of the Professional Bodies and the Panel of Disciplinary Tribunal (“DT”) Chairmen, ministry representatives and members of the judiciary and the bar.

2. As an esteemed profession in Singapore, the medical profession has been afforded the privilege of self-regulation. For self-regulation to be effective, society, including patients and doctors, must have confidence that the medical disciplinary process works well and achieves its aims of enforcing professional standards of medical practitioners, and maintaining public confidence in the medical profession. It is important that doctors brought before a DT are treated fairly, and in the event they are found guilty, that they receive just and proportionate sentences.

3. Against this backdrop, the Committee has produced a set of Guidelines to explain the sentencing objectives in medical disciplinary proceedings as these differ somewhat from other proceedings that result in the imposition of sanctions. The Guidelines also consolidate existing sentencing principles and expound on a framework that a DT may use as a guide when making a decision as to an appropriate sentencing order. Where appropriate, the principles and explanations are supported by illustrations to help in the application of the framework.

4. The Committee was mindful that these principles and the discipline of sentencing may come across as legalistic, and that a large part of its target audience are doctors. Accordingly, the Guidelines have been drafted to be as readable and accessible as possible.

5. The Guidelines, while instructive, are not meant to be exhaustive nor are they intended to be prescriptive. The application of the Guidelines is dependent on the specific facts and circumstances of the case before the DT. It should be emphasised that the objective of these Guidelines is to assist DTs in their decision making in an area with which they may be less familiar. DTs retain discretion and flexibility in sentencing and may depart from the Guidelines when they consider it is appropriate to do so. To ensure that the Guidelines remain relevant and take into account medico-legal developments, as well as developments in case law, revisions to the Guidelines may be undertaken from time to time.

6. The Committee and the SMC hope that doctors and members of DTs, the wider medical community and other stakeholders in the medical disciplinary process, will find these Guidelines useful and that they will help DTs arrive at fair and consistent sentencing decisions. This will contribute to the desired outcome of upholding the standards of medical practice, and maintaining the confidence and trust of both the public and the medical profession in the medical disciplinary process.

7. The SMC wishes to record its deepest appreciation to the Chairman and members of the Committee, for the work and attention that have been put into these Guidelines.

**- END -**