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PRESS RELEASE

DISCIPLINARY TRIBUNAL INQUIRY FOR DR CHENG SHAO LIN BENNY

1. The Singapore Medical Council held a Disciplinary Tribunal (“DT”) inquiry on 5 January 2016 for Dr Cheng Shao Lin Benny (“Dr Cheng”).
2. Dr Cheng is a registered medical practitioner who was practising at a clinic known as “Clifford Dispensary Jurong” at Block 176 Boon Lay Drive #01-350 Singapore at the material time.
3. At the hearing on 5 January 2016, Dr Cheng pleaded guilty to five charges of having been convicted of an offence implying defect in character which makes him unfit for his profession. The five charges were in relation to Dr Cheng’s five criminal convictions in the Subordinate Courts of the Republic of Singapore (as it then was) (“Subordinate Courts”) for selling Dhasedyl cough syrup which contained Codeine and/or Promethazine HCl (“Dhasedyl Syrup”) without a licence, as is required under the Poisons Act (Cap 234) (“the Act”), to three persons who were not his patients.
4. A medical practitioner may, without a licence, supply a medicine containing poisons (which include Codeine and Promethazine HCl) only for the purposes of medical treatment of his own patients. However, Dr Cheng had supplied such medicine to three Malaysian gangsters, namely “M1”, “M2” and “M3” (“the 3 Malaysian gangsters”) who were not his patients seeking medical treatment.

5. Dr Cheng's five criminal convictions related to his selling a total of 60,000ml (or 500 120ml bottles) of Dhasedyl Syrup over 3 occasions, on 16 March 2012, 20 March 2012 and 23 March 2012 respectively, to the 3 Malaysian gangsters. Dr Cheng was paid a total sum of \$4,000 for the sales of Dhasedyl Syrup over these 3 occasions. Another 37 similar criminal charges against Dr Cheng had also been taken into consideration for the purposes of sentencing in the Subordinate Courts.
6. The DT agreed with the SMC that the offences committed by Dr Cheng were serious and a clear and unequivocal message had to be sent to both the medical community and the public that such offences cannot be tolerated.
7. The DT noted the aggravating factors surrounding Dr Cheng's convictions that were highlighted by the SMC:-
 - i. the quantity of Dhasedyl Syrup sold was not a small quantum,
 - ii. the sales had continued over a period of three and half months,
 - iii. Dr Cheng had profited from the sales,
 - iv. Dr Cheng must have known that the Dhasedyl Syrup would end up being sold to members of the public such that there was no control over its ultimate users.
8. The DT agreed with Counsel for SMC that Dr Cheng had abused the trust that society reposes in doctors to dispense medicine responsibly.
9. The DT placed little weight on Dr Cheng's argument that he had sold the Dhasedyl Syrup to the 3 Malaysian gangsters out of grave fear and duress that were caused by their threats. The DT noted that Dr Cheng had sufficient time to think over the demands of the gangsters that were made over a span of a few days and would have had ample time to report the matter and seek assistance from the authorities. Instead, the DT was of the view that Dr Cheng had made a conscious decision to transact with the 3 Malaysian gangsters without any regard to the potential harm that could be caused to the public by the indiscriminate peddling of poisons by these people.

10. However, the DT accorded some weight to the mitigating factor that Dr Cheng decided to close his clinic in early April 2012 to avoid further encounters with the 3 Malaysian gangsters.

11. For the above reasons, the DT was of the view that a period of suspension and a financial penalty were clearly warranted. Hence, the DT ordered that Dr Cheng:-
 - (a) be suspended for a period of 12 months;
 - (b) pay a penalty of \$10,000;
 - (c) be censured;
 - (d) give a written undertaking to the SMC that he will not engage in the conduct complained of or any similar conduct; and
 - (e) pay the costs and expenses of and incidental to these proceedings, including the costs of the solicitors to the SMC.

12. The DT also ordered that its Grounds of Decision be published.

13. Dr Cheng's 12-month suspension took effect on 17 February 2016 and will run to 16 February 2017 (both dates inclusive).

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