

**SINGAPORE MEDICAL COUNCIL DISCIPLINARY INQUIRY AGAINST
DR AAJ HELD ON 11 NOVEMBER 2008**

Disciplinary Committee:

Dr Wong Sin Yew (Chairman)
Prof Walter Tan
Dr Chang Ming Yu
Mrs Chan Ek Huar (Lay Member)

Legal Assessor:

Mr Edmund Kronenburg
(Tan Peng Chin LLC)

Prosecution Counsel:

Mr Philip Fong / Ms Kylie Peh
(M/s Harry Elias Partnership)

Defence Counsel:

Mr Foo Cheow Ming
(with a student intern)
(M/s KhattarWong)

DECISION OF THE DISCIPLINARY COMMITTEE

(Note: Certain information may be redacted or anonymised to protect the identity of the parties.)

1. These proceedings arose out of a letter of complaint made against you, Dr AAJ, on 4 October 2006 (the "letter of complaint") by the Ministry of Health, Singapore to the Singapore Medical Council following the findings of the State Coroner in Coroner's Inquiry No. 1514/2005-OR dated 27 June 2006 ("Coroner's Findings").
2. On 5 November 2008, you have by your Counsel, agreed to the Agreed Statement of Facts which the Disciplinary Committee has received and entered as Exhibit A-1 in these proceedings.
3. Today, you have pleaded guilty to the two charges under Section 45 (1) (d) of the Medical Registration Act as set forth in the Notice of Inquiry dated 8 October 2008 which was served on you, and the Disciplinary Committee has accepted your said plea.

4. Following that, the Disciplinary Committee has today heard the Plea In Mitigation (and its exhibits) tendered by your counsel both orally and in writing.
5. The Disciplinary Committee thanks Counsel for their assistance in this matter and drawing the Disciplinary Committee's attention to the sentencing precedents set forth in Defence Counsel's written Plea In Mitigation as well as those summarised in the table submitted by Prosecution Counsel and entered as Exhibit P-1 in these proceedings.
6. In arriving at the sentence below, the Disciplinary Committee has considered the various factors brought to our attention by Counsel, including but not limited to, the following :-
 - a) the Agreed Statement of Facts (A-1)
 - b) the aforesaid sentencing precedents tendered by Counsel;
 - c) the fact that you have no record of any previous disciplinary offences under the Medical Registration Act;
 - d) the fact that you have pleaded guilty and indicated your willingness to do so in the Agreed Statement of Facts dated 5 November 2008;
 - e) the testimonials submitted in your favour;
 - f) the fact that your temporary registration with the Singapore Medical Council ceased in or about August 2006; and
 - g) the fact that although your patient, P ("the Patient"), aged 88 years, died of congestive heart failure with ischaemic heart disease (with contributory bronchopneumonia and chronic renal failure) (see paragraph 2 of the Coroner's Findings), the evidence is not conclusive as to whether your acts and/or omissions as set forth in the charges caused the Patient's aforesaid death. In this, we have had special regard to paragraph 9 of the Coroner's Findings.

SENTENCE:

7. As such, having regard to all the circumstances of this case, the Disciplinary Committee makes the following orders pursuant to section 45(2) of the Medical Registration Act :-
- a) that you be fined in the sum of S\$3000;
 - b) that you be censured;
 - c) that you give a written undertaking to the Singapore Medical Council to abstain in future from the conduct complained of or any similar conduct;
and
 - d) that you pay the costs and expenses of and incidental to these proceedings, including the costs of the solicitor to the Singapore Medical Council and the Legal Assessor.
8. The hearing is hereby concluded.

Dated this 11th day of November, 2008.