

**SINGAPORE MEDICAL COUNCIL DISCIPLINARY INQUIRY AGAINST
DR AAP HELD ON 5 MAY 2009**

Disciplinary Committee:

Dr Wong Sin Yew (Chairman)
Dr Wong Yue Sie
A/Prof Helen Oh
Ms Tang Choy Lin (Lay Member)

Legal Assessor:

Mr Andy Chiok (M/s Michael Khoo & Partners)

Prosecution Counsel (Yeo-Leong & Peh LLC):

Mr Kenny Chooi
Mr David Kong
Mr Kelvin Fong

Defence Counsel (M/s Lee & Lee):

Mr Maurice Cheong
Mr Ng Guan Zhen

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 AAP on 8 June 2007 (the “letter of complaint”) by the Ministry of Manpower to the Singapore Medical Council (the “SMC”).
2. You are charged with professional misconduct as described in the Charge put to you, namely, that you had acted in serious disregard of your professional responsibilities by falsely certifying to the Controller of Work Permits in a medical report / form dated 19 December 2006 that you had carried out VDRL and pregnancy screenings on one P when you had failed and/or neglected to examine, and/or to carry out or perform, or cause to carry out or perform the tests stated in the medical report / form.

3. You had pleaded guilty to the Charge and admitted to the Agreed Statement of Facts (marked "ASOF") submitted by the solicitor for the Council.
4. Briefly, your Counsel and you in mitigation had submitted, *inter alia*:
 - (a) There were extenuating domestic circumstances at the material time when the medical report / form was submitted, which resulted in a false declaration being submitted to the Ministry of Manpower without the requisite tests being conducted;
 - (b) you were at the material time subjected to severe stress and emotional pressures, and you were treated for acute stress disorder and depression;
 - (c) you had admitted to the act complained of and had readily co-operated with the authorities i.e. the Ministry of Manpower and the Complaints Committee; and that
 - (d) you are contrite and remorseful for the conduct complained of.
5. The Disciplinary Committee had considered all the points raised in the plea in mitigation including the above, and had come to the following conclusions:
 - (a) The Committee accepts that at the material time when the act complained of happened, there were extenuating domestic circumstances which resulted in the submission of the false declaration to the Ministry of Manpower;
 - (b) the Committee also accepts that you are remorseful; and
 - (c) the Committee also notes that you have pleaded guilty to the Charge at the earliest opportunity and did co-operate fully with the authorities.
6. However, even though the act complained of was committed by you because of a genuine oversight arising from the circumstances then prevailing, it is a serious error that cannot be condoned by the medical profession in view of the important role played by medical practitioners in screening Foreign Domestic Workers. The subject matter of the Charge is serious professional

misconduct in which the imposition of a penalty is warranted. Under the Act, the maximum amount of a penalty is \$10,000.

SENTENCE:

7. The Committee has carefully considered the submissions provided in mitigation by Counsel for you, Dr AAP, as well as in your address to it.
8. Having regard to all the circumstances, the Committee makes the following orders pursuant to section 45(2) of the Medical Registration Act:
 - (a) That you be censured;
 - (b) That a penalty of \$3,000 be imposed;
 - (c) That you give a written undertaking to the 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 Medical Council and the Legal Assessor.
6. The hearing is hereby concluded.

Dated this 5th May 2009.