

## APPEALS TO THE HIGH COURT

### *MMC Secretariat*

Section 31 of the Medical Act provides that “Any person who is aggrieved by any order made in respect of him by the Council in the exercise of its disciplinary jurisdiction may appeal to the High Court, and the High Court may thereupon affirm, reverse or vary the order appealed against or may give such direction in the matter as it thinks proper; the cost of the appeal shall be in the discretion of the High Court.”

The following are the High Court decisions in respect of doctors whose names were published in previous issues of the Bulletin.

1. **Dr Sidhu Dharam Singh @ Daram Singh @ Tondun Singh s/o Bahal Singh was deregistered** at the Council inquiry on 14 July 2009 for abusing his professional privileges and skills by supplying and making available drugs, including drugs of dependence, dangerous drugs and poisons other than in the course of bona fide treatment; for storing, supplying and offering for sale such drugs and/or leaving his unqualified assistants to sell scheduled poisons or preparations containing scheduled poisons to the public.

**The High Court dismissed the appeal on 27 April 2010.**

2. **Dr Zawawi bin Abdullah was suspended for six months** at the Council inquiry on 7 September 2009 for permitting an unqualified and unregistered person to treat a patient resulting in the patient’s death.

**The High Court dismissed the appeal on 30 August 2010.**

3. **Dr Colin Lee Soon Soo was suspended for six months** at the Council inquiry on 17 February 2009 for neglecting and disregarding his professional responsibilities by failing to obtain a patient’s consent for surgery and the administration of anaesthesia immediately prior to the operation and instead, relying on the consent form signed by the patient almost seven months prior to the surgery; in failing to inform the patient or to obtain the patient’s consent for another practitioner to perform or to be involved in the performance of the operation on the patient; and in improperly delegating his medical duties to or permitting another practitioner to perform or to be involved in the performance of the operation on the patient without the patient’s prior consent.

**The High Court decided that the findings of guilt by the Council should not be disturbed but set aside the punishment and substituted it with a reprimand on 25 October 2010.**

4. **Dr Chan King Wah was suspended for one year** at the Council inquiry on 13 April 2009 for abusing his professional privileges and skills by failing to exercise the most scrupulous care in issuing documents, namely medical certificates, without

examining the patients and by signing such certificates which were untrue, misleading and improper.

**The High Court dismissed the appeal on 8 November 2010.**

5. **Dr Jasvin Kaur Josen d/o Jagjit Singh was reprimanded** at the Council inquiry on 13 July 2009 for releasing the complainant's medical report to her employer without her consent.

**The High Court allowed the appeal on 22 October 2010.**

6. **Dr Siew Chee Weng was reprimanded** at the Council inquiry on 10 August 2010 for associating with an unregistered practitioner.

**The High Court allowed the appeal on 27 April 2011.**

### **JUDICIAL REVIEWS**

Three applications for judicial review were made in respect of two cases at the Preliminary Investigation Committee and one at the Council stage. The High Court dismissed two applications and one doctor who was at the Preliminary Investigation Committee stage withdrew his application.