

MEDIA BACKGROUND BRIEF
CONTEMPT OF COURT PROCEEDINGS AGAINST
TAN LIANG JOO JOHN, ISRIZAL BIN MOHAMED ISA AND
MUHAMMAD SHAFI'IE SYAHMI BIN SARIMAN

The Attorney-General has applied to court for contempt proceedings to be instituted against Tan Liang Joo John, Isrizal Bin Mohamed Isa and Muhammad Shafi'ie Syahmi Bin Sariman (the Respondents).

Between 26 to 28 May 2008, the hearing for the assessment of damages in respect of a defamation action brought by Minister Mentor Lee Kuan Yew and Prime Minister Lee Hsien Loong against the Singapore Democratic Party (SDP), Dr Chee Soon Juan and Ms Chee Siok Chin took place before Justice Belinda Ang in Court No. 4B of the New Supreme Court Building. The Respondents appeared in the New Supreme Court Building wearing T-shirts bearing a picture of a kangaroo in judge's robes. By this they meant to imply that the Court was a kangaroo court. Furthermore, Tan Liang Joo John said, "This is a kangaroo court", to Minister Mentor Lee Kuan Yew when the latter walked past him outside Court No. 4B of the New Supreme Court Building.

On 27 July 2008, an article entitled "Police question activists over kangaroo T-shirts" appeared on the SDP website. This article reproduced a photograph of the three Respondents wearing the T-shirts mentioned above. The article and the photograph of the Respondents were meant to give wider publicity to their allegation that the Court was a kangaroo court.

The contempt proceedings were heard before Justice Judith Prakash in the High Court on 24 November 2008.

At the hearing on 24 November 2008, the Attorney-General was represented by Deputy Solicitor-General Mr. Jeffrey Chan Wah Teck, Principal Senior State Counsel Ms. Jennifer Marie, State Counsel Ms. Gillian Koh Tan and State Counsel Mr. Lee Jwee Nguan. The Respondents Tan Liang Joo John and Isrizal Bin Mohamed Isa appeared in person. Muhammad Shafi'ie Syahmi Bin Sariman was represented by Mr. Chia Ti Lik.

After reviewing the evidence from both sides, Justice Prakash found that each of the Respondents was in contempt of court in the manner alleged. In the case of Muhammad Shafi'ie Syahmi Bin Sariman and Isrizal Bin Mohamed Isa, Justice Prakash found that they were in contempt for wearing the T-shirts in the vicinity of the court and inside the court house. In the case of Tan Liang Joo John, Justice Prakash found him to be in contempt for distributing the T-shirt in the New Supreme Court Building and for wearing the offending T-shirt and for being involved in the posting of the photograph on the SDP website.

Justice Prakash then directed both parties to make submissions as to the appropriate sentence.

An opportunity was then accorded to the Respondents to purge their contempt by apologising to the Court and undertaking never to repeat their actions or make such allegations in the future. Justice Prakash granted a short adjournment for the Respondents to consider their next course of action.

When the matter was reheard, all three Respondents refused to apologise or to withdraw what they insinuated about the Singapore Courts. The Respondents stated that they could not accede to the request for an apology.

The Deputy Solicitor-General then addressed the Court on the appropriate penalty. He noted that in attempting to brand the Singapore Court as a “kangaroo court”, the Respondents levelled the worst possible insult that could be levelled against a court or judicial system. He noted that the Respondents aggravated their contempt when they refused to apologise to the Court and purge their contempt when given the opportunity to do so.

Justice Prakash will deliver her verdict on sentence on 27 November 2008 at 9.30am.