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**PRESS RELEASE
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**The Law of Contempt and Posts by Alex Au
on the Blog ‘Yawning Bread’**

The law of contempt exists to protect public confidence in the administration of justice. Accusations of bias diminish it in the eyes of the citizen, lower it and ultimately damage the nation. Such accusations can occur frequently, with the judges not being able to respond. That is why confidence in the administration of justice needs to be protected from such allegations.

The steps taken by AGC in respect of Alex Au’s post of 18 June 2012 were with that objective. Unlike other blogs or commentary, Alex Au went beyond merely criticising the judgment. He deliberately misrepresented the facts, and then accused the court of being biased, on the basis of his false facts. This is very wrong. To make his points sound valid Alex Au decided to mislead.

Thus AGC asked Mr Au to remove his remarks setting out the false facts, and apologise for making the contemptuous remarks of the judiciary. It is misleading of Mr Au to now allege that our laws on contempt prevent debate and curtail free speech without acknowledging what he has done.

A judge can be criticised, even fiercely criticised for getting the law or facts wrong, for getting the decision wrong or for imposing the wrong sentence. This is regularly done by lawyers, academics and lay persons. Such criticism is not contempt. There is no curtailment of free speech that would prevent such

criticism. It is contempt however to say that the court was biased if there is no objective rational basis to do so, as Alex Au did.

Where the parties to a case do feel that a judge has committed misconduct, avenues are available to raise the issue, and have it determined within our Court system. Depending on the level of the Court, and the stage of the proceedings, possible avenues include appeal, criminal revision or motions to reopen decided cases. Although the reopening of a case is very rarely done, there will be reopening if it is shown that an injustice has been caused. Judges guilty of misconduct will be dealt with through various disciplinary mechanisms depending on whether they are district judges or Justices of the Supreme Court.

We should note that Singapore is not alone in protecting the judiciary in this way. Other countries have similar laws on contempt.

We also note that Alex Au has made references to the announcements by Malaysia on its law on sedition. This is a *non sequitor*, of no relevance whatsoever to the subject at hand. Contempt has nothing to do with sedition.

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