

Dr Chee's convictions for criminal offences and contempt of court

1. In Singapore, permits are required to hold certain types of outdoor events, including demonstrations and assemblies. Dr Chee has persistently refused to apply for permits. The Courts have imposed fines ranging from S\$500 to S\$6,000 on him, on five occasions when he was charged. He refused to pay the fines. Instead, he chose to go to jail. Choosing to go to jail instead of paying the fines gets him more attention and allows him to claim to be a martyr. On a sixth occasion, he paid the fine, saying that he needed to be out of jail, to prepare for a case. Details follow.

2. In December 1998, Dr Chee held a political talk during lunchtime at Raffles Place (Singapore's financial district) without the necessary permit. He was advised by a police officer at the location, that he would be committing an offence, if he continued to give his talk without a permit. He could have listened to the advice. But instead, he wanted to deliberately flout the law. He was subsequently charged and convicted. He was sentenced to a fine of S\$1,400. If he chose not to pay the fine, he would have to serve a default sentence of seven days of imprisonment. He chose not to pay his fine and served the default prison sentence.

3. In January 1999, Dr Chee again gave a public lunchtime talk without a permit at Raffles Place. He was advised by a police officer that he would be committing an offence if he did so. He ignored the police advice. He was convicted and sentenced to a fine of S\$2,500, in default 12 days of imprisonment. He chose not to pay his fine and served the default prison sentence.

4. In February 2002, Dr Chee made a public speech on the sensitive religious issue of the tudung (the wearing of Islamic headscarf) at the Speaker's Corner in Singapore, without the necessary permit. Such a topic would be highly sensitive in Singapore with its significant Muslim minority.

Many Muslim women in Singapore wear the tudung. The police had advised Dr Chee to speak on the issue, at an indoor venue. The rules for the Speaker's Corner barred speakers from raising any matter that might be offend racial or religious sensitivities. But, Dr Chee deliberately flouted the rules and spoke on the subject in the Speaker's Corner. There were some heated exchanges with the audience during his speech. He was convicted and fined S\$3,000. He paid the fine, saying that he did not want to spend time in jail while preparing for a case.

5. On 1 May 2002, Dr Chee held a Labour Day rally without permit outside the Istana. The Istana is the official residence of the President of Singapore. The Istana grounds were open to the public on Labour Day (a public holiday). The police advised him to apply for a permit for a rally at an indoor location or at the Speakers' Corner. Nonetheless, Dr Chee insisted on trying to make a speech at the entrance of the Istana and was arrested when he refused to leave after being directed to do so. He was later charged and convicted. He was fined S\$4,500, in default five weeks of imprisonment. He chose not to pay the fines and served the default prison sentences.

6. In April 2006, two days after the announcement of the date of the General Election, Dr Chee again spoke in public at a suburban residential area. He and two SDP colleagues continued speaking in public without a permit despite being advised by a police officer that they were committing an offence. He claimed that he was not giving a speech but was promoting the sale of the SDP newspaper. He was subsequently convicted and sentenced to a fine of S\$5,000, in default five weeks of imprisonment. He chose not to pay his fine and served the default prison sentence.

7. In April 2006, Dr Chee and an SDP supporter gave a public speech to a crowd in another suburban residential area. He was convicted and sentenced to a fine of S\$5,000, in default five weeks of imprisonment. He has appealed and was released on bail pending the hearing of his appeal.

8. Again, on a separate incident in April 2006, Dr Chee and an SDP supporter gave a public speech to a crowd without a licence. Dr Chee was sentenced to a total fine of S\$10,000 for two charges (S\$5,000, in default five weeks of imprisonment, on each charge) for providing public entertainment without a licence. He filed an appeal against conviction and sentence. The Court granted a sum of S\$10,000 personal bond. He was thereafter released on bail.

9. As can be seen, while Dr Chee portrays himself as a martyr who has been imprisoned a number of times for exercising his right of free speech, the truth is different. He has deliberately sought to break the law and has chosen to go to prison even though the Courts had imposed only fines on him. He could also have exercised his right of free speech by speaking in the Speaker's Corner; or applied for permits to speak elsewhere; and where the subject is likely to cause racial or religious tension, he could have spoken indoors. He is not precluded from putting forward his views or circulating them online or through other medium. The laws in Singapore on these matters are neither unjust nor unfair. These laws have the support of Singaporeans. The Government will not and cannot allow the campaign of civil disobedience that Dr Chee and some of his party members have engaged in to go unchecked.

10. Dr Chee has also been fined, in 2007, for attempting to travel overseas as a bankrupt without permission of the Official Assignee. Bankrupts in Singapore, like in some other countries (including the UK) need to get permission before they travel. Dr Chee knew that as a bankrupt, permission was needed. But he decided to act in contumelious disregard of the law.

Dr Chee's Contempt of Court Cases

11. Singapore takes seriously the excellent reputation of its judiciary and legal system. The Constitution and the Rule of Law protected by the Constitution are treated as supreme.

12. Dr Chee, however, has persisted in impugning the integrity of the judiciary in Singapore. He has been cited for Contempt of Court on two occasions by the High Court of Singapore. Contempt is treated seriously in many jurisdictions, and Singapore is no exception.

13. On 10 February 2006, Dr Chee read out and distributed a statement to media representatives outside the High Court. He also sent copies of the statement to various persons and organisations in Singapore and overseas. The statement, *inter alia*, alleged that the Singapore judiciary was biased and unfair, and that it acted at the instance of the Government or conspired with the Government in cases involving opposition politicians. In addition, he insinuated that judges were controlled by the Government and were removed from the Bench if they were perceived to be lenient towards opposition politicians. These allegations were baseless, untrue and constituted clear contempt of court.

14. The Attorney-General sought an order of committal against Dr Chee for contempt of court. The High Court held that Dr Chee had clearly attempted to impugn the integrity of the judiciary. The Court held that Dr Chee's conduct leading up to the committal proceedings was reprehensible. In addition, he was not contrite nor did he make any attempt to withdraw his offending remarks. Instead, he repeatedly maintained that he spoke the truth. The High Court found him guilty of contempt, and sentenced him to one day of imprisonment and a S\$6,000 fine, in default seven days' imprisonment. Dr Chee chose not to pay the fine, and served a total of eight days' imprisonment.

15. On 2 June 2008, Dr Chee was convicted a second time for contempt of court by the High Court, arising from the scandalous statements he made during the Court hearing, referred to at paragraph 26 above. The Judge stated that the way Dr Chee and his sister behaved at the hearing "deserved to be punished with nothing less than imprisonment". The Judge found them guilty of openly disobeying court orders in a way that interfered with the administration of justice, and of scandalising the court. The Judge said that if left unchecked, the Chees' defiance of court orders and assertions that the

court was biased could undermine public confidence in the judiciary and impair the administration of justice. Jail terms were considered appropriate as their actions were deliberate. There was also no retraction or apology from either of them although they did not deny what they had said.

16. Dr Chee was sentenced to 12 days of imprisonment.
