

Blogger apologises for post on Woffles Wu case

Tessa Wong

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He alleged plastic surgeon fined for speeding received special treatment

BLOGGER Alex Au has apologised for contempt of court for alleging that plastic surgeon Woffles Wu received special treatment before the Singapore courts in a recent case.

The Attorney-General's Chambers (AGC) wrote to Mr Au, 60, on Friday saying that his post was contemptuous of the courts as it was alleging that 'our courts are biased towards those whom you describe as well-connected'.

Wu was fined \$1,000 last month for abetting an employee to take the rap for two speeding offences.

In the offending post 'Woffles Wu case hits a nerve' published on June 18, Mr Au raised questions about the charges and investigation processes in the case. He also commented on the reasons why some netizens had felt that the case showed there were different laws for the rich.

But in its letter released to the media yesterday, the AGC said that, in essence, Mr Au was alleging that the 'entire judicial system has been biased for a long time'.

Said the AGC: 'These are serious allegations which scandalise our courts. Your allegations are scurrilous and false.'

The AGC asked him to remove the post and publish the letter and an apology within five days from the date of the letter.

If he did so, it would not commence contempt proceedings against him. The letter also clarified several points in response to what the AGC said were 'distortions of the facts of the case'.

He had implied that Wu, 52, was 'treated favourably' as he was charged under the Road Traffic Act, instead of the Penal Code.

But before 2008, the relevant sections in both Acts would have attracted the same maximum fine and custodial sentence. Under the Road Traffic Act, Wu could have been sent to jail for a maximum of six months, said the AGC.

Mr Au had also referred to previous cases posted on The Online Citizen by lawyer Choo Zheng Xi, to 'suggest, on that basis, that Woffles was treated better'.

But the AGC said in the cases cited by Mr Choo, 'false statements were used to cover up more serious offences like rash driving, drink driving, driving without a licence and so on'.

It added that in cases like Wu's where the false declaration is linked to a minor offence, such as speeding just above the limit and which is compoundable, generally a fine is imposed.

Yesterday, the AGC said Mr Au had removed the post by Tuesday and an apology was put in place. But he had not posted the letter and it has reminded him to do so by today.

Contacted yesterday, Mr Au said he had misread the letter and has since posted it.

In the apology drafted by the AGC, he said his post had scandalised the courts. 'I apologise for committing that act of contempt of court, and have taken down the offending post. I will not in future put up any post to the same or similar effect.'

He added that his post had 'seriously misrepresented' various facts related to the case.

Mr Au told The Straits Times he decided to comply with the AGC's requests as 'I am not going to stick my neck out for something I cannot prove'.

But he added: 'I think Singapore needs to re-examine our contempt of court laws, and how we interpret them. We apply it in such a blanket way that if we ever have a court that is less than impartial, how would we as Singaporeans discuss the issue?'

Media observers said the incident showed that the AGC does not differentiate between online and offline media in determining if there is contempt of court.

But its stance that it would not take further action if Mr Au removed the post and apologised shows that it has taken a 'more calibrated approach', said former Nominated MP and lawyer Siew Kum Hong.

New media expert Tan Tarn How of the Institute of Policy Studies said the AGC's point-by-point explanation indicates it 'recognises that it needs to show that no bias has occurred - and in today's world of the Internet, such a need will happen increasingly frequently'.

The incident is not the first time Mr Au has been asked to remove content from his blog. In February, Foreign Affairs and Law Minister K. Shanmugam sent him a lawyer's letter asking him to remove allegedly defamatory comments about the minister. Mr Au complied.