

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 had 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).

The contempt proceedings were heard before Justice Judith Prakash in the High Court 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.

At the hearing on 24 November 2008, Justice Prakash found that each of the Respondents was in contempt of court in the manner alleged.

After sentencing submissions, Justice Prakash indicated that she would deliver her verdict on sentence on 27 November 2008 at 9.30am.

Justice Prakash delivered her verdict on 27 November 2008 in the High Court.

Before delivering her verdict, Justice Prakash observed that a sentence of incarceration was necessary as none of the Respondents had shown any contrition for their actions and had instead maintained that their actions merely amounted to fair criticism. The Judge said that having considered all the circumstances of the case, including the nature of the contempt and the varying degrees of participation in the contempt by all three Respondents, she sentenced Muhammad Shafi'ie Syahmi Bin Sariman and Isrizal Bin Mohamed Isa to 7 days' imprisonment and Tan Liang Joo John to 15 days' imprisonment.

The Judge then heard the parties on costs.

The Deputy Solicitor-General (DSG) referred Justice Prakash to the recent decision by Justice Tay Yong Kwang in *Attorney-General v Dow Jones Publishing Company (Asia), Inc* where Justice Tay had fixed costs at \$30,000. The DSG suggested that Justice Prakash similarly fix costs at \$30,000 plus disbursements, and that this be jointly and severally ordered against the Respondents.

After hearing the DSG and the Respondents, Justice Prakash ordered that each of the Respondents pay the Attorney-General's Chambers \$5,000 in costs and the disbursements that relate to his own matter.

The Respondents applied for stay of execution, citing personal reasons. The DSG objected on a number of grounds.

After hearing the parties, Justice Prakash stayed the execution of Tan Liang Joo John's committal order until 18 December 2008 and Isrizal Bin Mohamed Isa and Muhammad Shafi'ie Syahmi Bin Sariman's committal orders until 12 December 2008. She ordered that warrants of arrest be issued against them if they fail to report to the Sheriff on those dates to serve their committal orders.