

PRESS RELEASE

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**Six weeks' imprisonment for paying 'scapegoats'
to take rap for friends' illegal parking offences**

PP v Seah Hock Thiam
(DAC 35949-50 of 2011)

1. On 6 November 2012, Seah Hock Thiam (“Seah”) was convicted on two charges of instigating his employee to engage two ‘scapegoats’ to assume criminal liability for illegal parking offences committed by his friends. Today, Seah was sentenced to six weeks’ imprisonment on each of the two charges, with the sentence for both charges to run concurrently.

2. Comparisons have been drawn between Seah’s case and the case of ***PP v Wu Tze Liang Woffles***. The two cases have significant differences:
 - i. First, Wu’s offences were committed in 2005 and 2006, while Seah’s offences were committed in 2009. The Prosecution can only charge a person for committing offences which were in existence at the time he committed them. In Wu’s case, the Prosecution could not have charged him under Section 204A of the Penal Code,¹ as Section 204A was introduced into the Penal Code only on 1 February 2008. The Prosecution proceeded under section 81(3) of the Road Traffic Act.² In contrast, Seah’s offences were committed in 2009, after Section 204A had been introduced into the Penal Code.

¹ The punishment for an offence under Section 204A of the Penal Code is imprisonment for a term which may extend to 7 years or a fine, or both.

² The punishment for an offence under Section 81(3) of the Road Traffic Act is a fine not exceeding \$1,000 or imprisonment for a term not exceeding 6 months, or both.

- ii. Second, while there was no evidence of payment between Wu and his ‘scapegoat’, there was clear evidence that Seah had paid about \$180 to each of the two ‘scapegoats’ as a reward for assuming criminal liability for his friends, which included having three demerit points issued to each of their personal driving records. The perversion of the course of justice in return for monetary reward was a significant aggravating factor which the Prosecution took into account in deciding to charge Seah under Section 204A of the Penal Code, and in seeking a custodial sentence.

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