Public Prosecutor *v* Charan Singh
[2013] SGHC 115

Case Number	: Magistrate's Appeal No 259 of 2012
Decision Date	: 27 May 2013
Tribunal/Court	: High Court
Coram	: Tay Yong Kwang J
Counsel Name(s)	: Edward Ti (Deputy Public Prosecutor) for the Appellant; Ramesh Tiwary (Ramesh Tiwary) for the Respondent.
Parties	: Public Prosecutor — Charan Singh

Criminal Procedure and Sentencing

27 May 2013

Tay Yong Kwang J:

Introduction

1 This was an appeal by the Prosecution against the fine of $10,000 (in default 8 weeks' imprisonment) imposed on the accused ("the Respondent"). The Respondent was at the material time a senior investigation officer in the Land Transport Authority ("LTA"). The Respondent had claimed trial to one charge alleging an offence punishable under s 6(c) of the Prevention of Corruption Act (Cap 241, 1993 Rev Ed) ("the PCA") but after two and a half days of trial, he decided to plead guilty. At the conclusion of the appeal, I allowed the appeal and doubled the fine. I now set out my reasons.

The Charge

2 The Respondent pleaded guilty before the learned district judge and was convicted on the following charge:

> You, Charan Singh ... are charged that you, on 15 January 2008, at 10 Sin Ming Drive Singapore 575701, being an agent, to wit, a Senior Investigation Officer in the employ of the Land Transport Authority (LTA), did knowingly use with intent to deceive your principal, LTA, a receipt, to wit, a "Cash Sale" receipt bearing No. 1096 from 'Ong Motor Trading' dated 9 April 2007, in respect of which LTA was interested, and which contains a statement to the effect that Ong Motor Trading had sold a Honda TA200 motorcycle bearing registration No. FBA272C for a sum of $3264.20 to you, which is false in a material particular and which to your knowledge was intended to mislead your principal, LTA, and you have thereby committed an offence under section 6(c) of the Prevention of Corruption Act, Cap.241.

The Background

3 At the material time, the Respondent was a senior investigation officer attached to the Investigations Department of the LTA. On 11 February 2008, the LTA referred a case of suspected corruption involving the Respondent to the Corrupt Practices Investigation Bureau ("CPIB"). The referral by the LTA stated, among other things, that the Respondent had bought a motorcycle from a company called Super Bike Centre Pte Ltd ("Super Bike"). At the time the Respondent purchased the

motorcycle from Super Bike, he had been assigned as Investigating Officer ("IO") to investigate into possible offences committed by Super Bike.

4 Sometime in March 2007, the Respondent met Tan Sock Cheng Jennifer ("Tan"), a director of Super Bike and they discussed the purchase of a Honda Phantom motorcycle by the Respondent from Super Bike. Tan informed the Respondent that Super Bike had a second hand Honda Phantom motorcycle for sale. It was agreed between Tan and the Respondent that the sale price would be $3264.20 and that the Respondent would pay for the motorcycle in cash.

5 In early April 2007, the Respondent contacted Tan and told her that he did not want a sales receipt to be issued by Super Bike in respect of the motorcycle. Instead, he wanted a sales receipt by another company. The Respondent explained to Tan that he did not want a Super Bike receipt as he was Super Bike's IO and his superiors would be unhappy if they found out that he had purchased a motorcycle from Super Bike.

6 By that time, Tan had already written a purchase order bearing No 11471 in respect of the motorcycle in Super Bike's official receipt book and listed the Respondent as the buyer. As the Respondent had informed Tan that he did not want a sales receipt from Super Bike, Tan did not issue the Super Bike purchase order to the Respondent. To accede to the Respondent's request, Tan asked her co-director, Lee Hock Hui ("Lee"), whether he could help obtain a sales receipt in respect of the motorcycle from another shop selling motorcycles.

7 Lee contacted his long-time acquaintance, Ong Ting Hui ("Ong"), the owner and sole-proprietor of Ong Motor Trading ("Ong Motor") and asked him whether he could issue a false invoice in respect of the sale of the motorcycle. Ong agreed to help Lee and subsequently liaised with Tan to obtain the Respondent's name and address before issuing a cash sale receipt bearing No 1096 which stated to the effect that the Respondent had purchased the motorcycle from Ong Motor.

8 Although the Respondent knew that he had purchased the motorcycle from Super Bike and not Ong Motor, he kept the receipt from Ong Motor so that he could, if asked, "prove" that he had purchased the motorcycle from Ong Motor and not Super Bike.

9 Sometime on 14 January 2008, the Respondent's supervisor and head of investigations, Tan Tai Guan Roger ("Roger"), came to know that according to LTA's records, the said motorcycle had been transferred to the Respondent from Super Bike on 4 April 2007. In the morning of 15 January 2008, Roger together with his own superiors, Peter Leong (Manager of Investigations) ("Leong"), Patrick Phoa (Deputy Manager) ("Phoa") and Karine Jeow (Deputy Manager) ("Jeow") confronted the Respondent with this information. The Respondent denied purchasing the motorcycle from Super Bike and said that he had bought the motorcycle from Ong Motor. The Respondent said that he could substantiate his claim with a receipt from Ong Motor but as he did not have the receipt with him at that point in time, he said that he would show the group the receipt from Ong Motor that same afternoon.

10 In the afternoon of 15 January 2008, the Respondent met Leong in Leong's office at the LTA and handed to Leong the cash receipt from Ong Motor and lied again to Leong that he did not purchase any motorcycle from Super Bike and had instead bought the motorcycle from Ong Motor, as "evidenced" by the receipt. The Respondent added that the receipt was proof of what he had claimed in the morning of 15 January 2008. He then left Leong's office. Soon after the Respondent left Leong's office, Leong showed the receipt from Ong Motor to Roger, Phoa and Jeow. After looking at the receipt, Roger believed the Respondent's claim that he had purchased the motorcycle from Ong Motor since the Respondent was a senior IO who had been with LTA for many years. Upon further

consideration, Leong decided to inform Leong's own superior, Alvin Chia (Deputy Director) ("Chia"). Chia decided to conduct a further interview session with the Respondent that evening.

11 At about 5.20pm on 15 January 2008, Chia, Leong, Phoa, Jeow and Roger met the Respondent in a meeting room in LTA to ask him again whether he had purchased or otherwise obtained the motorcycle from Super Bike. At the start of the interview, the Respondent maintained his lie that he had bought the motorcycle from Ong Motor sometime in April 2007. Upon further questioning by Chia however, the Respondent admitted that he had lied and that the motorcycle had been bought from Super Bike.

The Law

12 Section 6 of the PCA reads:

> **6.**— If —
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> (a) any agent corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gratification as an inducement or reward for doing or forbearing to do, or for having done or forborne to do, any act in relation to his principal's affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business;
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> (b) any person corruptly gives or agrees to give or offers any gratification to any agent as an inducement or reward for doing or forbearing to do, or for having done or forborne to do any act in relation to his principal's affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business; or
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> (c) any person knowingly gives to an agent, or if an agent knowingly uses with intent to deceive his principal, any receipt, account or other document in respect of which the principal is interested, and which contains any statement which is false or erroneous or defective in any material particular, and which to his knowledge is intended to mislead the principal,
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> he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $100,000 or to imprisonment for a term not exceeding 5 years or to both.

13 It should be noted that the Respondent was charged under s 6(c) of the PCA which, unlike ss 6(a) and 6(b), does not contain the word "corruptly". In *Knight Glenn Jeyasingam v Public Prosecutor* [1992] 1 SLR(R) 523 ("*Knight Glenn*"), Thean J clarified s 6(c) in relation to ss 6(a) and 6(b) at [20]:

> The charge under s 6(c) of the Act does not imply any corruption at all. The word "corruptly" which is present in para (a) and (b) of s 6 is absent in para (c). But the offence under s 6(c) does imply an element of dishonesty. In effect, it is an offence of cheating under a different statutory provision. On the facts admitted by the appellant, he could be charged for cheating under s 417 or s 420 of the Code. The Prosecution, however, has brought this charge under s 6(c) of the Act and is fully entitled to do so. A charge under s 6(c) of the Act is more serious than that under s 417 of the Code. This is clearly evident from the penalty provided in s 6 as compared to that provided in s 417 of the Code. Under s 6, the maximum penalty is a fine of $100,000 or a term of imprisonment of five years or both, whereas under s 417 the maximum term of imprisonment is one year or a fine or both. In my opinion, the second charge is more serious than the first. ...

14 Further, the court in *Ong Beng Leong v Public Prosecutor* [2005] 1 SLR(R) 766 ("*Ong Beng Leong*") noted at [50] that s 6(c) of the PCA was silent on the issue of actual deception and merely focused on the intent to deceive.

15 In *Public Prosecutor v Kwong Kok Hing* [2008] 2 SLR(R) 684 at [14], it was held that an appellate court would interfere with the sentence imposed if it was satisfied that:

(a) the sentencing judge had made the wrong decision as to the proper factual basis for sentence;

(b) there had been an error on the part of the trial judge in appreciating the material placed before him;

(c) the sentence was wrong in principle; ors

(d) the sentence imposed was manifestly excessive or manifestly inadequate.

The Decision Below

16 The district judge ("DJ") sentenced the Respondent to pay a fine of $10,000. In default of payment, the Respondent was to serve 8 weeks' imprisonment. At the time of the appeal, the fine had already been paid.

17 The DJ's grounds of decision ("GD") set out the following considerations:

(a) The Respondent's conduct caused no loss to anyone.

(b) There was no personal gain on the part of the Respondent.

(c) The Respondent's "impeccable record" in the 20 years that he was in LTA's employment was relevant in preferring a non-custodial sentence.

(d) The Respondent was contrite as he had confessed to his superiors about his offence "within hours" of being confronted by them.

(e) There was no evidence that the Respondent had acted to conceal or facilitate a crime. Specifically, he did not show any favour or leniency to Tan or to Super Bike.

(f) The Respondent was a first-time offender and his prosecution for the offence would in itself provide some form of deterrence.

The Prosecution's Case

18 The Prosecution urged me to substitute the fine with a term of 4 weeks' imprisonment. It argued that:

(a) The sentence was wrong in principle as the DJ had failed to give sufficient consideration to the principle of general deterrence.

(b) The DJ erred in law by failing to appreciate the material placed before him and to give sufficient weight to the following aggravating factors:

(i) The Respondent's offence caused reputational damage to LTA.

(ii) The Respondent committed the offence after deliberation and with clear premeditation.

(c) The DJ erred in failing to appreciate the material before him, and consequently held wrongly:

(i) that the Respondent was "contrite" when the Respondent had repeated lied to his superiors;

(ii) that no loss was caused to anyone when LTA suffered reputational damage;

(iii) that the fact that the Respondent did not show any favour or leniency to Tan or to Super Bike was a mitigating factor when it was only a neutral one; and

(iv) that the Respondent's longstanding record in the LTA favoured a non-custodial sentence when it was a neutral factor.

(d) The sentence was manifestly inadequate when compared with case precedents.

The Respondent's Case

19 The Respondent argued that the facts of the relevant case precedents should be distinguished because they involved public money and senior officials. There was no financial loss caused to anyone by the Respondent's act because he paid exactly the amount reflected in the sales receipt for the motorcycle and did not obtain a cheaper price. There was therefore no issue of corruption.

My decision

General deterrence

20 The Prosecution argued that the DJ failed to give sufficient consideration to the principle of general deterrence. In *Public Prosecutor v Law Aik Meng* [2007] 2 SLR(R) 814, the court held at [24] that:

> General deterrence aims to educate and deter other like-minded members of the general public by making an example of a particular offender: *Meeran bin Mydin v PP* [1998] 1 SLR(R) 522 at [9] ("*Meeran bin Mydin*"). Premeditated offences aside, there are many other situations where general deterrence assumes significance and relevance. These may relate to the type and/or circumstances of a particular offence. Some examples of the types of offences, which warrant general deterrence are:
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> (a) Offences against or relating to public institutions, such as the courts, the police and the civil service...
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> ...
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> (d) Offences affecting public safety, public health, public services, public or widely used facilities or public security...

21 In the present case, the principle of general deterrence is relevant as the Respondent was a

senior IO who was given substantial trust and responsibility to conduct investigations under LTA's purview. The Respondent breached that trust by knowingly placing himself in a position of conflict of interest when he purchased a motorcycle from a suspect he was investigating and subsequently deceived LTA about who the seller of the motorcycle was. However, the Respondent was not charged for placing himself in a position of conflict, corruptly benefiting from the purchase or for favouring Super Bike. Since the Respondent was only charged for submitting a false receipt to intentionally deceive LTA, the sentence that was imposed by the court and any consideration of general deterrence should be related to this particular act and not for any other wrongs or offences. A charge under s 6(c) should not be a backdoor means of punishing an offender for alleged offences which were not part of the charge. This was rightly acknowledged by the DJ at [19] of the GD:

> It is significant that the accused had pleaded guilty to only one specific charge relating to the use of a particular receipt which was false. The sentence to be impose[d] on the accused, therefore, had to address that specific offence only. The sentencing considerations should not include other wrongs or transgressions the accused might have been thought to have committed, but which have not been proven or, in fact, will even be the subject of a trial.

22 Although the Respondent's action was a serious transgression, the court has to "refrain from imposing a punishment that is disproportionate to the actual or potential harm or damage done to society": *Luong Thi Trang Hoang Kathleen v Public Prosecutor* [2010] 1 SLR 707 at [25]. The fact that a fine was imposed instead of imprisonment does not mean that the principle of general deterrence was not given effect to. In appropriate circumstances, prosecution for the offence alone would in itself provide some form of deterrence for first-time offenders such as the Respondent: *Wuu David v Public Prosecutor* [2008] 4 SLR(R) 83 at [22]. Taking into account the fact that the Respondent was a first-time offender, his action did not cause any tangible harm and public money was not involved, a substantial fine could provide sufficient general deterrence.

Damage to LTA

23 The Prosecution argued that the DJ had failed to consider the damage to LTA. The court in *Public Prosecutor v Loqmanul Hakim bin Buang* [2007] 4 SLR(R) 753 recognised that offences by enforcement officers could damage the institutional credibility of agencies (see [37] and [43]):

> 37 ... To that end, it warrants reminder that the rationale underlying the imposition of a deterrent sentence where an accused party is a policy officer or an auxiliary police officer is the need to reflect the damage that may be inflicted on the institutional credibility of security agencies, damage to the standing of their officers and the court's concern about the abuse of the trust and responsibility that has been reposed in a police officer. Needless to say, such a sentence also serves as a salutary reminder to other serving officers, that transgressions by them will not be condoned.
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> ...
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> 43 ... Public confidence in the enforcement agencies can be corroded by the irresponsible criminal acts of avaricious, reckless and foolish like offenders. The abuse of the trust and confidence placed in CISCO and/or police officers, if left unchecked, could result in enforcement agencies, in general, having diminished legitimacy and public acceptance.

24 In the present case, even though the Respondent had placed himself in a position of conflict of interest by purchasing a motorcycle from a suspect he was investigating, he was not charged for so placing himself in that position. The Respondent was charged for knowingly using a false receipt to

deceive LTA. The direct damage was internal to LTA, *ie*, the Respondent abused the trust reposed in him by LTA. However, in addition to that, the Respondent contacted Tan and told her that he did not want a sales receipt from Super Bike issued in respect of the motorcycle but instead wanted a sales receipt from another company. He explained to Tan that he was Super Bike's IO and his superiors would be unhappy if they found out that he had purchased a motorcycle from Super Bike. This necessarily damaged LTA's institutional credibility as it was likely to have lowered the standing of LTA officers in the eyes of the parties involved. Therefore, I found this to be an aggravating factor.

Deliberation and premeditation

25 It is well-established that an act done after deliberation and premeditation, as opposed to an act done on the spur of the moment, is an aggravating circumstance: *Public Prosecutor v Tan Fook Sum* [1999] 1 SLR(R) 1022 at [28].

26 In the present case, it was clear that the Respondent's act of deception was premeditated:

(a) The Respondent knew it was wrong to have purchased the motorcycle from Super Bike and hence contacted Tan to tell her that he did not want a sales receipt issued by her company and instead wanted a sales receipt from another company.

(b) After obtaining the false invoice issued by Ong Motor, the Respondent kept the invoice so that he could use it to "prove" that he had purchased the motorcycle from Ong Motor and not Super Bike.

(c) When confronted by his superiors in the morning of 15 January 2008, the Respondent maintained that he had bought the motorcycle from Ong Motor and that he would bring the receipt in that afternoon.

(d) The Respondent had to leave the premises of his office during the lunch break to obtain the receipt and to present it to his superior after lunch.

27 Therefore, I agreed with the Prosecution that the Respondent's premeditated act of deception was an aggravating factor. However, this was taken into account by the DJ when he recognised, at [28] of the GD, that the Respondent was the "initiator of the act" and hence "particularly culpable".

Remorse

28 While the DJ recognised that it could be argued that the Respondent admitted to the lie only because he had no choice upon confrontation, he considered it a mitigation point that the Respondent was "contrite" because the Respondent admitted to his lie in the same afternoon, within a few hours from the time of the first lie (at [32] of GD).

29 A court has to examine carefully the conduct of the offender after the commission of the offence to determine whether the offender is genuinely contrite: *Public Prosecutor v NF* [2006] 4 SLR(R) 849 at [57]. Further, remorse is only a mitigating factor where there is evidence of genuine remorse on the part of the offender: *Cheng Weixiong Jerriek v Public Prosecutor* [2003] 2 SLR(R) 334 at [22].

30 In the present case, I was unable to find that the Respondent was contrite as he had lied repeatedly to his superiors. He first lied that he did not purchase the motorcycle from Super Bike when he was confronted by Roger, Leong, Phoa and Jeow in the morning of 15 January 2008. He then

lied to Leong again that very afternoon when he produced the sales receipt from Ong Motor and denied that he had purchased the motorcycle from Super Bike. Lastly, he continued to maintain his lie in the evening when he was interviewed by Chia, Leong, Phoa, Jeow and Roger, before finally admitting that he had purchased the motorcycle from Super Bike. It seemed more likely that the Respondent confessed only when he could no longer maintain the lie in the face of the persistent questioning by his supervisors, rather than out of remorse for his earlier lies.

31 Further, the fact that the Respondent pleaded guilty only after making the Prosecution prove much of its case against him at trial did not suggest that he was remorseful. In fact, it suggested the contrary. While there was at least a four-year lapse from the time the offence was committed in January 2008 and the time the Respondent was charged in March 2012, I did not accept that the Respondent could not remember the circumstances of the offence. The Respondent's act involved an elaborate and premeditated act of deception to cover up his impropriety in placing himself in a position of conflict of interest. It was therefore difficult to see why the Respondent could not remember whether he had committed the offence.

Absence of any favour or leniency to Tan and Super Bike

32 The DJ held at [33] of the GD that the fact that the Respondent "did not show any favour or leniency" to Tan or to Super Bike was a "significant mitigating factor". As stated at [13] above, the offence under s 6(c) of the PCA is in effect the offence of cheating. The offence does not require any element of corruption. The offence was committed as soon as the Respondent relied on the receipt from Ong Motor, intending to mislead his superiors into thinking that he had purchased the motorcycle from Ong Motor instead of Super Bike. Therefore, the absence of any evidence of favour or leniency shown to Tan or Super Bike was a neutral factor. However, the presence of such evidence would be aggravating and would expose the Respondent to be charged under s 6(a) of the PCA.

Longstanding record of employment in the LTA

33 The DJ held at [31] of the GD that the Respondent's "impeccable record" in his 20 years with LTA and the fact that he had previously reported an offer of a bribe to his superiors were mitigating factors which favoured a fine rather than a custodial sentence.

34 Relying on the case of *Public Prosecutor v AA* [2004] SGHC 10, the Prosecution argued that being a good employee was not a mitigating factor. However, it should be noted that *Public Prosecutor v AA* concerned an accused who had committed a sexual offence. Understandably, the fact that the accused in that case was an exemplary orderly in the Supreme Court, which bore no relation to the sexual offence he committed, was only a neutral factor in sentencing.

35 In the present case, the Respondent was charged under s 6(c) of the PCA for knowingly using a materially false receipt intended by him to mislead LTA. Since the victim of the Respondent's act was LTA, it followed that the Respondent's contributions as a longstanding and exemplary employee in LTA should count as a mitigating factor. In other words, there was a rational relationship between the Respondent's contributions as an exemplary employee of LTA and the seriousness of the offence committed against the LTA.

36 This is consistent with *Knight Glenn* at [27] where the court recognised the accused's contributions to public service as a mitigating factor in a case where the accused had used a false invoice for the purpose of obtaining a government vehicle loan:

> ... The court undoubtedly takes a serious view of what the appellant did. As against that,

> however, I have also to consider the mitigating and other circumstances which are in his favour. Until his suspension from service in March 1991, he had a distinguished record of public service. He joined the Attorney-General's Chambers on 3 April 1970 and reached the position of a Senior State Counsel. On 16 October 1984, he was appointed Director of CAD and was responsible for the setting-up of the department and also for the success of that department in the investigation and prosecution of commercial crimes. In 1989 he received a strong commendation from the Minister for Finance for outstanding leadership in setting up CAD, and in 1990 he was awarded the Public Administration Medal (Gold). In addition, he had served, among others, the positions of a lecturer/tutor in the Faculty of Law, National University; a consultant in the Practice Law Course organised by the Board of Legal Education; vice-chairman of the Board of Governors for four Anglo-Chinese Schools, and vice-chairman of the Board of Management of Anglo-Chinese Independent School. ...

37 Further, in *Ong Beng Leong* (at [61]), the court similarly gave credit to the accused's exemplary service to the SAF when the offence involved the accused knowingly submitting forged quotations from one contractor for SAF works that the accused was responsible for supervising:

> ... Balancing all the relevant facts and circumstances, both aggravating and mitigating, and giving credit for his past exemplary service to the SAF, I found that a sentence of two weeks' imprisonment in respect of each of the ten charges was appropriate. ...

38 I agreed with the Prosecution that the fact that the Respondent had previously made a CPIB report was not necessarily evidence of good character because that was required of any public servant. Indeed, s 32(2) of the PCA mandates that public officers report bribes made to them.

Case Precedents

39 The Prosecution submitted three case precedents dealing with sentencing for an offence under s 6(c) of the PCA and argued that the sentence meted out by the DJ was manifestly inadequate. I now discuss these three cases briefly.

40 In *Ong Beng Leong*, the accused, a Lieutenant-Colonel in the Singapore Armed Forces ("SAF"), was the commanding officer of the Training Resource Management Centre ("TRMC"). TRMC would award maintenance work to a construction company, Sin Hiaptat, without sourcing for two other quotations, in breach of SAF guidelines. Sin Hiaptat would prepare a quotation from itself together with two forged quotations from other companies. These false quotations were handed over to TRMC which prepared and backdated the Approval of Requirements ("AORs") and work orders to conceal the fact that the prescribed procedure had not been followed. During his tenure as the commanding officer of TRMC, the accused signed several AORs and work orders relating to maintenance works, knowing that the quotations were false. He was charged with and convicted of ten charges under s 6(c) of the PCA. On appeal by the accused, the High Court reduced his sentence to two weeks' imprisonment per charge, totalling six weeks' imprisonment.

41 In *Knight Glenn*, the accused was charged for using a false invoice for the purpose of obtaining a government vehicle loan. On appeal, he was sentenced to one day's imprisonment and a $10,000 fine for the charge under s 6(c) of the PCA.

42 In *TT Durai v Public Prosecutor* (MA 126/2007) ("*TT Durai*"), the High Court affirmed the lower court's sentence of 3 months imprisonment imposed on the accused in that case. The accused in that case, being the CEO of the National Kidney Foundation, a charitable organization, was charged for using an invoice containing false information in stating that $20,000 had been used for "interior design

consultancy service" rendered to various dialysis centres.

43 In the three cases cited above where imprisonment terms were imposed, public funds were involved and the accused persons were holding positions of great authority in their respective organizations. They were in fact the top man in each case. The present case did not involve any misuse of public funds. There was also no allegation that he had paid a price that was lower than the true market value of the motorcycle. There was therefore no evidence of any discount given to him by Super Bike. Further, although the Respondent was a senior IO, it was obvious that he was nowhere near the apex of the LTA hierarchy. Deterrent sentences may, in appropriate cases, take the form of a hefty fine. Taking into account all the circumstances of this case, a substantial fine would be sufficient punishment. The fine imposed by the DJ was however too lenient on the facts of this case. I therefore decided to double it.

Conclusion

44 For the above reasons, I allowed the Prosecution's appeal against sentence and ordered the Respondent's fine to be increased from $10,000 to $20,000. In default of payment, the Respondent would serve 10 weeks' imprisonment. I permitted the Respondent to pay the additional $10,000 fine in 3 instalments of $3,000, $3,000 and $4,000 by 15 April, 15 May and 14 June 2013 respectively.