

Public Prosecutor v Hamidah bte Awang and another
[2015] SGHC 270

Case Number : Criminal Case No 32 of 2014
Decision Date : 16 October 2015
Tribunal/Court : High Court
Coram : Lee Seiu Kin J
Counsel Name(s) : Ng Cheng Thiam and Chee Min Ping (Attorney-General's Chambers) for the public prosecutor; Amolat Singh (Amolat & Partners) and Supramaniam Rajan (Hilborne Law LLC) for the first accused.
Parties : Public Prosecutor — Hamidah Binte Awang — Ilechukwu Uchechukwu Chukwudi

Criminal law – statutory offences – Misuse of Drugs Act

16 October 2015

Lee Seiu Kin J:

1 The first accused, Hamidah Binte Awang, was tried before me on various dates between 10 September and 6 November 2014. On 5 November 2014 I found her guilty of attempting to export not less than 1,963.3 g of methamphetamine, an offence under s 7 read with s 12 of the Misuse of Drugs Act (Cap 185, 2008 Rev Ed) ("the Act"). Full details of the trial and my findings are in my grounds of decision in *Public Prosecutor v Hamidah Binte Awang and another* [2015] SGHC 4 dated 8 January 2015.

2 On 8 October 2015, the first accused was brought before me for sentencing. The learned Deputy produced a memorandum in which the Public Prosecutor certified that she had substantively assisted the Central Narcotics Bureau in disrupting drug trafficking activities within or outside Singapore, under s 33B(2)(b) of the Act. I was satisfied from the evidence before me in the trial that the involvement of the first accused was restricted to the activities set out in s 33B(2)(a). The accused therefore satisfied the requirements of s 33B(2).

3 In view of the circumstances of the case, I exercised my discretion under s 33B(1)(a) of the Act to sentence the first accused to imprisonment for life instead of the death penalty. As she is a female, she is not liable to be caned. I also exercised my discretion to backdate the sentence to the date of her arrest on 13 November 2011. That is the minimum sentence that I am able to impose for her conviction.

4 The accused has appealed against her sentence on 14 October 2015.

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