

# Should identity of HIV patient be revealed?

ZUL OTHMAN  
zul@mediacorp.com.sg

SINCE 1992, the identities of persons living with HIV have been protected under the Infectious Diseases Act, although they can be named if they are charged in court.

Over the years, there have been a few reports. But, what about putting their photos in the media?

It is a big grey area, going by what professionals in the legal, medical and media industry told TODAY.

And aids activists and civil groups seem the most concerned, fearful that such photos would be seen as public shaming, thus driving another wedge between the public and persons with HIV.

"Stories and cases involving HIV-infected individuals getting into trouble with the law adds to the existing stigmatisation of the disease," Action For Aids executive

director Lionel Lee said.

"Because the media widely reports when HIV-infected people get charged in court or jailed, the popular perception in Singapore is that these are the people who get into trouble with the law."

Last month, Mr Chan Mun Chiong became the first person with HIV to have his photograph published since Paddy Chew died in 1999.

But while the latter agreed to be photographed – tellingly, the first and only person willing to do so to humanise the disease – Mr Chan had pleaded guilty to engaging in oral sex with a 16-year-old boy without informing the teen of the risk of contracting the virus that caused Aids, according to a report by *The Straits Times*.

A spokesperson from Singapore Press Holdings, the company that publishes *The Straits Times*, told TODAY that while its general approach is not to name people with

HIV, "our view is that those who are brought to court for putting their partners at risk should be treated no differently from others who are charged in court with serious offences".

However, media law and ethics expert Mark Cenite, from Nanyang Technological University's (NTU) Wee Kim Wee School of Communication and Information, said the press should exercise some restraint when handling cases like this, especially since "Singapore does not have well-developed privacy protections that some other nations have".

The response from media practitioners is mixed.

Singapore Press Club president Patrick Daniel believes, when it comes to such cases, the media ought to be guided by the usual legal considerations, such as defamation law and other relevant statutes, on what to publish.

According to MediaCorp Editorial Director P N Balji, the case was unique because it was approached from a criminal angle.

He added: "Once the HIV case became a criminal issue, there was no way Chan could be protected. Then, there is the issue of moral responsibility, which also cannot be addressed in isolation because pictures of people charged in non-HIV cases have been published."

However, to some in the medical community, such as Dr Tan Sze-Wee, spokesperson for the Singapore Medical Association, it would be a "step backwards" to run photos of HIV-positive offenders.

"As with other HIV-related stories, photographs are omitted to reduce the social stigma," he said.

With the means to disseminate photos now possible via the Internet, though, what does it mean for the concept of health privacy?

Blogger Alex Au thinks it is inevitable that the mainstream media will have to react to competition online.

"If the newspapers don't do it, some blogger will (eventually) snap a picture with his mobile phone and post it on the web," said Mr Au, founder of Yawningbread.org.

The question of whether the media would use such methods in the pursuit of readership points back to why photos are used in court cases, to begin with: For news value or for eyeballs?

For one, lawyers are cautious about the use of such photos.

"To put a picture of someone accused of a crime in a national newspaper even before he is sentenced immediately implies that there is a high chance that he is guilty," said lawyer Allan Chan.

Lawyer Vinit Chhabra agreed: "I do think the media does wield a lot of power (in this instance)."

"What the media should do when covering such cases is to maybe state specifically that – while he has been charged – the accused is also innocent until proven guilty by the prosecution."

However, the media decides on the use of photographs of persons with HIV charged in court, or whether there is a "gradual erosion of privacy" or not, there is one area of improvement, according to blogger Mr Au.

"In this case (of Mr Chan), I think the media is failing because it is not giving attention to the consequences of reporting," he said.

"A commentary on the issue needs to follow, thus encouraging a societal debate and then letting the people decide."



AND THEY'RE OFF!: Parents and their children at the starting line of the 800m fun run during the inaugural Cold Storage Kids Run 2008 yesterday morning. The run was organised exclusively for some 3,000 children between the ages of three and 13 and their families. One event of an annual series of sporting activities, it is part of the Marina Bay Urban Challenge, which aims to make Marina Bay an ideal destination for sporting and lifestyle events.

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## ASEAN TO ENHANCE PRACTICAL SECURITY COOPERATION

To adapt to the changes of the regional security landscape, the Association of South-east Asian Nations (Asean) has taken several steps to strengthen its defence sectors and to enhance practical security cooperation through the Asean Defence Ministers' Meeting (ADMM), Singapore's Minister for Defence Teo Chee Hean said yesterday.

Asean's friends and partners in the security arena will also be engaged through ADMM-Plus, he added.

Speaking to delegates at the 7th IIS Asia Security Summit at the Shangri-La Hotel, Mr Teo also revealed that plans are afoot to create functional groups with more focused and niche membership for addressing specific challenges in the region.

He said: "More focus groupings are (also) useful for translating dialogue more effectively into practical action and concrete solutions."

Functional groups with more focused and niche memberships will address specific

challenges like the Malacca Straits Patrols, Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia, Six-Party talks and Five Power Defence Arrangements.

Any country can join the initiative as long they make "substantive contributions to build up the capacity of Asean", he added.

A blueprint is currently being drafted for the Asean Political-Security Community and will be proposed for adoption at the Asean Summit when ready.

Mr Teo also urged member nations to continue establishing such groupings where necessary and ensure "continued relevance and inclusiveness through the involvement of all parties which can make useful contributions on the issues".

Four years in the making, the inaugural ADMM was held in 2006 in Malaysia. Thailand is to take over the chairmanship from Singapore and is planning to host the third meeting sometime towards the end of the year.

## Impassive amid a raging storm

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Maj-Gen Aye Myint said that the latest toll stands at 77,738 dead and 55,917 missing, as well as an estimated US\$10.67 billion (\$14.5 billion) in damages.

US Defence Secretary Robert Gates said more people will perish from the disaster if the junta continues on its route of "criminal neglect".

Mr Lellouche took a tougher line – he would see to it his government proposes a UN resolution to bring the junta before the International Criminal Court.

"The principle of non-interference in domestic affairs is not the right of regimes to have their populations killed in silence while nobody else interferes," he said.

Malaysia's Deputy Prime Minister Najib Razak also came under Mr Lellouche's barrage after he said countries should respect the sovereignty of the Myanmar government and should not unilaterally enter the country to force the junta to take action.

Still, Mr Najib proposed that



'NOT TOTALLY PERFECT': But Myanmar's Maj-Gen Aye Myint claims that the junta is 'trying our best for relief and resettlement efforts, because the victims are our people'.

the military of each Asean nation be involved in rescue efforts, as they would be able to deploy a large number of helicopter and boats.

His plea to the Myanmar leadership to open up to foreign help comes close on the heels of Prime Minister Lee Hsien Loong remarks on Friday that the situation in the cyclone-hit country is "regrettable" as more rapid international relief aid could have minimised the suffering of the victims.

Said Mr Najib: "We would like

to see Asean being allowed to play a much bigger role because the situation is very, very serious in Myanmar," he said of the disaster he believes to be much more dire than the 2004 Asian tsunami that killed at least 232,000 people.

Throughout the fiery discourse, Maj-Gen Aye Myint remained impassive. His government is "trying our best for relief and resettlement efforts, because the victims are our people" – even if the process is "not totally perfect".

## MR TAN'S STRATEGIC ERRORS

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That leads me to the second strategic error.

Confrontational activism is still an out-of-bounds marker in Singapore. When Mr Tan dug his heels in after apparently agreeing to put his collective protest on hold, it was clear that the annual general meeting on Friday was going to be a flashpoint. Somebody somewhere must have decided that a less testy approach must be found.

Two politicians, one wearing the hat of chairman of NTUC's Social Enterprise Development Council and the other that of deputy secretary-general of the trade union movement, stepped in to defuse the affair and stop it from blowing up.

Mr Tan turned up at the meeting, announced that he was holding off for the moment after the assurance from Mr Lim Boon Heng his council "will want Income to ensure that policyholders will continue to get good value from their insurance policies".

**If companies can rise above this and look at the message and not just the messenger, they can tap the institutional memory of their former very important employees to great advantage.**

And the No 2 man at NTUC refused to accept Mr Tan's compromise: Give the 310,000 policyholders affected by the change the option of remaining with the old bonus structure or moving to the new one.

Mr Tan said Mr Matthias Yao told him at their meeting that "the board is not prepared to offer this option".

What if Mr Tan had taken a behind-the-scenes and discreet approach, something that *The Wall Street Journal* suggested in a commentary on how former CEOs should behave?

Three such people were quoted as saying that they give counsel to their successors away from the glare of TV cameras. "Done properly, they say, such counsel can be helpful," *The Wall Street Journal* commentary suggested.

For that to work, the circumstances surrounding the CEO's departure means there is a better chance that you will get a listening ear. A not-so happy farewell will get the opposite result.

The world doesn't have to be seen in such a black-and-white manner. If companies can rise above this and look at the message and not just the messenger, they can tap the institutional memory of their former very important employees to great advantage.

For the option offered by Mr Tan was worthy of a second look.

Unfortunately, it got entangled in issues of personality and confrontational activism and the loser, as always, is the poor guy caught in the middle: The consumer.



## Mrs Lee in stable condition

MINISTER Mentor Lee Kuan Yew's wife (picture) is in stable condition after suffering a stroke 21 days ago and has become more alert since surgery on May 17.

A statement yesterday by Mr Lee's office said she is making slow but steady progress with rehabilitation.

Mrs Lee, 87, suffered a stroke on May 12, causing her to experience a sudden weakness in the

left side of her body and slurring of her speech.

She was taken to the National Neuroscience Institute for an urgent brain scan which revealed bleeding in the right side of her brain.

Subsequently, Mrs Lee was admitted to the Neuro-intensive Care Unit in Tan Tock Seng Hospital and had been in serious condition since she was transferred to the general ward on May 14.

— 938LIVE