

SINGAPORE

BREAK FAST TIMING
Day 19
7.14pm

Law change to nudge more with HIV to get tested, treated

A key target is to have 95% of them knowing their status, up from current 85%

Jean Iau
Correspondent

A recent law change that removes the requirement for some people living with the human immunodeficiency virus (HIV) to disclose their condition to their sexual partners, provided they maintain an undetectable viral load, will help Singapore meet global targets to end HIV as a public health threat, said health experts.

This is because the amendment to the Infectious Diseases Act that passed in Parliament on March 7 is likely to encourage more individuals living with HIV to get tested and start treatment, said Assistant Professor Dariusz Piotr Olszyna, director of the HIV Programme at the National University Hospital.

REDUCING STIGMA

It is critical that we continue to work to reduce HIV-related stigma and discrimination at every level of society, through efforts to increase awareness and understanding, as well as encouraging individuals, organisations and the community at large to be more welcoming of all persons, regardless of HIV status.



DR WONG CHEN SEONG,
director of the National HIV Programme at the National Centre for Infectious Diseases.

tested, which the legal amendment incentivises, said Assistant Professor Rayner Tan at the Saw Swee Hock School of Public Health.

"The fact is that the first 95 (per cent) is the most important, and stigma has been a key challenge to getting people tested," he said. "This is a point recognised by the authorities: The 2023 National HIV Testing Recommendations state that the Republic needs to, in particular, improve efforts to meet the first UNAids target, and that more needs to be done to increase the uptake of HIV testing."

Prof Tan noted his research found that key populations vulnerable to HIV have been fearful of testing because of the current laws. "With the updated exemption, it incentivises people living with HIV to stay on treatment and monitor their viral load regularly," he said. "If everyone did this, we can expect zero HIV transmission and zero new cases of HIV arising from local transmission thereafter."

MOH told The Straits Times that it aims to achieve the 95-95-95 targets, and is working with partners such as the National Centre for Infectious Diseases (NCID) and non-governmental organisation Action for Aids (AFA) to implement initiatives that increase access to testing and care for people who test positive for HIV, and to make antiretroviral treatment more affordable.

HIV drugs were included in the Standard Drug List and Medication Assistance Fund scheme in September 2020 to lower the cost of antiretroviral treatment, it noted. "We are lowering barriers to testing through anonymous HIV test sites, making HIV self-testing kits available at pilot sites, and rapid



HIV testing at GP (general practitioner) clinics," added MOH.

On what else needs to be done to tackle HIV transmission in Singapore, experts said "overcoming public stigma of HIV is key."

Dr Wong Chen Seong, director of the National HIV Programme at NCID, said discrimination is still a pressing problem for people living with HIV, and may discourage

those at risk of infection from getting tested and diagnosed.

"It is critical that we continue to work to reduce HIV-related stigma and discrimination at every level of society, through efforts to increase awareness and understanding, as well as encouraging individuals, organisations and the community at large to be more welcoming of all persons, regardless of HIV status,"

added Dr Wong.

AFA president Roy Chan said laws that specifically criminalise the possibility of HIV transmission have not been shown to reduce the spread of HIV.

Instead, the prospect of prosecution and public shaming should one fall foul of such laws results in people putting off testing and treatment and in continued HIV

95%

95%

95%

The Joint United Nations Programme on HIV/AIDS' 95-95-95 targets for 2025 emphasise viral suppression among HIV patients, with 95 per cent of people living with HIV/AIDS knowing their status, and 95 per cent of this group undergoing treatment. The third goal is for 95 per cent of people undergoing treatment to be virally suppressed.

Can people with an undetectable viral load spread HIV?

ST speaks to infectious disease experts on what the recent legal change means, and how Singapore is tackling HIV transmission.

Q What is an undetectable viral load?

A When a person is infected with HIV, the virus will replicate in his bloodstream and attack the immune system, said Dr Wong Chen Seong, director of the National HIV Programme at the National Centre for Infectious Diseases (NCID). By taking a blood sample, a doctor can find out how many copies of the virus there are per millilitre of blood. This measurement, called the viral load, lets people living with HIV and their doctors determine how well antiretroviral therapy is working.

A person who is not on treatment will have a viral load that ranges from thousands to hundreds of thousands of copies of the virus per millilitre of blood. A person who has been taking medications is expected to have a level of virus so low that it is below the threshold of detection by laboratory tests, also known as an undetectable viral load.

Q How do HIV medications work? Are they subsidised?

A HIV medications, also known as antiretroviral therapy, work by preventing the human immunodeficiency virus from replicating in the cells of the infected person, said Dr Wong.

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This prevents the virus from attacking the immune system, allowing the infected person to return to a good state of health. Currently, almost all HIV medications are taken orally every day. There are medications administered as long-acting injections, but these are not suitable for the majority of people living with HIV, said Dr Wong.

The most commonly used medications are subsidised and are on the Standardised Drug List maintained by the Ministry of Health. Singapore citizens and permanent residents can use MediSave to pay for the medications. Singaporeans who cannot afford subsidised medications can rely on MediFund.

Assistant Professor Dariusz Piotr Olszyna, director of the HIV Programme at the National University Hospital, said that with

government financial assistance schemes in place, the clinic has no Singaporean patients who cannot access medications due to cost concerns.

Q Can those with an undetectable viral load spread HIV?

A Multiple large, international studies have all shown that a person living with HIV who has achieved and maintains an undetectable viral load – or less than 200 copies of the virus per millilitre of blood – does not transmit the virus to his sexual partner.

Under the amended law, HIV patients must meet this requirement of less than 200 copies per millilitre of blood for at least six months, based on test results from a recognised laboratory, to be exempted from disclosure. They must also have test results showing an undetectable viral load dated nine months or less before they have sex, and they must have adhered to their medical treatment during this time.

Assistant Professor Rayner Tan at the Saw Swee Hock School of Public Health noted that in July 2022, the World Health Organisation published guidelines that recognised unequivocally that people living with HIV with an undetectable viral load cannot transmit HIV through sex.

Q How much do viral load tests cost? How often are they required?

A The cost for HIV viral load tests is subsidised for Singapore citizens and permanent residents, under the same framework of healthcare financing assistance that covers other medical conditions. Each test is around \$140 after subsidies at NCID.

People living with HIV are expected to undergo these tests about twice a year, the same frequency as their regular consultations with their HIV doctors.

Jean Iau



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Lawyer struck off rolls for conduct that 'pointed to a character defect'

Selina Lum
Senior Law Correspondent

A lawyer asked a former client if she was interested in becoming the director of a trading company, but omitted to tell her that the firm was facing a US\$1.6 million (\$52.2 million) lawsuit.

After her appointment, the woman was apparently not told about various court proceedings, and was subsequently fined \$25,000 for contempt of court.

Separately, Mr Peter Ezekiel also acted for the woman and her husband in a lawsuit to recover a loan. But he mishandled the lawsuit, which ultimately led to his clients having to repurchase their own belongings at a public auction following the seizure of their assets.

Mr Ezekiel was struck off the rolls on Jan 24 over his misconduct in relation to the two sets of lawsuits.

In written grounds issued on March 28, the Court of Three Judges said Mr Ezekiel demonstrated "a sustained pattern of offensive conduct which pointed to a character

defect", making him unfit to remain a lawyer. The court is the highest disciplinary body for the legal profession.

Mr Ezekiel, who was called to the Bar in May 1996, had been suspended from practice since 2019.

In April 2019, he was given a three-year suspension for favouring the interests of one client over another. He was handed a further two-year suspension in February 2020 for ignoring his client's messages for 14 months after he failed to attend a crucial hearing.

The striking-off was over two

separate matters that took place between 2016 and 2019.

The first was his involvement in the appointment of his former client, Ms Doan Thi Thanh, as a director of fuel trading company Hang Huo Energy, and the events that followed.

Ms Thuy and her husband, Mr Melvin Chung, had engaged Mr Ezekiel to act for them in an adoption matter in 2015.

In 2016, Mr Ezekiel asked Ms Thuy whether she would be interested in becoming a director of Hang Huo, which he falsely claimed was a dormant company.

He said the firm needed to replace another director, Mr Lim Kian Boon, who purportedly needed to return to Malaysia.

Mr Ezekiel assured Ms Thuy that she would not face any liability as long as she did not sign any perso-

nal guarantee.

He knew Hang Huo had been sued by Malaysian company Horizon Petroleum over an alleged debt of US\$1.6 million.

Instead of checking it himself, he relied only on Mr Lim's assertions that the case had been settled.

Horizon obtained judgment against Hang Huo in February 2017. Ms Thuy and others were then ordered to attend court to be questioned on the company's finances.

Mr Ezekiel, who was appointed to act for Hang Huo in October 2017, apparently failed to tell her about the proceedings.

She failed to respond to the court orders, which led Horizon to take out contempt proceedings against her.

A warrant of arrest was issued against Ms Thuy after she failed to turn up in court on April 2, 2018.

She was subsequently ordered to pay a \$25,000 fine for contempt, failing which she had to spend 14 days in jail.

Ms Thuy's passport was also ordered to be impounded until the fine was paid.

Mr Ezekiel filed an application for Ms Thuy's passport to be returned to her temporarily, and for her to be allowed to travel to Vietnam for a period of up to 30 days.

He gave a personal undertaking to the court and agreed to provide a \$25,000 bond.

In the meantime, Mr Ezekiel was engaged by Ms Thuy and Mr Chung in September 2017 to sue two individuals for the repayment of loans.

Lawyers for the defendants then asked for copies of certain documents that were listed by Ms Thuy and Mr Chung.

These requests were not acceded

to, apparently because Mr Ezekiel had failed to tell his clients about them.

This culminated in a court order on April 30, 2018, that the lawsuit would be dismissed unless the couple filed an affidavit to disclose the documents.

Mr Ezekiel did not tell his clients about this, and failed to arrange for the couple to deposit the required affidavit.

On May 14, 2018, the couple's lawsuit was dismissed, and they were ordered to pay legal costs to the defendants.

Mr Ezekiel filed two further applications, but this resulted in orders for additional costs against the couple.

The defendants filed a writ of seizure and sale, and assets belonging to the couple were seized in October 2018.

After the couple lodged a complaint, the Law Society brought four charges against Mr Ezekiel.

He was found guilty of all four charges by an independent disciplinary tribunal, which found that the case was serious enough for him to be punished by the court.

The court upheld three charges – for failing to disclose information to Ms Thuy, one for failing to act with diligence and competence in the couple's suit, and one for failing to keep the couple informed of the progress of the suit.

The court overturned the charge for failings to withdraw from representing Ms Thuy despite a potential conflict of interest.

This was in relation to the \$25,000 bond that Mr Ezekiel agreed to post for the release of her passport.

The court said Mr Ezekiel's decision to give a personal undertaking was "unwise", but found no potential conflict of interest.

The court also advised lawyers to avoid giving an undertaking for matters beyond their control; lawyers may face disciplinary action for breaches of the undertaking, even if the breach was caused by a third party.

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289 hauled up for suspected roles in scams where victims lost \$9m

Ang Qing

A total of 289 people aged between 16 and 73 are under investigation for their suspected roles as scammers or money mules.

The police said on March 29 that the 175 men and 114 women are thought to have been involved in scams where victims reportedly lost over \$9 million.

They were hauled up in a two-week operation conducted from March 15 to 28 by officers from the Commercial Affairs Department



and the seven police land divisions.

The over 1,400 cases mainly involved investment scams, e-commerce scams, job scams, government official impersonation scams and phishing scams.

The suspects are under probe for the alleged offences of cheating, money laundering or providing payment services without a licence, the police said.

Those found guilty of cheating face a jail term of up to 10 years and a fine.

Those convicted of money laundering can be jailed for a maxi-

mum of 10 years, receive a fine of up to \$500,000, or both.

Meanwhile, the offence of carrying out unlicensed payment services carries a fine of up to \$125,000, an imprisonment term of up to three years, or both.

The police said: "To avoid being an accomplice to crimes, members of the public should always reject requests by others to use your bank account or mobile lines, as you will be held accountable if these are linked to crimes." For more information on scams, members of the public can visit scamalert.sg or call the anti-scam helpline on 1800-722-6688.

Those with information about such scams can contact the police on 1800-255-0000 or submit it online at www.police.gov.sg/iwitness

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104 fall prey to scams offering discounted goods on social media

At least 104 victims have fallen prey to scams involving social media advertisements since January, with losses amounting to over \$63,000.

The police said in a statement on March 28 that these scams would feature promotions for heavily discounted goods on social media platforms such as Instagram, Facebook and TikTok.

Enticed by the prices, victims would be directed to fraudulent websites that ask for information such as their bank card details and one-time passwords in order to check out the items they had "purchased". They would realise they had been scammed only after discovering unauthorised transactions not matching their intended purchases charged to their cards.

In some cases, these transactions were made in foreign currencies such as US dollars or Australian dollars.

Anyone with information about such crimes can call the police hotline on 1800-255-0000 or submit it online at www.police.gov.sg/iwitness. The public can also visit www.scamalert.sg or call the anti-scam helpline on 1800-722-6688 for more information on scams.

\$63,000

Amount that the victims lost.

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Criminal Law (Temporary Provisions) Act • 'Last resort' law against criminals | A15



Online



FEATURE Changi's rich history

There is more to Changi than just the airport. Trace the rich history of the area – from colonial-era bungalows to World War II barracks – across 23 sites on the National Heritage Board's new heritage trail.

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