

FOURTEENTH PARLIAMENT OF SINGAPORE

First Session

SIXTH SPECIAL REPORT FROM THE COMMITTEE OF PRIVILEGES

Parl. 11 of 2021

Presented to Parliament on

22 December 2021

COMMITTEE OF PRIVILEGES

Members

Mr Speaker (Mr Tan Chuan-Jin)
Chairman

Ms Grace Fu Hai Yien
Minister for Sustainability and the Environment

Mr Desmond Lee
Minister for National Development and Minister-in-charge of Social Services Integration

Ms Rahayu Mahzam
Parliamentary Secretary, Ministry of Communications and Information and Ministry of Health

Mr Dennis Tan Lip Fong

Mr Edwin Tong Chun Fai
Minister for Culture, Community and Youth and Second Minister for Law

Mr Don Wee

Mr Zaqy Mohamad
Senior Minister of State, Ministry of Defence and Ministry of Manpower and Deputy Leader of the House

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SIXTH SPECIAL REPORT FROM THE COMMITTEE OF PRIVILEGES

The Committee of Privileges (the “Committee”) constituted under Standing Order 100(7)(a) has agreed to this Sixth Special Report under Standing Order 105(2):

1. On 15 December 2021, Mr Pritam Singh (“Mr Singh”), Ms Sylvia Lim (“Ms Lim”) and Mr Muhamad Faisal Bin Abdul Manap (“Mr Faisal”) were summoned to appear before the Committee on 20 December 2021 and to produce documents in their possession or under their control with respect to (a) any discussion, instruction, inquiry or communication relating to (i) the untruths spoken by Ms Raeesah Khan (“Ms Khan”) in Parliament on 3 August and 4 October 2021; (ii) Ms Khan’s personal explanation in Parliament on 1 November 2021; and (b) the formation, proceedings, deliberations and recommendation of the disciplinary panel set up by the Workers’ Party to inquire into Ms Khan.
2. Pursuant to the summons, Mr Singh, Ms Lim and Mr Faisal appeared before the Committee on 20 December 2021 and produced certain documents. They also confirmed in writing that they had produced all documents required by the Committee.
3. Separately, Mr Singh had suggested that the Committee call for a psychiatric evaluation to be undertaken on Ms Khan. Mr Singh, Mr Faisal and Ms Lim had made several assertions regarding Ms Khan’s mental condition when they gave evidence to this Committee.
4. The Committee invited Ms Khan to undergo a psychiatric assessment. Ms Khan agreed and underwent an independent psychiatric assessment with Dr Christopher Cheok, Acting Chief and Senior Consultant, Department of Forensic Psychiatry, Institute of Mental Health, on 17 and 20 December 2021.
5. On 22 December 2021, the Committee heard oral evidence from Dr Christopher Cheok.
6. The Committee also heard further oral evidence from Ms Khan. Ms Khan was asked to appear before the Committee, to provide her response to some evidence and documents concerning her earlier testimony, that other witnesses (Mr Singh, Ms Lim, Mr Faisal and Ms Loh Pei Ying) and Ms Khan herself had tendered, after Ms Khan testified on 2 and 3 December 2021.
7. The summary of oral evidence given on 22 December 2021 is set out at **Annex A**.
8. After hearing the above witnesses, the Committee resolved to make the entire video recording of the oral evidence available to Parliament and thereby to the public through the Parliament website.
9. The Committee will present its findings and recommendations to Parliament in due course.

Annex A

(A1) Summary of Key Points from Evidence given by Dr Christopher Cheok on 22 Dec 2021

1. Dr Christopher Cheok (“Dr Cheok”) gave evidence to the Committee of Privileges (“COP”) on 22 Dec.
2. Dr Cheok is a psychiatrist by training. He is the acting Chief of the Department of Forensic Psychiatry, and a Senior Consultant at the Institute of Mental Health.
3. Dr Cheok was invited to appear before the COP, as a medical expert, following a request made by Mr Pritam Singh (“Mr Singh”). Mr Singh had suggested that the Committee call for a psychiatric evaluation to be undertaken on Ms Raeesah Khan (“Ms Khan”). He had said that Ms Khan may, because of her mental condition of “disassociation”, be predisposed towards lying, and that some important parts of her evidence before the COP might be unreliable. This request was thereafter acceded to by the COP.
4. A summary of Dr Cheok’s evidence is set out below.

I. Background of Dr Cheok’s assessment process

5. Dr Cheok said that he had assessed Ms Khan on two occasions, 17 Dec and 20 Dec. He had also interviewed her husband, as Ms Khan’s closest next-of-kin, and reviewed the relevant recordings of Ms Khan speaking in Parliament (on 3 Aug, 4 Oct and 1 Nov) as well as her testimony before the COP (on 2 Dec and 3 Dec).

II. Dr Cheok’s assessment of Ms Khan’s mental state

6. Dr Cheok said that based on his assessment, during the material period (from 3 Aug to 3 Dec), Ms Khan did not suffer from any significant psychiatric disorder that would have impaired her ability to speak truthfully in Parliament (on 3 Aug, 4 Oct and 1 Nov), or before the COP (on 2 Dec and 3 Dec).
 - a. In his assessment, on the various occasions in Parliament and before the COP, Ms Khan was of sound mind, and was mentally fit and present to make the statements that she did. What she said was done out of her own will and she knew what she was doing.
 - b. Dr Cheok was asked about Ms Khan’s mental state on 3 Aug, when she first put across the false anecdote in Parliament. He said that when Ms Khan delivered her speech that day, it was neither done impulsively, nor as a result of dissociation, or any other psychiatric disorder.

Dr Cheok said that it was possible that such untruths could be told as a result of bad judgement, rather than because of any mental illness.

He also said that it was a normal reaction, for a sexual assault survivor to try to compartmentalise or suppress that memory.

- c. Dr Cheok said that Ms Khan did not suffer from any psychiatric disorder that would predispose her to telling untruths. Having been in practice for more than 25 years, he

said that persons with psychiatric disorders do not generally tell untruths more frequently than any other human being.

d. Dr Cheok also said that Ms Khan did not have post-traumatic stress disorder.

7. Dr Cheok said that in his assessment, Ms Khan did not suffer from any significant or material dissociation during the material period.
 - a. Dr Cheok explained that in layman terms, dissociation is a symptom, not a medical diagnosis. It refers to the loss of the integrative function of the human mind, and may also be experienced by normal persons in different situations.
 - b. Dr Cheok said that Ms Khan had told him that her psychotherapist had told her that she had dissociation. Based on his conversations with Ms Khan, Dr Cheok did not believe that she fully understood what dissociation was.
 - c. Dr Cheok was also asked by a member of the COP about dissociative identity disorder. Dr Cheok said that dissociative identity disorder, commonly called multiple identity disorder, is a different and very rare disorder. Those who suffer from this disorder would have typically gone through repeated childhood trauma, and would switch between different identities or even speak in different voices.

He said that Ms Khan certainly did not fit this description.

III. Additional Questions posed to Dr Cheok

8. Dr Cheok was also asked various additional questions, concerning the state of Ms Khan's mental health, and other possible mental conditions that might have affected her conduct in Parliament, or before the COP. These are summarised below.
9. Dr Cheok was asked if the trauma Ms Khan went through as a result of her sexual assault would continue to affect her decision making on matters concerning the incident. He was asked why Ms Khan would have lied in Parliament, were that not the case.
 - a. Dr Cheok said that Ms Khan's motivations were not something he could comment on. However, it was clear to him that Ms Khan did not dissociate, and was of sound mind, when she prepared and delivered her 3 Aug Parliament statement.
10. Dr Cheok was asked how to reconcile his finding, that Ms Khan did not suffer from PTSD or dissociation, with the evidence of some witnesses (Mr Pritam Singh, Ms Sylvia Lim, and Mr Faisal Manap), who said that Ms Khan would get emotional whenever her sexual assault was mentioned.
 - a. In response, Dr Cheok said that a sexual assault was one of the most traumatic experiences someone would ever go through. It was very normal, and understandable for a survivor to show emotion when the topic came up. In fact, speaking about one's assault plainly, without emotion, is what would be abnormal (rather than being emotional when talking about one's assault).
 - b. While Dr Cheok did not deny that Ms Khan had some symptoms of being psychological traumatised, he was of the view that the symptoms did not reach the threshold of a

psychiatric disorder. In his view, it was a normal reaction for someone who had gone through a traumatic experience, to continue to have some anxiety when speaking about the topic. This did not mean that the person would be mentally impaired or incapacitated.

- c. In Ms Khan's case, whilst she might have continued to feel upset about some of these memories, her judgement and decision-making capacity was not impaired. She was of sound mind.
11. Dr Cheok was also asked if it was nevertheless possible that Ms Khan's judgement could have been affected by the trauma, in a way that caused her to have "false memory creation". Dr Cheok responded by reiterating that Ms Khan did not suffer from dissociation, and that in his assessment, when Ms Khan spoke of her assault, she was not affected to an extent that caused her to lose her mental capacity.
 12. Dr Cheok was thereafter asked whether a person who is suffering from trauma, while still generally high functioning, could be capable of sending out a message that selectively contained a lie. Dr Cheok said that generally it is possible but there also may be other explanations why a person may give a falsehood. However, in the specific context of Ms Khan, Dr Cheok disagreed with this possibility.

(A2) Summary of Key Points from Evidence given by Ms Raeesah Khan on 22 Dec 2021

1. Ms Raeesah Khan (“Ms Khan”) was recalled on 22 Dec by the Committee of Privileges (“COP”).
2. When they appeared before the COP, Mr Pritam Singh (“Mr Singh”), Ms Sylvia Lim (“Ms Lim”) and Mr Faisal Manap (“Mr Faisal”) were given the opportunity to respond to relevant aspects of Ms Khan’s evidence, and to provide their own account of events (where their account differed from Ms Khan’s). Additional documents were also provided by them to the COP. As the respondent before the COP, Ms Khan was therefore (similarly) given the opportunity today, to respond to the additional points and documents provided by Mr Singh, Ms Lim and Mr Faisal.
3. The key points from Ms Khan’s evidence are summarised below.

I. Mr Singh and Ms Lim’s references to Ms Khan’s mental health

4. In the course of their testimony before the COP, Mr Singh and Ms Lim had claimed that Ms Khan was suffering from a mental condition, which could have affected her ability to tell the truth before the COP. (See also Annex A1 above, setting out the medical evidence on this issue.)
5. Ms Khan said that it was extremely out of line, for Mr Singh and Ms Lim to have used mental illness as a means to discredit someone. Mr Singh had tried to paint a picture of her as someone who was mentally unstable, when she was of sound mind.
6. Ms Khan said that mental health issues had to be approached with sensitivity, in today’s context. She expressed concern that using a person’s mental health to discredit them (as Mr Singh and Ms Lim had done) would set back the movement to progress mental health awareness and support. Attributing such labels on people would discourage them from seeking help, when they needed it.

II. 8 Aug Meeting with Mr Singh, Ms Lim and Mr Faisal

7. On 8 Aug, Ms Khan had met with Mr Singh, Ms Lim and Mr Faisal at Mr Singh’s house. She told them that what she had said in Parliament on 3 Aug was untrue.
8. In her earlier evidence before the COP on 2 Dec, Ms Khan had said that at this meeting on 8 Aug, Mr Singh, Ms Lim and Mr Faisal told her that:
 - a. The best thing for her to do would be to continue with the narrative that she had already given in Parliament on 3 Aug.
 - b. If Ms Khan and the Workers’ Party (“WP”) could get away with it, there was no need to clarify the lie. If the matter was brought up again, there would also be no need for her to clarify and there was no need for the truth to be told.
9. Ms Khan had also provided a contemporaneous WhatsApp message, which she had sent to Ms Loh Pei Ying (“Ms Loh”) and Mr Yudhisthra Nathan (“Mr Nathan”) shortly after the meeting, where she told Ms Loh and Mr Nathan:

“Hey guys, I just met pritam, Sylvia and Faisal. And we spoke about the Muslim issue and the police accusation. I told them what I told you guys, and they’ve agreed that the best thing to do is to take the information to the grave. They also suggested that I write a statement to send out this evening.”

10. When they appeared before the COP, Mr Singh, Ms Lim and Mr Faisal had disputed Ms Khan's account of the 8 Aug meeting. According to Mr Singh, Ms Lim and Mr Faisal, they were overwhelmed after she recounted her sexual assault. As a result, there had been no discussion during the meeting about whether or how to correct Ms Khan's untruth.
11. Ms Khan disagreed with their (Mr Singh, Ms Lim and Mr Faisal's) evidence. She said that their evidence was untrue. She also disagreed completely, with the accusation Mr Singh had made against her, of lying.
 - a. After Ms Khan shared with Mr Singh, Ms Lim and Mr Faisal on her experience as a sexual assault survivor, they had said that this issue, relating to Ms Khan's false anecdote, should not be pursued further. It was in the context of this discussion, that Mr Singh used the words "take it to the grave". (Ms Khan subsequently reproduced this phrase, in her WhatsApp message to Ms Loh and Mr Nathan (see above). She said that this was not a phrase she would ordinarily use, and that it originated from Mr Singh during the meeting.) Ms Khan confirmed that Mr Singh said this, in front of Ms Lim and Mr Faisal.
 - b. There was no discussion during the meeting on whether she should disclose the sexual assault to her father and family. Ms Khan did not recall at all that Mr Singh had told her (as he had claimed), whilst she was leaving his house, that she should tell her father about the matter.
 - c. They also discussed her views on a statement concerning clarifications regarding the topics of female genital cutting and polygamy, which she had raised in her speech on 3 Aug. It was agreed that Ms Khan would draft a statement, setting out her position on these issues, with assistance from the party leaders. Contrary to how she was characterised as being emotionally unstable, she felt that she was of sound mind as shown by her being able to discuss the statement at length.
12. Ms Khan subsequently sent the WhatsApp message (above) to Ms Loh and Mr Nathan, when she was in the car leaving Mr Singh's house.
13. Ms Khan was aware that Ms Loh and Mr Nathan would be meeting Mr Singh shortly after 8 Aug, at which she would not be present.
14. She also shared her draft statement on Muslim issues with Mr Faisal, Ms Lim and Mr Singh on the same day. They gave some edits, and she subsequently posted the statement on Facebook.

III. 3 Oct Visit from Mr Singh

15. On 3 Oct, Mr Singh met Ms Khan at her house. This was a day before the Parliament sitting on 4 Oct.
16. Ms Khan had previously told the COP that during this visit, Mr Singh told her that if she kept to her existing narrative on the untruths which she had said on 3 Aug, there would be no judgement by him (Mr Singh).
 - a. Ms Khan understood, from what Mr Singh said, that Mr Singh was advising her to continue to lie, should the matter come up the next day (4 Oct) during the Parliamentary session.
17. When he appeared before the COP, Mr Singh disagreed with Ms Khan's account (above) of his 3 Oct visit. According to Mr Singh, he told Ms Khan that it was entirely possible that someone might ask her about her 3 Aug anecdote, in Parliament the next day. He said that "*if the issue came up*", Ms Khan had "*to take responsibility and ownership of the issue*", and if she did so, he "*will not judge*" her.

18. Ms Khan disagreed with Mr Singh's account. She said this was untrue. Mr Singh never said these words ("take ownership and responsibility") to her (Ms Khan). Nor did he tell her to clarify the lie in Parliament.
19. Ms Khan stood by what she told the COP previously (see above) regarding her conversation with Mr Singh on 3 Oct. She said that Mr Singh told her, during his visit, that if the matter was brought up again in Parliament, there would be no judgement from him, if Ms Khan were to stick to the position she took on 3 Aug.
20. She confirmed that after Mr Singh left her house, there was no further discussion on how she might approach the issue if it came up.
21. Mr Singh had also claimed that Ms Khan lied, because she said that only the two of them (himself and Ms Khan) were present during this discussion, when other members of the family were at home. When asked about this today, Ms Khan maintained her earlier evidence, and clarified that whilst other family members were at home on 3 Oct, her conversation with Mr Singh was a private one (just between the two of them).

IV. 4 Oct Parliament sitting

22. During the 4 Oct Parliament sitting, the Minister for Home Affairs had given a short Ministerial Statement about Ms Khan's anecdote, and sought clarification from Ms Khan.
23. Whilst Minister Shanmugam was delivering his Ministerial Statement, Ms Khan had sent Mr Singh a message, asking: "*What should I do, Pritam?*". She asked this question because she was unsure of what to do.
24. Ms Khan was shown a video clip of her exchange with Minister Shanmugam, which showed her looking at her phone at various points in the exchange. Ms Khan said that she had been waiting for Mr Singh to respond to her message, to give her guidance about what she should do. As Mr Singh did not reply her, she answered Minister Shanmugam in accordance with their (Mr Singh and Ms Khan's) discussion on 3 Oct (i.e. that if she continued the narrative, she will not be judged).
25. Ms Khan subsequently met Ms Lim in the LO office in the afternoon that day. It was a short meeting. Ms Khan agreed that Ms Lim met her for two reasons: one, to ascertain her emotional state; and two, to give her (Ms Lim's) view that Ms Khan should seek legal advice. Ms Khan confirmed that she did get legal advice thereafter. Ms Khan also confirmed that Ms Lim did not ask why she (Ms Khan) repeated the untruth, or that she should clarify the lie during the sitting the next day (5 Oct).
26. Later that night, sometime past 11 pm, Ms Khan had met Mr Singh and Ms Lim in the LO office.
27. Ms Khan was shown Mr Singh's evidence, that she had been in a daze, and had said, "*Perhaps there is another way. That is, to tell the truth.*"
28. Ms Khan agreed that she said "*Perhaps there is another way. That is, to tell the truth.*". She said that she felt quite stressed but had not been in a daze when she said those words. Ms Khan said that she had meant to suggest that perhaps she should clarify and tell the truth, rather than continue the narrative of 3 Aug (as Mr Singh had asked her to do).
29. Ms Khan also agreed with Ms Lim's account, that Mr Singh responded by asking her (Ms Khan) if she hadn't already chosen a path. Ms Khan was shocked by Mr Singh's response because she

had spoken to Mr Singh on 3 Oct, and there was no intention or directive from him to tell the truth at that time.

30. Ms Khan agreed that if the plan was that she should clarify the lie in Parliament, there would have been steps taken in preparation for the same (as was done in the period leading up to her personal explanation on 1 Nov).

V. 29 Nov Disciplinary Panel (“DP”) Meeting

31. Ms Khan was also shown the notes which Ms Lim had taken, during the DP interview with Ms Khan on 29 Nov. These notes set out an exchange, between Mr Singh and Ms Khan:

[Taken from Ms Lim’s handwritten notes of the DP interview on 29 Nov]

PS: Before Oct session, I met you + I told you it was your call.

Did need to tell the truth in Parl occur to you?

RK: Yes but consumed with guilt + own experience.

Thought it wouldn’t come up.

PS: Can’t lie right?

RK: Yes.

32. Ms Khan confirmed that Ms Lim’s notes accurately reflected what Mr Singh had said to her (Ms Khan) during the DP interview on 29 Nov. Ms Khan agreed that the words that had been used on 29 Nov (“it was your call”) suggested that it was Ms Khan’s choice to make. Ms Khan reiterated that on 3 Oct, Mr Singh had not presented her with a choice; he told Ms Khan that if she continued the narrative, he will not judge her. (See above).
33. Ms Khan clarified that she mentioned to the DP that she may have symptoms of post-traumatic stress disorder (PTSD). When she was asked what symptoms they were, she said one of the symptoms was dissociation. But Ms Khan said she had never said that this was something that she was going through.
34. When asked what her lawyers had advised her on the issue of responding to the request from the police for information or interview, she said that her lawyers had shared with her that any clarifications to be made should be done in Parliament but that she should still tell the police of her intentions.

Annex B

MINUTES OF PROCEEDINGS OF THE COMMITTEE

12th Meeting

Monday, 20 December 2021

11.00 am

PRESENT

Mr Speaker (Mr Tan Chuan-Jin) (*in the Chair*)
Ms Grace Fu Hai Yien
Mr Desmond Lee
Ms Rahayu Mahzam
Mr Dennis Tan Lip Fong
Mr Don Wee
Mr Zaqy Mohamad

ABSENT

Mr Edwin Tong Chun Fai (on leave of absence)

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1. The Committee deliberated.
 2. Mr Pritam Singh was further examined and signed a written confirmation that the documents listed in the summons of 15 December 2021 have been produced to the Committee.
 3. Ms Sylvia Lim was further examined and signed a written confirmation that the documents listed in the summons of 15 December 2021 have been produced to the Committee.
 4. Mr Muhamad Faisal Bin Abdul Manap was further examined and signed a written confirmation that the documents listed in the summons of 15 December 2021 have been produced to the Committee.
 5. The Committee further deliberated.

Adjourned to Wednesday, 22 December 2021

13th Meeting

Wednesday, 22 December 2021

9.30 am

PRESENT

Mr Speaker (Mr Tan Chuan-Jin) (*in the Chair*)

Mr Desmond Lee

Ms Rahayu Mahzam

Mr Dennis Tan Lip Fong

Mr Edwin Tong Chun Fai

Mr Don Wee

Mr Zaqy Mohamad

ABSENT

Ms Grace Fu Hai Yien (on leave of absence)

1. The Committee deliberated.
2. *Agreed*, that oral evidence be taken on oath or affirmation from Dr Christopher Cheok, Acting Chief and Senior Consultant, Department of Forensic Psychiatry, Institute of Mental Health.
3. Dr Christopher Cheok was examined on oath.
4. Ms Raeesah Khan was further examined.
5. Question put, “That the video recordings of the oral evidence of Dr Christopher Cheok, Acting Chief and Senior Consultant, Department of Forensic Psychiatry, Institute of Mental Health and Ms Raeesah Khan be made available to Parliament and published on the Parliament website.”.

The Committee divided.

Ayes, 4

Tan Chuan-Jin

Desmond Lee

Don Wee

Zaqy Mohamad

Noes, 1

Dennis Tan Lip Fong

Resolved, “That the video recordings of the oral evidence of Dr Christopher Cheok, Acting Chief and Senior Consultant, Department of Forensic Psychiatry, Institute of

Mental Health and Ms Raeesah Khan be made available to Parliament and published on the Parliament website.”.

6. Question put, “That the Chairman’s Sixth Special Report be read a second time, paragraph by paragraph.”.

The Committee divided.

Ayes, 4

Tan Chuan-Jin

Desmond Lee

Don Wee

Zaqy Mohamad

Noes, 1

Dennis Tan Lip Fong

Resolved, “That the Chairman’s Sixth Special Report be read a second time, paragraph by paragraph.”.

7. Question put, “That paragraphs 1 to 9 inclusive stand part of the Sixth Special Report.”.

The Committee divided.

Ayes, 4

Tan Chuan-Jin

Desmond Lee

Don Wee

Zaqy Mohamad

Noes, 1

Dennis Tan Lip Fong

Resolved, “That paragraphs 1 to 9 inclusive stand part of the Sixth Special Report.”.

8. Question put, “That this report be the Sixth Special Report of the Committee to Parliament.”.

The Committee divided.

Ayes, 4

Tan Chuan-Jin

Desmond Lee

Don Wee

Zaqy Mohamad

Noes, 1

Dennis Tan Lip Fong

Resolved, “That this report be the Sixth Special Report of the Committee to Parliament.”.

9. *Agreed*, that the Chairman do present the Sixth Special Report to Parliament today.

Adjourned to a date to be fixed