

**IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE**

SC-902079-2024

Between

**PUBLIC PROSECUTOR**

And

**PRITAM SINGH**  
(NRIC No. SXXXXXXX)

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**DEFENCE CLOSING SUBMISSIONS**

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**For the Accused**  
M/s Andre Jumabhoy LLC  
77 High Street  
#03-04 High Street Plaza  
Singapore 179433

**Dated this 13<sup>th</sup> day of January 2025**

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## (1) INTRODUCTION

1. Raeesah Begum Bte Farid Khan (“**Raeesah Khan**”, “**Ms Khan**” or “**PW1**”) lies. She lied in Parliament on two occasions. She lied to her friends Ms Loh Pei Ying (“**PW2**”) and Mr Yudhishtira Nathan (“**PW3**”). She lied about the lie told in Parliament to the Secretary General of the Workers’ Party, Mr Pritam Singh (“**Mr Singh**”). These are facts.
2. Raeesah Khan lies when she is spoken to directly. She lied to **PW3** following his questions raised about her speech in Parliament by Minister of State (“**MOS**”) Desmond Tan on 3 August 2021. She lied directly to Mr. Singh when he questioned her about it. These are facts.
3. Raeesah Khan lies in text messages. She lied to both PW2 and PW3 about the truth of her anecdote. She lied for days on end in messages to Mr. Singh about the truth of her anecdote. These are facts.
4. We don’t need to determine whether Raeesah Khan lies because that has already been conclusively established. Not only has she admitted to lying, but we also had a national spectacle in the form of the Committee of Privileges (“**COP**”) to establish the fact that she lies.
5. But in a curious turn of event, it is not Raeesah Khan that is in the dock for lying, but Mr Singh. Of the four individuals, Raeesah Khan, PW2, PW3 and Mr. Singh, brought before the police investigation in respect of Ms Khan’s lie told in Parliament, only Mr. Singh is charged with an offence. Raeesah Khan, who lies continuously and indiscriminately, is not charged with any offence. PW2 and PW3, both of whom, at the very least, conspired to hide from Parliament evidence of how they persuaded Ms Khan to continue lying in Parliament, which was made clear to the police during their investigations, are not charged with any offence.
6. It is Mr Singh that is charged with the offences. The same Mr. Singh, who from the moment he had sight of the anecdote that Ms Khan intended to deliver in Parliament on 3 August, called on her to substantiate the anecdote; the same Mr Singh who, even after the sitting of Parliament on 3 August had ended, and in the days that followed, pressed Ms Khan to

provide the necessary details to substantiate her anecdote. The same Mr Singh who, after Ms Khan recovered from shingles in September, and before the next sitting of Parliament on 4 October, sent an email impressing the importance of being able to back up and defend what an MP says in Parliament; and the same Mr. Singh who, on 3 October, went to Ms Khan's house to warn her that the government may bring up the issue again. Throughout all this Mr Singh has been consistently clear in his position. Initially, he was prepared to give her time to speak to her parents and collect herself before admitting the fact that she lied to Parliament, but he was not prepared to let that go on indefinitely. It was Mr Singh who emphatically rejected the pleas from Ms Khan's friends, PW2 and PW3, to cover up the lie with another one. He has never hidden the fact that it was Ms Khan's duty to take responsibility and ownership of the issue, and that it was her decision to continue to lie, a fact that he made clear to Ms Khan, and from which she did not demur. He did not seek to control how she responded to questions following her admission to Parliament that she lied because he had nothing to hide. He did not get together with Ms Khan, PW2 and PW3, before the COP in any attempt to align his account, because there was nothing to align. He did not give in to threats before the hearing from PW2 because there was nothing that could threaten him. Rather, his advice to anyone who asked was to tell the truth. And he did not seek to delete his messages to the COP because there was nothing for him to hide about his conduct. Yet, it is Mr. Singh, who has maintained the account he gave in the COP surrounding Ms Khan's lie, that is charged.

7. The charges against Mr Singh are as follows:

- a. **1<sup>st</sup> Charge (MCN-900426-2024)** – that as at the conclusion of his meeting with Ms Khan, Lim Swee Lian Sylvia and Muhamad Faisal bin Abdul Manap on 8 August 2021, Mr Singh wanted Ms Khan to, at some point, clarify in Parliament that what she told Parliament on 3 August 2021 about having accompanied a rape victim to a police station was untrue.
- b. **2<sup>nd</sup> Charge (MCN-900427-2024)** – that when Mr, Singh spoke to Ms Khan on 3 October 2021, he wanted to convey to Ms Khan that she had to clarify that what she told Parliament on 3 August 2021 about having accompanied a rape victim to a police station was untrue if this issue came up in Parliament on 4 October 2021.

8. As this trial has established, the charges are based, not on answers to questions that he actually gave, but the purported “thrust” of what he said.
9. To add further insult to injury, the Prosecution’s case is essentially that the word of a proven liar and her two friends desperate to cover up their own role should be believed over that of Mr. Singh. If there is one thing that this trial has demonstrated, the “truth” seems to escape these three individuals, Ms Khan, PW2 and PW3, each time they take an oath to tell it. Worse still, this trial has revealed the lies they told to the COP and to this Court, the conspiracies they hatched behind closed doors, and the extent they would go to ensure that the truth never sees the light of day.
10. As the court sits to weigh the evidence in this matter the question that must sit heavy on its shoulders is this: is it really possible to believe, beyond all reasonable doubt, the words of proven, self confessed liars over those of Mr Singh? Whether or not Mr Singh could, with the benefit of hindsight, done or said something else to make his position clear is neither here nor there. The crux of the matter is this: can the court take the word of liars – including those that have seen fit to lie before this court in the course of these proceedings – as proof that Mr Singh lied? The answer must be a resounding no.

## **(2) SUMMARY OF THE EVIDENCE**

### **(A) 7 August 2021 – Ms Khan informs Mr Singh, PW2 and PW3 that the Anecdote was a lie**

11. In his evidence-in-chief (“**EIC**”), Mr Singh testified that it was only on 7 August 2021, Ms Khan told him that she had not been successful in contacting the purported victim in the anecdote she had given at the Parliamentary sitting on 3 August 2021 (“**the Anecdote**”). When he continuously pressed her for details, Ms Khan told him that the Anecdote was untrue.<sup>1</sup>
12. That same day at 7:11PM, PW2 messaged a group chat comprising PW2, PW3, and Ms Khan (“**the Group Chat**”), asking Ms Khan “Is it bad?”. Ms Khan replied with “It’s very

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<sup>1</sup> NE (5 November 2024) at p 79 lines 3 – 15.

bad”.<sup>2</sup> When PW2 asked her if it was “internal and easy to contain”, Ms Khan said “Yes if pritam wishes for it to be”. In her EIC, she explained that she believed this to be true because “maybe [Mr Singh] wouldn't tell anyone or he would advise me on a solution that I wouldn't have to go public about my mistake”.<sup>3</sup> At about 7:30PM, Ms Khan joins a Zoom meeting with PW2 and PW3 where she admitted to them that the Anecdote was untrue, and that she had informed Mr Singh of the same.<sup>4</sup>

**(B) 8 August 2021 – Ms Khan meets with the Workers’ Party (“WP”) Leadership**

13. On 8 August 2021, Mr Singh met with Ms Khan, Ms Sylvia Lim (“**Ms Lim**”), and Mr Faisal Manap (“**Mr Manap**”) at his home. At the meeting, Ms Khan informed the WP leaders that she was raped when she was 18 years old, and she began crying uncontrollably. This was the first time the WP leaders had learnt of Ms Khan’s personal trauma and were understandably shocked by the revelation. They allowed her time to settle down and continue recounting her sexual assault experience. Mr Singh testified that the WP leaders “didn't make any enquiries into the nature of the sexual assault. I mean, we took her at her word and I think her state at that point was very fragile, very emotional”.<sup>5</sup> As Ms Khan left Mr Singh’s home, he “reminded her to speak to her parents and then we will address the other matter later on”.<sup>6</sup>
14. According to Ms Khan, at the meeting, Mr Singh “spoke about ... putting [her] through the Committee of Privileges. But then he said, you know, this would probably be something that we would have to take to the grave”<sup>7</sup> and “Ms Lim mentioned that, you know, probably the issue wouldn't come up again.” Mr Singh testified that at no point during this meeting did he tell Ms Khan to continue the narrative as he was sure that the matter of Ms Khan’s lie would be followed up by the government.<sup>8</sup>
15. After the meeting, Ms Khan purportedly sent a message in the Group Chat at 12:41:58PM stating “Hey guys. I just met with pritam, Sylvia and Faisal. And we spoke about the

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<sup>2</sup> P7 at binder page 1.

<sup>3</sup> NE (14 October 2024) at p 70 lines 1 – 4.

<sup>4</sup> NE (14 October 2024) at p 71 lines 3 – 12.

<sup>5</sup> NE (5 November 2024) at p 83 lines 16 – 21.

<sup>6</sup> NE (5 November 2024) at p 85 lines 2 – 4.

<sup>7</sup> NE (14 October 2024) at p 74 lines 3 – 10.

<sup>8</sup> NE (5 November 2024) at p 85 line 24 – p 86 line 24.

Muslim issues 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" (**"the 12:41 Message"**). The group proceeded to discuss the Muslim issue. Curiously, none of them referred to the part of the message about the lie.

**(C) 10 August 2021 – Mr Singh meets with PW2 and PW3**

16. On 10 August 2021, Mr Singh was scheduled to meet with PW2 and PW3 to discuss a code of conduct for WP members and volunteers. About 30 minutes before the meeting, PW2 messaged the Group Chat at 8:23AM to ask Ms Khan, "have you decided if you want us to tell Pritam?"<sup>9</sup> After Ms Khan informed PW2 that she had already told Mr Singh about the lie, PW2 asked her what his reaction was like. Ms Khan said, "He looks at me different now, but I think he empathizes on why I lied".
17. Shortly thereafter, PW2 met with Mr Singh at the Aljunied-Hougang Town Council office. Mr Singh testified that a large part of the meeting was spent discussing whether the WP's code of conduct for volunteers should be extended to their MPs but at some point, PW2 shared with him "details about victims of sexual assault and how they have a tendency to lie".<sup>10</sup> Mr Singh understood the underlying concern of PW2's comment was Ms Khan's lie as she had told him that they were aware that the Anecdote was untrue. He did not respond to PW2's comment, nor did they discuss his meeting with Ms Khan on 7 August.<sup>11</sup>
18. The prosecution witnesses gave a different account of the facts, which Mr Singh denies. PW2 testified that her memory of their discussion of Ms Khan's lie was fuzzy because they "avoided talking about it explicitly"<sup>12</sup> and after this, a purported 'unspoken conversation' took place where Mr. Singh purportedly managed to convey to her through no spoken words that the matter of Raeesah Khan's lie "will not come up" in Parliament.<sup>13</sup> PW3 subsequently arrived at the meeting and recounted for the first time, despite his evidence to the COP,<sup>14</sup>

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<sup>9</sup> P12 at binder page 1.

<sup>10</sup> NE (5 November 2024) at p 90 lines 8 – 18.

<sup>11</sup> NE (5 November 2024) at p 90 line 25 – p 91 line15.

<sup>12</sup> NE (14 October 2024) at p 125 line 15 – p 126 line 12.

<sup>13</sup> NE 18 Oct 2024 p870 lines 10-18

<sup>14</sup> NE 21 Oct 2024 p1036 lines 18-25, p1037 lines 1-14



that Mr Singh “saying something to the effect of that conservative religious men in our society would not like the fact that one of their Members of Parliament had been sexually assaulted or would not like to have an MP who had been sexually assaulted”.<sup>15</sup> After the meeting ended, PW2 informed Ms Khan that they spoke to Mr Singh and “(t)he convo wasn’t about you and it was really about code of conduct, but we did discuss what happened this week a little”.<sup>16</sup>

19. Between the 10 August Meeting and 30 September 2021, Mr Singh and the WP were occupied with the Parliamentary debate on the India-Singapore Comprehensive Economic Cooperation Agreement (“CECA”) which “started from the end of August, right through to the [13] September sitting of Parliament, and thereafter almost immediately we jumped into [the Foreign Interference (Countermeasures) Act (“FICA”)].” Ms Khan was unable to attend the Parliamentary sitting on 13 September as she was suffering from shingles.

#### **(D) 1 to 4 October 2021 – Events leading to Ms Khan’s second lie in Parliament**

20. On 1 October 2021, Mr Singh sent an email titled “Parliamentary Protocol” to the WP Members of Parliament (“MPs”) including Ms Khan.<sup>17</sup> In the email, Mr Singh cited a parliamentary debate which “restates how serious it is to be able to back up and defend what you say in Parliament, or risk being hauled up before the Committee of Privileges.”
21. The email states:

Dear team,

The preparation for our debate on FICA, has led me to look up the Hansard on the Hendrickson affair, when Parliament debated the matter over 5 days in May 1988. Separately, I also found it helpful to read about the abolishment of appeals to the Privy Council in cases involving review of ISA cases (see Hansard - Constitution of the Republic of Singapore [Amendment] Bill dated 25 Jan 1989) as the G’s arguments on the extent of judicial review where security concerns are involved may well be repeated during the FICA debate if today’s opinion piece (Stanley Lai SC and Ong Keng Yong) is anything to go by.

But my note to all of you today arises from one part of the former debate (extracted below) re: Hendrickson, which restates how serious it is to be able to back up and defend what you say in Parliament, or risk being hauled up before the Committee of Privileges.

Yours faithfully,  
Pritam Singh

<sup>15</sup> NE (18 October 2024) at p114 lines 12 – 21.

<sup>16</sup> P 12 at binder page 3.

<sup>17</sup> P26.

22. On 3 October 2021, Mr Singh met Ms Khan at her home to “speak to her and share with her in person [his] views on the false anecdote and to forewarn her that it may come up at the next sitting” on 4 October 2021.<sup>18</sup> At the meeting, Mr Singh told Ms Khan that “she is going to be back in Parliament and the matter of the anecdote may come up, and if it did come up, she would have to take ownership and responsibility over the issue” in that she had to tell the truth and clarify the lie in Parliament.<sup>19</sup> Ms Khan did not question what Mr Singh meant by this, and he told her that “I will not judge you.”<sup>20</sup> In her EIC, Ms Khan’s account was that Mr Singh said, “something along the lines of “I don’t think the issue will come up”, but if it does come up he wouldn’t judge me for continuing the narrative”.<sup>21</sup>
23. At the Parliamentary sitting on 4 October 2021, Minister for Home Affairs K Shanmugam (“**Minister Shanmugam**”) pressed Ms Khan for further details concerning the Anecdote.<sup>22</sup> Ms Khan confirmed that the Anecdote was true and declined to provide further details. Later that day between 5:56PM and 6:17PM, Ms Khan, PW2 and PW3 discuss the 4 October sitting in the Group Chat. At 6:01PM, PW2 tells Ms Khan to “lawyer up”<sup>23</sup> and at 6:17PM, Ms Khan tells the others “Alright we can delete it now”.<sup>24</sup> Most of the messages within that time period are then deleted. At 8:43PM, Ms Khan creates a new WhatsApp group chat and added PW2 and PW3 to the chat. She informs them that she intends to consult a lawyer, and PW3 suggested to her that “if you consult a lawyer also need to be careful what you tell the lawyer”.<sup>25</sup>

#### **(E) 5 to 11 October 2021 – Events leading to the 12 October Meeting**

24. On 5 October 2021, Ms Khan, PW2, and PW3 continue messaging each other on the new group chat. At 6:54PM, PW3 suggested to Ms Khan that the Leader of the House, Ms Indranee Rajah (“**Ms Rajah**”), had no evidence to bring Ms Khan before the COP, whereas PW3 suggested that Ms Rajah had no grounds to do so.<sup>26</sup>

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<sup>18</sup> NE (5 November 2024) at p 103 lines 20 – 23.

<sup>19</sup> NE (5 November 2024) at p 104 line 13 – p 105 line 19.

<sup>20</sup> NE (5 November 2024) at p 106 lines 2 – 9.

<sup>21</sup> NE (14 October 2024) at p 110 line 18 – p 111 line 12.

<sup>22</sup> P3

<sup>23</sup> P16 at binder page 6.

<sup>24</sup> P16 at binder page 11.

<sup>25</sup> D2-1

<sup>26</sup> D2-2

25. On 11 October 2021, Mr Singh and Ms Lim met with PW4. Ms Lim told PW4 that Ms Khan had lied in Parliament and that she (i.e., Ms Lim) was considering holding a press conference for her to apologise. Mr Singh's evidence of this meeting was that he and Ms Lim had already determined that Ms Khan would have to clarify the lie in Parliament and, therefore, only sought PW4's views on whether she should also tell the truth at a press statement as it would be quicker to bring the lie to light.<sup>27</sup> Mr Low similarly testified that Ms Lim told him that she was considering holding a press conference for Ms Khan to apologise,<sup>28</sup> and that he told Mr Singh and Ms Lim that Ms Khan had to apologise and clarify the lie in Parliament.<sup>29</sup>

**(F) 12 October 2021 – Mr Singh meets with Ms Khan, and PW2 and PW3, respectively**

26. It is undisputed that, on 12 October 2021, Ms Khan met with Mr Singh and Ms Lim at the Mr Singh's house where he told her that she would have to make a statement in Parliament to clarify the lies she had told on 3 August and 4 October 2021. He told her that she would have to draft her own statement as she had to take responsibility for it. Mr Singh's evidence is that the reason for why he was now asking her to provide a draft personal statement was that Ms Khan had already lied twice to Parliament, and "the critical thing was ensuring that she did not tell another lie in Parliament".<sup>30</sup>
27. Later that day, PW2 and PW3 met Mr Singh at his home. He testified that PW2 and PW3 expressed concerns about Ms Khan having to make a statement in Parliament: "They did not appear keen for Raeesah to admit to what was the truth of what she had said on 3 August and Yudhish in particular was suggesting to continue with a lie by saying that any clarification in Parliament should just cover the fact that she could not confirm the person's age or -- basically just not wanting to deal with the issue, and that was very strange to me because of where matters had already arrived at and I rejected that and I said, "Look, she will have to clarify and make a personal statement". They weren't so convinced and I voluntarily told them that I had spoken to Mr Low and we all had agreed, we were all in agreement that a personal statement had to be made."<sup>31</sup>

<sup>27</sup> NE (5 November 2024) at p 118 line 19 – p 119 line 10.

<sup>28</sup> NE (23 October 2024) at p 54 lines 1 – 4.

<sup>29</sup> NE (23 October 2024) at p 57 lines 6 – 8.

<sup>30</sup> NE (5 November 2024) at p 125 line 20 – p 126 line 4.

<sup>31</sup> NE (5 November 2024) at p 123 lines 2 – 15.

28. PW2's evidence of the meeting was that Mr Singh recounted "that he had a feeling this matter would come up in Parliament that day, on 4 October, and that he had went to speak to Ms Khan the day before and sort of gave her a choice of whether or not to come clean in Parliament and that he will not judge her."<sup>32</sup> She accepted that he may have said that he told Ms Khan to take ownership and responsibility:<sup>33</sup>

6           Q.    In this conversation with Mr Singh, he recounted to  
7                    you that he told Ms Khan to take ownership and  
8                    responsibility.

9           A.    I don't recall the words "ownership and  
10                 responsibility".

11          Q.    Is it possible that he said something to that  
12                 effect?

13          A.    It is possible.

29. PW3's evidence was as follows: "So Mr Singh did convey to us that Mr Singh had visited -- that he had a feeling that the issue of Ms Khan's anecdote would come up in Parliament again, and he had conveyed to us, that night on 12 October, that on 3 October he had paid a visit to Ms Khan's house and that he had told Ms Khan or that he had conveyed to Ms Khan that whether she decided to continue the lie or narrative or whether she decided to tell the truth, that he would not judge her. So he said verbatim "I will not judge you". That was what he conveyed to Ms Loh and I."<sup>34</sup>

**(G)16 October to 1 November 2021 – Events leading up to Ms Khan's clarification in Parliament**

30. Having dealt with the core events, we set out briefly the chronology of the events leading up to Ms Khan giving her personal statement in Parliament to clarify the lie:

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<sup>32</sup> NE (17 October 2024) at p 54 lines 18 – 23.

<sup>33</sup> NE (18 October 2024) at p 19 lines 6 – 13.

<sup>34</sup> NE (18 October 2024) at p 142 lines 14 – 24.

(1)	16 Oct 2021	Ms Khan provided a draft of her personal statement to Mr Singh.
(2)	18 Oct 2021	Ms Lim met with PW4 and told him that Ms Khan would be clarifying the untruth in Parliament.
(3)	20 Oct 2021	The police issued a statement indicating that Ms Khan had not responded to their request for an interview. Ms Khan informed the media that she would be making a personal statement at the next Parliamentary sitting. Thereafter, she sends a further draft of her personal statement to Mr Singh.
(4)	23 – 26 Oct 2021	Ms Khan provided two further drafts of her personal statement to Mr Singh.
(5)	27 Oct 2021	Mr Singh meets with Ms Khan to discuss her draft statement.
(6)	29 Oct 2021	Ms Khan met with the WP Central Executive Committee and informed the WP members about her lie and read them her latest draft of her personal statement.
(7)	31 Oct 2021	Mr Singh met with Ms Khan to review the final draft of her personal statement.
(8)	1 Nov 2021	Ms Khan clarified in Parliament that her anecdote was untrue.

#### **(H) 10 November to 2 December 2021 – The events leading up the COP proceedings**

31. On 10 November 2021, PW2 messaged Mr Singh to share her view that Ms Khan should not be expelled from the WP. At 11:27:03 PM, PW2 tells Mr Singh: "...Everyone is of the view that we can cut her loose and distance the party from her mistake. But if she's out of the party, she's still subjected to the committee of privileges, and there's not much we can do to what she says and shares when it gets there".<sup>35</sup>
32. During cross-examination, PW2 explained that her motivation for wanting to keep Ms Khan in the WP was so that the Party could control the narrative surrounding Ms Khan's

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<sup>35</sup> P22 at binder page 2.

lie as she was afraid that Mr Singh would accuse her and PW3 of conspiring with Ms Khan to create the lie.<sup>36</sup>

33. On 29 November 2021, Ms Khan, PW2 and PW3 each received a notice that they were required to give evidence at the COP on 2 December 2021, and Ms Khan and PW2 had a phone call to arrange a meeting. Later that night, PW2, PW3, and Mike Lim met at PW2's home where they decided to threaten Mr Singh to change the DP's decision to expel Ms Khan from the WP and/or to put out the Party's position in public.<sup>37</sup>
34. PW2 conceded that on 1 December 2021, after the WP put out a statement announcing Ms Khan's resignation on 30 November 2021,<sup>38</sup> PW2 sent a message to only PW3 saying "I can't believe our worst nightmare happened".<sup>39</sup> That night, just hours before the first COP hearing, Ms Khan, Mike Lim, PW2 and PW3 met at PW2's home to align the evidence that they were going to give to the COP; amongst other things, Ms Khan wanted to tell the COP that the WP leaders knew about her lie in October 2021, but PW2 persuaded her to tell the COP that they had known since August 2021 so that Ms Khan's evidence would not contradict her own.<sup>40</sup>
35. PW2's efforts to control the narrative told to the COP persisted until the first day of the COP proceedings on 2 December 2021. She testified that she had only texted PW3 right before she gave evidence to the COP, and once more at about 5:37 PM that evening.<sup>41</sup> However, when she was asked whether she had messaged PW3 while she was in the Parliament building between 1:41 PM and 2:08 PM, she admitted that she called PW3 on the phone during her lunch in the Parliament building, that PW3 "might have texted me here and there", and that she had deleted those messages from her phone immediately after she gave evidence before the COP.<sup>42</sup> PW2 further conceded that while the COP permitted her to call PW3 to give him a heads-up that he would be called to give evidence – despite

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<sup>36</sup> NE (18 October 2024) at p 30 line 3 – p 31 line 19.

<sup>37</sup> NE (18 October 2024) at p 34 line 3 – p 35 line 20.

<sup>38</sup> p33.

<sup>39</sup> NE (18 October 2024) at p 36 line 14 – p 38 line 21.

<sup>40</sup> NE (18 October 2024) at p 39 – p 41 line 25.

<sup>41</sup> NE (18 October 2024) at p 45 lines 24 – 25.

<sup>42</sup> NE (18 October 2024) at p 47 lines 4 – 23.

as Mr Tong puts it “the usual rules”<sup>43</sup> – her discussion with PW3 over the phone when beyond what the COP had permitted her to do.<sup>44</sup>

### **(3) THE LAW**

#### **(A) The Elements of the Offence**

36. Section 31(q) of the PPIPA states:<sup>45</sup>

**31.** No person shall —

(q) whether or not he has been sworn or has made an affirmation, wilfully make a false answer to any question material to the subject of inquiry put during examination before Parliament or a committee.

37. On 5 November 2024, the Court rejected the Defence’s submission of No Case to Answer and called Mr Singh to enter his defence. In its brief Oral Judgment on this issue, the Court held that the elements of the 1<sup>st</sup> Charge are as follows:

- a. Mr Singh had made an answer to the COP’s questions on 10 December 2021 that, as at the conclusion of the 8 August Meeting, he wanted Ms Khan to, at some point, clarify in Parliament that the Anecdote was untrue;
- b. The COP’s questions on this issue were material to the subject of inquiry put during examination before the COP;
- c. The answer made by Mr Singh was false; and
- d. Mr Singh had made such false answer wilfully.

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<sup>43</sup> P50 (Vol 1) at p B82, [1354].

<sup>44</sup> NE (18 October 2024) at p 50 line 4 – p 52 line 10.

<sup>45</sup> Defence Bundle of Authorities (“**DBOA**”) at Tab 1.

38. Whilst the Court was silent as to the elements of the 2<sup>nd</sup> Charge, it follows from its interpretation of the 1<sup>st</sup> Charge that the following elements must be proven by the Prosecution in respect of the 2<sup>nd</sup> Charge:

- a. Mr Singh had made an answer to the COP's questions on 10 and 15 December 2021 that, when he spoke to Ms Khan on 3 October 2021, he wanted to convey to Ms Khan that she had to clarify in Parliament that the Anecdote was untrue if this issue came up in Parliament on 4 October 2021.
- b. The COP's questions on this issue were material to the subject of inquiry put during examination before the COP;
- c. The answer made by Mr Singh was false; and
- d. Mr Singh had made such false answer wilfully.

39. In its Oral Judgment, this Court held that the *actus reus* of the offence i.e., the giving of a false answer may be satisfied by an “amalgamated approach”. The alleged false answer may take the form of “the gist of what the accused said in his testimony to the COP when answering questions posed to him”.<sup>46</sup>

40. As for what it means to make a false answer “wilfully”, we had submitted at [21] – [25] of our submissions of No Case to Answer that the word connotes a clear or deliberate intention to give a false answer. We set out below the relevant authorities for convenience:

- a. In *Chng Gim Huat v PP* [2000] 2 SLR(R) 360,<sup>47</sup> Yong Pung How CJ (as he was then) approved this definition in respect of an offence of wilfully omitting to declare interest income with intent to evade tax:

“This term (‘wilfully’) has been discussed fully and defined in several decided cases. In the case of *Senior* [1899] 1 QB 283, at p 290, Lord Russell of Killowen described

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<sup>46</sup> NE (5 November 2024) at p38 lines 16 – 18.

<sup>47</sup> DBOA at Tab 2.



the term thus; ‘wilfully’ means that the act is done deliberately and intentionally, not by accident or inadvertence, but so that the mind of the person who does the act goes with it. This interpretation was adopted in the case of *AB Tamboli v Agent, GIP Railway Company*, Bombay AIR 1928 Privy Council (Bombay) 24, at pp 26–27. Again, in the case of *Iannella v French* (1967-1968) 41 ALJR 389, at p 393, Barwick CJ stated, ‘... “wilful” connotes intention and knowledge: ...’ and further in his judgment therein, that, ‘the word contains in its connotations elements of purpose’. Windeyer J, also in the same case, at p 399, expanded on this interpretation of the term in the words, ‘If the word “wilfully” be given the meaning and effect that I think it has in this context, then an honest mistake as to the existence of any element essential to the offence is a defence’. He also referred to the judgement of Napier CJ in the case of *Davies v O’Sullivan (No 2)* [1949] SASR 208, wherein it was stated. ‘the natural meaning (of the term “wilfully”) ... is that the act was done intentionally, not by accident or inadvertence, but so that the mind or will of the action goes with the act ...’ with which he expressed his agreement. ... Windeyer J added that, ‘That word “wilfully” does not stand alone. Its importance is in the meaning which it gives to its context’. [emphasis added]

And further, at [66]:

*Wilfulness implies knowledge proved by circumstantial evidence, rather than by direct evidence, to be gathered from the acts and conduct of the appellant. With intent to evade tax implies motive. What was the motive of the appellant? Was it solely to evade payment of less tax? The ultimate question before the court is what is the totality of the evidence of the acts and conduct of the appellant at the relevant time when the appellant prepared and submitted Exh P15 to enable the court to infer that the omission ... was an act done wilfully.* [emphasis added]

- b. The learned authors of Ratanlal & Dhirajlal, *The Indian Penal Code*, (Butterworths, 2012 Reprint)<sup>48</sup> made the similar observations in relation to the *mens rea* of the offence under section 191 (see also *Ramgobind Ram v Emperor* 72 Ind Cas 887 at [6]):<sup>49</sup>

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<sup>48</sup> DBOA at Tab 8.

<sup>49</sup> DBOA at Tab 7.

“...the intention to commit perjury must be clearly present before a person charged with that offence can be properly convicted of it and *if a statement capable of being construed in any reasonable way in such committing does not show a clear intention of committing perjury or a deliberate attempt to make a false statement*, then the statement does not *per se* contain the elements of the offence.” [emphasis added]

41. Considering these authorities, it is submitted that “wilfully” requires the Prosecution to prove beyond reasonable doubt that the totality of the evidence of Mr Singh’s acts and conduct at the time of the offences evince a clear or deliberate *intention* to give a false answer to the COP *knowing* that such answers were false.

**(B) Beyond Reasonable Doubt – the Prosecution’s burden of proof is not discharged on the basis of which story is more plausible**

42. In *Jayasekara Arachchilage Hemantha Neranjan Gamini v PP* [2011] 3 SLR 689,<sup>50</sup> Steven Chong J (as he was then) stated at [2]:

“These two appeals have brought to the fore yet again that this fundamental principle of law must be applied unwaveringly to prevent any miscarriage of justice. *This case serves as a reminder that the Prosecution’s burden of proof cannot be discharged simply by persuading the trial judge to accept that the Prosecution’s version of the events is more probable than the version offered by the accused without addressing the critical question whether the evidence adduced by the Prosecution has proved the charge beyond reasonable doubt.* When this occurs, it may lead to an egregious error in conflating and confusing the crucial difference in the treatment of the burden of proof in a criminal case with that of a civil trial.” [Our emphasis]

43. The Court in Appeal in *PP v Mohammed Liton Mohammed Syeed Mallik* [2008] 1 SLR(R)<sup>51</sup> at [34]-[35]:

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<sup>50</sup> DBOA at Tab 3.

<sup>51</sup> DBOA at Tab 5.

“Unlike civil cases, where the court may choose between two competing stories and accept the one on a balance of probabilities, that is to say, accepting that version because it seemed more plausible than the other, in a criminal case, there is an important norm to be taken into account at all times – that where there is a reasonable doubt, that doubt must be resolved in favour of the accused. *It is inherent [in] the requirement that the prosecution proves its case beyond reasonable doubt.*

... What this means is that *unlike a civil case, the court’s verdict might not merely be determined on the basis that as between the two competing stories, which version was the more plausible one. In a criminal case, the court may find ... the complainant’s story to be more probable than that of the accused person’s version, and yet, be convinced that there is a reasonable possibility that the accused person’s story could be true.* If that were the case, the court’s duty is to acquit. Unlike a civil case, the court need not make a decision by concentrating on which of the two versions was more probable. In the criminal trial the court must remind itself to break from any habitual inclination to contemplate the question of the burden of proof on the basis of a civil case, and instead, ask itself whether there was a reasonable possibility that the accused person’s version was true.” [Our emphasis.]

44. When considering Raeesah Khan’s evidence, the Court should be minded of the requirement that such evidence, in order to sustain a conviction, must be “unusually convincing”. As the Court of Appeal stated in *Public Prosecutor v GCK* [2020] SGCA 2:<sup>52</sup>

“87 We agree with the parties that the “unusually convincing” standard is the only standard to be applied where an eyewitness’s uncorroborated testimony forms the sole basis for a conviction. With respect, we are of the view that the Judge erred when he appeared to suggest that there were differing standards in relation to eyewitnesses as opposed to alleged victims.

88 The “unusually convincing” standard is used to describe a situation where the witness’s testimony is “so convincing that the Prosecution’s case [is] proven beyond reasonable doubt, solely on the basis of the evidence”: see *Mohammed Liton* at [38]. In *Haliffie bin Mamat v Public Prosecutor and other appeals* [2016] 5 SLR 636 at [28], this court

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<sup>52</sup> DBOA at Tab 4.

considered that “a complainant’s testimony would be unusually convincing if the testimony, ‘when weighed against the overall backdrop of the available facts and circumstances, contains that ring of truth which leaves the court satisfied that no reasonable doubt exists in favour of the accused’” (citing *Mohammed Liton* at [39]). The relevant considerations in this regard include the witness’s demeanour, and the internal and external consistencies of the witness’s evidence.

89 In our judgment, the “unusually convincing” standard is necessarily applicable to the evidence of an eyewitness, just as it would apply to that of a complainant or an alleged victim, as long as the testimony of the witness in question is uncorroborated and therefore forms the sole basis for a conviction. This is because the basis for the “unusually convincing” standard has nothing to do with the status of the witness concerned (namely, whether he or she is an alleged victim or an eyewitness), and instead has everything to do with “the ultimate rule that the Prosecution must prove its case beyond a reasonable doubt”: see *XP* at [31]. In the absence of any other corroborative evidence, the testimony of a witness, whether an eyewitness or an alleged victim, becomes the keystone upon which the Prosecution’s entire case will rest. *Such evidence can sustain a conviction only if it is “unusually convincing” and thereby capable of overcoming any concerns arising from the lack of corroboration and the fact that such evidence will typically be controverted by that of the accused person*: see the decision of this court in *AOF v Public Prosecutor* [2012] 3 SLR 34 (“AOF”) at [111]. (Our emphasis.)

#### **(4) SUBMISSIONS ON THE 1<sup>ST</sup> CHARGE**

45. The thrust of the first charge alleges that Mr. Singh, at the conclusion of the meeting on 8 August, had entertained no thought for Ms Khan to clarify in Parliament the lie that she had told on 3 August. Accordingly, for the Prosecution to succeed on this charge it is necessary for them to establish that nothing Mr. Singh said on 8 August gave rise to the suggestion that she must clarify the lie.
46. Further, as the evidence on this comes exclusively from Raeesah Khan and no one else, her evidence can sustain a conviction only if it is “unusually convincing” and thereby capable of overcoming any concerns arising from the lack of corroboration and, most

importantly, the fact that it is controverted by, not only by Mr. Singh's account, but the other persons present at the meeting, namely, Ms Sylvia Lim and Mr. Faisal Manap.

**(A) Ms Khan's three different accounts of what Mr Singh allegedly said to her at the 8 August Meeting falls far short of being unusually convincing**

47. For witness evidence to be accepted as unusually convincing it is necessary to overcome the internal and external consistencies of her own statements. In this case, Ms Khan had given several versions of the events that occurred on 8<sup>th</sup> August, during her appearance before the COP and at trial.

48. On 2 December 2021 she was first questioned by the COP as to the events of 8<sup>th</sup> August:

[1503] **Mr Edwin Tong Chun Fai:** What was their reaction to this?

[1504] **Ms Raeesah Khan:** It was incredible disappointment. There was a lot of anger, but I think there was some compassion there as well. The reaction was that if I were not to be pressed, then the best thing to do would be to retain the narrative that I began in August.

[1505] **Mr Edwin Tong Chun Fai:** Let me understand the last statement. You said if you were not going to be pressed, and then you would retain the narrative that you started in August.

[1506] **Ms Raeesah Khan:** Yes.

[1507] **Mr Edwin Tong Chun Fai:** It means, "If you can get away with it, we don't need to clarify the lie", correct?

[1508] **Ms Raeesah Khan:** I think in the simplest terms, yes, you are correct.

[1509] **Mr Edwin Tong Chun Fai:** And, so, the Workers' Party leadership was present there. Their initial reaction to being told that there was a lie or falsehood said in Parliament was to try and duck the issue, if possible, and if it doesn't come up, then the truth may not be told eventually, correct?

[1510] **Ms Raeesah Khan:** I have to say, though, that Pritam Singh's initial response was that I should go to the Committee of Privileges. But after discussions and me explaining the circumstances that led me to the information in the first place, that changed.

[1511] **Mr Edwin Tong Chun Fai:** So, the upshot of the meeting a few days after 7 August was that the Workers' Party leadership decided that there would be no need to clarify the position, they will keep the lie in place, since if you're not pressed, there's no need to clarify the truth, correct?

[1512] **Ms Raeesah Khan:** Correct.

49. Her first account was to the COP on 2 December 2021 when she testified that the WP's leadership's reaction to her revelation that the Anecdote was a lie "was that if I were not to

be pressed, then the best thing to do would be to retain the narrative that I began in August.” When questioned by Mr. Edwin Tong (“**Mr. Tong**”), she agreed that she understood this to mean that “the Workers’ Party leadership decided that there would be no need to clarify the position, they will keep the lie in place, since if you’re not pressed, there’s no need to clarify the truth”.<sup>53</sup>

50. This account would cut against the Prosecution’s case, as it certainly could not be suggested that it can establish that Mr. Singh did not intend for her to clarify the lie in Parliament. On the contrary, on the clear wording of the statement, only if she were not pressed, would she not have to clarify the lie. That presupposes the point that, if she was questioned, she would have to clarify the lie. This is something she conceded:<sup>54</sup>

22           Q.    I mean, I will counter that. But in relation to  
23                   8 August, the advice is that if you weren't  
24                   pressed --  
25           A.    Yes.  
1   14.58 Q.    -- there's no need to volunteer the truth.  
2           A.    Yes.  
3           Q.    So would you agree that supposes that if you were  
4                   pressed a different course was something for you to  
5                   take at that stage?  
6           A.    At that point in time, yes.

51. On 2 December 2021 there is no suggestion to her that she should lie regardless ie that she should never clarify the truth. This does not change until her third appearance before the COP on 22 December 2021 where she told the COP that she was very clear that “Mr Singh used the words “take it to the grave””:<sup>55</sup>

<sup>53</sup> P-50 (Vol 1) at p B92, [1504] – [1511].

<sup>54</sup> NE (15 October 2024) at p 80 line 22 – p 81 line 6.

<sup>55</sup> P-50 (Vol 2) at p B845, [13951] – [13956].

**[13951] Mr Edwin Tong Chun Fai:** Alright. As far as you can recall, can you give us an account of what happened in relation to the admission that you made about the lie?

**[13952] Ms Raeesah Khan:** After I made the admission, there was of course discussion about my well-being, which I think rightly so because I had just shared a very deeply personal experience that I've had. And the discussion that followed was that we would not pursue the matter further and like in my message, Mr Singh used the words "take it to the grave".

**[13953] Mr Edwin Tong Chun Fai:** So, the words "take it to the grave" came from Mr Singh?

**[13954] Ms Raeesah Khan:** Yes.

**[13955] Mr Edwin Tong Chun Fai:** Are you very clear about that? Is that your recollection?

**[13956] Ms Raeesah Khan:** Yes, I'm very clear.

52. Leaving aside the fact that she is recounting the same event that she has previously recounted on 2 December where she made no mention of Mr. Singh even saying such a thing to her, and also gone is the suggestion that she should retain the narrative if not pressed, even on her third appearance before the COP, it is ambiguous what she is actually being told to do.
53. In her words before the COP, "... the discussion that followed was that we would not pursue the matter further and like in my message, Mr. Singh used the words "take it to the grave"". The 'we' in this case is a reference to the Workers' Party leadership. Up to that point the party leadership had been pursuing Ms Khan to substantiate the anecdote. And that pursuit, it is clear could go no further. This is corroborated by Mr. Singh's text messages prior to the meeting on 8<sup>th</sup> August. Bearing in mind that the party leadership are now aware that she cannot substantiate her anecdote it would appear commonsense that they would not be pursuing it further. So again, even on her second attempt, it is entirely ambiguous what she is being told to do. Is she being asked to retain the narrative if not pressed or is she being asked to lie come what may? These are two fundamentally different and mutually exclusive positions. The exact words purportedly used by Mr Singh would clearly be instructive but, of course, we do not even have the benefit of what Mr. Singh actually said because, as she told the COP, she did not remember:<sup>56</sup>

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<sup>56</sup> <sup>56</sup> P-50 (Vol 2) at p B847, [13979] – [13982].

[13979] **Mr Edwin Tong Chun Fai:** Yes. And you then told us when you were last here that subsequently, that position changed. Can you recollect what words were used as far as you can remember?

[13980] **Ms Raeesah Khan:** Once the discussion developed, it was that it would be best that it not be brought up further. I cannot remember the exact words.

[13981] **Mr Edwin Tong Chun Fai:** The exact words. Do you remember if either Ms Lim or Mr Faisal said anything in this context?

[13982] **Ms Raeesah Khan:** No, I cannot remember.

54. Ms Khan never clarified what she was allegedly asked to take to the grave, and there is no evidence before the Court of what it means:<sup>57</sup>

18 Q. Right. So coming back to my earlier question, what

19 exactly were you being asked to take to the grave?

20 A. The fact that I lied in Parliament.

21 Q. Okay. And did you ask them, "Is this what you want

22 me to take to the grave?"

23 A. No.

24 Q. So this is your assumption; correct?

25 A. Yes.

55. So notwithstanding the fact that Ms Khan doesn't actually recall what was said to her six months after the event, she cannot possibly give evidence of what Mr. Singh actually meant because she did not ask him. Her evidence at trial was clear that she was working on an assumption and that she never asked whether she was being told to take the lie to the grave. She never clarified what exactly she was being supposedly to take to the grave. We are left with no more than ambiguous words from a proven liar who herself admits she cannot remember what was actually said to her. She can't remember because it was not in fact ever said.

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<sup>57</sup> NE (15 October 2024) at p 110 lines 18 – 25.



56. Quite obviously, the first point is that when she first appeared before the COP on 2 December 2021 there was no suggestion from her that she was told to take the lie to the grave at the meeting on 8 August 2021. This only comes on 22 December 2021, and only after PW2 had given evidence of this, a point which becomes instructive later on. It is only the suggestion to take the lie to the grave that supports the first charge and if that was what was said to her on 8 August 2021 it is inexplicable why she did not mention it when she was first questioned by the COP on 2 December about the events on 8 August 2021.
57. That statement to continue the narrative if not pressed is fundamentally at odds with the suggestion to take the lie to the grave and it is impossible to reconcile the two instructions that were purportedly given to her. This was a point that was made in cross-examination and instead of accepting the obvious, she attempted to obfuscate the truth:<sup>58</sup>

9           Q.    On 22 December when you give evidence again, you do  
10                    mention "take it to the grave".

11          A.    Yes.

12          Q.    Now, in relation to that, the first part is "if  
13                    you're not pressed, retain the narrative".

14          A.    Yes.

15          Q.    That means if you're not questioned, stick to what  
16                    you've said.

17          A.    Yes.

18          Q.    The second one is "we should take this lie to the  
19                    grave".

20          A.    Yes.

21          Q.    The two are fundamentally different; do you agree?

22          A.    That's a very difficult point to make because I --  
23                    can you tell me why you think it's different?

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<sup>58</sup> NE (15 October 2024) at p 88 lines 9 – 23.

58. Despite the clear difference between these phrases being pointed out to her, Ms Khan characteristically disagreed that they were different.<sup>59</sup>

24 Q. Well, the first one tells you that you can stick  
 25 with the narrative if you're not questioned about  
 1 15.10 it, right?  
 2 A. Yes.  
 3 Q. The second one is just about "lie throughout, we'll  
 4 take this lie to the grave".  
 5 DAG MR ANG: Sorry, can you repeat the question. The  
 6 second one is what?  
 7 MR JUMABHOY: The second is "we should just take this lie  
 8 to the grave".  
 9 A. Okay.  
 10 Q. So I'm saying to you in relation to the advice  
 11 that's been given, they are different, aren't they?  
 12 COURT: Do you agree that they are different?  
 13 A. Well, because during the conversation it was assumed  
 14 that it wouldn't come up so we would take it to the  
 15 grave because we wouldn't talk about it anymore.  
 16 That's why I think it's hard for me to think of it  
 17 as different.  
 18 Q. So do you agree or not?  
 19 A. No.

59. On the 22<sup>nd</sup> of December Ms Khan is still under the belief that that the anecdote would not come up again. We therefore submit that on her account the words 'take it to the grave' can not be construed to **only** mean that she should never clarify the lie. If those words were

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<sup>59</sup> NE (15 October 2024) at p 88 line 24 – p 89 line 19.

uttered – which of course Mr Singh disputes – they could equally have meant that she did not need to clarify if she was not pressed on the matter.

60. There is a third account of the single meeting on 8<sup>th</sup> August and that is the one she has given in trial. Her third account was in her EIC before this Court where she testified that Mr Singh's response was: "he was listening and maybe he was, like, a bit upset over the situation, and he spoke about putting me forth on the -- putting me through the Committee of Privileges. But then he said, you know, this would probably be something that we would have to take to the grave."<sup>60</sup>
61. What is obvious from her third account is that it differs markedly from her first and second account. Her first account before the COP "was that if I were not to be pressed, then the best thing to do would be to retain the narrative that I began in August." Her second account before the COP, there is no longer suggestion that she should go before the COP, but what is said to her, "... the discussion that followed was that we would not pursue the matter further and like in my message, Mr. Singh used the words "take it to the grave"". In her new account at trial, gone is the suggestion that if she were not to be pressed to continue the narrative.
62. But its more than just those glaring inconsistencies. Here is what she says in her evidence-in-chief:<sup>61</sup>

11 Q. What did Ms Lim say?

12 A. Ms Lim mentioned that, you know, probably the issue  
 13 wouldn't come up again. But then she was -- she  
 14 also said some supportive words. And she also  
 15 mentioned that there were residents that approached  
 16 her that said supportive things about me and the  
 17 work that I was doing on the ground.

18 Q. And what did Mr Faisal say?

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<sup>60</sup> NE (14 October 2024) at p74 lines 3 – 10.

<sup>61</sup> NE (14 October 2024) at p 74 lines 11 – 23.

19           A.    Mr Faisal, I think he was trying to be consoling, so  
 20                   he gave some encouraging words and he suggested that  
 21                   I -- I mean, he asked if I see anyone to counsel me  
 22                   about these issues. And, yeah, he was just very  
 23                   kind about -- about his response to my experience.

63. Here is her account on 22 December 2021 to the COP:<sup>62</sup>

**[13981]       Mr Edwin Tong Chun Fai:** The exact words. Do you remember if either Ms Lim or Mr Faisal said anything in this context?

**[13982]       Ms Raeesah Khan:** No, I cannot remember.

64. The requirement that a single uncorroborated account must be unusually convincing requires the account to be both internally and externally consistent. On the fact of her three accounts, not do they struggle for internal consistency, they are at odds with one another. Ms Khan goes from being told to retain the narrative if not pressed, to retain the narrative if not pressed but, at the same time, it is something that everyone will have to take to the grave, to this would probably be something that we would have to take to the grave. And none of us are any the wiser what it all meant, including Ms Khan herself, because she never asked.

65. Beyond these obvious untruths, she goes on to try and bolster her account by adding details. And we have seen that before. In the COP on 22 December 2021, some six months after the meeting, she cannot remember what either Ms Lim or Mr. Manap said to her at the meeting on 8 August 2021. But three and bit years after the event, she is telling the Court what they said. That is simply incredible.

66. But we have seen her do this before. To bolster an account, to give it credibility, she adds details, to make it seem like it happened. When she is texting Mr. Singh after the sitting on 3 August was concluded, Mr Singh messaged Ms Khan, "I had a feeling this would happen. I highlighted this part in your draft speech. We should write in formally to the police with

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<sup>62</sup> P 50 (Vol 2) at p B847.

clarifications to address this matter”.<sup>63</sup> We set out below the conversation between the two that followed:<sup>64</sup>

<b><u>WhatsApp messages between Mr Singh and Ms Khan on 3 August 2021</u></b>		
<i>Time</i>	<i>Sender</i>	<i>Content</i>
18:39	Ms Khan	I thought I edited it enough to remove this possibility I don't know if I can contact the survivor to come forward
18:40	Mr Singh	She doesn't need to come forward but we must address it
18:40	Ms Khan	I don't know if I can share it, can we chat after this?
18:41	Mr Singh	You have to share it since you have <i>put this on record</i> . ...
18:44	Mr Singh	Are you still in contact with this person?
19:03	Ms Khan	Hi pritam the details I can recall is that it was three years ago, in the early part of the year. I met her at the bus stop near the bedok police station
19:04	Ms Khan	The person who put me in touch with her the number doesn't work anymore
19:04	Mr Singh	Do you have her name?
19:04	Ms Khan	I don't know how to get more details Her nickname was Ina
19:04	Mr Singh	Who is the person who put you in touch with her and which organisation? ...
19:04	Ms Khan	It wasn't an org, it was just someone who came into my friends radar ...
19:05	Ms Khan	I'm trying to get more details

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<sup>63</sup> P5 at binder page 14.

<sup>64</sup> P5 at binder page 14 – 18.

19:06	Mr Singh	The details are too scanty and the assumption will be that this episode was made up. You need also to acknowledge that need more facts before you raise such examples in Parliament.
19:06	Ms Khan	Okay I will, I'm drafting the email now. <i>Would it help if someone else came forward with their experience?</i>
19:08	Mr Singh	<i>No Raeesah. This episode has been highlighted. We have to square away the issue like a responsible MP should.</i>

67. This is what she does. She bolsters lies with more lies:<sup>65</sup>

3 And he then says:

4 "Are you still in contact with this person?

5 Hi pritam the details that I can recall is that

6 it was three years ago, in the early part of the

7 year."

8 Now, you're adding more substance, aren't you?

9 A. Yes.

10 Q. You're adding more facts to support a lie.

11 A. Yes.

12 Q. The facts that you're adding are not true, are they?

13 A. No.

14 Q. So it's a lie heaped upon a lie.

15 A. Yes.

16 Q. And then it's going to be wrapped up in more lies,

17 isn't it?

18 A. Yes.

19 Q. "I met her at the bus stop ..."

20 Same message. Can you see that?

<sup>65</sup> NE (15 October 2024) at p 59 lines 3 – 25.

- 21           A.     Yes.
- 22           Q.     You didn't meet her at the bus stop.
- 23           A.     No.
- 24           Q.     More lies.
- 25           A.     Yes.

68. Much of the Prosecution's case will inevitably centre around the fact that *following* the meeting on 8<sup>th</sup> August no steps were taken for Ms Khan to clarify the lie but that is not the charge before the Court. The Prosecution's case is not that Mr. Singh took no steps for her to clarify the lie, but that on 8<sup>th</sup> of August he did not want her to clarify the lie.
69. In fact, the absence of any action by Mr Singh to clarify the lie immediately after 9<sup>th</sup> August bolsters his position and adds to his credibility. As he told the COP on 10 December:

**[7190] Mr Edwin Tong Chun Fai:** Now, let me show you page 3. You were asked a question by CNA and your answer below, at the bottom of page 3, is: "Certainly, an MP cannot be expected to leave an untruth on the record. She would have had to clarify it at some point."

**[7191]** That means that the moment an untruth is on the record, it has to be clarified. There's no two ways about it, right?

**[7192] Mr Pritam Singh:** "At some point" doesn't necessarily mean that, right, because you just said "immediately" in your question. But here, I'm saying on record that she would have to clarify it at some point. This is what I mean.

70. The "some point", as he explains:

**[7262] Mr Pritam Singh:** Yes, I understand. So, when I got to know when she said she had been [sexually assaulted] when she was 18, I was prepared to give her the time, speak to her parents, settle herself, speak to her therapist whom she admitted at the meeting of 8 August she was seeing and who was aware of her condition, "Settle yourself and once you've done that, we'll have to go to Parliament and you'll have to make a personal statement." That was at least my frame of mind. So, that's what I mean by "at some point".

71. The fact that he took no immediate steps is excusable by the bombshell revelation that Ms Khan had been sexually assaulted. As Mr. Singh has said consistently throughout the proceedings, an approach which markedly differs from the inconsistencies in Ms Khan's various accounts, he was prepared to give her time to deal with the matter with her family

first. That is not unreasonable and nor does it point towards an ulterior motive. Even if you think, with the benefit of hindsight, he could have been clearer, that is not the issue at hand. There are other cases where MPs have committed transgressions, whether ethical or legal, who are given time to sort out their affairs<sup>66</sup> before having to own up to their mistakes. That is not only a reasonable position, but an entirely compassionate one. But compassion should not be mistaken in this case for a lack of resolve as to what should be done.

72. And that resolve that the lie would need to be clarified in Parliament is amply demonstrated by the 1 October 2021 email, P26. In his EIC, Mr Singh explained that his frame of mind when he sent this email “was that the matter [of Ms Khan’s lie in Parliament] had not been resolved” and therefore, he “reiterated the importance of substantiating what was said in Parliament”.<sup>67</sup>
73. The email, at a very minimum, demonstrates that Mr Singh intended for Ms Khan to clarify the lie. As Ms Lim observed in the course of her evidence, it was a “big nudge to her [Ms Khan]” that the lie remained unresolved in Parliament. As she told the COP:<sup>68</sup>

**[12203] Ms Sylvia Lim:** I did not discuss any specific timeframe with him. But what I did note, of course, was that, prior to the October Sitting on 1 October, he had sent an email to all the MPs in WP reminding everyone, I would say, alright, of the standards expected in Parliament and that if anything that was said in Parliament could not be substantiated, then the MP would face being hauled up before the Committee of Privileges. So, I do not know whether the Committee has seen this email because I brought it along.

**[12204] Mr Edwin Tong Chun Fai:** We have it. Mr Singh helpfully gave us a copy over the weekend.

**[12205] Ms Sylvia Lim:** Sure. Alright.

**[12206] Mr Edwin Tong Chun Fai:** This email was not addressed to the question of the lie by Ms Khan specifically, correct?

**[12207] Ms Sylvia Lim:** To me, I mean, it was a big nudge to her, that’s how I read it. But if you look at the words, it is just to the team, yes.

**[12208] Mr Edwin Tong Chun Fai:** Yes, it’s to all the Workers’ Party MPs.

**[12209] Ms Sylvia Lim:** That’s right.

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<sup>66</sup> No pun intended.

<sup>67</sup> NE (6 November 2024) at p 60 line 25 – 8.

<sup>68</sup> P50 (Vol 2) at p B719.



**[12210] Mr Edwin Tong Chun Fai:** And there's no express reference to Ms Khan's lie in Parliament, correct?

**[12211] Ms Sylvia Lim:** No express reference.

74. Whist the COP may have queried the lack of express reference to Ms Khan, it is quite clear as far the WP leadership were concerned, and Ms Khan herself, that this email was in reference to the lie she had told in Parliament. This will be amplified in respect of the submissions for the 2<sup>nd</sup> charge.

**(B) There is no external evidence that corroborates Ms Khan's account of what was purportedly said by Mr. Singh at the meeting on 8th August**

75. As we have pointed out above, Ms Khan's account is not only littered with internal inconsistencies, it is also undermined by outright lies. That is enough to make it fall short of the required standard of proof that her evidence be "unusually convincing".
76. Again, much will be made of the text message that she sent following the meeting to the chatgroup that included PW2 and PW3 at 12:41 where Ms Khan recounted to PW2 and PW3 that the WP leadership allegedly "agreed that the best thing to do is to take the information to the grave".
77. To begin with, the circumstances surrounding the sending of this message is suspect. Only two seconds after she sent the 12:41PM message in the Group Chat, she had typed out and sent a second message to the Group Chat at 12:42:00PM regarding views on the Muslim issue.<sup>69</sup> The messages are set out below:

<b>Time</b>	<b>Content</b>
12:41:58PM	Hey guys. I just met with pritam, Sylvia and Faisal. And we spoke about the Muslim issues 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

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<sup>69</sup> P10 at binder page 1 – 2.

	to the grave. They also suggested that I write a statement to send out this evening
12:42:00PM	These past few days have been filled with lots of reflection on my part. I've thought about my role as a member of parliament and as a Muslim woman. I don't think these identities are separate, and both are important parts of who I am today. I have ready many opinions from both sides, some who agree with what I brought up, and some who don't. I think it's great that we can have debate on issues that affect our communities, and those who we hold dear. I do wish that the debate could be more constructive, and that it wasn't so personal. I've seen some comments questioning me as a Muslim, and if I'm even one. Of all the criticisms I've faced, this is the one that has shaken me to my core, as my firm belief in God is what drives me in the first place. I acknowledge those who have differing views. Perhaps now we can start to have an open, transparent and non judgmental conversation with all Muslims involved. I hope we can approach issues we are passionate about with love, compassion and kindness.

78. When she was asked by the Prosecution how she was able to send these lengthy messages in such quick succession, Ms Khan's answer was that she "typed really fast".<sup>70</sup> When pressed upon this in cross-examination her answers were no better:<sup>71</sup>

7           Q.   My learned friend for the prosecution asked you how  
8                it's possible you typed this message in two seconds.  
9           A.   Yes.  
10          Q.   And your response is that "I'm a quick typer", or "I  
11                type really fast", I think is what you said.  
12          A.   Mm. I also said that I had a draft saved in my  
13                phone.

<sup>70</sup> NE (14 October 2024) at p 85 line 12.

<sup>71</sup> NE (15 October 2024) at p 112 line 7 – p 115 line 4.

14 Q. But you had to type it up?

15 A. No, I had already wrote thoughts about it on my

16 phone, and then --

17 Q. Then you typed this up?

18 A. On your phone, you can copy from notes and copy to a

19 text message.

20 Q. So you wrote thoughts about it --

21 A. Yes.

22 Q. -- then put those thought into a text message.

23 A. Before this meeting I had already wrote some of my

24 thoughts down.

25 Q. So did you write these thoughts before this meeting?

1 15.50 A. Yes. I -- I mean, not specifically these words, I

2 mean, these thoughts, but kind of like a rough draft

3 of what I wanted to say.

4 Q. I understand that.

5 A. Yeah.

6 Q. So these word specifically had to be typed.

7 A. No, I had some rough -- I had -- I had this rough in

8 my notes. I had this rough idea of what I was going

9 to say, so I just basically copy and paste it from

10 my notes.

11 Q. Okay, but the notes are not this. So you're taking

12 parts of your notes and putting it into a text

13 message; correct?

14 A. Yes.

15 Q. And you're not copying your whole notes, you're

16 taking parts because that's a rough draft?

17 A. Yes.

18 Q. So how is this done in two seconds? One, two.

19 A. I don't know. What -- what is your question?

20 Q. How is this done in two seconds?

21 A. I don't know. Maybe my messages sent late because  
22 sometimes when you send a message it doesn't go  
23 through. Or, I don't know, but I -- I mean, it's --  
24 I didn't -- I don't have magic or anything like  
25 that. So what is the question?

1 15.51 Q. You've typed your message about what happened at the  
2 meeting.

3 A. Yes.

4 Q. Then you've typed your message about your statement.

5 A. Yes.

6 Q. So it's not sent late. I mean, it's in the right  
7 order.

8 A. Yes.

9 Q. And it's sent two seconds after you typed your  
10 message in relation to what happened at the meeting.

11 A. No, I'm saying that the first message that I sent  
12 out, I might have, like, sent it but it might not  
13 have sent, or something like that. But, sure, I --  
14 okay. It's sent two seconds later, yes.

15 Q. And the question that was asked was:

16 "How did you manage to draft a lengthy post so  
17 soon after the message at 12.41?"

18 That's the question the DPP asked.

19 A. Yes.

20 Q. Your response was that "I type really fast". That's  
21 your response.

22 A. Yes.

23 Q. You could not have typed that message in  
24 two seconds; do you agree?

25 A. Yes, but I can -- I mean, I can make an edit on a  
1 15.53 draft in a few seconds, yes.

2 Q. You probably couldn't make an edit and send that  
3 message in two seconds.

4 A. Yes.

79. In any event, it is submitted that the meaning of the 12:41 Message does not take her account much further. Self-corroboration does not amount to corroboration and even more so in the case of a proven liar who is now corroborating what she says is the truth. The fact that she can lie to her friends in a text message is not too far of a stretch for her. She has, as we have shown, lied quite convincingly to Mr. Singh in her messages in P5. On 3 August, she called PW3 on the phone and lied about the anecdote:<sup>72</sup>

**[2652] Mr Yudhishtira Nathan:** On 3 August.

**[2653] Mr Edwin Tong Chun Fai:** Okay. Can you tell us roughly what time this was and maybe give us a gist of the conversation?

**[2654] Mr Yudhishtira Nathan:** I think it must have been in the late afternoon. I can't remember the exact time. She asked me if I had watched the speech. I told her that I hadn't but I had caught up with it on the news through the live stream.

**[2655]** And she told me that Mr Pritam Singh was asking her for details about the victim whom she had accompanied and she was worried because she was saying that, because of confidentiality reasons, she wouldn't have been able to provide that to him.

**[2656]** So, I think she called me out of having a sense of discomfort of telling Mr Singh that she wouldn't be able to provide him with the details. So, I just told her, "Just tell Mr Singh that because of confidentiality, if that's what you believe, then it might be a problem to get the details."

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<sup>72</sup> P50 (Vol 1) at p B164 – B165.

**[2657] Mr Edwin Tong Chun Fai:** At that point in time, did she tell you that the anecdote that she cited was untrue?

**[2658] Mr Yudhishtira Nathan:** No.

80. Ms Khan accepted that what PW3 told the COP about his conversation with her on 3 August was accurate.<sup>73</sup> The simple fact is that her own account of the meeting on 8<sup>th</sup> August is problematic to begin with – it is not strengthened by the fact that she chooses to put it in an ambiguous message.
81. The message is made all the more curious by the fact that neither PW2 nor PW3 have any reaction, or at least in the case of PW2, does not actually read it until just before she is due to appear before the COP,<sup>74</sup> despite the message purportedly accusing the WP leaders of saying that Ms Khan was to keep on lying to Parliament. The group's entire discussion that followed related only to the Muslim issues and the statement she was to draft.
82. During cross-examination, Ms Khan gave the following evidence regarding the agreement she had with PW2 and PW3 about what she should do about the lie.<sup>75</sup>

11           Q.   And in that Zoom call, did your all agree at that  
12                   stage that what you were going to do was to bury  
13                   what you had done?

14           A.   Can you repeat that?

15           Q.   In relation to the Zoom call, did you, Ms Loh, and  
16                   Mr Nathan agree that the best thing to do in  
17                   relation to the lie was to "bury it"?

18           A.   To bury it, you say?

19           Q.   Yes.

20           A.   Yes.

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<sup>73</sup> NE (15 October 2024) at p 67 line 7 – p 68 line 2.

<sup>74</sup> NE (17 October 2024) at p 119 lines 6 – 12.

<sup>75</sup> NE (15 October 2024) at p 127 lines 11 – 20.

83. Even after the question was repeated to her, Ms Khan told the Court that she, PW2, and PW3 agreed at the Zoom meeting that the best thing to do was to bury the lie. She then catches on to the fact that she had exposed the truth that the agreement to take it to the grave was not between the WP leaders, but between her and her conspirators, and corrects herself:<sup>76</sup>

4           A.    Okay.  So I'm correcting myself and --  
 5           Q.    So you didn't agree that?  
 6           A.    I'm not sure if we did, but we did have the  
 7                    conversation that we would -- I mean, I should wait  
 8                    and see what the leaders will say on the meeting the  
 9                    next day.

84. Bearing in mind Ms Khan's proclivity for lying and the ease with which she was able to deceive her close friends, her purportedly "revered" mentor, and even Parliament, it is not farfetched to suggest that what she told PW2 and PW3 in the 12:41 Message was another one of her lies to assure them that the WP leaders supported their position to take the lie to the grave.

**(C) PW2's and PW3's evidence relating to the 8 August Meeting does not amount to corroboration**

85. Given Ms Khan's lack of credibility, the Prosecution called PW2 and PW3 to give evidence of their meeting with Mr Singh on 10 August 2021. The Prosecution posit that their testimonies regarding this meeting supports the proposition that Mr Singh never wanted Ms Khan to, at some point, clarify the lie in Parliament.
86. It is submitted that the evidence of PW2 and PW3 plainly does not support this conclusion. Despite them both being present at the same meeting, their accounts of what was said to them by Mr. Singh are vastly different and, in any event, wholly unreliable. As we have stated in our submissions of No Case to Answer, their evidence is nothing short of a poor

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<sup>76</sup> NE (15 October 2024) at p 128 lines 4 – 9.

attempt to lend support to the unsupportable evidence of a proven liar. The fact that such an attempt was made reinforces the lack of reliability that surrounds Ms Khan's account of the meeting on 8 August.

87. In her evidence before the COP, PW2 testified that she met Mr. Singh on 10 August 2021 and, before PW3 arrived at the meeting, "Mr Pritam Singh confirmed that he knew [about the Untruth], with me. We didn't talk about it explicitly because we didn't want to say it out loud, but I had briefly conversed on the matter with him and his acknowledgment of it suggested to me that he knew".<sup>77</sup>
88. In her EIC, PW2 told this Court:<sup>78</sup>

3           Q.   My question is how did he confirm and what did he  
4                   understand? So how did he confirm, first?

5           A.   I asked him, you know, has Raeesah told you, you  
6                   know, about the matter and he nodded his head.

7           Q.   And just to be clear, what were you referencing?

8           A.   I was referencing the fact that she had lied in  
9                   Parliament.

10          Q.   So how did Mr Singh respond to what you were telling  
11               him?

12          A.   He didn't say anything explicitly at first. He sort  
13               of nodded and listened. I think there was a sense  
14               that -- there was -- my sense was he sort of  
15               reserved judgment on the matter. But he, I think,  
16               listened to my advice on the fact of empathy. Or  
17               when I encouraged giving her that empathy about her  
18               survivor experience, he -- he said he appreciated  
19               it.

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<sup>77</sup> P-50 (Vol 1) at p B76, [1269].

<sup>78</sup> NE (17 October 2024) at p 38 line 3 – p 39 line 1; and p 43 lines 5 – 9.



20 Q. And to the best of your recollection, did you ask  
 21 Mr Singh whether the Untruth would come up again?  
 22 A. My memory on this is fuzzy. I recall that I may  
 23 have -- I -- I may have asked something to that  
 24 effect because I recall him sort of nodding, you  
 25 know, his head, and affirming that it probably  
 1 10.53 wouldn't come up again.

...

5 A. We discussed -- or Mr Singh and I discussed her  
 6 parliamentary performance and the understanding was  
 7 that the anecdote will not come up again, so the  
 8 matter at hand that we had to concern ourselves with  
 9 was future parliamentary performances.

89. Her answer in her evidence-in-chief should be contrasted with her answer to the COP on 2 December 2021 which does not suggest she had asked any such question, a point to which she admitted.<sup>79</sup> When she asked about what she actually asked Mr. Singh, she could not recall.<sup>80</sup> Her text message to Ms Khan following the meeting, P12, does not suggest any such conversation took place, another point she agreed with.<sup>81</sup> She then states, after having said that she can't recall what she asked him, "... I recall asking Mr. Singh if he thinks the matter will come up and he nodded"<sup>82</sup> and again, in answer to the Court's question what exactly was he nodding to, she states that "I can't recall my exact question and words but it was to the effect of "do you think it will come up again in Parliament" and he nodded "no"" before correcting herself, "Not nodded but, like, shake his head "no". He nodded to

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<sup>79</sup> NE 17 October p130 lines 12 – 25.

<sup>80</sup> Ibid at p 127 lines 14 – 18.

<sup>81</sup> Ibid at p 133 lines 14 – 19.

<sup>82</sup> Ibid at p 136 lines 14 – 18.

other things”.<sup>83</sup> The simple truth is her evidence of this point is unworthy of belief, as PW2 herself admitted:<sup>84</sup>

4           Q.    And given your own fuzzy recollection --  
 5           A.    Mm-hmm.  
 6           Q.    -- what was actually discussed is something that,  
 7                   three years after, you simply can't recall.  
 8           A.    I don't recall in exacting terms.  
 9           Q.    And it's fair to say that there could have been no  
 10                  discussion that whether the anecdote would be  
 11                  brought up again.  
 12           A.    That could be fair to say, yeah.

90. PW2 subsequently admitted that the first time that she knew what the party leaders had told Ms Khan regarding the Anecdote was on 12 October and that, at the 10 August Meeting, Mr. Singh never said to her that “the matter will not come up”.<sup>85</sup>

18           Q.    Let me ask it again. The first time that you knew  
 19                  what party leaders had told Ms Khan would be on  
 20                  12 October?  
 21           A.    Told her when and what?  
 22           Q.    Told her what to do about the lie.  
 23           A.    Yes. Mm, explicitly, yes.  
 24           COURT: What does that mean? What is this qualify  
 25                  "explicitly"?

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<sup>83</sup> Ibid at p 139 lines 10 – 13.

<sup>84</sup> Ibid at p 145 lines 4 – 12.

<sup>85</sup> NE (18 October 2024) at p 64 line 18 – p 65 line 18.

1 11.33 A. Like, said out loud. Again, I did have a meeting  
 2 with Mr Singh on 10 August in his office and we sort  
 3 of mutually confirmed we knew. And my takeaway from  
 4 that was, you know, the matter will not come up.  
 5 But the first time we explicitly said out loud she  
 6 lied was on 12 October.

7 MR JUMABHOY: Just so we're clear, on 10 August Mr Singh  
 8 never said to you "the matter will not come up"?

9 A. My takeaway from that meeting was that.

10 Q. Listen to the question. On 10 August, Mr Singh  
 11 never said to you "the matter will not come up  
 12 again"?

13 A. He never say that to me out loud.

14 Q. Just so that we're not in any doubt, he never  
 15 whispered that to you either?

16 A. No.

17 Q. So those words weren't uttered from his mouth?

18 A. No.

91. PW3's evidence is not much better and certainly falls far short of amounting to corroboration, because he was not present at the meeting on 8<sup>th</sup> August, he was not there at the time that PW2 purportedly had this unspoken conversation with Mr. Singh on 10<sup>th</sup> August, and he desperately want to implicate Singh in some sort of purported cover-up of Ms Khan's lie.

92. PW3 testified that, at the meeting on 10<sup>th</sup> August, Mr Singh said "saying something to the effect of that conservative religious men in our society would not like the fact that one of their Members of Parliament had been sexually assaulted or would not like to have an MP who had been sexually assaulted"<sup>86</sup> It is submitted that his recollection of the 10 August meeting is nothing short of a recent invention on his part. It does a real disservice to credibility to have to deal with it in submissions.

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<sup>86</sup> NE (18 October 2024) at p 114 lines 12 – 21.

93. PW3 arrives after PW2, so PW2 must have been present when this was purportedly said, yet she made no mention of it. PW3, for some inexplicable reason, omitted to mention it in his evidence before the COP despite the COP proceedings taking place merely 4 months after the fact, and Mr Tong giving him an open floor to tell the COP what happened at that meeting:<sup>87</sup>

**[2837] Mr Edwin Tong Chun Fai:** Can you describe the nature of the conversation that you had with Mr Singh, with Ms Loh?

**[2838] Mr Yudhishtira Nathan:** From what I recall, we, of course, expressed disappointment that Ms Khan had lied and shocked. But I think, from what I recall, Ms Loh and Mr Singh were talking about how—or, rather, Ms Loh was telling Mr Singh that sexual assault victims do experience trauma and that can sometimes make them, in some circumstances, be less likely to want to tell the truth, out of fear, perhaps. I remember Ms Loh saying that this was a point that she wanted to communicate to Mr Singh, just from her own. Ms Loh happens to be someone who has good knowledge about issues of women’s rights and sexual assault cases in Singapore.

**[2839]** And so, just to summarise, my understanding of that meeting, as it relates to the lie, was that we were all on the same page in terms of knowing that she had lied to Parliament and in terms of knowing that she had cited the sexual assault as her reason for that.

94. This piece evidence from PW3, rather like PW2’s fuzzy memory, is nothing short of a desperate attempt to implicate Mr. Singh in purportedly attempting to cover up Ms Khan’s lie. The question then is why do PW2 and PW3 feel the need to implicate Mr. Singh in such a manner, unless it goes towards providing cover for their own subsequent conduct.

**(D) Ms Khan’s evidence is not unusually convincing**

95. It is submitted that, considering the incredible nature of PW2’s and PW3’s evidence, and the ambiguity surrounding the 12:41 Message, Ms Khan’s uncorroborated testimony must be “*unusually convincing*” in order to sustain a conviction. As the Court of Appeal stated in *PP v GCK*.
96. In *PP v Wee Teong Boo* [2020] 2 SLR 533<sup>88</sup> (“*Wee Teong Boo*”), the Court of Appeal held at [44] that where the Prosecution relies very substantially on a victim’s uncorroborated testimony to sustain a conviction, the victim’s evidence must be unusually convincing. It

<sup>87</sup> P-50 (Vol 1) at p B176 – B177, [2837] – [2839].

<sup>88</sup> DBOA at Tab 6.

must be “sufficient, in and of itself, to overcome any doubts that might arise from the lack of corroboration”. The Court explained at [45]:

“The focus is on the sufficiency of the complainant’s testimony, and the court must comb through that evidence *in the light of the internal and external consistencies found in the witness’ testimony*... The finding that a complainant’s testimony is unusually convincing does not automatically entail a guilty verdict. The court must consider the *other evidence* and in particular, the factual circumstances peculiar to each case”.

97. It is submitted that Ms Khan’s evidence falls well short of being unusually convincing. As we have stated, she had given not two, but three different accounts of the crucial meeting on 8 August 2021. Her own inability to be internally consistent in her account of a single meeting on 8<sup>th</sup> August must condemn to fail. The absence of any corroboration, other than her own, is similarly fatal. However, more importantly, there is evidence, other than Mr. Singh’s own denial that such words were spoken, that conclusively demonstrates that such an exchange of words simply did not occur.

**(E) The irresistible conclusion is that Mr Singh never told Ms Khan to take the lie to the grave or to continue the narrative.**

98. It is submitted that the totality of the evidence does not lead to the conclusion that Mr Singh never wanted Ms Khan to clarify the lie in Parliament. The Prosecution’s only basis for making such an unfounded assertion is that Mr. Singh took no steps, following the 8<sup>th</sup> August meeting, for Ms Khan to immediately clarify the lie.
99. But Mr Singh’s inaction was a totally human response that anyone would have when they are told by another that they had been sexually assaulted. He wanted to give Ms Khan time to speak to her family about it. After Ms Khan told the WP leaders what happened, she immediately broke down and explained that she lied due to her own personal experience. This turned the focus of the WP leaders to her distraught state and emotional breakdown, and they decided that it was more important to show Ms Khan empathy and compassion instead of pushing her to clarify the lie in Parliament immediately.

100. Mr Singh testified that he, Ms Lim, and Mr Manap were shocked when they learnt about Ms Khan's experience. He told the Court: "We didn't make -- we didn't make any enquiries into the nature of the sexual assault. I mean, we took her at her word and I think her state at that point was very fragile, very emotional, and I think pursuing the subject at that point was not something that was on my mind directly because of her state of affairs and we knew that at that point, at least insofar as what had transpired from the 3rd to the 8<sup>th</sup>..."<sup>89</sup>
101. Whilst Mr Singh did not enquire about the nature of Ms Khan's sexual assault experience, he did ask her whether anyone else knew about this, and she replied that her husband, her therapist, PW2 and PW3 were aware.<sup>90</sup> Thereafter, Mr Singh asked Ms Khan if her parents knew about the assault and, when she told him that they did not, Mr Singh suggested that she tell her parents about it.<sup>91</sup> This is corroborated by Ms Lim's evidence to the COP:<sup>92</sup>

**[12092] Mr Edwin Tong Chun Fai:** No. I wanted to give you the context to the conversation. But the only parts which Mr Singh said he spoke directly to her, appears at the quotes in page 299. But rather than just show you page 299, I wanted to give you the context to which this statement was said. But as far as Mr Singh's evidence is concerned, those parts in quotes at page 299 were the words he spoke to her.

**[12093]** So, my question to you is: do you recall Mr Singh speaking these words to Ms Khan and were you there?

**[12094] Ms Sylvia Lim:** I recall him saying that she had to speak to her parents. That I recall.

102. Mr Singh also testified that as he was escorting Ms Khan out towards the gate of the house, he *reminded* Ms Khan to tell her parents about her own sexual assault experience and said in words to the effect that they would resolve the matter or issue of her lie thereafter. This is clearly indicative of Mr Singh's state of mind that the matter of Ms Khan's lie had to be dealt with at some point in the future after she had told her parents of her own sexual assault, sought treatment from her therapist, and settled her trauma.
103. Neither Ms Lim nor Mr Manap – whose evidence before the COP is admitted – remember Mr Singh saying anything of the sort, as is alleged by Ms Khan. Ms Lim's evidence on this

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<sup>89</sup> NE (5 November 2024) at p 83 lines 18 – 25.

<sup>90</sup> NE (5 November 2024) at p 82 line 7 – p 83 line 6.

<sup>91</sup> NE (5 November 2024) at p 84 line 23 – p 85 line 4.

<sup>92</sup> P50 (Vol 2) at p B712.

point not only goes towards refuting Ms Khan's account but affirming Mr Singh's account of the meeting on 8 August.<sup>93</sup>

**[12839] Mr Edwin Tong Chun Fai:** She gave evidence that this means that the lie that she told in Parliament on 3 August, the consensus between the three of you at the meeting of 8 August was that if she was not to be pressed on this matter again, in other words, if this matter didn't come up again, then the best thing to do is to continue with the narrative that she told in August, which means to continue with the lie.

**[12840] Ms Sylvia Lim:** That's not true.

**[12841] Mr Edwin Tong Chun Fai:** That the evidence that she gave.

**[12842] Ms Sylvia Lim:** That's not true.

104. That is more than enough to acquit Mr Singh of the first charge.

## **(5) SUBMISSIONS ON THE 2<sup>ND</sup> CHARGE**

### **(A) Mr Singh wanted Ms Khan to tell the truth prior to the 4 October sitting**

105. The Prosecution's case in relation to the 2<sup>nd</sup> Charge is that, when Mr Singh spoke to Ms Khan at her home on 3 October 2021, he did not want to convey to her that she had to clarify the Anecdote in Parliament at the 4 October sitting. The problem with this narrative is twofold: first, as a matter of commonsense, if Mr Singh had already told Ms Khan on 8 August that she did not have to admit the truth, then there is simply no need to meet with her on 3 October to do exactly that. He had already told her, according to the Prosecution, on 8 August in no uncertain terms that no truth-telling was needed. But the Prosecution also want to the court to accept that he met with her on 3 October to convey to her that she did not have to clarify the lie. The 3 October meeting can only have been necessary if Ms Khan was not given the same direction previously,

106. The second problem with their narrative is that it cannot account for P26, the 1 October 2021 email. If Mr Singh did tell Ms Khan to take the lie to the grave, there is no plausible explanation for why he sent the 1 October email, reminding all WP MPs (including Ms Khan) "how serious it is to back up and defend what you say in Parliament, or risk being

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<sup>93</sup> P50 (Vol 2) at p B759.

hauled up before the COP”. On any interpretation, the email is a clear instruction to tell the truth, “to back up and defend what you say in Parliament”, or else there will be consequences.

**(i) *The 1 October email was a reminder to Ms Khan that she would have to clarify the Anecdote in Parliament on 4 October***

107. In his EIC, Mr Singh explained that his frame of mind when he sent this email “was that the matter [of Ms Khan’s lie in Parliament] had not been resolved” and therefore, he “reiterated the importance of substantiating what was said in Parliament”.<sup>94</sup> During cross-examination the Prosecution appeared to put to Mr Singh that the reason for his email on 1 October was not for the reason he had given, but that it was a caution to Ms Khan not to clarify the Anecdote because, if she were found out, she would be brought before the COP.<sup>95</sup>

15           Q.    But your case is that after this 1 October email where  
16                    you tell her that she will go to the COP if the lie  
17                    cannot -- sorry, the anecdote cannot be substantiated,  
18                    you went to see her two days later on 3 October and you  
19                    told her to tell the truth on 4 October, correct?

20           A.    Your rendition is wrong because that email doesn't say  
21                    what you say.

22           Q.    All right. The email doesn't say that one may face the  
23                    COP if you cannot substantiate a statement that you  
24                    made in Parliament, the email doesn't say that?

25           A.    The email doesn't -- if you read the -- if you review

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<sup>94</sup> NE (6 November 2024) at p 60 line 25 – 8.

<sup>95</sup> NE (6 November 2024) at p 127 line 15 – p 128 line 22.



1 15:36 the transcript, that's not what you said. The email  
2 simply states:

3 "But my note to all of you today rises from one  
4 part of the former debate extracted below re  
5 Hendrickson which restates how serious it is to be able  
6 to back up and defend what you say in Parliament or  
7 risk being hold up before the committee of privileges."

8 That's all it says. It doesn't say anything about  
9 you --

10 Q. Yes, the email doesn't say -- but to a certain who  
11 receives this email who has already broken the rule,  
12 that person would read it as "I'm going to the COP if  
13 I'm discovered", correct?

14 A. I --

15 Q. Agree?

16 A. I'm not sure I can agree with that, but what I would  
17 say is, the purpose of the email was to let her know  
18 that we had not had a discussion on this issue since  
19 8 August. Parliament was coming up soon. And it was  
20 my way of starting the conversation going again with  
21 her that not substantiating what you say in Parliament  
22 is a serious issue.

108. It is evident that Mr Singh maintained his position that the purpose of the 1 October email was to let Ms Khan know that the matter was still unresolved, and that she would have to clarify the lie she told to Parliament.

109. The Prosecution's proffered interpretation of how Ms Khan might have interpreted the email was not an interpretation taken by Ms Khan herself. Her evidence – whether before the COP or this Court – was never that she understood the email to be a caution that "I'm

going to the COP if I'm discovered". Rather, her understanding of the email was that it was "a dig" at her for lying in Parliament.<sup>96</sup>

14                   What was your reaction to this email when you  
15                   received it?

16           A.    I think I -- I was feeling a little bit insecure so  
17                   I felt like it was almost a dig at me. And at the  
18                   time it felt like he sent that email because he  
19                   wanted to maybe placate the other MPs in whatever  
20                   frustrations they had against me.

...

11           Q.    When you mean a "dig", maybe could you explain?

12           A.    Kind of saying, like, he knows what I did and these  
13                   could be the -- this could have been a potential  
14                   consequence.

15           Q.    "This" meaning?

16           A.    Being hauled up before the Committee of Privileges.

110. This was made crystal clear in her cross-examination:<sup>97</sup>

15           A.    Okay. Not directed at -- not directed at me, but as  
16                   a dig at me.

17           Q.    It has the most relevance to you, doesn't it?

18           A.    But -- but there's a difference because there's a  
19                   difference to him sending an email to me saying,  
20                   "Look, you have to tell the truth and you have to go  
21                   through the Committee of Privileges", and there's --  
22                   that -- it's not -- this is not that email.

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<sup>96</sup> NE (14 October 2024) at p 107 lines 14 – 20; *ibid* at p 108 lines 11 – 16.

<sup>97</sup> NE (15 October 2024) at p 138 line 15 – p 139 line 24.

23                   Like, there's a difference between me feeling  
 24                   like he's sending an email to everybody to show  
 25                   that, you know, he's taken a stand and he wants to  
 1   16.52           show that he takes the issue very seriously, to what  
 2                   you are trying to say, which is that, "Oh, he's  
 3                   telling you to go tell the truth and go to the  
 4                   Committee of Privileges".

5           Q.    No, he's telling you the consequences of what  
 6                   happens if you tell an Untruth in Parliament or you  
 7                   fail to substantiate an anecdote.

8           A.    Yes, but sharing a consequence is not a directive.

11          Q.    Did you understand the email as a nudge to you in  
 12                   relation to the upcoming sitting which was three  
 13                   days away?

14          A.    No.

15          Q.    You've told us that you thought the email was a dig  
 16                   at you.

17          A.    Yes.

18          Q.    Yes. So the reason you didn't understand it as a  
 19                   nudge is because you thought it was just having a go  
 20                   at you, is it?

21          A.    Yes. Not at -- not at me, but also to show that,  
 22                   you know, he's -- he's -- he wants to show people  
 23                   that, you know, he's taking it seriously, what  
 24                   happened when I made the speech "Empowering Women".

111. Furthermore, Ms Khan's suggestion that Mr Singh had sent this email to "placate the other MPs in whatever frustrations they had against me" is illogical given that – as Ms Khan

conceded – none of the other MPs outside of Mr Singh, Ms Lim, and Mr Faisal knew about the fact that she had told an untruth.<sup>98</sup>

112. Clearly, the email is problematic to a narrative that Mr. Singh wanted Ms Khan to lie on 4 October sitting. It runs counter to the suggestion and is clear, objective evidence of the opposite. Indeed, this was recognised at the COP, where the only thing that could be said against the email was that it was not addressed to MS Khan directly:<sup>99</sup>

**[12203] Ms Sylvia Lim:** I did not discuss any specific timeframe with him. But what I did note, of course, was that, prior to the October Sitting on 1 October, he had sent an email to all the MPs in WP reminding everyone, I would say, alright, of the standards expected in Parliament and that if anything that was said in Parliament could not be substantiated, then the MP would face being hauled up before the Committee of Privileges. So, I do not know whether the Committee has seen this email because I brought it along.

**[12204] Mr Edwin Tong Chun Fai:** We have it. Mr Singh helpfully gave us a copy over the weekend.

**[12205] Ms Sylvia Lim:** Sure. Alright.

**[12206] Mr Edwin Tong Chun Fai:** This email was not addressed to the question of the lie by Ms Khan specifically, correct?

**[12207] Ms Sylvia Lim:** To me, I mean, it was a big nudge to her, that's how I read it. But if you look at the words, it is just to the team, yes.

**[12208] Mr Edwin Tong Chun Fai:** Yes, it's to all the Workers' Party MPs.

**[12209] Ms Sylvia Lim:** That's right.

**[12210] Mr Edwin Tong Chun Fai:** And there's no express reference to Ms Khan's lie in Parliament, correct?

**[12211] Ms Sylvia Lim:** No express reference.

113. As Mr Edwin Tong himself recognised during the hearing, "... the only persons on that email chain who were aware that it was a lie would be yourself [Ms Lim], Mr Singh, Mr Faisal and Ms Khan herself"<sup>100</sup> and, accordingly, it could not have escaped Ms Khan's attention that the email was speaking directly to her, as her answers in cross-examination demonstrate:<sup>101</sup>

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<sup>98</sup> NE (15 October 2024) at p 135 lines 13 – 21

<sup>99</sup> P50 (Vol 2) at p B719.

<sup>100</sup> P50 (Vol 2) at p B719, [12212].

<sup>101</sup> NE (15 October 2024) at p 142 line 3 – p 143 line 4.

3 Q. Plainly you saw this email, if you were frightened  
4 by it, if you were worried that the Untruth would be  
5 brought up at the next Parliament, you would have  
6 read this email as a directive to tell the truth?

7 A. How is it a directive? It doesn't say the words.

8 COURT: Doesn't say what words?

9 A. It doesn't say, "Raeesah, in the next parliamentary  
10 sitting if this issue comes up, you need to tell the  
11 truth".

12 MR JUMABHOY: Well, it says, doesn't it? And this is  
13 looking at the second paragraph:

14 "... which restates how serious it is to be  
15 able to back up and defend what you say in  
16 Parliament ..."

17 Yes?

18 A. Yes.

19 Q. You're going to Parliament in three days.

20 A. Yes.

21 Q. And at that sitting you're asked questions; correct?

22 A. Yes.

23 Q. And it's pretty clear from being asked questions by  
24 the Minister for Home Affairs you weren't able to  
25 back up and defend what you had to say; correct?

1 16.58 A. Yes.

2 Q. So this email is pretty much bang on point, isn't  
3 it, about what's going to happen?

4 A. Yes.

114. It is submitted that, in any event, Ms Khan's interpretation of the 1 October email is irrelevant to what Mr Singh intended when he sent it. Ultimately, his position that the purpose of the email was to start a conversation with Ms Khan as the matter of her lie on 3 August was unresolved, which has not been rebutted by the Prosecution or any of their witnesses. The suggestion that it was sent as a caution to Ms Khan to retain the narrative is, quite frankly, ridiculous and unsupported by any evidence, except from the bar, and should be rejected entirely.

***(ii) Ms Khan's account of the meeting on 3 October is not unusually convincing***

115. As with the 8<sup>th</sup> August meeting so it is with 3<sup>rd</sup> October meeting: Ms Khan has again offered shifting accounts of what exactly transpired on 3 October. In her evidence to the COP on 2 December was as follows:<sup>102</sup>

**[1434]** Pausing there for a moment, can you remember the occasion at which you were asked to clarify the statement before the October Sitting?

**[1435]** **Ms Raeesah Khan:** Before the October Sitting, I had a conversation with Leader of the Opposition, Pritam Singh, and the conversation was that if I were to retain the narrative or if I were to continue the narrative, there would be no judgement.

**[1436]** **Mr Edwin Tong Chun Fai:** Can you tell us which date this took place?

**[1437]** **Ms Raeesah Khan:** 3 October.

**[1438]** **Mr Edwin Tong Chun Fai:** Where did this take place?

**[1439]** **Ms Raeesah Khan:** In my house.

**[1440]** **Mr Edwin Tong Chun Fai:** Was there anyone else present besides the two of you?

**[1441]** **Ms Raeesah Khan:** No, there was not.

**[1442]** **Mr Edwin Tong Chun Fai:** Are there any emails or messages exchanged as a result of this?

**[1443]** **Ms Raeesah Khan:** No, there was not.

**[1444]** **Mr Edwin Tong Chun Fai:** The discussion for you to retain the narrative and there would be no judgement, can you give me your interpretation of that? What do you make of that statement?

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<sup>102</sup> P50 (Vol 1) at p B88.

[1445] **Ms Raeesah Khan:** My interpretation was that there would be no consequences for me to continue the narrative that I had begun in August.

[1446] **Mr Edwin Tong Chun Fai:** In other words, there would be no consequences on you if you continued the lie and keep up the contention that there was this occasion, this anecdote that you had described on 3 August, despite it being a lie?

[1447] **Ms Raeesah Khan:** Yes. That was my interpretation. Yes.

[1448] **Mr Edwin Tong Chun Fai:** And there was, therefore, no attempt by Mr Singh to ask you to clarify the matter in favour of putting out the truth?

[1449] **Ms Raeesah Khan:** Not at that point in time, no.

[1450] **Mr Edwin Tong Chun Fai:** Not on 3 October?

[1451] **Ms Raeesah Khan:** No.

116. Interestingly, in her evidence to the COP she makes no mention of P26 and, even subsequently, when she reappears before the COP on 22 December, after the COP is in possession of the email, no reference is made to the email. Indeed, on 22 December, she conspicuously fails to mention it when she's asked:<sup>103</sup>

[14047] **Mr Edwin Tong Chun Fai:** Alright. I would like to refer you now to 3 October. You remember that was a visit that Mr Singh paid to you at your home. Just before that, between 8 August and 3 October, did you have any discussion with any of the Party leaders about the lie in Parliament and what to do about it?

[14048] **Ms Raeesah Khan:** No, we did not.

[14049] **Mr Edwin Tong Chun Fai:** Can you tell us why?

[14050] **Ms Raeesah Khan:** I think because we assumed that it would not be brought up again.

[14051] **Mr Edwin Tong Chun Fai:** So, on 3 October, Mr Singh says, and again, I'll paraphrase, that he went to your home because there was a Parliamentary Sitting the next day. You had been absent for the September Sittings because of shingles. So, this is now an occasion where you'll be in Parliament. And he said that he had contemplated that this issue might arise and he went to discuss it with you. So, that's the context of this meeting.

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<sup>103</sup> P50 (Vol 2) at p B851.

117. But she does mention at that hearing, “He brought it up [the lie] because he had a feeling that it would be brought up in Parliament again, and that if I were to stick to the narrative, if I was to stick to my position, there would be no judgment from him”.<sup>104</sup>

118. In her EIC, her evidence of the meeting on 3 October, after she had been shown the P26, was as follows:<sup>105</sup>

14           A.    He came, and then I think I he said hi to my  
15                    parents, and then he asked if he -- we could have a  
16                    chat.

17           Q.    Then what did he do?

18           A.    And then we went to, like, a corner of my living  
19                    room and he spoke about the next sitting.

20           Q.    Was anyone else around you when he spoke to you?

21           A.    There were people in the house but out of earshot.

22           Q.    And what did he speak to you about, the next  
23                    sitting?

24           A.    He said, well, something along the lines of "I don't  
25                    think the issue will come up", but if it does come  
1   15.07        up he wouldn't judge me for continuing the  
2                    narrative.

119. However, when she was interviewed by the police on 12 May 2022,<sup>106</sup> she told the police: “We sat down and he said, “I just wanted to talk to you about the email that I sent. You know these people may want to bring it up again. And if they do bring it up, there will be no judgement from me to continue with what you said previously.” These were the exact words as much as I can recall”

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<sup>104</sup> P50 (Vol 2) at p B852, [14071]

<sup>105</sup> NE (14 October 2024) at p 110 line 14 – p 111 line 2

<sup>106</sup> D1.



120. One can obviously see the glaring inconsistencies that arise from her evidence before the COP, her EIC in Court and her 12 May 2022 statement to the police. In her evidence to the COP and in EIC, there is no mention of the discussion of the email P26 on 3 October, but yet, according to her police statement, the email, P26, was discussed. In her evidence to the COP on 2 December, there is no mention of Mr. Singh stating that he thought that the issue may come up, yet she mentions it on 22 December. However, that changed when she gave her EIC. Gone was Mr Singh warning her that the issue may be brought up and it is replaced by Mr. Singh positively affirming that he did not think that the issue would be brought up.
121. So which exactly is the correct version? What exactly did Mr. Singh say? Did he say that issue would not come up or that it would? Ms Khan attempts to explain the material discrepancy in respect of whether Mr. Singh told her that the issue may come up or whether it would not come up by "... saying the same thing in different ways"<sup>107</sup> simply does not withstand scrutiny. Did they discuss the email, as she states in her police statement, or did they not as per her account in EIC and her account to the COP? These questions simply underline how inconsistent her account of 3 October is – it is constantly shifting and for good reason because she is simply not telling the truth. An honest witness may of course misremember things, or forget things, but someone who is making things up as they go along will shift their accounts to accommodate new information as it comes to light. We say that Ms Khan is very much the latter: a dishonest witness making it up as she goes along.
122. Importantly, the fact that 1 October email was discussed at the meeting on 3 October puts to bed the suggestion that Mr Singh told her that there would be no consequences if she were to continue the lie. In our submissions, to try and suggest both would be simply absurd:<sup>108</sup>

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<sup>107</sup> NE 16 Oct p8 lines 3 to 4

<sup>108</sup> NE (16 October 2024) at p 10 line 15 – p 11 line 23

15 Q. So you understood that your false anecdote may come  
16 up in Parliament on the 4th?

17 A. Yes.

18 Q. On the one hand, there's a conversation about the  
19 serious consequences of putting an unsubstantiated  
20 anecdote before Parliament. That's the email.

21 A. The email you're referring to?

22 Q. Yes.

23 A. There's a conversation as to the email?

24 Q. Yes.

25 A. Okay.

1 09.52 Q. That's right, isn't it?

2 A. It's not a conversation. He sent an email.

3 Q. "He referred to the email, he asked if I read it and  
4 I said yes".

5 A. Yes.

6 Q. And the email that he's referring to is the one  
7 where he says there are serious consequences, right?

8 A. Yes.

9 Q. On the other hand, he's now telling you there's no  
10 judgment to continue the narrative.

11 A. Yes.

12 Q. Now, would you agree that's simply absurd?

13 A. No.

14 Q. So absurd, in fact, that it didn't happen.

15 A. No.

16 Q. He never told you to continue the narrative.

17 A. Yes, he did.

18 Q. And if he had said two contradictory things, on the  
 19 one hand showing you the email which talks about  
 20 serious consequences, and on the other hand telling  
 21 you there's no judgment for continuing the  
 22 narrative, any reasonable person would have said  
 23 "What on earth are you talking about?"

***(iii) The phrase "I won't judge you" is vague***

123. Indeed, it is not Ms Khan's position that Mr Singh told her to lie when she next went to Parliament on 4 October but, rather, that he did not give her a directive to tell the truth. But with the greatest respect to Ms Khan, and indeed to the Prosecution's attempt to paint her as some sort of young child, a "rookie MP", she was 27 years old at the time and had been in Parliament over 13 months and, according to her, she knew right from wrong, and did not need a directive to lie but seemingly needed one to tell the truth:<sup>109</sup>

16 Q. So you seem, according to you, to need a directive  
 17 to tell the truth.  
 18 A. Because when I made a mistake, I wanted advice, I  
 19 wanted to go to my leaders for advice. You say that  
 20 it's not my first foot in the door or not my first  
 21 time in Parliament, no, but this is compared to  
 22 leaders who've had so many years of experience. So  
 23 naturally, when I've done something wrong, I've gone  
 24 to my leaders and I've asked them what should I do  
 25 because I'm -- I mean, I'm terrified, you know, that

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<sup>109</sup> NE (16 October 2024) at p 21 line 16 – p 22 line 8

1 10.09 I've made this mistake.

2 Q. I don't think you've answered the question. You

3 don't need a directive to tell the truth, do you?

4 A. No.

5 Q. You were a 27-year-old woman at the time.

6 A. Yes.

7 Q. You have told us you know right from wrong.

8 A. Yes.

124. The Prosecution's case in respect of the second charge is that Mr. Singh lied when he gave evidence that when he spoke to Ms Khan on 3 October, he wanted to convey to her that she had to clarify that what she told Parliament on 3 August 2021 was untrue if the issue came up in Parliament on 4 October.

125. We have already established that Ms Khan's account of the meeting on 3 October falls short of the required standard of proof. The shifting accounts as to whether he told her the issue would not be brought up or whether he said it would, the absence of any discussion in respect of the email and the consequences for lying or whether there was such a discussion, all make the case that her account is not "unusually convincing".

126. Leaving all this aside, the only way that the second charge can be salvaged is if it can be demonstrated that the accepted words said at the meeting, "I won't judge you", leave no ambiguity as to what was meant i.e., do not clarify. Of course, it goes without saying that the Defence case is that Mr Singh's account of these discussions i.e., that he told her to take "ownership and responsibility",<sup>110</sup> and that "I will not judge you on the fact you lied in the first place".<sup>111</sup>

127. In EIC, Ms Khan stated:<sup>112</sup>

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<sup>110</sup> NE (5 November 2024) at p 105 line 20 – p 106 line 1.

<sup>111</sup> NE (18 October 2024) at p 17 line 3 – p 18 line 2.

<sup>112</sup> NE (14 October 2024) at p 111 lines 7 – 10.

7           Q.    And when Mr Singh said he wouldn't "judge you for  
8                    continuing the narrative", what did you understand  
9                    that to mean?

10          A.    That he wouldn't judge me for continuing to lie.

128. The first point is that it is her understanding of what Mr. Singh meant. Ms Khan did not question him about it or ask him what he meant by the phrase. The second point is the possibility of Ms Khan misunderstanding what Mr Singh meant when he used that phrase. This is something she agreed to when she was questioned by the COP on 2 December:<sup>113</sup>

[2059]     **Mr Zaqy Mohamad:** Don't speculate, right? Okay. What if, after your statement, Secretary-General comes and say you could have gone the other way because you misjudged his statement of "we won't judge you". What would you say to that?

[2060]     **Ms Raeesah Khan:** I would say that that's accurate as well.

[2061]     **Mr Zaqy Mohamad:** Why so?

[2062]     **Ms Raeesah Khan:** Because I guess it could be inferred as a vague statement to make.

[2063]     **Mr Zaqy Mohamad:** You don't think it's a "get out" clause or meant for you to go either way or being non-committal?

[2064]     **Ms Raeesah Khan:** I don't know. I don't want to assume.

129. However, in the course of the trial, she was no longer prepared to make the concession that the phrase was "vague" or that she could have "misjudged" his statement:<sup>114</sup>

15          Q.    Your own account, in relation to what Mr Mohamad,  
16                    was asking was that could you have misjudged that?  
17                    And you say to him "that's accurate".

18          A.    No. That's not what I'm saying.

19          Q.    Well, that's what it says there.

20          A.    No, that's not what it says:

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<sup>113</sup> P50 (Vol 1) at p B124.

<sup>114</sup> NE (16 October 2024) at p 24 line 15 – p 25 line 22.

21                    "What if, after your statement,  
22                    Secretary-General comes and say you could have gone  
23                    the other way because you misjudged his statement of  
24                    'we won't judge you'."

25                    That's his interpret -- that his way of  
1 10.14                inferring what he said. That's not my  
2                    interpretation of what Mr Singh said when he was at  
3                    my house.

4                    Q.    Do you accept, in relation to what's written on this  
5                    page 2059, Mr Mohamad is saying could you have  
6                    misjudged what he said, and you say:

7                    "I would say that's accurate as well."

8                    A.    No, that's not his question.

9                    Q.    And you said:

10                    "That's accurate because I guess it could be  
11                    inferred as a vague statement to make."

12                    A.    No, it's not his question "if I inferred what he  
13                    said differently". His question is if Mr Singh  
14                    could then use those words to infer in his own way.

15                    COURT:    So what do you mean --

16                    A.    Yes.

17                    COURT:    -- when you said here, "I would say that that's  
18                    accurate as well", what do you mean?

19                    A.    I meant that if he interprets what he said in that  
20                    way, then that's accurate to him. But what I mean  
21                    right now is that I had -- have never interpreted it  
22                    in a different way.

130. Despite this, she is still forced to concede that Mr Singh could have had a different interpretation for the phrase from the one that she took to be his meaning. But, if that was the case then why, as the Prosecution were forced to point out, did she feel the need to text Mr. Singh in P15, “What should I do Pritam”:<sup>115</sup>

13                    You had earlier answered that Mr Singh told you  
 14                    that he would not judge you for continuing the  
 15                    narrative and that you understood that to mean that  
 16                    he will not judge you for continuing to lie, so why  
 17                    were you asking Mr Singh what you should do?  
 18            A.    Because at that moment I was still unsure because we  
 19                    didn't prepare for it to come up again. And I just  
 20                    wanted his -- I wanted him to reaffirm what he said  
 21                    the day before.

131. It is submitted that if the purported instruction on 3 October from Mr Singh was to lie and that he would not judge her for doing so and that was clear, it is simply inexplicable why on 4 October she is asking Mr Singh what to do. The truth, as Ms Khan conceded was that she was unsure what to do, and she could only have been unsure because she was not clear on what Mr Singh had wanted her to do when he spoke to her on 3 October:<sup>116</sup>

14            Q.    So he comes to your house and tells you, on  
 15                    3 October, this may come up.  
 16            A.    Yes.  
 17            Q.    So how is it, in relation to the answer that you  
 18                    gave, why were you asking Mr Singh what to do was  
 19                    that you were still unsure?  
 20            A.    Yes, like I said yesterday, I wanted him to reassure  
 21                    me on what to do.

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<sup>115</sup> NE (14 October 2024) at p 115 lines 13 – 21.

<sup>116</sup> NE (16 October 2024) at p 28 line 14 – p 29 line 22.

22 Q. No, you said "because at the moment I was still  
23 unsure".

24 A. Yes, and then the -- the second part of that.

25 Q. "Because we had not prepared".

1 10.21 A. And then after that?

2 Q. But you're unsure because you haven't prepared; is  
3 that right?

4 A. And -- and, I mean, what did I say after that?

5 Q. But you're unsure because you had not prepared; is  
6 that correct?

7 A. Yes.

8 Q. And you had not prepared for it to come up again.

9 A. Yes.

10 Q. But we know, in relation to the day before, you had  
11 prepared for it to come up again. He told you.

12 A. No, because preparation, to me. Would be writing  
13 down what -- what I should say, what I feel I should  
14 say, doing enough research to make sure I know how  
15 to approach every -- whatever different  
16 possibilities there might be, so that, to me, is  
17 preparing.

18 Q. So if he told you that this issue may come up again,  
19 and according to you he told you what to do, there's  
20 no reason to text Mr Singh.

21 A. Why not?

22 Q. He told you what to do, according to you.



132. It is submitted that Ms Khan knew exactly what she wanted to do and it had nothing to do with what Mr Singh purportedly said to her. The reason she lied on 4 October was because, as she admitted, she “... was terrified of what would happen if [she] came forward with the truth”<sup>117</sup> and nothing to do with what Mr Singh told her the day before. In an attempt to make herself more noble she even tries to hide behind the fact that she is a survivor but saying that she was primarily concerned with “... the impact that it would have on other survivors.”<sup>118</sup> But, as it already been established, the anecdote had nothing to do with her being a survivor, it was not about her.

None of the reasons for Ms Khan’s lie comes close to suggesting that she did so because she was guided by Mr Singh. This undermines the allegation particularly in respect of the second charge that he did not want her to clarify the lie in Parliament. In fact, when she comes around to finally clarifying the lie she is asked by the Leader of the House, why it is she chose to lie on the 4<sup>th</sup> of October. Her response was, not that she had been guided to lie by Mr Singh, but essentially that she wanted to “protect the identity of the survivor and the survivors in the women’s support group, and that her family did not know about the sexual assault.”<sup>119</sup>

#### **(6) WILL THE REAL MS KHAN PLEASE STAND UP**

133. There is a part of her narrative where she wants to claim the good for herself aided by the Prosecution’s own case that she was “a 27- 28-year-old rookie MP”.<sup>120</sup> When it all becomes a bit difficult for her, she resorts to hiding behind Mr Singh’s purported instructions and her claim to be a survivor. The reality couldn’t be further from the truth.
134. It would appear, according to Ms Khan, that she did not know to tell the truth because Mr Singh had not prepared her for telling the truth. But it would appear, also, that he had not prepared her to lie, yet she knew exactly what to say when questioned by Minister Shanmugam:<sup>121</sup>

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<sup>117</sup> NE (16 October 2024) at p 31 lines 14 – 18.

<sup>118</sup> Ibid p32 lines 1-2.

<sup>119</sup> P4 at document page 4.

<sup>120</sup> NE (14 October 2024) at p 26 lines 15 – 16.

<sup>121</sup> NE (16 October 2024) at p 53 lines 8 – 17.

8 MR JUMABHOY: Ms Khan, when you were questioned by  
9 Minister Shanmugam, it was your idea to use  
10 confidentiality?  
11 A. Yes.  
12 Q. That's a lie you came up with all by yourself;  
13 correct?  
14 A. Yes.  
15 Q. And you came up with this whilst being questioned by  
16 the Minister for Home Affairs?  
17 A. Yes.

135. Her attempts to, on the one hand, play the emotional card by saying that she was terrified, did not know what to do, was only following instructions that were never given, is at odds with the manner in which she responded to the Minister on 4 October, by relying on confidentiality. But it is what she does after she leaves the chamber that really shows the level at which she prepared to go to escape being found out:

“Mr speaker, I accept that I haven’t been able to substantiate my claims, and in the last parliamentary sitting I acknowledged this and have explained that this happened three years ago, and that I haven’t been able to contact the person mentioned. I also emphasized the importance of consent, especially in relation to survivors of sexual assault.

I’m disappointed then that the route the government has taken is instead of deliberating my suggestions, they have instead pushed me to break all forms of confidentiality and consent.

If the minister understood the pain that survivors go through. How much anguish we experience both physically and mentally, he would be focused on helping survivors, instead of grilling them.

I hope, that one day survivors will be able to speak without being doubted, or cast aside. I hope that we can treat these issues in a bipartisan manner, and not politicize it. I hope that one day we will center their stories.”<sup>122</sup>

136. Her proposed response drafted after she left the sitting following her exchange with the Minister whereby she was prepared to accuse the Minister of failing to understand “... the pain that survivors go through” and where she concludes in the final paragraph, “I hope that one day survivors will be able to speak without being doubted or cast aside” puts paid to the suggestion that this was someone who was “terrified”.<sup>123</sup>

137. Ms Khan’s actions speak very clearly that they were done by her and for her own benefit. Her attempts to portray the need for guidance or the claim that she was following something purportedly said to her on 3 October could not be further from the truth. Her actions on 4 October point to the fact that she knew exactly what she was going to do, and it had nothing to do with what occurred on 3 October. She was going to protect her position because of the consequences to her, as P38 amply demonstrates. And in this she was ably assisted by PW2 and PW3.

138. In fact, by 4<sup>th</sup> October it would have been evident to anyone except Ms Khan, PW2 and PW3, that the lie was going to be pursued by Minister Shanmugam. However, it does not appear that either Ms Khan, PW2, or PW3, had got the message. Ms Khan, PW2 and PW3 began deleting their text messages on their group chat on 4<sup>th</sup> October and created another fresh WhatsApp group chat. On 5<sup>th</sup> October, PW3 suggested to Ms Khan that she should not be too honest with the lawyer she was about to consult; Ms Khan agreed:<sup>124</sup>

[5/10/21, 8:39:28 AM] Yudhish: I think if you consult a lawyer also need to be careful what u tell the lawyer  
[5/10/21, 8:58:07 AM] Raeesah WP: Okie that's good advice

139. Later that evening, PW2 and PW3 brazenly reassure Ms Khan that there was nothing Ms Indranee Rajah or Parliament could do if she refused to answer questions posed to her in Parliament relating to the anecdote:<sup>125</sup>

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<sup>122</sup> P38.

<sup>123</sup> P38.

<sup>124</sup> D2-1.

<sup>125</sup> D2-2.

[5/10/21, 6:24:48 PM] Yudhish: Tbh I don't think she can do anything at this stage  
 [5/10/21, 6:25:09 PM] Raeesah WP: I think she could bring me to the committee of privileges  
 [5/10/21, 6:45:27 PM] Yudhish: But even then she has no evidence now  
 [5/10/21, 6:45:31 PM] Yudhish: Or like no grounds  
 [5/10/21, 6:45:43 PM] Yudhish: I think if they wanted to they would've done it by now  
 [5/10/21, 6:54:02 PM] Peiying.: Bring you to the committee on what grounds? for refusing to answer a question? lol pls  
 [5/10/21, 6:54:07 PM] Peiying.: they refuse to answer all the time

140. Even on 7<sup>th</sup> October, after Ms Khan shares with PW2 and PW3 the Police's request to interview her, PW2 is still advising her to lie to the Police about not being in contact with the victim due to confidentiality or, worse, to substitute another person's purported experience with the police as her anecdote:<sup>126</sup>

[7/10/21, 5:05:31 PM] Peiying.: The ground you should probably take is that given you're no longer in contact with the victim, it is not right for you to even reveal her identity to the police, whether or not they have her name on record

[7/10/21, 5:05:48 PM] Peiying.: You might want to gather some cases of people who are willing to share their stories with you and present that instead

141. PW2 has a novel, if not jaw-dropping, view of her actions:<sup>127</sup>

1 17.05 A. Maybe I can be allowed to clarify.  
 2 COURT: All right.  
 3 A. When she sends us this message, right, we are -- we  
 4 are friends. This is not like an official channel.  
 5 This is a private communication. And I'm working  
 6 through options. If she can't come through -- can't  
 7 address or she's not considered telling the truth,  
 8 there is a grey area to operate in that is a little  
 9 uncomfortable, but could possibly work, right? And  
 10 that is she could avoid lying again but still be  
 11 able to address the original point that she raised

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<sup>126</sup> D2-4.

<sup>127</sup> NE (17 October 2024) at p 177 line 1 – p 178 line 8.

12 in Parliament, which is that sexual assault victims  
 13 do have an unpleasant experience -- have -- have --  
 14 some of them have an unpleasant experience in police  
 15 investigations and that could be evidenced by other  
 16 anecdotes and not by this one, because she is no  
 17 longer in contact with the victim in this scenario.  
 18 And that is also true because she did meet the  
 19 victim in the support group and she is no longer in  
 20 contact with that person.

21 MR JUMABHOY: Sorry, can I clarify, what do you mean by  
 22 "grey area to operate in"?

23 A. The grey area between not lying anymore but still  
 24 supporting police investigations.

25 COURT: Police investigations into what? Supporting  
 1 17.06 police investigations into what by giving this other  
 2 analogies?

3 A. Supporting police investigations into the fact that  
 4 police officers have behaved in a way that make  
 5 sexual assault survivors feel uncomfortable.

6 COURT: So not the police investigations into her  
 7 anecdote?

8 A. That's right.

142. They do not stop there. Even after Ms Khan has informed them that Mr Singh had told her on 12 October, she would have to make a statement in Parliament, they are still trying to persuade Mr Singh to go along with lie. PW3 messaged Ms Khan on 12 October: "In the first place I think we should just not give too many details. At most apologise for not having the facts abt her age accurate".<sup>128</sup> This suggestion, which according to PW2 - but obviously

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<sup>128</sup> P18 at binder page 13

denied by PW3 was made by PW3 to Mr Singh at their meeting on 12 October, was met by a resounding, “Don’t even think about covering this up with another lie”<sup>129</sup> from Mr Singh. On 3 December 2021, after the COP had asked PW2 and PW3 to hand up their WhatsApp messages as evidence, PW2 and PW3 conspired to redact this message and lie that it was “a comment about another Member of Parliament not related to the issue”.<sup>130</sup> As PW2 admitted herself, her actions were manipulative:<sup>131</sup>

12           A.    That's not -- I -- to clarify, I don't recall that  
13                   that's what I said. I think it's not my pay grade  
14                   to advise her to go to Parliament to clarify the  
15                   truth.

16           Q.    But it seems to be within your pay grade, doesn't  
17                   it, to decide what evidence the COP gets to see?

18           A.    At that point I was no longer her secretarial  
19                   assistant when I went into the COP, so I'm not sure  
20                   of the question about pay grade. I don't -- I  
21                   wasn't operating under that mindset.

22           Q.    That decision about what evidence the COP gets to  
23                   see, I'm going to characterise that as manipulative; do  
24                   you agree?

25           A.    You can characterise that.

1   09.46 Q.    Do you agree with that characterisation, that it is  
2                   manipulative?

3           A.    I disagree.

4           Q.    You don't think it's manipulative to decide what  
5                   evidence helps you and your friends?

6           A.    That's not why I hid that anecdote.

7           Q.    That's not the question I asked. You don't think  
8                   it's manipulative to decide what evidence helps you

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<sup>129</sup> NE (18 October 2024) at p 10 line 12 – p 12 line 1.

<sup>130</sup> D2-5.

<sup>131</sup> NE (18 October 2024) at p 8 line 12 – p 9 line 13.

9                   and your friends?

10           A.    Do you mind repeating the question again.

11           Q.    You don't think it's manipulative to decide what

12                   evidence helps you and your friends?

13           A.    It is manipulative.

143. After PW2 had been informed on 29 November 2021 that she would be called by the COP, she calls a meeting at her house with Ms Khan, PW3 and Mike Lim on 1 December. At that meeting, she is persuading Ms Khan to align their evidence. Her account is that Ms Khan wants to tell more lies.<sup>132</sup> If that is not enough, she gets Mike to text Mr Singh to, "change the decision" of the Disciplinary Panel not to expel Ms Khan or force her resignation".<sup>133</sup> Mr Singh's response exemplifies his conduct throughout.<sup>134</sup>

1   10.30 Q.    And he tells you Mr Singh's response, doesn't he?

2           A.    He -- I believe he had a meeting with Mr Singh, and

3                   he recounted the meeting to me.

4           Q.    And Mr Singh's response was that he told Mike to

5                   tell you that you should speak the truth.

6           A.    That's right.

144. And if that is not enough to be a smoking gun that betrays a guilty conscience, on 2<sup>nd</sup> December PW2 walks out of Parliament's chamber after giving evidence and being told by the COP that they wish to examine her text messages. What she does after being told this, is to immediately delete "quite a lot of things" from her phone, including her text messages with Ms Khan and PW3.<sup>135</sup> In marked contrast, Mr Singh surrendered his phone to the investigating officer without any deletions or redactions, and allowed the Police to review the contents of his phone in his presence.<sup>136</sup> Mr Singh had nothing to hide, and why should he? The evidence supports that, since 3 August 2021, he was the only person out of the four

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<sup>132</sup> NE (18 October 2021) at p 40 lines 15 – 20.

<sup>133</sup> NE (18 October 2021) at p 34 lines 17 – 21

<sup>134</sup> NE (18 October 2021) at p 36 lines 1 – 6.

<sup>135</sup> NE (18 October 2024) at p 48 lines 9 – 24.

<sup>136</sup> NE (24 October 2024) at p 1 line 14 – p 2 line 13,

(i.e., Mr Singh, Ms Khan, PW2, and PW3) who wanted Ms Khan to be honest and/or tell the truth in Parliament, and who took any steps to have the truth told in Parliament.

145. It is submitted that, considering how sullied PW2 and PW3 are by their role in plainly encouraging Ms Khan to continue to lie, their evidence does not help the Prosecution in establishing that, on 3 October 2021, Mr Singh did not want to convey to Ms Khan that she needed to tell the truth in Parliament. Contrary to any suggestion that it was Mr. Singh who did not want Ms Khan to tell the truth in Parliament, the evidence suggests that the only people who wanted Ms Khan to bury the truth was PW2 and PW3. If there was ever any doubt that this was their position from the outset, Ms Khan's evidence before this Court is crystal clear: she, PW2 and PW3 had agreed on the 7<sup>th</sup> August Zoom meeting to bury the lie.

146. The redacted WhatsApp messages in exhibits D2-1 to D2-5, and their own evidence in this Court, leads inexorably to the conclusion that both PW2 and PW3 never wanted Ms Khan to clarify the truth about the false anecdote at all. Both of them wanted to give the COP the impression that they were intent on getting Ms Khan to come clean with the truth whilst hiding evidence that they were doing quite the opposite. PW2's evidence before the COP was as follows:<sup>137</sup>

**[464] Mr Edwin Tong Chun Fai:** And your expectation was that perhaps it's not – let me rephrase this. Your advice to Ms Khan would have been to own up to this and deal with the issue and not perpetuate the falsehood, correct?

**[465] Ms Loh Pei Ying:** Yes. And, actually, when I read the news, I had told her my personal advice to her was to tell the CEC.

**[466] Mr Edwin Tong Chun Fai:** Tell the CEC the truth?

**[467] Ms Loh Pei Ying:** Yes.

**[468] Mr Edwin Tong Chun Fai:** And that she should go to Parliament to tell the truth?

**[469] Ms Loh Pei Ying:** I didn't go that far.

Whereas PW3's testimony to the COP was as follows:<sup>138</sup>

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<sup>137</sup> P50 (Vol 1) at p B28.

<sup>138</sup> P50 (Vol 1) at p B184.



**[2976] Mr Edwin Tong Chun Fai:** Okay. Prior to this call that you had with Ms Khan, I think you said on 12 October, or perhaps shortly before that, where she said “I’m going to clarify the statement and tell the truth now”, were you aware of any other occasion on which she had articulated that desire or that intention prior to 12 October?

**[2977] Mr Yudhishthra Nathan:** Prior to 12 October, not very explicitly, but Ms Loh and I had had conversations with her.

**[2978] Mr Edwin Tong Chun Fai:** Because, as Ms Loh had put it to me yesterday, her sense was that it is better to come clean in Parliament about the falsehood?

147. Although the unredacted messages in D2-1 to D2-5 were not available to the COP when it examined PW2 and PW3 on 2 and 3 December 2021, these documents were sought by the COP from these individuals and provided to the COP shortly after they gave their evidence. Given what was stated, even the redacted versions of these documents produced in this Court, neither Ms Khan, PW2 nor PW3 – who were the parties of these WhatsApp group chats – were recalled by the COP to be further examined on the documents.
148. However, this Court has had the benefit of seeing the contents of and hearing the evidence of PW2 and PW3 regarding the chats in these documents. The documents prove conclusively that, despite Mr Singh stressing the importance of being able to back up what an MP says in Parliament, it was PW2 and PW3 who were actively trying to suppress the truth by persuading Ms Khan to retain the narrative between 4 and 12 October 2021. They did so by advising her to obstruct the police investigations by telling more lies or, in PW2’s own words, to operate in “the grey area”.
149. When PW2 gave evidence before the COP on 2 December, Mr Edwin Tong said this to her: “You see, the reality is, I believe, speaking for myself, that it is not plausible nor believable that Ms Khan acted in this entire sequence of events entirely on her own, without consulting with and getting the advice of senior Party members.”<sup>139</sup> Whilst he was right that she was not acting on her own, little did he know that the persons that she was consulting with and getting advice from were PW2 and PW3, whose joint position was for Ms Khan to bury the truth which they maintained up to the 12 October meeting; until Mr Singh put an end to it.

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<sup>139</sup> P50 (Vol 1) at p B81, [1336].

150. The events post-4<sup>th</sup> October do not shed much light on what was said between Mr. Singh and Ms Khan on 3 October. Accordingly, they do not assist the Prosecution in so far as either charge is concerned, and particularly in respect of the second charge.

151. No doubt the Prosecution will attempt to suggest that it was only on 11<sup>th</sup> October that the decision was for Ms Khan to clarify the falsity was taken following the meeting with Mr. Low Thia Kiang (“PW4”) or that the WP leadership did not intend for Ms Khan to clarify the lie in Parliament, as Ms Lim said to PW4 that they should hold a press conference rather than wait to the next sitting of Parliament. This does not go anywhere to proving either charge, and is something of a red herring. It is clear from his evidence that, before meeting with PW4, Mr Singh had already decided that they would compel Ms Khan to clarify the lie.

**(7) THE TOTALITY OF THE EVIDENCE SUPPORTS THAT MR SINGH NEVER TOLD MS KHAN TO “TAKE THE LIE TO THE GRAVE” OR TO CONTINUE THE NARRATIVE**

152. The fatal flaw in the Prosecution’s case is that Ms Khan’s account of what happened defies human nature. When one is instructed to lie and keep on lying for all the public to see and is subsequently thrown under the bus for doing so and told “this was your choice”, it is only natural that that person would object to any aspersions cast upon her character by the people who told her to lie in the first place. It defies logic and credibility that neither she, nor her compatriots, PW2 and PW3, complain or in any way allege that the decision to lie was down to Mr Singh’s purported instructions, notwithstanding the many opportunities they had to do so:

- a. On 10 August 2021, neither PW2 nor PW3 questioned Mr Singh on why he had asked or agreed that Ms Khan should take her lie “to the grave”. This is especially puzzling as PW3 testified before the COP on 3 December that he was surprised:<sup>140</sup>

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<sup>140</sup> P50 (Vol 1) at p B172.

[2781] When you received this message, what was your takeaway, what was your impression of this message?

[2782] **Mr Yudhishtira Nathan:** My impression was that, I was surprised because I assumed that when Ms Khan had informed them, that they would investigate the matter further. And, so, when they said that they would take it to the grave, as Ms Khan had put it, I was surprised by that.

Yet, neither of them questioned the WP leaders' alleged decision to take Ms Khan's lie to the grave, or brought up the issue of the message to Mr Singh. Rather, they continue about their days as though this message was never sent! This lends support to the fact that they either knew that the 12:41 Message was untrue, or that there was no need to comment on it since that was the position agreed by Ms Khan, PW2, and PW3 at the Zoom meeting; and therefore, they did not need to question Mr Singh on this matter.

- b. On 4 October 2021, Ms Khan and Mr Singh met in the LO's office in Parliament at about 11:15PM, where Mr Singh clearly demonstrated that he was upset and disappointed in the fact that Ms Khan had lied again to Parliament. Ms Khan suggested "Perhaps there is another way, that is to tell the truth", to which Mr Singh retorted quite angrily "But look at the choice you've made".<sup>141</sup> Crucially, Ms Khan never raised to Mr Singh the allegation that it was him who made the choice for her to maintain the lie and that she was merely following his instructions. The content of this conversation was never challenged by the Prosecution despite it clearly supporting Mr Singh's position that he had always wanted Ms Khan to take ownership and responsibility for her lie by clarifying it in Parliament.<sup>142</sup>
- c. Then, on 12 October, when Ms Khan agreed at the meeting with Mr Singh and Ms Lim that she should make a statement in Parliament clarifying the truth of her Anecdote, she did not protest that she had only continued to lie on 4 October in Parliament because they told her to take the lie to the grave or continue the narrative that she had begun on 3 August.
- d. On 21 October 2021, Ms Khan's father reached out to Mr Singh to share his views that she should not include in her personal statement the fact that she had been sexually

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<sup>141</sup> NE (5 November 2024) at p 110 line 19 – p 111 line 7

<sup>142</sup> NE (7 November 2024) at p 88 lines 19 – 24.

assaulted, and Mr Singh told him that this decision was for Ms Khan to make. Despite the fact that Ms Khan's father reviewed and commented on her draft personal statements,<sup>143</sup> not once did he accuse Mr Singh of having told Ms Khan to maintain the lie. The only reasonable explanation is that Ms Khan never told this to her father, and the only reasonable explanation for this is simply that Mr Singh never instructed her to do so.

- e. Between 12 October and 1 November, while Ms Khan was discussing her draft statements with Mr Singh and Ms Lim, she never alleged, even once, that it was them (Ms Lim and Mr Singh) who told her to take the lie to the grave. By all accounts, Ms Khan accepted that the decision to lie and keep lying to Parliament was hers alone. Even after the formation of the WP disciplinary panel ("**the DP**") to look into her lies, she did not protest that the DP was being unfairly formed because the members of the said DP were the very persons who told her to take the lie to the grave.
- f. On 8 November 2021, when she was first deposed before the DP, Ms Khan not only omitted to challenge the formation and composition of the DP, she also complained to PW2 and PW3 in their WhatsApp group chat that the DP was more focused on whether she had the support of her Sengkang teammates (P23) instead of her lies in Parliament. Despite these pointed questions about her ability to continue as an MP by Mr Singh, Ms Khan did not retort that she was in that position only because she had been told to "take the lie to the grave on 8 August and that PS had told her on 3 Oct to continue that narrative/lie".
- g. On 22 November 2021, Mr Singh responded to Ms Khan's request for a second interview with the DP by stating "Dear Raeesah, I hope that you can see that it is precisely your character and behaviour that is under review here, in view of your actions in Parliament and your decision to stick to the untruthful anecdote when asked again in Oct."<sup>144</sup> Despite Mr Singh's critical comments about her actions and character after allegedly telling her to double down on her lie, Ms Khan did not retort by telling Mr Singh that her decision "to stick to the untruthful anecdote when asked again in Oct"

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<sup>143</sup> NE (6 November 2024) at p 55 lines 14 – 20.

<sup>144</sup> P24 at binder page 6.

was down to his purported instruction. Instead, her response was, “I will send that email, thank you. I understand it’s not personal.”<sup>145</sup> This is certainly inconsistent with Ms Khan’s allegations in the COP and in this trial.

- h. This is further supported by the conduct of PW2 and PW3 at the DP proceedings on 25 November 2021. Despite the bravado they expressed to Ms Khan on 23 November 2021, after the latter forwarded Mr Singh’s comments about her character and behaviour to them,<sup>146</sup> neither PW2 nor PW3 confronted Mr Singh or the other DP members when they appeared before the DP on 25 November about the fact that – according to Ms Khan – it was Mr Singh and/or the other DP members who directed her to take the lie to the grave and continue the narrative. And we know from both PW2 and PW3’s evidence that speaking out against Mr Singh is not something they had any refrain or qualms against.<sup>147</sup>
- i. Finally, on 29 and 30 November 2021, when Ms Khan appeared before the WP Central Executive Committee to read a draft of her personal statement, and informed them that she was going to resign as an MP, she did not raise the fact that she was being asked to resign only because she had followed Mr Singh’s instructions to continue the narrative.

153. Bearing in mind what was at stake for Ms Khan i.e., her job, her reputation, and her dignity, she would have taken any of these opportunities to confront Mr Singh and the WP leadership for being the masterminds behind her continuing lie. However, there was not even a whisper from her lips that that was the case. The only plausible explanation for this is that Ms Khan was never told or guided by Mr Singh and/or the WP leaders to “take the information to the grave” on 8 August or “to continue the narrative” on 3 October.

154. It is simply incredible that a person in Ms Khan’s position would not have cried “foul” if, as she alleged, the reason for continuing the lie was down to the guidance from Mr Singh. She would have, at the very least, raised this at the DP hearing or before the WP CEC. Her explanation that she did not do so due to a power imbalance is simply unbelievable given

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<sup>145</sup> P24 at binder page 7.

<sup>146</sup> P25 at binder page 1 – 5.

<sup>147</sup> For PW2 see NE (17 October 2024) at p 82 lines 6 – 11; for PW3 see NE (23 October 2024) at p 18 lines 18 – 24.

that she had no qualms standing up to Minister Shanmugam and the Speaker in Parliament – before all to see – on 4 October when she doubled down on her lie. Ms Khan has advanced various reasons why she continued to lie on the 4<sup>th</sup> of October particularly when she gave her statement on the 1<sup>st</sup> of November. None of those reasons suggest that the decision to lie again was down to Mr Singh.

155. Despite refusing the numerous opportunities to call out Mr Singh's alleged behaviour, the trio of Ms Khan, PW2 and PW3 remained conspicuously quiet, that is until the COP and now this trial.
156. But even in the absence of such a response to Mr Singh, the totality of the evidence is clear. Since the 3<sup>rd</sup> of August 2021, Mr Singh had wanted Ms Khan to be honest in Parliament. He wanted her to substantiate her anecdote in Parliament. At the conclusion of his meeting with Ms Khan on 8 August, he wanted her to clarify the truth on record in Parliament. And on 3 October, when he went to Ms Khan's house to talk to her about his 1 October email – which emphasised the importance of substantiating what one says in Parliament – he wanted Ms Khan to clarify the truth at the 4<sup>th</sup> of October sitting.
157. Any agreement to take the lie to the grave did not involve Mr Singh. Rather, as Ms Khan told this Court, it was her, PW2 and PW3 who agreed to bury the lie and it is the same three individuals who now point the finger at Mr Singh despite never having done so when the situation would have ordinarily demanded it.

## **(8) CONCLUSION**

158. It is submitted that, considering our submissions above, the Prosecution have failed to prove beyond reasonable doubt the two charges brought against Mr Singh.
159. There is no evidence that Mr Singh wilfully gave a false answer to the COP when he testified, in gist, that (a) at the conclusion of the 8 August meeting, he wanted Ms Khan to at some point clarify the lie in Parliament, and/or (b) when he spoke to Ms Khan on 3 October, he wanted to convey to her that she had to clarify the lie if the issue came up in Parliament on 4 October 2021. The Prosecution's evidence surrounding these events is unreliable, riddled by inconsistencies, and recounted by witnesses whose credibility is non-

existent. In short, the evidence fails to meet the require standard of proof that it is “unusually convincing”.

160. It is submitted that the totality of the evidence shows one thing, namely, Mr Singh had always intended for Ms Khan to clarify the untruth. Since 7 August, when Ms Khan first told Mr Singh, PW2 and PW3 that she had lied about the anecdote, Mr Singh’s efforts to have Ms Khan clarify the untruth in Parliament were stymied at each and every step of the way by PW2 and PW3. Ms Khan never wanted to tell the truth, and PW2 and PW3 agreed to help her to bury the lie by proposing “grey area” solutions. There was nothing “grey” about what Ms Khan, PW2 and PW3 decided to do. They wanted Ms Khan to continue the narrative regardless of what happened.

161. In the premises, it is submitted that this Court should acquit Mr Singh of both charges pursuant to section 230(1)(w) of the CPC 2010.

- a. **1<sup>st</sup> Charge (MCN-900426-2024)** – that as at the conclusion of his meeting with Ms Khan, Lim Swee Lian Sylvia and Muhamad Faisal bin Abdul Manap on 8 August 2021, Mr Singh wanted Ms Khan to, at some point, clarify in Parliament that what she told Parliament on 3 August 2021 about having accompanied a rape victim to a police station was untrue.
- b. **2<sup>nd</sup> Charge (MCN-900427-2024)** – that when Mr, Singh spoke to Ms Khan on 3 October 2021, he wanted to convey to Ms Khan that she had to clarify that what she told Parliament on 3 August 2021 about having accompanied a rape victim to a police station was untrue if this issue came up in Parliament on 4 October 2021.

*Andre Jumabhoy LLC*

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