

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[2025] SGDC 185

District Arrest Case No 901261 of 2022 & 16 Others

Public Prosecutor

Against

Jipson Quah

ORAL JUDGMENT

[Criminal Law — Offences — Property — Fraudulent deeds and dispositions of property — Dishonesty by false representation not connected with contracts for goods or services]

[Criminal Procedure and Sentencing — Statements — Admissibility — Voluntariness]

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Public Prosecutor

v

Jipson Quah

[2025] SGDC 185

District Arrest Case No 901261 of 2022 & 16 Others

District Judge Paul Quan

17-19 December 2024; 4-6, 11-14 March 2025; 30 April 2025; 2 May 2025

28 July 2025

Judgment reserved.

District Judge Paul Quan:

Introduction

1 Our Court of Appeal has observed that the police work in difficult circumstances and if they were required to remove all doubt of influence or fear, they would never be able to achieve anything. What is required of a trial judge in an ancillary hearing is to decide whether the evidence of the accused person alleging inducements, threats, promises or assaults, taken together with the prosecution's evidence, has raised a reasonable doubt in the trial judge's mind that the accused person was thus influenced into making the statement: *Panya Martmontree v PP* [1995] 2 SLR(R) 806 at [29].

2 In an ancillary hearing, the court is therefore focused on the narrow enquiry as to the basis for admitting (or not) the statement(s) of the accused person, which is premised on voluntariness of the statement(s) given:

section 258(3) of the Criminal Procedure Code 2010 (2020 Rev Ed) (“CPC”). Indeed, the issues to be considered at the hearing are to be confined as such: section 279(2) CPC. The court does not vindicate or indict the police or the accused person for any action or omission; instead, it is primarily concerned about whether such action or omission engages the issue of voluntariness, which lies at the heart of the ancillary hearing that seeks to determine whether the statement(s) given by the accused person ought to be admitted. The court’s ruling on admissibility also does not foreshadow its ultimate finding on the innocence or guilt of the accused person and any co-accused person(s), even though:

- (a) evidence adduced during the ancillary hearing that is relevant to the main trial is admissible without having to recall any of the witnesses to give evidence: section 279(5) CPC; and
- (b) the sworn evidence of an accused person is admissible against the other co-accused person(s): section 258(5) CPC.

3 The court’s enquiry does not end after it determines admissibility. Separate from the question of admissibility, the court has to go on to assess the weight to be accorded to the admitted statement(s): *Sulaiman bin Jumari v PP* [2021] 1 SLR 557 at [55]. This it does by evaluating the truth of the contents of the admitted statement(s) on an ongoing basis throughout the trial that resumes after the ancillary hearing: *Muhammad bin Kadar v PP* [2011] 3 SLR 1205 (“*Kadar*”) at [73]. The enquiry moves from voluntariness to objective reliability of the statement(s) – a voluntary statement may be dubious to the extent that it may or may not be reliable depending on the circumstances of the case and the cogency of the statement itself: *Jagatheesan s/o Krishnasamy v PP* [2006] 4 SLR(R) 45 at [86].

4 The court also has a duty throughout the trial to reconsider its decision to admit the statement(s) given by the accused person if further or new evidence emerges at a later stage not raised during the ancillary hearing that raises doubt about their voluntariness and therefore admissibility: *PP v Tan Lye Heng* [2017] 5 SLR 564 at [24] and [36]; sections 279(7) and 279(8) CPC. The reverse is also true if the court had previously decided not to admit the statement(s): section 279(9) CPC.

5 I have outlined the purpose of an ancillary hearing and the role of the court during such a hearing to provide the necessary context with which to properly understand the purport of the ancillary hearing that was convened for this trial. In short, admitting the statement(s) of the accused person after an ancillary hearing does not mean an acceptance of the content(s) of the statement(s) as entirely true as a matter of course. The court still has to assess the weight to be accorded to the statement(s) based on the objective reliability of the statement(s), especially if the truth of the statement(s) were disputed. The court also has discretion, and indeed a duty, to reconsider its decision to admit (or not) the statement(s) where further or subsequent evidence that is not tenuous has emerged in the course of the main trial that raises doubt about the voluntariness of the statement(s): *Tan Lye Heng* at [29].

Brief facts

6 The accused, Dr Jipson Quah, a 37-year-old Singaporean, claimed trial to 17 charges of dishonestly making false representations under section 424A(3) of the Penal Code to the Health Promotion Board that his patients had received the coronavirus disease (“COVID-19”) vaccinations, so that they could be reflected as such in the National Immunisation Registry when they had not in

fact receive such vaccinations.¹ Six of these charges allege a criminal conspiracy with the patients and a co-accused person, Ms Iris Koh Hsiao Pei (“Ms Koh”);² another six allege a criminal conspiracy with the patients and another co-accused person, Mr Chua Cheng Soon, Thomas (“Mr Chua”) who was Dr Quah’s clinic assistant at the time;³ and yet one other alleges a criminal conspiracy with a patient, Ms Koh and Mr Chua.⁴

7 During investigations in remand and on bail, 11 statements were recorded under section 22 CPC (“the investigation statements”) from Dr Quah by the investigation officers, two by PW1 Karl Elliott Lim (“PW1 Lim”) and nine by 1AH-PW1 Ng Shiunn Jye (“1AH-PW1 Ng”). The prosecution sought to admit them as part of its case. On the basis that they were not voluntarily given by Dr Quah, the defence challenged the admissibility of six of these investigation statements recorded by 1AH-PW1 Ng when Dr Quah was remanded for investigations from 21 January 2022 to 31 January 2022 (“the

¹ DAC 901261 of 2022 (“Exhibit C1D-B1”), DAC 911672 of 2022 (“Exhibit C2B-B1”), DAC 911673 of 2022 (“Exhibit C3B-B1”), DAC 911674 of 2022 (“Exhibit C4D-B1”), DAC 911679 of 2022 (“Exhibit C5E-B1”), DAC 911680 of 2022 (“Exhibit C6B-B1”), DAC 911681 of 2022 (“Exhibit C7B-B1”), DAC 911682 of 2022 (“Exhibit C8B-B1”), DAC 911683 of 2022 (“Exhibit C9B-B1”), DAC 911702 of 2022 (“Exhibit B10D-B1”), DAC 900888 of 2023 (“Exhibit C11A-B1”), DAC 900889 of 2023 (“Exhibit C12A-B1”), DAC 900890 of 2023 (“Exhibit C13A-B1”), DAC 900891 of 2023 (“Exhibit C14A-B1”), DAC 900892 of 2023 (“Exhibit C15A-B1”), DAC 900893 of 2023 (“Exhibit C16A-B1”) and DAC 900894 of 2023 (“Exhibit C17A-B1”).

² DAC 911702 of 2022 (“Exhibit C10D-B1”); DAC 900888 of 2023 (“Exhibit C11A-B1”), DAC 900889 of 2023 (“Exhibit C12A-B1”), DAC 900891 of 2023 (“Exhibit C14A-B1”), DAC 900892 of 2023 (“Exhibit C15A-B1”), DAC 900892 of 2023 (“Exhibit C15A-B1”) and DAC 900894 of 2023 (“Exhibit C17A-B1”).

³ DAC 901261 of 2022 (“Exhibit C1D-B1”), DAC 911672 of 2022 (“Exhibit C2B-B1”), DAC 911673 of 2022 (“Exhibit C3B-B1”), DAC 911680 of 2022 (“Exhibit C6B-B1”), DAC 911681 of 2022 (“Exhibit C7B-B1”) and DAC 911682 of 2022 (“Exhibit C8B-B1”).

⁴ DAC 911683 of 2022 (“Exhibit C9B-B1”).

impugned statements”). A single ancillary hearing was convened to determine their admissibility in accordance with section 279(1) CPC. At the end of the hearing that took about ten days, parties prepared written closing submissions. I also directed for oral closing submissions to be heard over two days where I accorded liberty to the parties to take me through the submissions, primarily for Mr Chua’s benefit. He was self-represented during the ancillary hearing.

Court’s ruling

8 Having reserved my judgment on 2 May 2025, I now find that the prosecution has proven beyond reasonable doubt that the impugned statements were given voluntarily by Dr Quah and that the defence did not raise a reasonable doubt in the prosecution’s case. I therefore rule that the impugned statements are admissible as part of the prosecution’s case.

9 I explain why in this oral judgment and my reasons will be incorporated in due course in the written judgment on the main trial.

Burden and standard of proof

10 The prosecution bears the legal burden of proof to show beyond reasonable doubt that the impugned statements were given voluntarily: *Panya Martmontree* at [26]. The defence need only raise a reasonable doubt in the prosecution’s case and need not prove on the balance of probabilities that Dr Quah had not made his statements involuntarily: *Chai Chien Wei Kelvin v PP* [1998] 3 SLR(R) 619 at [53].

11 Where the legal overall burden is on the prosecution, the accused person’s evidential burden (that is, the burden to produce sufficient evidence to keep a question of fact alive) is to point to such evidence as is capable of

generating a reasonable doubt: *Roshdi bin Abdullah Altway v PP* [2022] 1 SLR 535 (“*Roshdi*”) at [77] and [79]. If the evidence of the accused person is inherently incredible, he would have failed to discharge his evidential burden of properly putting his defence into issue and there would be no question of the evidential burden shifting to the prosecution to rebut the defence: *Roshdi* at [81]. What is required is a reasonable doubt, and not merely speculative or conjectural doubts arising from the slightest suspicion of an inducement: *PP v Lim Boon Hiong* [2010] 4 SLR 696 at [37].

Parties’ positions

12 The prosecution’s case is that:

- (a) there was no threat, inducement or promise (“TIP”) rendered to Dr Quah in the recording of the impugned statements;⁵ and
- (b) Dr Quah failed to discharge his evidential burden to show that any inducement was made and no evidential burden shifted to the prosecution to rebut his defence.⁶

13 The defence’s case is that the impugned statements were procured by inducements through specific representations made on two occasions to Dr Quah and were therefore involuntary:⁷

⁵ Prosecution’s ancillary hearing submissions (“Exhibit 1AH-PCS”) at [6].

⁶ Exhibit 1AH-PCS at [88].

⁷ Defence’s skeletal submissions (“Exhibit 1AH-B1-DCS”) at [10]. See also Notes of Evidence (“NE”), 17 December 2024, page 61 at lines 23-29 and page 62 at lines 15-28.

(a) in respect of the first four statements⁸ – on 22 January 2022, 1AH-PW1 Ng informed Dr Quah that if he provided the names of at least 15 patients who had received fake vaccines, investigations could be completed and Dr Quah would be offered bail; and

(b) in respect of the fifth and sixth statement⁹ – on 28 January 2022, 1AH-PW7 Tan Pit Seng (“1AH-PW7 Tan”), Head Investigation, Central Police Division, informed Dr Quah that he had, to date, not shown sufficient remorse and that, if he embellished Ms Koh’s culpability, he would be offered bail.

14 I explain why I find each statement to be voluntary in turn.

Test of voluntariness

15 Voluntariness is to be tested objectively and subjectively. The court’s fact-sensitive assessment entails:

(a) an objective limb, which considers whether any TIP was made by considering what might be gained or lost as well as the degree of assurance; and

(b) a subjective limb, which considers the effect of the TIP on the mind of the accused person, and takes into account the personality and experience of the accused person when deciding whether and how any

⁸ Further statement of 22 January 2022 recorded at 11pm (“Statement 1AH-P1I”), further statement of 23 January 2022 recorded at 5.05pm (“Statement 1AH-P2I”), further statement of 26 January 2022 recorded at 3.45pm (“Statement 1AH-P3I”), and further statement of 27 January 2022 recorded at 9.15pm (“Statement 1AH-P4I”).

⁹ Further statement of 28 January 2022 recorded at 4.10pm (“Statement 1AH-P5I”), and further statement of 29 January 2022 recorded at 12.50pm (“Statement 1AH-P6I”).

TIP has affected the accused person in the statement-taking process: *Sulaiman* at [39] and [40].

Statements bookending impugned statements

16 While it is convenient to consider each of them in turn, the impugned statements have to be analysed holistically with one another and with the remaining statements recorded from Dr Quah. Pertinently, the impugned statements were book-ended by five other investigation statements, the first two recorded by PW1 Lim on 21 January 2022,¹⁰ as well as the last three recorded by 1AH-PW1 Ng after Dr Quah was released on bail on 31 January 2022.¹¹ These five statements that bookended the six investigation statements went unchallenged and were admitted as part of the prosecution's case.

17 More importantly, apart from being voluntary, these five statements were recorded from Dr Quah before and after the alleged inducements took place. The six statements, during the recording of which the alleged inducements took place, therefore has to be read in their proper and full context of these other five statements, to which I first turn.

First two investigation statements: Statements P1 and P2

18 The defence did not challenge the voluntariness of the Statements P1 and P2 recorded by PW1 Lim. In its closing submissions, the defence also did not take issue with their accuracy, although it had put its case to PW1 Lim during the hearing that as Dr Quah was asleep at the time, he did not give the

¹⁰ Statement of 21 January 2022 recorded at 6.55am ("Statement P1") and statement of 21 January 2022 at 9.55am ("Statement P2").

¹¹ Statement of 14 February 2022 recorded at 12.20pm ("Statement 1AH-P14"), statement of 30 March 2022 recorded at 11.10am ("Statement 1AH-P15"), and statement of 14 April 2022 recorded at 11.50am ("Statement 1AH-P16").

answers in Statement P1 and they were instead taken from his previous statements that he gave earlier to officers from the Ministry of Health (“MOH”) to which PW1 Lim was privy.¹² PW1 was forthright in admitting that:

(a) he learnt from Dr Quah that Dr Quah had given positive statements to MOH officers;¹³ and

(b) his police colleagues had given him some background information about the case.¹⁴

But he did not have sight of the statements that Dr Quah had given to MOH officers; neither did he know of their contents.¹⁵ To the extent that PW1 Lim was a candid witness, I accept his evidence in this regard.

19 During the hearing, Mr Chua also put a similar case to PW1 Lim that Dr Quah gave inaccurate or inconsistent answers because he was fatigued at the time.¹⁶ In re-examination, PW1 Lim again candidly admitted that he could tell Dr Quah was tired but he had assessed Dr Quah to be nevertheless fit for statement-recording.¹⁷ I accept PW1 Lim’s assessment given that he had used

¹² NE, 17 December 2024 (cross-examination of PW1 Lim), page 12 at lines 6-17, and page 21 at lines 15-24.

¹³ NE, 16 December 2024 (cross-examination of PW1 Lim), page 90 at lines 9-26, page 92 at lines 24-30, page 95 at lines 20-28, and page 96 at lines 2-8 and lines 12-16; NE, 17 December 2024 (re-examination of PW1 Lim), page 45 at lines 8-17.

¹⁴ NE, 16 December 2024 (cross-examination of PW1 Lim), page 98 at lines 9-24.

¹⁵ NE, 16 December 2024 (cross-examination of PW1 Lim), page 90 at lines 5-8, page 93 at lines 17-21, and page 96 at lines 9-11; NE, 17 December 2024 (cross-examination of PW1 Lim), page 21 at lines 22-24, page 48 (re-examination of PW1 Lim) at lines 28-31 and page 49 at lines 1-2.

¹⁶ NE, 17 December 2024 (cross-examination of PW1 Lim by Mr Chua), page 40 at lines 7-10.

¹⁷ NE, 17 December 2024 (re-examination of PW1 Lim), page 50 at lines 16-24.

three broad-based criteria of awareness, cognitive ability and emotional state to ground his assessment.¹⁸ PW1 Lim also candidly admitted that he could not recall whether Dr Quah responded explicitly when asked to affirm whether Exhibit P1 was accurate, but he would have explained to Dr Quah that if he had nothing else to add to Statement P1 and signed off on it, he would be taken to affirm that what was recorded was accurate.¹⁹ This is fortified by the fact that Dr Quah did in fact make an addition to Exhibit P1 before signing it.²⁰

20 At this stage for the purpose of the ancillary hearing and subject to any further evidence adduced during the main trial, I am prepared to accept as true the contents of Statements P1 and P2 in relation to Dr Quah:

- (a) identifying without inducement the patients he gave saline shots to in lieu of vaccines, where Dr Quah –
 - (i) stated that the number of such patients to be 15,²¹
 - (ii) began to identify these patients purely from memory,²²
 - and

¹⁸ NE, 16 December 2024 (examination-in-chief of PW1 Lim), page 53 at lines 11-32 and page 54 lines 1-28.

¹⁹ NE, 16 December 2024 (examination-in-chief of PW1 Lim), page 57 at lines 10-18. See also NE, 17 December 2024 (re-examination of PW1 Lim), page 46 at lines 26-32 and page 47 at lines 1-6, page 49 at lines 26-32, and page 50 at lines 1-15.

²⁰ Statement P1, answer to question 8; NE, 16 December 2024 (examination-in-chief of PW1 Lim), page 56 at lines 17-31 and page 57 at lines 1-9.

²¹ Statement P1, answer to question 1 at [11] and answer to question 8 at [1].

²² Statement P1, answer to question 1 at [5] (female patient referred by Ms Koh) and [12] (Eurasian couple with their daughter), answer to question 4 (elderly couple), and answer to question 5 at [2] (family of three and a Malay lady); Exhibit P2, answer to question 5 at [2] (Caucasian male and his Thai wife).

(iii) indicated that he could try and identify them from his clinic medical records because there might be things about their particulars that stood out to him that would enable him to identify them;²³

(b) implicating Ms Koh without inducement²⁴ when PW1 Lim asked Dr Quah to clarify the evidence that he gave in Statement P1 about Ms Koh's involvement;²⁵ and

(c) implicating Mr Chua without inducement.²⁶

Last three investigation statements: Statements 1AH-P14, 1AH-P15 & 1AH-P16

21 The defence did not challenge the voluntariness of Statements 1AH-P14, 1AH-P15 and 1AH-P16, recorded by 1AH-PW1 Ng after Dr Quah was released on bail.²⁷ Dr Quah also confirmed this during cross-examination.²⁸ These statements were admitted as part of the prosecution's case. The prosecution's case in this regard is that Dr Quah did not retract any of his previous statements on the basis that they were involuntarily given by him.²⁹ Instead, he continued to implicate Ms Koh and also identified patients in these statements.³⁰ Dr Quah explained that he did not indicate that the previous statements were involuntary

²³ Statement P1, answer to question 7.

²⁴ Statement P2, answer to question 2.

²⁵ NE, 16 December 2024 (examination-in-chief of PW1 Lim), page 73 at lines 9-24.

²⁶ Exhibit P1, answer to question 5 at [3] and [4], and answer to question 6 at [1]; Exhibit P2, answer to question 3.

²⁷ NE, 14 March 2025 (cross-examination of Dr Quah), page 2 at lines 17-24.

²⁸ NE, 14 March 2025 (cross-examination of Dr Quah), page 12 at lines 10-14.

²⁹ NE, 14 March 2025 (cross-examination of Dr Quah), page 4 at lines 10-17.

³⁰ Exhibit 1AH-PCS at [127], [160] and [161].

because he was not asked³¹ and that the meeting with 1AH-PW8 Tan was supposed to be in secret.³²

22 When confronted with his acknowledgments in Exhibits 1AH-P15 and 1AH-P16 that he was allowed to go through his previous statements and correct any inaccuracies,³³ he explained he was too traumatised to look at them.³⁴ However, his subsequent indication in 1AH-P16 that he wished to make an amendment to Statement P2³⁵ militated against his explanation. I am not persuaded that he did so because “he was feeling slightly better” and felt he needed to make some adjustments to Statement P2.³⁶ The slight change in emotion cannot account for the disproportionate amendment made that implicated Ms Koh further. Dr Quah sought to further explain that Statement P2 had not sufficiently implicated Ms Koh and that he had “wanted to complete the story” in Statement P2.³⁷ He had to complete the story that he had painted that Ms Koh was the “complete mastermind of every single allegation”.³⁸ However, there was no reason to do this because by the time Statement 1AH-P16 was recorded, Dr Quah was already released on bail and any alleged bail inducements would not have been operative. I am not persuaded that his motivation to continue to implicate Ms Koh stemmed from his desire to

³¹ NE, 14 March 2025 (cross-examination of Dr Quah), page 4 at lines 18-28, and page 5 at lines 14-15

³² NE, 14 March 2025 (cross-examination of Dr Quah), page 5 at lines 20-23, and page 10 at lines 10-15.

³³ See also Statement 1AH-P15, answer to question 8.

³⁴ NE, 14 March 2025 (cross-examination of Dr Quah), page 5 at lines 1-8, page 6 at lines 7-17, and page 11 at lines 6-17.

³⁵ Statement 1AH-P16, answers to question 8.

³⁶ NE, 14 March 2025 (cross-examination of Dr Quah), page 11 at lines 18-20.

³⁷ NE, 14 March 2025 (cross-examination of Dr Quah), page 11 at lines 20-22.

³⁸ NE, 14 March 2025 (cross-examination of Dr Quah), page 12 at lines 8-9.

continue to remain on bail.³⁹ Any apparent concern that a retraction might compromise bail as it might prompt a restart of or further investigations and consequently, further indefinite remand, or an increase in bail quantum, or other changes to existing bail conditions, was unfounded and would have been readily disabused by counsel because Dr Quah was already legally represented at the time. Indeed, any taint on voluntariness or accuracy should be raised at the first available opportunity because these are sworn statements with legal implications as can be seen in these proceedings, rather than withholding any allegations of TIP and using the statements as a tool to compound mistruths for any alleged guarantee of continued bail. The overall tenor of these statements was Dr Quah's desire to fully cooperate with the police to complete their investigations,⁴⁰ and his contrition for his misguided belief that he was acting in his patients' interests and for their well-being.⁴¹

23 At this stage for the purpose of the ancillary hearing and subject to any further evidence adduced during the main trial, I am prepared to accept as true the contents of Statements 1AH-P14, 1AH-P15 and 1AH-P16 in relation to Dr Quah:

- (a) continuing to identify without inducement the patients to whom he gave saline shots in lieu of vaccines;⁴²

³⁹ NE, 14 March 2025 (cross-examination of Dr Quah), page 10 at lines 19-30, and page 12 at lines 6-7.

⁴⁰ Statement 1AH-P14, answer to question 13.

⁴¹ Statement 1AH-P16, answer to question 19.

⁴² Statements 1AH-P14, answer to question 17 (female patient with severe brain aneurysm); Exhibit 1AH-P15, answer to question 17 (Cedric and his wife); Exhibit 1AH-P16, answers to question 9-12 (the Columbus family).

(b) continuing to implicate Ms Koh without inducement,⁴³ and indeed doubling down on those efforts when he requested in Statement 1AH-P16 to amend Statement P2 to reflect that Ms Koh had suggested that he used saline to replace the vaccine⁴⁴ and

(c) continuing to implicate Mr Chua without inducement.⁴⁵

Nature of alleged inducement by 1AH-PW1 Ng in relation to impugned statements

24 The defence has submitted that inducement was made by 1AH-PW1 Ng to Dr Quah on a single occasion on 22 January 2022 and tainted Statements 1AH-P1I, 1AH-P2I, 1AH-P3I and 1AH-P4I that he had recorded from Dr Quah while Dr Quah was remanded for investigations.⁴⁶ Specifically, the allegation was that when Statement 1AH-P1I was recorded:⁴⁷

(a) 1AH-PW1 Ng informed Dr Quah that he would be remanded until investigations were complete,

(b) Dr Quah then asked what information was required in order for investigations to be complete, and

(c) 1AH-PW1 Ng informed Dr Quah that the police required him to name patients who had received the fake saline vaccines.

⁴³ Statement 1AH-P14, answer to question 18 and answers to questions 25 and 26.

⁴⁴ Statement 1AH-P16, answer to question 8. Contrast Statement P2, answer to question 2 (“I recall that we one had a phone call and she suggested I administer something in lieu of the Sinopharm vaccine. She never mentioned saline specifically.”)

⁴⁵ Statement 1AH-P16, answer to question 13.

⁴⁶ Exhibit 1AH-B1-DCS at [16].

⁴⁷ Exhibit 1AH-B1-DCS at [17].

No inducement was made

25 I find on an objective assessment that 1AH-PW1 Ng did not make any inducement to Dr Quah.

26 The prosecution led evidence from 1AH-PW1 Ng that he did not offer any TIP to Dr Quah to obtain Exhibit 1AH-P1I; neither was it obtained by oppression.⁴⁸

Q So the first question that I asked you is did you issue any threat to Dr Quah to obtain this statement. What I mean by “threat” is did you indicate to Dr Quah---was there any indication from you to Dr Quah that he would suffer any ill effects or consequences as a result of not complying with your demands?

A No.

Q Okay. Then I had also asked you did you issue or did you give any inducement to Dr Quah to obtain this statement from him. By inducement---

...

By inducement, I mean did you indicate to Dr Quah or did you communicate anything to Dr Quah such as to influence him to provide the statement to you?

A No.

Q And finally, promise is a bit more straightforward. Did you make any promise of any benefit to Dr Quah to obtain this statement from him?

A No.

Q Okay. And there is also a related concept of oppression. Alright. So did you obtain this statement from Dr Quah under oppressive circumstances and by “oppressive circumstances”, I mean circumstances that would tend to sap his free will when he gave this statement?

A No.

⁴⁸ NE, 17 December 2024 (examination-in-chief of 1AH-PW1 Ng), page 83 at lines 14-32 and page 84 at lines 1-23.

Okay. And you said “no” to all these questions. Can you tell the Court why “no”? Why do you say “no”?

A Firstly, Dr Quah was allowed to call for a break at any point of time. When he has requests, I would also accede to these requests. A very good example is that he wanted to call his wife, which I allowed him to do so by using my mobile phone and ring the wife. When---when after a few try the wife didn't pick up the call, yes, we---we continued with the statement recording. However, as soon as his wife called back, I stopped the interview and allowed him to speak to the wife, over the speaker of course. So before the statement, I also checked with him have he taken his meal or not and then if he is well enough for the statement to be recorded. If he had replied otherwise, I would not commence the statement, allowed him to have his meal or---or get a doctor to attend to him, if required. That's all.

27 During cross-examination, 1AH-PW1 Ng candidly admitted that he had informed Dr Quah that as part of the investigations, he required the names of patients who had allegedly received fake saline vaccines when Dr Quah asked him what information was required in order for the investigation to be complete. But he did not inform Dr Quah that Dr Quah would not be able to be offered bail until the investigations were complete. Neither did he say that since Dr Quah told MOH officers that there were 15 patients involved, he required at least 15 names and that if the police did not get at least 15 names from Dr Quah, the investigation would not be complete:⁴⁹

Q Right. So, my instructions, Mr Ng, and please listen carefully, and you can agree or disagree or you say you don't know or cannot remember. Those are options available to you. Okay? My instructions are that you informed Dr Quah that he would not be able to be offered bail until the investigations were complete. Do you recall saying something like this?

A No.

Q And I'm instructed that Dr Quah asked you what information was required in order for the investigation to be complete. Do recall Dr Quah saying this to you?

⁴⁹ NE, 18 December 2024 (cross-examination of 1AH-PW1 Ng), page 53 at lines 16-30, page 54 at lines 17-20, page 55 at lines 1-9, page 56 at lines 8-12 and lines 20-23, and page 57 at lines 1-4 and lines 24-32.

A Yes.

Q And you had informed Dr Quah that as part of the investigations, you required the names of patients who had allegedly received fake saline vaccines. Do you recall this?

A Yes.

...

Q Okay. Do you recall telling Dr Quah that since he had told the MOH that there were 15 patients, you required at least 15 names of patients who had received fake vaccines? Do you recall this?

A No.

...

Q Right. And do you recall telling Dr Quah that if the police did not get at least 15 names from him, the investigations would not be complete?

A Is that the end of the question?

Q Yes.

A No.

Q No? I just want to be fair to you. No means I don't recall or no means it definitely didn't happen?

A It definitely never happened.

...

Q And you answered, okay, no, sorry. And you told Dr Quah---I put it to you that you informed him that he---sorry. You told Dr Quah he would not be able to be offered bail until investigations were complete. Agree or disagree?

A Disagree.

...

Q I put it to you that Dr Quah asked you what information was required in order for investigations to be completed. Agree or disagree?

A Yes.

...

Q Okay. I put to you that you told Dr Quah that as part of the investigations, you required the names of patients who had allegedly received fake vaccines. You can agree or disagree.

A Yes.

...

Q And I put it to you that you told Dr Quah that if the police did not receive at least 15 names from Dr Quah, the investigations could not be completed. Agree or disagree?

A Disagree.

Q And I have a final put in this situation. In doing so, you implied that if Dr Quah did not provide at least 15 patient names, he would not be permitted bail or bail would not be extended. You can agree or disagree.

A Disagree.

28 The defence has contended that it would have made no sense for Dr Quah to ask what was required in order for investigations to be complete unless 1AH-PW1 Ng had first told him that bail would only be offered once investigations were complete.⁵⁰ According to the defence, this was the appropriate conclusion to draw as 1AH-PW1 Ng's response was in relation to Dr Quah's query as to when he could be released on bail.⁵¹ I accept 1AH-PW1 Ng's explanation during re-examination that he did not say this because it would be beyond his ability and only rightfully within the court's purview to do so:⁵²

Q We move into another area of the cross-examination by Mr Adrian Wee. This was where he was putting his case to you. Okay, we're going to go to that area now. This specific plank of his case is this. According to his instructions, you told Dr Quah that he would not be offered bail until investigations are complete. Your response was you disagree. My question to you now is: Why do you disagree that you told Dr Quah that he would not be offered bail until investigations are complete?

A What was quoted is beyond my ability. Th---the Court has---the Court set a fur---a next mention date for the matter. As such, I---I couldn't possibly grant bail without going to the Court.

⁵⁰ Exhibit 1AH-B1-DCS at [26].

⁵¹ Exhibit 1AH-B1-DCS at [27].

⁵² NE, 19 December 2024, page 70 at lines 21-31.

29 As for the defence's contention that bail is very much influenced by the recommendations of the police,⁵³ the police making factual statements about bail that are neutral cannot constitute inducement on an objective assessment. For instance, an investigation officer who said that if they could complete the statement early, she could help the accused to be released on bail, did not amount to an inducement or promise: *PP v Heng Siew Chye* [2004] SGDC 20 at [13]. I agree with the prosecution that even taking the defence's case at its highest in relation to the conversation between Dr Quah and 1AH-PW1 Ng in this regard, 1AH-PW1 Ng was merely replying factually to Dr Quah's query on bail and police investigative procedures with neutral responses, from which Dr Quah then elicited his own understanding of what he was required to do from the line of enquiry he had pursued with 1AH-PW1 Ng.⁵⁴

30 Rather than artificially parse every line of the conversation, the defence has urged me to look at the conversation in a much broader and general context where if Dr Quah did not give 15 or more names, investigations could not be concluded and therefore bail could not be offered.⁵⁵ When serious allegations are made by an enquiring recipient of a police officer's responses to queries, the more granular analysis undertaken by the prosecution is preferred to sieve out who initiated what in order to properly ascertain the nature of the impugned responses.⁵⁶ The upshot of this particular conversation between Dr Quah and 1AH-PW1 Ng is that Dr Quah was the one who initiated the conversation about

⁵³ NE, 30 April 2025 (defence's closing submissions), page 24 at lines 28-29.

⁵⁴ Exhibit 1AH-PCS at [97].

⁵⁵ NE, 30 April 2025 (defence's closing submissions), page 23 at lines 4-15.

⁵⁶ NE, 2 May 2025 (prosecution's closing submissions), page 37 at lines 12-13.

bail and that 1AH-PW1 Ng was merely responding to Dr Quah with factually neutral answers expected of him.⁵⁷

Dr Quah was not subjectively induced

31 In any event, I also find that Dr Quah was not subjectively induced.

32 The defence has submitted that Statements 1AH-P2I, 1AH-P3I and 1AH-P4I are tainted as they reference the same patients whose identities were disclosed under the same inducement that procured Statement 1AH-P1I and that Dr Quah therefore continued to labour.⁵⁸ This is incongruous with Dr Quah's evidence that as early as 21 January 2022 before his conversation with 1AH-PW1 Ng when the alleged bail inducement took place, he had already named far in excess of 15 to 17 patients when his clinic was raided.⁵⁹ Certainly by 23 January 2022 when Statement 1AH-P2I was recorded where Dr Quah had named 17 patients, any alleged bail inducement would have ceased to be operative as he felt he had fulfilled his end of the bargain.⁶⁰

Q So, I---my point to you is that having naming 15---more than 15 patients in this identification process, you have already given the police what they wanted; you have met your end of the bargain. So, do you agree with me that you've i---having identified it, you have met that demand?

A Yes, I thought so.

...

⁵⁷ NE, 2 May 2025 (prosecution's closing submissions), page 37 at lines 15-19.

⁵⁸ Exhibit 1AH-B1-DCS at [31].

⁵⁹ NE, 12 March 2025 (cross-examination of Dr Quah), page 120 at lines 31-32, page 121 at lines 1-32, and page 122 at lines 1-3.

⁶⁰ NE, 13 March 2024 (cross-examination of Dr Quah), page 30 at lines 21-26, and page 31 at lines 1-9.

Q So, as far as your part of---so, you agree with me that as far as your part of the arrangement or your alleged arrangement is concerned in this TIP allegation, you have fulfilled your end of the bargain, and then it was for the police to recommend bail or arrange bail for you subsequently, right?

A At the point of completion of naming the names, I would have hoped that I had completed my end of the bargain and see what IO Ng decides to do next. I certainly had hoped that he would let me out on bail or give me a bail recommendation.

33 Counsel for Ms Koh also made the point that when Dr Quah was informed that the offence he faced was non-bailable, he would be under the impression that it meant “no bail, ever” and that he would never be bailed out.⁶¹ This coheres with Dr Quah’s evidence during cross-examination of this understanding⁶² at least by 25 January 2022 at the second court mention where his remand period was extended. This necessarily means that he could not have continued to labour under any alleged bail inducement, if at all, when making Statement 1AH-P31I on 26 January 2022 and Statement 1AH-P4I on 27 January 2022.

34 Dr Quah’s evidence as to the exact nature of the allegation of 1AH-PW1 Ng’s bail inducement is also not without difficulty. To be sure, any allegation of TIP was not disclosed in the case for the defence⁶³ and only featured belatedly in the supplementary case for the defence and without any particulars at that.⁶⁴ The defence eventually grounded its case of TIP in a single episode of inducement on 22 January 2022 with 1AH-PW1 Ng requiring Dr Quah to only name and identify patients, but Dr Quah testified to the effect that the

⁶¹ Ancillary Hearing Submissions by Iris Koh Hsiao Pei (“Exhibit 1AH-B2-DCS”) at [16(xiii)].

⁶² NE, 13 March 2025 (cross-examination of Dr Quah), page 56 at line 27 (“So, non-bailable means non-bailable”) and line 31 (“Non-bailable is non-bailable”).

⁶³ Exhibit 1AH-P17.

⁶⁴ Exhibit 1AH-P18.

inducement was repeated on multiple occasions⁶⁵ and also gave three differing versions during cross-examination of what he thought was required of him, with escalating degrees of how onerous those requirements became:

- (a) patient interactions and details which are even more complex than naming patients;⁶⁶
- (b) information about fake vaccinations;⁶⁷ and
- (c) information about patients.⁶⁸

They cannot otherwise be interpreted as stemming from 1AH-PW1 Ng's bail inducement that required Dr Quah to name and identify patients.⁶⁹

35 At best and this is the more charitable view, Dr Quah was not certain of what 1AH-PW1 Ng asked of him and any purported inducement from him could well have been self-perceived. A self-perceived inducement cannot in law amount to an inducement: *Lu Lai Heng v PP* [1994] 1 SLR(R) 1037 at [19]. The more probable view I am inclined to is that Dr Quah's evidence lacks credibility because his allegation against 1AH-PW1 Ng had increased steadily in scope to account for the answers he had given in his statements that he claims are involuntary, but the nature and context of which do not quite relate to 1AH-PW1 Ng's bail inducement that only required him to name and identify patients.

⁶⁵ NE, 12 March 2025, page 27 at lines 24-31.

⁶⁶ NE, 12 March 2025, page 88 at lines 15-17; 13 March 2025, page 5 at lines 12-21.

⁶⁷ NE, 13 March 2025, page 14 at lines 23-25; see also 12 March 2025, page 100 at lines 19-32 and page 101 at lines 1-2.

⁶⁸ NE, 12 March 2025, page 116 at lines 21-28.

⁶⁹ NE, 13 March 2025, page 17 at lines 9-23, and page 18 at lines 7-9 and lines 20-27.

Impugned Statements 1AH-P1I, 1AH-P2I, 1AH-P3I & 1AH-P4I

36 Dr Quah continued to implicate Ms Koh in Statement 1AH-P1I recorded on 22 January 2022 by stating that she had referred most of the patients to whom he had given saline shots in lieu of Sinopharm vaccines and they were from the Heal The Divide Community (“HTD”).⁷⁰ He also identified the previous Eurasian couple and their daughter in Statement P1 using the receipts that were seized from his clinic.⁷¹ This was unlikely to have been induced as this was the same Columbus family that Dr Quah also later identified in Statement 1AH-P15 that was voluntarily made.

37 In relation to Statement 1AH-P2I recorded on 23 January 2022, Dr Quah marked out 17 patients to whom he had given saline shots in lieu of vaccines based on his recollection⁷² and to the best of his ability and memory.⁷³ There was no reason to name more patients than what 1AH-PW1 Ng purportedly required from Dr Quah if the statement were involuntary. Dr Quah also continued to implicate Ms Koh. He iterated that most patients to whom he gave saline shots in lieu of vaccines were from HTD.⁷⁴ He also stated that Ms Koh enquired to the effect of “Some people in HTD need help. Would it be possible to give another jab and thereafter upload the result on [National Immunisation Register] as vaccinated?”⁷⁵ Ms Koh would direct HTD patients to look for

⁷⁰ Statement 1AH-P1I, answer A8.1 to question Q8.

⁷¹ Statement 1AH-P1I, answer to question Q10 and Annexes A to C.

⁷² Statement 1AH-P2I, answer A8.1 and A8.2 to question Q8.

⁷³ Statement 1AH-P2I, answer A15.1 to question Q15.

⁷⁴ Statement 1AH-P2I, answer A9.1 to question Q9.

⁷⁵ Statement 1AH-P2I, answer A10 to question Q10 and answer A11.1 to question Q11.

Dr Quah after ascertaining his whereabouts from his work schedule.⁷⁶ He also continued to implicate Mr Chua.⁷⁷

38 Dr Quah continued to implicate Ms Koh in Statement 1AH-P3I recorded on 26 January 2022 by stating that all the patients who requested an alternative to being vaccinated and who were given saline shots were referred by Ms Koh.⁷⁸ Ms Koh told them that Dr Quah could give them some other vaccination.⁷⁹ He also continued to implicate Mr Chua.⁸⁰ He named and identified four patients by their photographs as well.⁸¹

39 Dr Quah continued to implicate Ms Koh in Statement 1AH-P4I recorded on 27 January 2022. She had wanted to send HTD patients, who are seeking vaccination alternatives, to Dr Quah in the interests of HTD which is anti-vaccination in principle.⁸² She has asked if vaccinations could be given with a lower dose, empty syringe or alternative solution.⁸³ Many of the patients insisted on getting the saline shots.⁸⁴ This was suggested by the first few patients who refused the vaccine and subsequently more patients requested saline shots.⁸⁵

⁷⁶ Statement 1AH-P2I, answer A14 to question Q14.

⁷⁷ Statement 1AH-P2I, answers to questions Q16-20.

⁷⁸ Statement 1AH-P3I, answers A14.2 to A14.4 to question Q14.

⁷⁹ Statement 1AH-P3I, answer A15.1 to question 15.

⁸⁰ Statement 1AH-P3I, answer to question 11.

⁸¹ Statement 1AH-P3I, answer A17.1 to question Q17.

⁸² Statement 1AH-P4I, answer A8.2 to question Q8, answers to questions Q9 and Q10

⁸³ Statement 1AH-P4I, answer A8.1 to question Q8 and answer A12 to question Q12.

⁸⁴ Statement 1AH-P4I, answer A15 to question Q15.

⁸⁵ Statement 1AH-P4I, answer A19 to question Q19.

40 The usual procedural safeguards pertaining to the recording of the statements were met.⁸⁶ Largely grammatical and other editorial amendments interspersed with amendments on more substantive points suggest that the statements are likely to be voluntary. Despite not having his clinic medical records, Dr Quah’s recollection of memory was aided by lists from computers and receipts seized from his clinics as well as chatlogs with Ms Koh and Mr Chua in the naming and identification of patients, which the police would then verify.⁸⁷ It was not a random exercise or a guessing game.⁸⁸

41 Dr Quah’s medical and psychiatric appointments on 24 January 2022⁸⁹ were unexceptional and it does not lie in Dr Quah’s mouth to claim it would have been otherwise but for the steps he had taken to avoid the consequences of being admitted.⁹⁰ He did not raise the allegation of inducement to either doctor or psychiatrist. He implicated Ms Koh and himself to Dr Lim Pei Ling, who attended to him at the Institute of Mental Health (“IMH”).⁹¹

42 I need not discuss the liberties that have been specifically extended to Dr Quah in this case, such as being able to speak to his mother and girlfriend over the phone while in remand, as this would not impede investigations,⁹² or

⁸⁶ Exhibit 1AH-PCS at [7]-[10].

⁸⁷ NE, 18 December 2024 (cross-examination of 1AH-PW1 Ng), page 54 at lines 21-32, and page 57 at lines 16-23.

⁸⁸ NE, 12 March 2025 (examination-in-chief of Dr Quah), page 21 at lines 3-7 and lines 22-25. See also Exhibit 1AH-B2-DCS at [20(v)]; Ancillary Hearing (Voir Dire) – Submissions of Mr Thomas Chua (“Exhibit 1AH-B3-DCS”) at [63]-[70].

⁸⁹ Exhibits 1AH-P7 and 1AH-P8.

⁹⁰ NE, 12 March 2025 (examination-in-chief of Dr Quah), page 35 at lines 12-15; 14 March 2025 (cross-examination of Dr Quah by Mr Chua), page 63 at line 32 and page 64 at lines 1-4.

⁹¹ Exhibit 1AH-P7 at page 1 of 6.

⁹² NE, 18 December 2024 (cross-examination of 1AH-PW1 Ng) at lines 14-17.

type portions of the statements under 1AH-PW1 Ng’s supervision in the interests of expediency and accuracy.⁹³ These relate to police operations and are properly within the province of 1AH-PW1 Ng as the investigation officer and 1AH-PW7 Tan as head investigations and 1AH-PW1 Ng’s supervisor. I am slow to venture into the area when the issue of voluntariness is not engaged. Likewise for the allegation that special food and drinks have been extended to Dr Quah, which I accept is prohibited by the police as a matter of course without exception.⁹⁴ These have not been raised either as stand-alone inducements or part of the alleged inducement that procured the impugned statements. They were therefore red herrings that would otherwise have detracted from my enquiry on voluntariness if I were to address them.

Nature of alleged inducement by 1AH-PW7 Tan in relation to impugned statements

43 Dr Quah testified during examination-in-chief that when he asked 1AH-PW7 Tan how he could get bail, 1AH-PW7 informed him that he had not “expressed sufficient remorse and cooperation for a bail recommendation”,⁹⁵ and that he needed to name Ms Koh as a mastermind and that would allow them to get complete investigations and get a bail recommendation from the Attorney-General’s Chambers (“AGC”).⁹⁶

⁹³ NE, 18 December 2024 (examination-in-chief of 1AH-PW1 Ng), page 2 at lines 28-31 and page 3 at lines 1-2.

⁹⁴ NE, 11 March 2025 (examination-in-chief of 1AH-PW7 Tan), page 13 at lines 5-10.

⁹⁵ NE, 12 March 2025, page 53 at lines 6-11.

⁹⁶ NE, 12 March 2025, page 53 at lines 26-31 and page 54 at lines 1-11.

Inducement was not made

44 The prosecution led evidence from 1AH-PW7 Tan that he did not offer any TIP to Dr Quah and specifically, he did not offer the inducement as Dr Quah had testified:⁹⁷

Q Did you give Dr Quah any assurances in the course of this particular meeting?

A No, I didn't.

Q Did you apply any threat inducement or promise to Dr Quah during this particular meeting?

A No, I did not.

Q Why do you say no?

A No---no---no specific reason for me to offer him any promise or---we don't do that in our course of work.

...

Q Now, there has also been an allegation that you had informed Dr Quah that he had not displayed sufficient remorse to warrant him getting bail up to that point. Do you have any comment on this allegation?

A From my recollection, he was already charged in Court and under remand, that would be untrue because any bail matters would have to be deferred to the Court and not me.

Q There's also been an allegation that after you informed Dr Quah of this, you told him that in order to display a sufficient level of remorse, he was required to embellish Ms Iris Koh's culpability in his subsequent statement. Do you have any comment on this allegation?

A I did not do that.

During cross-examination, 1AH-PW7 Tan maintained that he did not tell Dr Quah that he was not showing enough remorse and cooperation.⁹⁸ The

⁹⁷ NE, 11 March 2025, page 10 at lines 4-12 and lines 20-32.

⁹⁸ NE, 11 March 2025, page 103 at lines 22-30.

defence latched on the fact that he was equivocal and did not deny the other aspects of Dr Quah's allegation of 1AH-PW7's inducement:⁹⁹

Q Okay. Now, you told Dr Quah that in the course of the investigations he was not showing enough remorse and cooperation. You recall this happening?

A No, I don't.

Q And you don't, meaning it could have happened, might not have happened you don't recall, correct?

A I don't believe I said this.

Q So your answer is this did not happen?

A Yes.

Q Okay. Dr Quah then asked you what is it that he had to do. You can---do you recall this happening?

A What he had to do?

Q Yes, in response to you telling Dr Quah that he had not been showing enough remorse and cooperation, Dr Quah asked you what is it that he had to do.

A No, I cannot recall.

Q You cannot recall means it did---it may have happened, may not have happened, you don't remember?

A Yes.

Q And your answer to Dr Quah was that you---or your answer to Dr Quah was that he had to name Iris Koh as the mastermind in respect of three categories of activities. Now, first of all, in this particular case, you s---perhaps I will stop there, I'll take it one step at a time. You told Dr Quah, in response to his question of what is it that he had to do, you told him he had to name Iris Koh as the mastermind. You recall this happening?

A I don't recall. I believe I just answered that question.

Q You don't recall means could have happened, may not have happened, you don't remember, is that right?

A Yes.

⁹⁹ NE, 11 March 2025, page 103 at lines 31-32, page 104 at lines 1-32 and page 105 at lines 1-13.

Q And my instructions are that you specifically used the word “mastermind”. You recall this happening?

A No, I don’t.

Q You don’t recall means could have happened, might not have happened, you don’t remember, is that right?

A Yes.

Q Now, in addition to telling Dr Quah that he was to name Iris Koh as the mastermind, you mentioned three specific areas or allegations. The first involved remote testing; the second involved fake ART positive certifications; and the third involved the administration of fake vaccines. And you wanted Dr Quah to name Iris Koh as the mastermind in respect of these three categories. Do you recall this happening?

A I don’t recall.

Q And don’t recall means may have happened, may not have happened, you don’t remember, correct?

A Yah, but allow me to be more specific. For this investigation in particular, we are looking only at the probability of the fake vaccination.

Q Right. And in saying these to Dr Quah, “these” meaning what I’ve just told you, you intended or you meant that you intended for---you---sorry, you meant that Dr Quah was to embellish Iris Koh’s culpability. Embellish means add to, okay. That’s what you intended. You can agree or disagree.

A I---I disagree. Whatever that he’s given in his own statement is what he has to say, so---yah.

The defence has submitted that this was as close to an admission that we would get from 1AH-PW7 Tan.¹⁰⁰ I hold a different view. The specific aspects of Dr Quah’s allegation might have happened as much as they might not have; it is just that 1AH-PW7 Tan could not remember. Because vehement denials were expected, I tend to see his responses as making him a more credible and truthful witness. The upshot is that he did not tell Dr Quah that Dr Quah was not showing

¹⁰⁰ NE, 30 April 2025 (defence closing submissions), page 38 at lines 23-24.

enough remorse and cooperation and he also disagreed that he intended for Dr Quah to embellish Ms Koh's culpability.

45 Much was also made about how the objective security pass records,¹⁰¹ which only placed 1AH-PW1 Ng and 1AH-PW7 Tan where they tapped their security passes, and the lockup movement diary¹⁰² that is as complete a record as the fallibility of the human input (it is dependent on for the accuracy of the entries keyed into it) allows, are not in sync with the subjective accounts of their and Dr Quah's movements. Much was also made of the fact that their accounts of the meeting with Dr Quah differed from each other. Far from being a secret meeting or that they had something to hide, their evidence stood as they were, warts and all, untailored and without any signs of collusion. Ultimately, the discrepancies are not fatal to the prosecution's case and can be attributable to human fallibility in observation, retention and recollection, or resulting from different interpretations of the same event: *Jagatheesan s/o Krishnasamy v PP* [2006] 4 SLR(R) 45 at [82]. A perfect, water-tight and iron-clad case would otherwise have been suspicious for an uneventful meeting that took place more than three years ago. I accept that 1AH-PW7 Tan went to see Dr Quah because Dr Quah had voiced some concerns about his welfare, 1AH-PW1 Ng's supervisor was unavailable at the time to see him and there was due cause for concern because of Dr Quah's earlier referral to IMH.¹⁰³

¹⁰¹ Exhibits 1AH-P10 and 1AH-P11.

¹⁰² Exhibit P9.

¹⁰³ NE, 11 March 2025 (examination-in-chief of 1Ah-PW7 Tan), page 8 at lines 17-23, and page 9 at lines 16-26.

Dr Quah was not subjectively induced

46 According to Dr Quah, 1AH-PW7 represented to him that if investigations were complete, his investigation officer and 1AH-PW7 would have the ability to make a bail recommendation to AGC.¹⁰⁴ He understood this to mean that he was required to implicate Ms Koh as the mastermind and present this lie in order to secure a bail recommendation that would allow him to be released on bail before Chinese New Year which was in a few days' time.¹⁰⁵ However, as mentioned earlier, Dr Quah was under the misimpression that he could not be bailed out because he was facing a non-bailable offence and therefore could not have been subjectively induced to incriminate Ms Koh: see [33], above. Counsel for Ms Koh submitted that one way Dr Quah could have thought otherwise was if reframing of the charges under a different section were contemplated, but counsel rightly conceded that this was not in evidence.¹⁰⁶

Impugned Statements 1AH-P5I and 1AH-P6I

47 The defence has contended that the handwritten portion in Statement 1AH-P5I could not have been written between 8.10pm and 8.20pm, the latter being the time the statement was concluded because:

- (a) 1AH-PW1 Ng tapped his security pass at his office door on the third floor at 8.19pm.¹⁰⁷

¹⁰⁴ NE, 12 March 2025 (examination-in-chief of Dr Quah), page 54 at lines 15-16.

¹⁰⁵ NE, 12 March 2025 (examination-in-chief of Dr Quah), page 54 at lines 20-27.

¹⁰⁶ NE, 30 April 2025, page 63 at lines 21-32 and page 64 at lines 1-6.

¹⁰⁷ NE, 14 March 2025 (cross-examination of 1AH-PW1 Ng), page 101 at lines 29-32 and page 102 at lines 1-6.

(b) 1AH-PW7 Tan tapped his security pass at lift lobby A at level B1 where the lockup was located at 8.15pm and again at 10.05pm;¹⁰⁸ and

(c) 1AH-PW1 Ng eventually entertained the possibility that the handwritten portion was written by Dr Quah after meeting 1AH-PW7 Tan,¹⁰⁹ despite two earlier denials.¹¹⁰

48 The prosecution has rightly pointed out that Dr Quah also did not correct the timing.¹¹¹ This would have meant that Dr Quah and 1AH-PW1 Ng had colluded in this regard, but this was never mentioned in Dr Quah's evidence-in-chief or raised when 1AH-PW1 Ng was being cross-examined, much less proved. It had to be addressed because collusion between a police officer and an accused person is necessarily a serious charge.

49 The defence has also contended that the handwritten portion in Statement 1AH-P5I was procured by inducement and added by Dr Quah after meeting 1AH-PW7 Tan, which continued into Statement 1AH-P6I where Dr Quah indicated without prompting on the next day that he wished to give his statement about Ms Koh.¹¹² Both implicated Ms Koh. The defence says that Statement 1AH-P5I, which largely implicated only Mr Chua before Dr Quah added the handwritten portion, did so with significant escalation of Ms Koh's

¹⁰⁸ NE, 14 March 2025 (cross-examination of 1AH-PW1 Ng), page 106 at lines 29-32 and page 107 at lines 1-6.

¹⁰⁹ NE, 18 December 2024 (cross-examination of 1AH-PW1 Ng), page 98 at lines 19-25 and lines 30-31 and page 99 at line 1.

¹¹⁰ NE, 18 December 2024 (cross-examination of 1AH-PW1 Ng), page 97 at lines 27-32 and page 98 at lines 5-9.

¹¹¹ NE, 2 May 2024, page 63 at lines 25-27.

¹¹² Statement 1AH-P6I, answer A7 to question Q7.

complicity,¹¹³ which does not appear elsewhere in Dr Quah's earlier statements.¹¹⁴ I hold a different view. Dr Quah already implicated Ms Koh in the same or similar vein as early as in Statements P1 and P2: see [20(b)], above, and continued to do so in the rest of his other statements: see [36]-[39], above. I therefore agree with the prosecution that Statement 1AH-P5I did not add substantially new information¹¹⁵ and Ms Koh had already been thoroughly implicated before Statements 1AH-P5I and 1AH-P6I.¹¹⁶ Tellingly, both statements did not use the word "mastermind", which was a keyword that 1AH-PW7 Tan apparently used during the meeting with Dr Quah. They also did not appear to cover "remote testing" and "fake ART positive certifications" of which Dr Quah was supposed to pin Ms Koh as the mastermind. Statement 1AH-P6I involved identifying patients with their photographs with reference to chatlogs, as well as Ms Koh's complicity in referring more patients for saline shots in lieu of vaccines. These were already mentioned in previous statements.

Conclusion

50 The impugned statements satisfied the test for voluntariness. On an objective assessment, no inducement was made by either 1AH-PW1 Ng or 1AH-PW7 Tan to procure them; Dr Quah was also not subjectively induced in any event. As a final step, I see no reason to exercise my residual discretion at common law to exclude the statements on the basis of unreliability in light of the specific circumstances and process by which it was obtained or recorded, such as the accused person being under the influence of drug or alcohol, his

¹¹³ NE, 30 April 2025, page 42 at lines 7-8.

¹¹⁴ Exhibit 1AH-B1-DCS at [75].

¹¹⁵ Exhibit 1AH-PCS at [130].

¹¹⁶ Exhibit 1AH-PCS at [132].

physical condition at the material time, and his ability to understand the language used. Their probative value outweighs their prejudicial effect.

51 I therefore rule that the impugned statements recorded from Dr Quah by 1AH-PW1 Ng were voluntary and therefore admissible as part of the prosecution's case. Parties will address me on the weight to be ascribed to the statements at the end of the trial and ask me to reconsider my ruling today if the need arises at trial.



A handwritten signature in black ink, appearing to read "Paul Quan".

Paul Quan
District Judge

Kelvin Chong/ Yohannes Ng/ Thaddeus Tan/ Timothy Ong
(Attorney-General's Chambers) for the Public Prosecutor;
Wee Heng Yi Adrian/ Low Ying Hui (Lighthouse Law LLC) for the
Accused.