

PRESS RELEASE

PARLIAMENT OF SINGAPORE

REPORT FROM THE COMMITTEE OF PRIVILEGES PRESENTED TO PARLIAMENT

The Committee of Privileges (the “**COP**”) has completed its investigation into the complaint made on 1 November 2021 by Leader of the House Ms Indranee Rajah against Ms Raeesah Khan, former Member of Parliament (MP) for Sengkang Group Representation Constituency (GRC).

2 The attached [Report](https://www.parliament.gov.sg/parliamentary-business/committee-of-privileges---complaint-against-ms-raeesah-khan) from the COP [Parl. 13 of 2022] was presented to Parliament today (10 February 2022). Past Special Reports and the videos of the oral evidence heard are also available at: <https://www.parliament.gov.sg/parliamentary-business/committee-of-privileges---complaint-against-ms-raeesah-khan>

3 The COP’s recommendations pertaining to Ms Khan and the 3 senior Workers’ Party (WP) leaders cum MPs for Aljunied GRC - Mr Pritam Singh (also Leader of the Opposition), Ms Sylvia Lim and Mr Muhamad Faisal Bin Abdul Manap - are:

- a. A fine of S\$25,000 be imposed on Ms Khan for stating the Untruth¹ on 3 August 2021.
- b. A lesser fine of S\$10,000 be imposed on Ms Khan for repeating the Untruth on 4 October 2021.
- c. Mr Singh be referred to the Public Prosecutor for further investigations with a view to considering if criminal proceedings ought to be instituted in respect of his conduct before the COP.
- d. Mr Faisal be referred to the Public Prosecutor for further investigations into his refusal to answer relevant questions put by the COP, and consider if criminal proceedings ought to be instituted.
- e. The issues regarding (a) Mr Singh’s, Ms Lim’s and/or Mr Faisal’s respective roles as set out in the Report, in relation to the Untruth; (b) Ms Lim / Mr Faisal’s stating of untruths to this COP on oath/affirmation; and (c) the appropriate sanctions – be deferred until after the conclusion of the investigations and/or criminal proceedings against Mr Singh.

4 The COP’s conclusions and recommendations are set out at paragraphs 186 to 249 of the Report.

5 In finalising the draft Report, the COP Chairman, Speaker Tan Chuan-Jin (“**Chairman**”), and its 7 Members discussed and documented their inputs. The Minutes of Proceedings for the 14th Meeting (“**Minutes**”) [see **Appendix I** of the

¹ Ms Khan’s lie that she was present with the sexual assault survivor in the police station as she anecdotally described in her 3 August 2021 Parliament statement.

Report] outline the specific paragraphs to which the respective Members indicated had made edits. The Minutes also reflect that all edits incorporated were agreed to by Members.

6 The COP had various discussions and deliberations concerning specific paragraphs as they went through each paragraph in turn. For the amendments proposed and considered, views of every Member were sought, including to state their grounds for objections, if any. After all amendments had been duly considered or edited further, they were adopted by the Members for incorporation into the final Report.

7 All paragraphs in Part 1 of the draft Report were adopted by the COP.

8 Upon the COP's review of every paragraph of Part 2 of the draft Report, Mr Dennis Tan said that he objected to all the findings, from paragraph 111 (*112²) onwards. Mr Tan was then invited to set out his objections (which are detailed in Paras 10 to 20 of the Minutes) so that all Members could deliberate over them.

9 After the COP had gone through the draft Report via this paragraph-by-paragraph process, Mr Tan was again invited to state any other points which he would like to raise, and the grounds of his objections for them. He had no further comments to offer on the draft Report.

10 With the presentation of the COP's Report to Parliament, the Chairman said, "Parliamentary privilege is sacrosanct, and the Committee takes a serious view of any MP who abuses this privilege in the Chamber. Having thoroughly and carefully reviewed all the evidence and acting within the ambit of the Parliament (Privileges, Immunities and Powers) Act, the Committee has proposed penalties and other recommendations commensurate with the offences and unbecoming conduct involved. I thank each and every Committee member for their assiduous attentiveness and the open sharing and discussion of views during our deliberations for the Report. While the findings can also serve as useful lessons and deterrence against future breaches, I would like to remind all Members of the House that the onus should always be first and foremost on us to exercise parliamentary privilege diligently and responsibly. Let us continue to uphold our citizens' and constituents' trust and confidence in the sanctity and integrity of Singapore's parliamentary rules and processes."

11 All MPs have received the Report from the COP today (10 February 2022).

Office of the Clerk of Parliament
10 February 2022

² Asterisked number in parenthesis appearing next to the paragraph number of the draft Report refers to its renumbered paragraph in the final Report.

FACT SHEET

Committee of Privileges

(A) Background

The Committee of Privileges (“**COP**”) is a Standing Select Committee appointed by Parliament for the term of that Parliament to look into any complaint alleging a breach of parliamentary privilege, or any matter affecting the powers and privileges of Parliament. The COP is chaired by the Speaker.

2 Whenever Parliament is sitting, any Member may rise at any time to make a complaint alleging a breach of privilege. Whenever Parliament is not sitting, a Member may make such a complaint in writing to the Speaker. If the Speaker is satisfied that the matter prima facie affects the privileges of Parliament and that it has been raised at the earliest opportunity, it will be referred to the COP.

(B) The Work of the COP

3 The COP will meet, examine witnesses and make its recommendations to Parliament in a **Report**. Under Standing Order 105(2), the COP may also, at any time during its proceedings, make a Special Report to Parliament on any matter which it may think fit to bring to the notice of Parliament. This keeps Parliament informed of the progress of the COP’s investigations in a timely manner when appropriate.

4 The privileges of Parliament and its Members, the offences which may be committed against them, and the penalties which may be imposed are contained in the Parliament (Privileges, Immunities and Powers) Act [**Act**]. For instance, the COP could ultimately recommend that the Member who is being complained against be reprimanded, fined, suspended or imprisoned.

5 The Act regulates the conduct of Members of Parliament (MPs) and other persons in connection with the COP’s proceedings, and can summon any person to appear before the COP to give evidence at any time before the conclusion of its work. Being a Select Committee, the COP’s meetings are held in private unless resolved otherwise.

6 For the complaint against Ms Khan, the COP:

- Has had 15 meetings of 35 hours in total;
- With an additional 31 hours of hearings, where it heard oral evidence from 9 witnesses in all;
- Produced 6 Special Reports; and
- Presented a Report of over 1,180 pages to Parliament.

(C) COP Report to be Passed by Parliamentary Motion

7 Upon being informed by the Clerk of Parliament that all MPs have received the Report from the COP and under Standing Order 100 (7)(e), the Leader of the House (LoH) will give Notice to Parliament of a Motion expressing the opinion of Parliament in regard to the Report. Under Standing Order 34(2), for a Motion moved by a Minister, Parliament has to be given at least two clear days³ Notice of a Motion before the applicable Sitting.

8 Parliament will in due course debate the Motion and its decision taken via a vote. Under Standing Order 10(1), when scheduling the order of business for this particular Sitting, the Motion on the COP's Report will take precedence over public business in the Order Paper and shall be moved by the LoH at the appropriate juncture of proceedings.

9 During the Sitting on the Motion, the **same** parliamentary processes surrounding any Motion will apply to the Motion on the COP's Report. These include:

- a. The Member in charge of the Motion has not more than 40 minutes to make the opening speech to explain the Motion's rationale and objectives. Following any debate on the Motion, only the Member in charge has the right of Reply (i.e. closing speech) and is again limited to 40 minutes to do so.

[**NOTE:** Under Standing Order 48(8)(b), Parliament or a Committee of the whole Parliament may, at any time, extend this time by 15 minutes by a separate motion made, without notice and decided without amendment or debate. Under Standing Order 48(8)(c), the Speaker's ruling as to time taken shall be final.]

- b. After the Speaker has proposed the terms of the Motion in the form of a question, debate by Members of the House may then take place within the overall allocated time for this item. Ministers and Government officeholders are given up to 40 minutes to speak and other MPs are given up to 20 minutes.
- c. At the end of the debate and after the reply by the Member in charge, the question on the Motion is put to a vote by the House to decide if the Motion is agreed to as it stands, or with amendments, or defeated. For a Motion on the COP's Report, only a simple majority is needed.
- d. Voting is usually carried out by a Collection of Voices (i.e. "ayes" and "noes"). Based on the strength of the respective responses, the Speaker will state his opinion and say, "I think the Ayes (or Noes, as the case may be) have it". At this point in time, an MP may challenge the Speaker's opinion of the outcome. With at least 4 other MPs supporting him, the MP may claim for a further vote by calling for a Division [i.e. each MP's vote is collected and

³ The computation of 'clear days' **excludes** the day on which the Notice is handed in, the day of the Sitting, and any intervening Saturday, Sunday or public holiday.

tabulated electronically from their assigned seats; or now by holding up colour-coded (Green – “Yes”; Red – “No”; Yellow – “Abstain”) voting cards due to safe distancing seating in the Chamber.]

- e. The decisions of the House and its votes, as well as the verbatim speeches, are published in the Votes and Proceedings and the Hansard (i.e. official report of Parliamentary debates, speeches and proceedings).