

To: **President of the Republic of Singapore**
Mdm Halimah binte Yacob
The Istana, Orchard Road, Singapore 238823
halimah_yacob@istana.gov.sg

From: **Ms Carissa Cheow Hui Ying**
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Monday 1st May 2023 – by email

URGENT ATTENTION

Dear Madam President Halimah binte Yacob,

Request for Urgent Action on “Operation High Tide” and Related Matters

01. I am Ms Carissa Cheow Hui Ying, and I write with reference to the captioned matters which I shall be traversing hereinafter in the contents of this letter. The facts stated in this letter which are within my personal knowledge are true, and the facts set out in this letter which are not within my personal knowledge are true to the furthest of my knowledge and belief. I confirm that I am aware of Penal Code § 182 and the consequences which might arise from its contravention.

Preliminary Clarifications

02. Before traversing these captioned matters in the following sections of this letter, I wish to put on record the following clarifications for the avoidance of doubt or ambiguity:
- a. Where reference may be made in this letter to any persons, whether named or unnamed, from specific religious groups and other affiliated entities, these claims are to be understood to only apply to such specific persons and do not extend to the religious groups in their entirety, and are strictly not to be taken as generalizations regarding other adherents of any religious faiths.
 - b. Where reference may be made in this letter to any specific persons holding appointments in either the Singapore Legal Service or the Singapore Judicial Service, these claims are to be understood to only apply to such specific persons and do not extend to either the Singapore Legal Service or the Singapore Judicial Service in their entirety, and are strictly not to be taken as generalizations regarding any other Legal Service Officers or Judicial Service Officers.
 - c. I write to your good office as I have come to learn about specific details concerning the various captioned matters which are of crucial importance to the public interest, and am thus seeking to provide such information both to your good office and to the four other recipients whom I have copied in this letter, so that your good office and any other competent authority may take the necessary steps to obtain further information on the captioned matters as provided for under the relevant clauses in the Constitution and in the Maintenance of Religious Harmony Act to ensure that more informed decisions can be made by the relevant parties to safeguard against potential damage to Singapore’s religious harmony and the integrity of our public service.
 - d. In writing this letter, I have zero desire to incite any feelings of enmity, hatred, ill-will or hostility against, or contempt for or ridicule of, any religion, religious belief, or religious activity, nor do I seek to impute improper motives to or impugn the integrity, propriety or impartiality of any court, or to undermine public confidence in the administration of justice, nor do I intend to cause harassment, alarm or distress to any other person, nor do I intend to provoke or cause any person to believe that unlawful violence will be used against anyone, and I urge any reader of this letter to strictly refrain from engaging in any such conduct which may result in such consequences, as this would run contrary to the purpose of this letter.

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1st Captioned Matter: “Operation High Tide”

03. I first wish to bring to the attention of your good office what I have come to learn regarding a covert operation with significant national consequences which I understand to be codenamed “Operation High Tide”. For the purposes of putting on record for more immediate reference such consequences for Singapore and for specific target groups of persons and individual persons should “Operation High Tide” succeed, I quote below the specific excerpts from the information I have received summarizing the most salient points I have come to learn of regarding said operation:
- a. *“The Witherspoon Institute, through CanaVox and ██████ ██████ on Singapore side, are helping GRCA, 3:16, and COOS under the umbrella of [Operation High Tide] to take over the People’s Association, so that they can influence public policy which then directly affects legislation. There’ll be no need for them to bother with advocacy groups if they control the actual seat of the State’s policy-making processes. That is where the GRCA sleeper agents come in, and the rumours are that essentially all of them are in place, awaiting for PA to be done. There’s also locals in the agencies and state organs who are working towards the same goals. [Operation High Tide] is specific to Singapore, but it’ll have repercussions across the free world.”*
 - b. *“The end goal seems to be to turn society as a whole against [transgender persons] and other LGBTQs, and get these “perversions” criminally punishable. [Operation High Tide] wants the MHCTA amended to have [transgender persons] institutionalised long-term until the mental illness is certified to be totally cured. And for transgenderism to be criminalised, so that repeat offenders whom MHCTA does not work can be jailed under sentencing regime of Preventive Detention for the public protection. The Witherspoon Institute’s mission is taking back the grounds won over the years by the transgender groups in various states such as Singapore, UK, USA and Australia. Mercury is their key weapon from Singapore to turn the global support against [transgender persons] and towards the [seemingly more moderate] Christian fundamentalists. FOTF-SG’s mission with regard to Mercury is receiving foreign guidance from Witherspoon Institute, through its beneficiary CanaVox, run in Singapore by ██████ ██████ who advises on it.”*
 - c. *“The Witherspoon Institute is rumoured to have a USD200K war chest for the whole operation, channelling through CanaVox to (based on need) FOTF-SG, GRCA and 3:16. Everything is carried out in hard cash to avoid leaving traces that local authorities can track. The money given through CanaVox to FOTF-SG is chump change, and purely for them to pass on to CSCC to fund Mercury’s subsistence. The money given through CanaVox to 3:16 Church is for them to find 3rd parties to do dirty work. The money given through CanaVox to GRCA elements in Singapore is for all this sleuthing. Some low level intelligence might nett a \$50 or \$100, but for serious dirt they’ll pay thousands.”*
04. “MHCTA” refers to the Mental Health (Care and Treatment) Act which “provides for the admission, detention, care and treatment of mentally disordered persons in designated psychiatric institutions”, whereas the Criminal Procedure Code § 304(2) provides for preventive detention which “involves the confinement of an offender for a minimum of 7 years and up to a maximum of 20 years, [and] is separate from imprisonment [such that] the District Court or the General Division of the High Court will only impose this sentence if the court is satisfied that you are a recalcitrant offender who should be detained in prison for a substantial period of time to protect the public”.
05. Please refer to the contents of pages 165 to 171, 306 to 319, 349 to 354, 361 to 366, 371 to 378, 392 to 406, 425 to 433, and 454 to 466 of the second Bundle of Evidence (466 pages) for the more specific details regarding “Operation High Tide” which have come to my attention. I will be delivering by hand a full hardcopy set of the relevant documents, including the second Bundle of Evidence (466 pages), to the Istana for your reference and for the reference of the other recipients.
06. Due to the highly sensitive nature of such information, I will not be publicly disclosing any sources from which I have come to learn of the aforesaid details. Be that as it may, I wish to put on record that I am neither the only person nor the first person to have come to learn of the enclosed details regarding “Operation High Tide”, and I am merely bringing this to the attention of your good office as it had come to my attention in the course of the past few months, and the potential consequences of a successful “Operation High Tide” are significant enough to warrant public concern.

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07. I trust that your good office, the Council of Presidential Advisers (CPA), the Presidential Council for Religious Harmony (PCRH), and the Registry of Foreign and Political Disclosures (RFPD) shall be able and willing to traverse the provided information strictly in confidence and solely for the purposes of requiring the provision of further information from other parties where applicable, the Constitutional and statutory provisions for which I shall cite in the later sections of this letter.

08. I note that in the Explanatory Statement to the Maintenance of Religious Harmony (Amendment) Bill No. 25/2019 published in Bills Supplement on 2 September 2019, the following is specified:

*“The offence in the new section 17E(1) and (2) deals with the offence of knowingly urging, on the ground of religion or religious belief or activity, the use of force or violence, and the target group or target person is distinguished by religion or religious belief or activity, or by ethnicity, descent, nationality, language or political opinion, **or any other characteristic whether or not of a similar kind.**”*

*The target group need not be confined to persons who practise a certain religion. The target group may be made up of atheists, individuals from a specific racial community, **who share a similar sexual orientation**, or have a certain nationality or descent like foreign workers or new citizens.”*

09. I quote the remarks made by Minister for Law and Home Affairs Kasiviswanathan Shanmugam on a public Facebook post dated 12 October 2019 regarding the Explanatory Statement to the Maintenance of Religious Harmony (Amendment) Act shortly after it was passed in Parliament:



K Shanmugam Sc
12 October 2019 · 🌐

[LGBTQ and MRHA]

I have been asked why the Explanatory Statement to the Maintenance of Religious Harmony Act, MRHA (which was passed in Parliament, on 7 October) specifically refers to LGBTQ community, and says that, the use of force or violence against them, on the grounds of religion, will be an offence.

Some months ago, I had a dialogue with a group of people from the LGBTQ community. They said that they sometimes felt targeted as a community.

I told them that the Government's clear position, was that everyone should feel safe in Singapore. We will not tolerate any threats made to physical safety. No one should threaten someone because they were LGBTQ; and likewise no one should threaten someone else, because of religious affiliation. This has always been our position.

They asked if this can be said officially. I told them I had said it several times, and that was the law. But nevertheless, I told them I will ask my officers to study and see how we can be more explicit.

This is why we decided to explicitly state the above in the Explanatory Statement : the ES says urging force or violence against the LGBTQ community on the basis of religion is an offence; and likewise it also says that if the LGBTQ community (for example) were to target a religious group in the same way, that will also be an offence. The law is the same for all.

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10. Please refer to the following description from the Witherspoon Institute's website winst.org/about, which outlines clearly the direct connection between the Witherspoon Institute and CanaVox and highlights the fact that both entities are based in Princeton, New Jersey, in the United States:

“Located in Princeton, New Jersey, the Witherspoon Institute believes that cultural reform begins with the intellectual and moral formation of the human person. To that end, Witherspoon's programs encourage the formation of individuals who can seek truth, live ethically, and develop genuine intellectual friendship across their differences. Witherspoon facilitates rigorous study of classical intellectual traditions, constructive engagement with contemporary cultural issues, and serious reflection on life's fundamental philosophical questions. In this way, Witherspoon enables students and cultural leaders to embrace their responsibility as free moral agents to decide how best to lead lives of service and meaning.

*Recognizing that culture is formed at different levels, the Witherspoon Institute carries out its mission within three contexts: education, public affairs, and family life. In education, Witherspoon provides academic programming for high school, undergraduate, and graduate students to examine the moral foundations of political, philosophical, and social thought. In public affairs, Witherspoon's online journal, Public Discourse, publishes daily essays to foster constructive discussions about the five pillars of a decent and dynamic society: respect for the dignity of the human person, the family, the rule of law, the university, and business. Regarding family life, **Witherspoon sponsors a grassroots marriage movement, CanaVox**, which offers reading groups to friends who support the historical understanding of marriage and human sexuality.”*

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11. Please refer to the following description from CanaVox’s website canavox.com/who-we-are, which further specifies both the financing relationship between the two entities and the purpose of such financing being for the purpose of “shaping our culture”:

“Begun in 2013 by seven moms and one marriage activist, CanaVox is now an international network of friends for marriage, with reading groups in 39 states and 31 countries. One of our founding mothers is a research scholar at the Witherspoon Institute, which provides CanaVox with funding and logistical support, believing as it does that mothers play a big role in shaping our culture.”

I understand that one of the countries which CanaVox operates in is Singapore, with Ms [REDACTED] being one of CanaVox’s State and International Leaders from Singapore (tinyurl.com/canavox-sg); note that this profile was previously available in both English and Spanish but is currently only available in Spanish ([canavox.com/who-we-are/\[REDACTED\]/?lang=es](https://canavox.com/who-we-are/[REDACTED]/?lang=es)), with the English profile no longer accessible. I separately understand that Church Of Our Saviour (COOS)’s Family Life Ministry is currently hosting its own CanaVox Reading Groups from 18 March 2023 to 19 August 2023 (tinyurl.com/CanaVox2023 via facebook.com/coossg/posts/3340145926236943).

12. I note with the gravest possible concern I can express that “Operation High Tide” is unfortunately not an isolated instance, but is part of a much larger-scale series of foreign influence operations conducted across the world by US-based Christian Far-Right Extremist groups which are found to have “spent increasing amounts of money globally to influence foreign laws, policies and public opinion in order “to stir a backlash” against sexual and reproductive rights”. The size of such spending has been found to amount to “at least \$280m in ‘dark money’ fuelling campaigns against the rights of women and LGBTIQ people across five continents”.

13. Please refer to the following articles detailing this emerging global Christian Far-Right Extremist phenomenon and the scale of its foreign influence operations across multiple continents worldwide through the use of “dark money” to influence the domestic politics and policies of other countries:

- a. opendemocracy.net/en/5050/trump-us-christian-spending-global-revealed/
- b. opendemocracy.net/en/5050/africa-us-christian-right-50m/
- c. opendemocracy.net/en/5050/revealed-trump-linked-us-christian-fundamentalists-pour-millions-of-dark-money-into-europe-boosting-the-far-right/

14. The Proclamation of Singapore declares that “Singapore shall forever be a sovereign democratic and independent nation, founded upon the principles of liberty and justice and ever seeking the welfare and happiness of her people in a more just and equal society”. There is absolutely no doubt that foreign influence operations financed by religious extremist groups undermine our sovereignty as an independent nation by distorting public opinion on policy questions affecting the well-being of different segments of our population. Such operations are highly detrimental to our cherished racial and religious harmony which is of utmost importance for Singapore’s continued existence and survival in an increasingly turbulent geopolitical environment, and for the well-being of all Singaporeans and all persons in Singapore without exception and regardless of any characteristic.

15. Where any such reference has been made to Christian Far-Right Extremism, I take pains to reiterate that I am not referring to all Christians, nor am I referring to Christianity itself, nor am I referring to all individual persons who may be attending at any of the named religious and quasi-religious organizations. I am raising concern about attempts to impose any one specific interpretation of any one specific set of beliefs over all other sets of beliefs and to the exclusion and detriment of all other sets of beliefs, or at least to the exclusion and detriment of such persons or beliefs considered unacceptable to the particular moral prescriptions of a specific religious worldview. Please refer to rsis.edu.sg/rsis-publication/rsis/christian-far-right-extremism-theology-and-typology/ for what could constitute Christian Far-Right Extremism, which is what I am in fact referring to.

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2nd Captioned Matter: Mercury Jamie Alice

16. I next wish to bring to the attention of your good office how I have come to learn of “Operation High Tide” and why it has become of utmost relevance not just to myself and other related persons, but also to the national interest of Singapore at large and the safety, security, and well-being of the many diverse communities that make up our shared Singaporean society.
17. On 27 March 2023, I had sent a 25-page letter titled “Preferring of Charges for Various Offences Committed by Mercury Jamie Alice” via email to the Chief Prosecutor in the Attorney-General’s Chambers, for which I had delivered a full hardcopy set by hand the very next day at 1 Upper Pickering Street. Please refer to tinyurl.com/cari-to-AGC for a copy of my previous letter, which traverses in greater detail the captioned matters pertaining to Mercury Jamie Alice, and makes brief reference to how Mercury is both directly connected to and central to “Operation High Tide”.
18. I will also be including my Letter to the Chief Prosecutor (25 pages) in my full hardcopy set of relevant documents alongside my first Bundle of Evidence (439 pages), my second Bundle of Evidence (466 pages), and my Complaint to the Corrupt Practices Investigation Bureau (52 pages), which I shall be delivering by hand to the Istana for your reference. These documents in totality contain much more extensive details regarding the many cases involving Mercury Jamie Alice (hereinafter “Mercury”), and substantiate both *mens rea* and *actus reus* elements of these cases with the necessary evidence.
19. Separately, my friend Ms Ng Rui Lin Joyce (hereinafter “Joyce”) is also writing her own letter to the Chief Justice traversing various crucial legal questions and points pertaining to the matter and with further background on the relevant cases. Upon its completion, this letter will also be included in my full hardcopy set of relevant documents, the contents of which I have listed above.
20. In full view of the matters involving both Mercury and “Operation High Tide”, I thus write to your good office and to the four other recipients to humbly request that serious consideration be given to the exercise of the relevant powers of your respective offices with urgency so as to obtain further information necessary for the suitable protective measures to be undertaken as required.

Powers relating to foreign influence undermining religious harmony

21. I shall hereinafter refer to the Maintenance of Religious Harmony Act by its acronym MRHA, and shall thus proceed to cite the relevant provisions in both the MRHA and in the Constitution of the Republic of Singapore (hereinafter just “Constitution”) which provide for specific powers to safeguard against foreign influences which may undermine Singapore’s religious harmony.
22. MRHA § 2B provides for the Minister of Home Affairs to appoint a “competent authority” to administer Part 4, 5, or 6 of the MRHA. The Registry of Foreign and Political Disclosures (RFPD) is the appointed Competent Authority responsible for the administration of relevant requirements under the MRHA “*to ensure that local religious groups meet the statutory requirements and hence, safeguarding against malicious foreign influence undermining religious harmony in Singapore*”.
23. MRHA § 16G provides for this “competent authority”, namely the RFPD, to be empowered to issue written notice to any religious group **requiring them to provide** all documents, information, or material within the knowledge of or in the custody or under the control of the religious group, either for the purpose of verifying if information provided to the RFPD under any other provision of the MRHA is correct, or for the purpose of determining whether there are grounds for any direction or restraining order to be given against a religious group as provided for by the MRHA.

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24. Pursuant to MRHA § 16A, “*every reportable donation accepted by any religious group during each reporting period must be disclosed to a competent authority in accordance with this section*”, namely the RFPD. Here, “**reportable donation**” includes single-time donations of S\$10,000 or more from a foreigner or a foreign entity, and anonymous donations of S\$10,000 or more, received by a religious group in Singapore. Declarations of reportable donations must include the full personal or corporate particulars of the sources of all reportable donations, and must also include details of all reportable donations, specifically the amount received in Singapore dollars, the manner in which the donation was made (e.g. cash, cheque or electronic bank transfer), on which dates the donations were received, and any particular purpose the donations were made for.
25. Pursuant to MRHA § 16B, every foreign affiliation which any religious group is party to “*must be disclosed to a competent authority in accordance with this section*”, namely the RFPD. Here, “**foreign affiliation**” refers to any arrangement or agreement with a foreign principal where the religious group is accustomed to act in accordance with its instructions, or where the foreign principal exercises total or substantial control over the religious group’s activities. Declarations of foreign affiliation must include the full personal or corporate particulars of the affiliated foreign individuals and foreign entities, and must also describe the arrangement or agreement between the religious group and the foreign individual or entity, including how and when the arrangement or agreement started (if continuing), or started and ended (if terminated during reporting period).
26. Having named the two kinds of information of particular interest relating to “Operation High Tide”, namely **reportable donations** and **foreign affiliations**, and having specified the relevant provision empowering the RFPD to obtain such information to establish grounds for restraining orders even before such religious groups would be due to submit their first annual reports, I shall proceed to traverse the relevant provisions relating to offences in such information disclosures.
27. MRHA § 17H specifies “**offences relating to reports**” pertaining to either:
- a. failing to comply with reporting requirements in reports or declarations
 - b. making false or misleading statement in a material particular
 - c. omitting information without which the report becomes misleading in a material particular
 - d. making a false declaration relating to a report required under MRHA § 16A (donation report), 16B (foreign affiliations report), or 16C (key management report)
- MRHA § 17I specifies “**offences relating to reportable donations**” pertaining to either:
- e. withholding information required by MRHA § 16A with intent to deceive
 - f. intentionally or knowingly giving false or misleading information required by MRHA § 16A
 - g. entering into or knowingly acting in furtherance of any arrangement facilitating donations to religious groups by persons prohibited by restraining order from making such donations
28. As the newly-introduced reporting requirements specified under MRHA § 16A (donation report) and 16B (foreign affiliations report) only take effect from the Appointed Day of 1 November 2022, with the first declarations for donations and foreign affiliations to be submitted by 1 April 2024, the offences under MRHA § 17H and 17I would thus only become relevant starting from the first annual report required of the relevant religious groups. Be that as it may, I am still placing this on record because of its eventual relevance in the longer term, while noting that the greater emphasis should be on the following provisions instead due to their more immediate relevance.
29. Of more immediate relevance, MRHA § 17K specifies the “**offence of giving false information**” and MRHA § 17L specifies the “**offence of not giving information**”, with both offences pertaining to documents, information, or material required to be provided to the RFPD under MRHA § 16G. Note that disclosures ordered under MRHA § 16G are separate from annual reporting requirements.

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30. Having considered these provisions traversed hereinbefore, I therefore **wish to request the RFPD to consider exercising its powers to obtain information as provided for by MRHA § 16G within a timeframe as soon as is practicably possible** with a view to potentially establishing the grounds for restraining orders to be issued pursuant to MRHA § 8(1A) to pre-empt, prevent or reduce any foreign influence affecting the relevant religious groups directly or indirectly connected to “Operation High Tide”, while looking out for any offences specified in MRHA § 17K or 17L should they arise in the course of obtaining such information from the relevant religious groups.

Powers relating to serious offences undermining religious harmony

31. Separately, MRHA § 17E makes it an offence to urge the use of force or violence on religious grounds or against religious groups, and specifically covers these four situations, namely:
- § 17E(1): Urging use of force or violence on religious grounds against target person distinguished by any attribute
 - § 17E(2): Urging use of force or violence on religious grounds against target group distinguished by any attribute
 - § 17E(3): Urging use of force or violence on any grounds against target person distinguished by religion
 - § 17E(4): Urging use of force or violence on any grounds against target group distinguished by religion
32. I shall traverse two such contexts where some persons understood to be directly or indirectly party to or acting in furtherance of the goals of “Operation High Tide” had urged some other persons to use force or violence against some target persons believed to be members of some target group distinguished by some characteristic while knowing that force or violence is likely to occur, and where the known goals of “Operation High Tide” itself, if realized, would by definition result in the use of such force or violence against some target group distinguished by some characteristic.

Context #1: The Ends, Ways, and Means of “Operation High Tide”

33. The ends, ways, and means of “Operation High Tide” can be defined accordingly:
- Ends** (objectives toward which one strives): *“to turn society as a whole against [transgender persons] and other LGBTQs, and get these “perversions” criminally punishable”*
 - Ways** (courses of action): *“to turn the global support against [transgender persons] and towards the [seemingly more moderate] Christian fundamentalists”*
 - Means** (instruments by which some end can be achieved): *“to take over the People’s Association, so that they can influence public policy which then directly affects legislation”*
34. I first bring the attention of your good office to two objectives of “Operation High Tide” which specifically involve arrest and detention, and which I have cited earlier in paragraph 3b, namely:
- Amending MHCTA to institutionalize transgender persons until they cease to be transgender
 - Criminalizing “transgenderism” and sentencing “repeat offenders” to preventive detention

In relation to the above, I shall now address each element of the MRHA § 17E(2) offence present in the consequences of these objectives and in the doing of acts in furtherance of these objectives.

35. Pursuant to MRHA § 17E(2), any conduct fulfilling these five elements constitutes an offence:
- where a person, on the ground of religion or religious belief or activity
 - knowingly engages in conduct urging another person, or a group of persons
 - to use force or violence against a target group in Singapore
 - which is distinguished by religion or religious belief or activity, ethnicity, descent, nationality, language, political opinion or by any other characteristic, whether or not of a similar kind
 - and where the person does so knowing that force or violence is likely to occur

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36. It is *prima facie* apparent that the ends of “Operation High Tide” specifically “*to turn society as a whole against [transgender persons] and other LGBTQs, and get these “perversions” criminally punishable*” are clearly **based on religious grounds**, specifically objections of the participating religious groups against LGBTQ persons on grounds of religious belief of a specific interpretation.
37. For the avoidance of doubt, my letter does not set out to take issue with individual persons holding such objections as a matter of personal belief, as I have no interest in dictating the personal beliefs held by private individuals. The focus of my letter is instead on acts taken to impose one’s own personal beliefs upon the public sphere through public policy and legislation, and I submit that no one set of beliefs should be elevated to take precedence over any other sets of beliefs in Singapore.
38. It is also *prima facie* apparent that the ways of realizing these ends, specifically by seeking “*to turn the global support against [transgender persons] and towards the [seemingly more moderate] Christian fundamentalists*”, are likewise clearly **based on religious grounds**, specifically objections of the participating religious groups against the acceptance of transgender persons on grounds of religious belief of a specific interpretation, namely Christian fundamentalist beliefs which are not necessarily even shared by all Christians, let alone by non-Christians.
39. It must be emphasized that Singapore is not, has never been, and must never become a Christian nation or a Christian-first nation as we are a diverse multi-racial and multi-religious society in a likewise diverse regional neighbourhood; the same must likewise apply to any other religion.
40. Any acts seeking “*to turn society as a whole against [transgender persons] and other LGBTQs, and get these “perversions” criminally punishable*” constitute **knowingly engaging in conduct urging** members of society to lobby for LGBTQ persons to be criminalized on the basis of viewing them as “perversions”. The means of doing so are any acts seeking “*to take over the People’s Association, so that they can influence public policy which then directly affects legislation*”.
41. These acts in turn constitute **knowingly engaging in conduct urging** senior civil servants and key officeholders responsible for making policy and Members of Parliament responsible for legislation to respectively enact public policy and legislation which would criminalize LGBTQ persons through the use of lobbying from persons in the People’s Association holding such preference for criminalization of LGBTQ persons and with influence on public policy and legislation, such that these persons are known to be likely to use their influence to shape policy and law accordingly.
42. Both kinds of acts, which are respectively the ways and means of realizing the ends of “Operation High Tide”, are such that in the absence of the doing of these acts, the persons being urged, namely members of society, policymakers, and lawmakers, would otherwise not have come to view any such demographic as “perversions” which ought to be criminally punishable and consequently would otherwise not have come to lobby for any such demographic to be criminalized through changes in public policy and legislation which would otherwise not have been enacted had such acts towards these goals not been done.
43. When used in a legal context, the concept of “force” is defined in Penal Code § 349 to provide the basis for the offences of “criminal force” (Penal Code § 350) and “assault” (Penal Code § 351). Separately, the phrase “use of force” also covers instances of compulsion or restraint in particular when arresting or apprehending a person or handling imminent threats, and such uses of force are deemed lawful and reasonable when no more force is used than is necessary in the circumstances. In the context of the Singapore Police Force’s use of force, non-lethal force includes the use of verbal commands, unarmed tactics, batons, shields, and tasers, whereas lethal force refers to the use of firearms such as pistols which can cause serious injury or even death.

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44. Pursuant to Criminal Procedure Code § 75 and 76, the following rules define the scope for use of force when carrying out an arrest:
- a. CPC § 75(1): In making an arrest, the police officer or other person must touch or confine the body of the person to be arrested unless he or she submits to arrest by word or action.
 - b. CPC § 75(2): If the person forcibly resists or tries to evade arrest, the police officer or other person may use all reasonable means necessary to make the arrest.
 - c. CPC § 76: The person arrested must not be restrained more than is necessary to prevent his or her escape.
45. I first quote paragraph 100 from [2005] SGHC 216 (elitigation.sg/gd/s/2005_SGHC_216):
- “When does an arrest occur? According to Lord Devlin in *Shaaban v Chong Fook Kam* [1969] 2 MLJ 219 at 220:
- An arrest occurs when a police officer states in terms that he is arresting or when he uses force to restrain the individual concerned. It occurs also when by words or conduct he makes it clear that he will, if necessary, use force to prevent the individual from going where he may want to go. It does not occur when he stops an individual to make enquiries.*
- In other words, “arrest” means the apprehension, restraint or deprivation of a person’s liberty.”
46. I then quote paragraph 30 from [2023] SGHC 14 (elitigation.sg/gd/s/2023_SGHC_14):
- “The AG submits that there is no practical difference between the terms “apprehend” (as deployed in s 7 of the MHCTA) and “arrest” (as utilised in other provisions involving the use of police powers such as s 64 of the Criminal Procedure Code 2010 (2020 Rev Ed) (“CPC”). A person is apprehended under s 7 of the MHCTA when he is compelled to accompany a police officer to be examined by a medical practitioner.”
47. Pursuant to MHCTA § 7, “*it is the duty of every police officer or special police officer to **apprehend** any person believed to be dangerous to himself or herself or other persons and such danger is reasonably suspected to be attributable to a mental disorder and take the person together with a report of the facts of the case without delay to — (a) any medical practitioner for an examination and the medical practitioner may thereafter act in accordance with section 9; or (b) any designated medical practitioner at a psychiatric institution and the designated medical practitioner may thereafter act in accordance with section 10*”.
48. Where MHCTA § 9 applies, such “*medical practitioner may send the person to a designated medical practitioner at a psychiatric institution for treatment and that designated medical practitioner may thereafter act in accordance with section 10*”; hence, any apprehension under MHCTA § 7 will still result in such apprehended person being brought to a “*designated medical practitioner at a psychiatric institution*” who may thereafter act in accordance with MHCTA § 10.
49. I bring the attention of your good office to the following wording of MHCTA § 10(6):
- “*A person must not be detained at a psychiatric institution for treatment unless —*
- (a) the person is suffering from a mental disorder which warrants the detention of the person in a psychiatric institution for treatment; and*
 - (b) it is necessary in the interests of the health or safety of the person or for the protection of other persons that the person should be so detained.*”

50. Where MHCTA § 10(6)(a) makes reference to “*a mental disorder which warrants the detention of the person in a psychiatric institution for treatment*”, I submit that this definition is a question of the prevailing public policy position on which diagnoses constitute “mental disorder” and which of such mental disorders warrant or do not warrant such detention of the person, and note therefore that such definition is subject to any change in the underlying public policy position as the definition of whether some condition warrants detention is not specified in the MHCTA itself.

51. Where MHCTA § 10(6)(b) justifies such detention on grounds that “*it is necessary in the interests of the health or safety of the person or for the protection of other persons*”, I submit that this definition is a question of discretion and that wide latitude may exist as to what “the interests of the health or safety of the person” and “the protection of other persons” can mean, given the absence of an objective test for such a standard which is ultimately a normative question. Different opinions may exist as to what does or does not serve “the interests of the health or safety of the person”, and likewise as to what is it that other persons ought to be protected from.
52. It is no secret that many religious conservatives, even while motivated by sincere religious grounds, have sought to persuade the general public to accept on secular grounds that non-heterosexual relationships and family structures as well as persons with gender dysphoria undergoing social and medical gender transition for the purposes of improving their physical and mental well-being are in fact detrimental or harmful to, and therefore against the interests of the health or safety of persons in such relationships or family structures or persons undergoing gender transition. It is also no secret that many religious conservatives, even while motivated by sincere religious grounds, have sought to characterize learning about LGBTQ persons and exposure to materials affirming the existence of LGBTQ persons as something which the general public ought to be protected from.
53. My letter does not set out any objection to private individuals who may hold interpretations of religious beliefs which they may describe as conservative, nor does it object to them privately holding such beliefs. Where the line should be drawn, however, is when persons engage in conduct in furtherance of imposing such beliefs upon the public sphere at the expense of any segment of the population, and this includes LGBTQ persons who are as much part of our society as anyone else. Regardless of my own opinion on such beliefs, which are a private matter, I have no interest in prohibiting other persons from holding whichever beliefs they hold as long as they do not seek to impose them upon any and all other persons by causing them to be enforced in the public sphere.
54. I submit that the distinction between religious conservatives and religious extremists is whether they believe it is necessary and good for society for them to enforce such beliefs upon the rest of the population. My letter sets out its objection to religious extremism, not religious conservatism.
55. Religious conservatives may just as sincerely believe in such personal beliefs and justify them on religious grounds without necessarily believing it to be necessary and not merely desirable that the rest of society complies with public policy that reflects their own personal beliefs. By contrast, religious extremists explicitly believe it to be necessary and not merely desirable that the rest of society complies with public policy that reflects their own personal beliefs, on the grounds that they believe it to be actively harmful to society should public policy not reflect their own principles which they believe are inherently good and desirable for all of society and consequently ought to be universally adhered to by all for the good of all. The means for enforcing compliance may either involve outright unlawful violence (though not always so) or may involve instruments such as public policy and legislation to enact nominally lawful compulsion, either through voluntary compliance or through the use of force where necessary such as through arrests and detentions.
56. The enforcement of MHCTA § 7 and 10 in accordance with a subjective set of interpretations of MHCTA § 10(6) which may subjectively define persons with gender dysphoria undergoing social and medical gender transition for the purposes of improving their physical and mental well-being as being against “*the interests of the health or safety of the person*” and which may subjectively deem the detention of such persons undergoing gender transition to be “*necessary for the protection of other persons*” would result in the **use of force against such persons** undergoing gender transition in the course of such persons being apprehended and thereafter detained and institutionalized in a psychiatric institution under MHCTA § 7 and 10.

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57. By definition, any persons doing any act specifically in order to cause persons undergoing gender transition to be apprehended and thereafter detained and institutionalized under MHCTA § 7 and 10 simply for the fact that such persons are taking steps to undergo gender transition would be doing such acts **knowing that the use of force against such persons would be likely to occur** should these persons undergoing gender transition come to be apprehended and thereafter detained and institutionalized in a psychiatric institution under MHCTA § 7 and 10.
58. Under MRHA § 17E(2), persons undergoing gender transition would constitute such a **target group distinguished by “any other characteristic”** as undergoing gender transition is the specific characteristic shared in common by such persons belonging to such a target group. The same would apply more broadly to all other LGBTQ persons as not being both cisgender and/or heterosexual is the specific characteristic shared in common by such persons belonging to such a target group.
59. In the ordinary course of things, persons with gender dysphoria undergoing gender transition would not typically come to be apprehended, detained, and institutionalized in a psychiatric institution simply for the fact that such persons are taking steps to undergo gender transition, as simply taking steps to undergo gender transition would nowhere near constitute sufficient or reasonable basis to believe such persons to be dangerous to their self or other persons and where such danger is reasonably suspected to be attributable to a mental disorder. This condition must be met in order for any person to be apprehended under MHCTA § 7.
60. There are currently no laws criminalizing persons undergoing gender transition or wishing to undergo gender transition as treatment for gender dysphoria, and doing so is currently not criminally punishable, nor has it ever been in Singapore. I understand that several states in the United States have opted to enact such laws to make gender transition a criminal offence at the expense of persons undergoing gender transition or wishing to undergo gender transition as treatment for gender dysphoria, and that these have frequently been justified on the basis of “culture war” imperatives to ensure that the particular values, beliefs, and practices espoused by conservative interpretations of Christianity remain dominant and that no other sets of beliefs can be allowed to overtake and replace such beliefs as the basis for governing society.
61. Culture wars refer to cultural conflict between social groups and the struggle for dominance of their values, beliefs, and practices. I consequently submit that as Deputy Prime Minister Lawrence Wong had said previously that “*we should not import these culture wars into Singapore or allow [such issues] to divide our society*”, the passage of similar legislation in Singapore to make gender transition a criminal offence would constitute importation of such culture wars from the United States which would be harmful to Singapore, and especially harmful to transgender persons.
62. There are no reasonable grounds for making gender transition a criminal offence, let alone causing persons undergoing gender transition or wishing to undergo gender transition to be sentenced to preventive detention under Criminal Procedure Code § 304(2) as “repeat offenders” for repeatedly contravening such criminalization of gender transition simply by continuing to undergo gender transition and refusing to detransition. The only purpose that can arise from such laws is to ensure that transgender persons must never be permitted to undergo gender transition even when doing so results in significant improvements in their quality of life and physical and mental well-being, and it is clear that no reasonable basis exists for such a legislative intent to inform any such legislation.
63. It further goes without saying that criminalizing persons undergoing gender transition or wishing to undergo gender transition as treatment for gender dysphoria would result in such persons being arrested and even incarcerated should a custodial sentence be imposed as the punishment for such offence, and that this would cause force to be used against persons undergoing gender transition.

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64. I submit that the use of violence is also known to be likely to occur as a result of such arrest and detention, and that this includes unlawful violence in addition to the earlier described instances of nominally lawful use of force. Please refer to pages 429 to 433 of the second Bundle of Evidence (466 pages) for more specific details on how at least one key person known to play a significant role in “Operation High Tide” is personally aware that should the Court order a transgender person facing either a public or private prosecution to be remanded to a psychiatric institution under Criminal Procedure Code § 247 to assess the person’s fitness to plead on the grounds that their fitness to plead is called into question because of their diagnosis of gender dysphoria, it is very likely to result in the transgender person being raped and otherwise sexually assaulted by other inmates while in remand, possibly not just once but even repeatedly, especially given that a transgender person who has not yet been able to change their legal gender marker would be remanded to a remand ward corresponding to their assigned gender at birth instead.
65. This makes it clear that such conduct in furtherance of causing persons undergoing gender transition to be arrested and detained under whichever provision is done knowingly while knowing it to be likely that the targeted person(s) will not only be subjected to legally-permitted use of force, but will also be subjected to use of violence by other persons, including serious sexual violence up to and including rape. In other words, both force and violence are known to be likely to occur.
66. It is thus abundantly clear that engaging in any conduct in furtherance of the two objectives of listed in paragraph 34 or in accordance with the ends, ways, and means of “Operation High Tide” listed in paragraph 33 would contravene MRHA § 17E(2), **having satisfied all five elements** of knowingly engaging in conduct on religiously-motivated grounds urging other persons to use force against persons belonging to a target group in Singapore distinguished by such persons undergoing gender transition or wishing to undergo gender transition, and while knowing that both force and violence are likely to occur against members of this target group as a result of such conduct.

Context #2: Abetting the Intentional Causing of Death of one Mr Ang [REDACTED]

67. Please refer to pages 461 to 466 of the second Bundle of Evidence (466 pages) for details about the specific circumstances surrounding the death of one Mr Ang [REDACTED], the maternal grandfather of my friend Ms [REDACTED] (hereinafter “[REDACTED]”), on 10 April 2023. Be that as it may, I shall quote the following messages dated 11 and 12 April 2023 from the fake “Sanjith Krishna S/O Santhanam” Telegram burner account operated by Mercury attempting to falsely claim to in fact be the real Sanjith, which detail how the death was caused by Mercury’s partner Ms Heather D Tan Zi Min (hereinafter “Heather”) after I had asked for the “who, what, when, where, how, why”:
- a. *“Not so soon, let the family burn him first. Heather’s risk assessment is that this much is safe to say, because there is no way that [REDACTED]’s family is going to agree to any autopsy. Assessment is that as he should’ve expired by Sunday night, thirty-six hours later is foolproof time by which he’d have been sealed inside his coffin, and it’d probably be in the funeral home. Heather expects for certain that the corpse is sitting in the funeral parlour right now, and the cremation should be by Friday evening latest.”*
 - b. *“I think who is obvious already, Heather had carried out the assassination hit on Mr Ang. The why is essentially as, in Harvey’s words, a warning shot across [REDACTED]’s bow, so she gets the messages to stop harassing Mercury. The what is the untimely death of Mr Ang by iodomethane poisoning, although to be honest, he was going to die in another few weeks or a couple more months anyway, so no great loss.”*
 - c. *“I can give you when, where and how only after the cremation is completed, because Heather will not carry out any covert operation in which she can potentially get pinned after for murder. Giving you the when, where and how now can enable you, if you expose it to the police now, to convince the police to go seize the corpse. Because iodomethane does not as easily go unnoticed on autopsy and toxicology screen.”*
68. Upon learning of this, I lodged the SPF Report **F/20230413/2003** to report on the circumstances under which I had come to learn of the involvement of foul play in the death of Mr Ang [REDACTED].

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69. Prior to lodging my police report, I had also come to learn from Mercury via the fake “Sanjith Krishna S/O Santhanam” Telegram burner account of the involvement of persons in a few specific religious groups known to be connected to “Operation High Tide” who have assisted with abetting Heather in causing the death, and I had learned of their involvement after asking Mercury “*so how did Heather come to know where the grandfather was?*”, to which Mercury had replied that “*she had a little help from the servants of God*” and specified Church Of Our Saviour after I had asked who these “servants of God” were. I had provided this information in my police report too.
70. Mercury went on to explain that “*The good people at COOS have connections at the Sengkang General Hospital with their staff. COOS has connections to yet another church, which shall stay unnamed, which has a large enough network of informants that it would make your pretty little head spin.*” Take note that Sengkang General Hospital was indeed where Mr Ang [REDACTED] [REDACTED] was warded before he was discharged from hospital not long before his death. I further understand from Mercury that Ms [REDACTED] [REDACTED] “*didn’t participate at all, although she was not unaware that something was going to go down against [REDACTED] [REDACTED]’s family. She knew before the fact that something was going down, and hoped it will bring the trouble with [REDACTED] [REDACTED] against Mercury to the end.*”
71. After my statement was recorded, I had requested my Investigation Officer for F/20230413/2003 to put me directly in contact with the original Investigation Officer who had been present at the time when Mr Ang [REDACTED] [REDACTED]’s death was certified, and I had made sure that this request was duly and explicitly recorded in my statement. I was provided with the name of the original Investigation Officer and a phone number of the Ang Mo Kio Police Division Investigation Branch hotline.
72. Throughout the morning and afternoon of 13 April 2023, I had attempted to call the Ang Mo Kio Police Division Investigation Branch hotline number which I was given and had sought to get in contact with the original Investigation Officer directly to request for an autopsy so that any hard evidence samples of iodomethane poisoning necessary to prove murder would be obtained before cremation, but I was unable to reach her at all as she was on out-station duty throughout the hours preceding the funeral and cremation, and she had thus only called me back a few hours after the cremation had already gone ahead, by which point there was no longer a body available for autopsy.
73. Given the nature of the case, I wish to state for the record that this should be looked into and possible offences of Penal Code § 201 ought to be investigated to identify what had caused the schedule to become logistically impossible for an autopsy to be duly performed before the cremation, such that the circumstances had caused the disappearance of evidence of an offence committed, in particular a suspected offence of intentional murder under Penal Code § 300(a), where “*the act by which the death is caused is done with the intention of causing death*”.
74. I further understand that a first person known to be attending at 3:16 Church had advised Mercury to consider selecting Easter Sunday (9 April 2023) as the date for causing some target person’s death should Mercury already be considering plans to cause the death of some target person, on the basis of Easter Sunday holding particular significance as a religious holiday for Christians, and that Mercury had subsequently received the methyl iodide or iodomethane from a second person known to be attending at Church Of Our Saviour and who had received it via contacts linked to CanaVox. Mercury had been approached by both persons separately through Cornerstone Community Church, where Mercury was known to be attending at, and Mercury had subsequently passed on the methyl iodide to Heather for her to carry out the act or acts resulting in the death of Mr Ang [REDACTED] [REDACTED], with Mercury conveying to Heather the intention of causing the death of either [REDACTED] herself or some other person related to [REDACTED]. As such, both Mercury and Heather were involved in formulating the plan to cause the death of some person related to [REDACTED], who turned out to be Mr Ang [REDACTED] [REDACTED].

75. Mercury had told this to Joyce using the fake “Chew Sui Gek Magdalene” Telegram burner account (which had switched from falsely personating one “Leo Tong Seng Andrew” very briefly and previously falsely personated my friend Tobias Keh for the most part since 29 September 2022, and at one point in October 2022 switched from falsely personating Tobias to falsely personating the Leader of the Opposition Pritam Singh before switching back to falsely personating Tobias afterwards) over a series of messages sent on 11 April 2023. These messages from Mercury read: *“I personally didn’t do anything, and I didn’t even know who’s the exact target before the fact. All I did was to instruct that it should be someone close to [REDACTED], if not then [REDACTED] herself. Oh, and that it has got to be on Easter Sunday. Sweet 9th kill. Wonder who’s gonna be 10th?”*
76. Pursuant to MRHA § 17E(1), any conduct fulfilling these six elements constitutes an offence:
- where a person, on the ground of religion or religious belief or activity
 - knowingly engages in conduct urging another person, or a group of persons
 - to use force or violence against a target person in Singapore
 - based on the person’s belief that the target person is a member of a target group
 - which is distinguished by religion or religious belief or activity, ethnicity, descent, nationality, language, political opinion or by any other characteristic, whether or not of a similar kind
 - and where the person does so knowing that force or violence is likely to occur
77. Having established the key details of the death of Mr Ang [REDACTED] and the role of various persons who have differently participated in such a plan, I shall once again address each element of the MRHA § 17E(1) offence present in the various acts which were done by various parties which had contributed to the furtherance of the objective of causing the death of a person related to [REDACTED].
78. It is *prima facie* apparent that the choice of Easter Sunday precisely due to its religious significance was made **based on religious grounds**, and the conveying of this date as a suggestion to Mercury constitutes **knowingly engaging in conduct urging** Mercury to plan and schedule the causing of death of whichever target person to coincide on or around Easter Sunday. The causing of death through whichever means, in this case through poisoning by methyl iodide, would by definition constitute the **use of violence against some target person**, in this case Mr Ang [REDACTED].
79. Mr Ang [REDACTED] was selected as the target person due to Mercury and Heather coming to know that he was [REDACTED]’s maternal grandfather, and thus he was understood to be a member of the target group which Mercury had singled out for targeting to cause death towards, namely *“someone close to [REDACTED], if not then [REDACTED] herself”*, and was targeted for death **based on their factually correct understanding that he was a member of this target group** Mercury had so defined, whereby this target group would constitute such a **target group distinguished by “any other characteristic”** as being either [REDACTED] or related to [REDACTED] is the specific characteristic shared in common by such persons belonging to such a target group.
80. I further note that the target group of *“someone close to [REDACTED], if not then [REDACTED] herself”* is itself a subgroup within a much larger target group, namely any persons close to, related to, or otherwise associated with persons who are known to be victims of acts done by Mercury who are being actively targeted by Mercury on the basis of these persons, including myself and [REDACTED], seeking recourse from being targeted by Mercury’s acts, in addition to these victims ourselves. Here, the **“any other characteristic” distinguishing members of this group** is the characteristic of being either directly targeted by Mercury, or being related to someone else targeted by Mercury. This would be the target group targeted by “Operation High Tide” on religious grounds and accused of being “transgender extremists” actively persecuting Mercury and trying to frame Mercury for offences on the basis that Mercury has now decided to detransition.

81. This would likewise be the target group targeted by “Operation High Tide” on religious grounds through the spending of the US\$200,000 channeled by the Witherspoon Institute through various religious groups for the purpose of disfavouring persons such as myself and many others who can testify against Mercury for offences committed by Mercury against ourselves by spending such money to obtain information which they believe will be useful to discredit our personal character and hence undermine our witness testimony.
82. The giving of a specific date (namely Easter Sunday) for death to be caused to the target person by a first person, combined with the giving of the means (namely methyl iodide) for causing the death of such target person by a second person, to a person (namely Mercury) known to harbour an intent to cause the death of someone believed to be in a target group, makes it such that taken together, the respective persons had done their respective acts **knowing it to be likely that the use of violence through causing of death by poisoning would occur**. As it turns out, use of violence against the target person (namely Mr Ang [REDACTED]) did indeed occur, albeit done by Heather.
83. It is thus abundantly clear that the doing of acts by various parties which had the effect of abetting the intentional causing of death of Mr Ang [REDACTED] by Heather on Mercury’s instruction would contravene MRHA § 17E(1), **having satisfied all six elements** of knowingly engaging in conduct on religiously-motivated grounds urging other persons to use violence against a target person belonging to a target group distinguished by being either [REDACTED] or someone related to [REDACTED], and while knowing that violence is likely to occur against this target person as a result of such conduct.
84. Having traversed two such contexts where multiple parties had knowingly engaged in conduct which contravened both MRHA § 17E(1) and 17E(2), I note that MRHA § 17G further specifies that in determining whether a person commits an offence under MRHA § 17E:
- the person’s motive for engaging in the conduct is irrelevant, and
 - it is also irrelevant whether or not religion or religious belief or activity is the only or dominant ground for the conduct, so long as it is a substantial ground, and
 - it is also irrelevant whether or not the “any other characteristic” distinguishing the target group is the only or dominant ground for the conduct, so long as it is a substantial ground
85. Having considered these provisions traversed hereinbefore, I therefore **raise these to the attention of your good office for the purpose that it be taken into full consideration in the later parts of my letter in which I traverse matters relating specifically to MRHA § 17**, which specifies that “a court is not to try any offence under this Act except with the consent of the Public Prosecutor”.

Presidential powers relating to review of restraining orders

86. I shall now outline the provisions relating to how such matters relating to the issuance of restraining orders shall also come into the purview of your good office of the President in conjunction with your Presidential Council for Religious Harmony (PCRH).
87. MRHA § 16G(1)(a)(ii) empowers the RFPD to obtain information “to determine whether there are grounds for any direction or restraining order to be given under this Act against a religious group”, wherein such restraining order is provided for under MRHA § 8 (“**restraining orders against officials or members of religious group or religious institution**”). The basis for issuing such restraining order is provided for under both MRHA § 8(1) and 8(1A), and I submit that relevant provisions under both subsections be taken into active consideration throughout the course of the RFPD obtaining further information on “Operation High Tide” and its key persons and groups in order that the RFPD come to be able to establish such grounds for the issuance of restraining orders.

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88. I further submit that MRHA § 9 (“**restraining orders against other persons**”) be taken into active consideration in relation to other third-party persons (possibly including but not limited to Mercury) who may not themselves be members or officials of any religious group, but whose involvement may have been procured through direct or indirect connection to members or officials of at least one or more religious group known or found to be involved in “Operation High Tide”. While it is the case that MRHA § 16G(1)(a)(ii) does not cover the finding of grounds for a restraining order to be issued against other persons rather than against religious groups, I note that information found in the course of finding grounds for restraining orders to be issued against religious groups may in turn be relevant in establishing grounds for restraining orders to be issued against other persons.
89. Any such restraining order issued pursuant to either MRHA § 8 or 9 will have to be given by the Minister of Home Affairs immediately to the PCRH as required by MRHA § 11 in order that the PCRH shall be able to make its recommendations to your good office of the President within the required period as required by MRHA § 12. Recognizing this to be the case, I humbly submit that should my attendance before the PCRH for such deliberation by the PCRH be deemed necessary pursuant to MRHA § 11(3A), which provides that “*the Council may, if it considers it necessary for its deliberations under this section, invite any other person to attend before the Council and be examined on the matter*”, **I would be able and willing to avail myself as required.**
90. For the avoidance of doubt, I confirm that I am aware of the scope of discretion availed to your good office of the President in confirming, cancelling, or varying any such restraining orders recommended to you by the PCRH, as outlined in MRHA § 12(2) and 12(3) which specify that “*The President must consider the recommendations of the Council and may cancel or confirm the order and in confirming the order may make such variations as the President thinks fit. In the exercise of functions under this section, the President must act on the advice of the Cabinet except where the Constitution provides that the President may act in the President’s discretion when the advice of the Cabinet is contrary to the Council’s recommendations.*”
91. I further confirm that I am aware of Article 22I of the Constitution specifying to the same effect that “*The President, acting in his discretion, may cancel, vary, confirm or refuse to confirm a restraining order made under the Maintenance of Religious Harmony Act 1990 where the advice of the Cabinet is contrary to the recommendation of the Presidential Council for Religious Harmony.*” I am thus writing this letter to your good office so that you may keep abreast with any information which may factor into your consideration of any recommendations made to you by the PCRH.

Presidential powers relating to investigations into corruption

92. I shall now bring to the attention of your good office my Complaint to the Corrupt Practices Investigation Bureau (52 pages), which I lodged on 25 February 2023 after a first appointment on 16 January 2023, with the details of these incidents enclosed in the second Bundle of Evidence (466 pages), and for which I had separately lodged the SPF report **F/20230222/7130** to forward my CPIB complaint to the Singapore Police Force. I will be including this CPIB Complaint, which shall remain strictly confidential, in my full hardcopy set of relevant documents which I shall be delivering by hand to the Istana for your reference.
93. In view of the numerous incidents I have come to learn further details of regarding District Judge Kessler Soh Boon Leng, the presiding judge for both Mercury’s and Harvey’s pending criminal cases, I have named him as one of the persons in my CPIB Complaint, and await the progress and completion of the necessary investigations into my complaint on the relevant incidents. I wish to emphasize in no uncertain terms that his involvement or conduct is of course not generalizable to the judiciary as an institution, or to the impartiality of other officers of the judiciary.

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94. In my previous Letter to the Chief Prosecutor (25 pages), I had put on record in no uncertain terms my most solemn request that District Judge Kessler Soh Boon Leng be strictly recused from presiding over both Mercury’s criminal proceedings and Harvey’s criminal proceedings, and other suitable judges without any conflict of interest be assigned to replace him in presiding over such criminal proceedings separately. I continue to maintain this request and await further information on any decisions made to ensure his recusal from the two cases.
95. I trust that the Corrupt Practices Investigation Bureau shall have already been looking into my complaint and proceeding with the necessary investigations into the incidents reported, but on the off chance that such investigations have not commenced yet, I am writing to formally put on record to your good office my request for your kind assistance to refer the matter to the Director of the Corrupt Practices Investigation Bureau (CPIB), Mr Denis Tang Siew Taeng, whom I have copied in this letter as a recipient, so that he may exercise any powers provided to him under the Prevention of Corruption Act § 17 to commence such investigations.
96. I confirm that I am aware of Prevention of Corruption Act § 33 specifying that “a prosecution under this Act shall not be instituted except by or with the consent of the Public Prosecutor”, and shall be raising my concerns regarding this provision in the next section of my letter.
97. I note that Article 22G of the Constitution specifies the scope for exercise of presidential powers in relation to investigations into complaints lodged regarding corrupt practices as follows:
- Notwithstanding that the Prime Minister has refused to give his consent to the Director of the Corrupt Practices Investigation Bureau to make any inquiries or to carry out any investigations into any information received by the Director touching upon the conduct of any person or any allegation or complaint made against any person, the Director may make such inquiries or carry out investigations into such information, allegation or complaint if the President, acting in his discretion, concurs therewith.*
- I understand that this discretionary power vested in your good office of the President as provided for by Article 22G of the Constitution does not require your good office to consult with the Council of Presidential Advisers (CPA) to arrive at your decision.
98. I pray that the Prime Minister would agree to give his consent to the Director of the CPIB to make the necessary inquiries and carry out the necessary investigations into the information received through my CPIB Complaint which I had lodged on 25 February 2023. On the off chance that the Prime Minister has refused to give his consent to the Director of the CPIB to make any inquiries and carry out any investigations into the information received through my Complaint, I humbly **pray that your good office of the President shall act in your discretion to concur therewith so that the Director of the CPIB may proceed nevertheless to make such inquiries or carry out investigations** into information on the allegations made in my Complaint.
99. Noting that this matter has already been reported to CPIB, I confirm that I am aware of and do fully acknowledge the limits to the powers of your good office of the President under Article 22(a) of the Constitution providing for exercise of your discretionary powers after consulting with the Council of Presidential Advisers (CPA) either to refuse to appoint or to refuse to revoke any appointment to the offices of “the Chief Justice, Justices of the Court of Appeal, Judges of the Appellate Division, Judges of the High Court, Judicial Commissioners, Senior Judges and International Judges”, which do not extend to include District Judges appointed to the State Courts and which only permits the President to refuse such an appointment or revocation initiated by the relevant appointing authority.

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100. In view of this, I thus appeal to your good office to **additionally refer the matters** surrounding District Judge Kessler Soh Boon Leng's alleged incidents detailed in my CPIB Complaint and my consequent request for his recusal on grounds of conflict of interest:
- a. **firstly to the Judicial Service Commission** for due consideration of the exercise of its powers pursuant to Article 111F(1)(b)(v,vi,vii) of the Constitution over transfer, disciplinary control, and dismissal of officers in the Singapore Judicial Service, including all District Judges
 - b. **secondly to the Presiding Judge of the State Courts**, the Honourable Justice Hoong Seng Lei Vincent, for his reference to any such necessary information should it become relevant to his responsibility for the administration of the State Courts pursuant to State Courts Act § 8A

Possible conflicts of interest involving Public Prosecutor

101. I now turn the attention of your good office to the concerns I intend to raise regarding MRHA § 17, which specifies that *“a court is not to try any offence under this Act except with the consent of the Public Prosecutor”*, and Prevention of Corruption Act § 33, which specifies that *“a prosecution under this Act shall not be instituted except by or with the consent of the Public Prosecutor”*, specifically in relation to the captioned matters I have traversed earlier firstly relating to offences under MRHA § 17E which may be disclosed pertaining to “Operation High Tide”, and secondly relating to my Complaint to the Corrupt Practices Investigation Bureau (52 pages) and any future prosecution that could result from the offences disclosed in my Complaint after investigation.
102. Where the phrase “Public Prosecutor” is used in the wording of any other law, I confirm that I am aware of Criminal Procedure Code § 11(1) specifying that *“the Attorney-General is the Public Prosecutor and has the control and direction of criminal prosecutions and proceedings under this Code or any other written law”*, and for the avoidance of doubt, I further confirm that I understand any reference to “with the consent of the Public Prosecutor” to specifically mean “with the consent of the Attorney-General” when read in conjunction with Criminal Procedure Code § 11(1).
103. Please find attached the text of the messages enclosed in Figures 1650 to 1652 of the second Bundle of Evidence (466 pages) which I had received on 8 April 2023 from the fake “Sanjith Kirishna S/O Santhanam” Telegram burner account operated by Mercury attempting to falsely claim to in fact be the real Sanjith but which had misspelled his name wrongly four times (first as “Sanjiv S/O Santhanam”, then changed to “Sanjith Kirishna S/O Santhanam”, and then changed to “Sanjith Kirshna S/O Santhanam”, before finally settling on “Sanjith Krishna S/O Santhanam”):

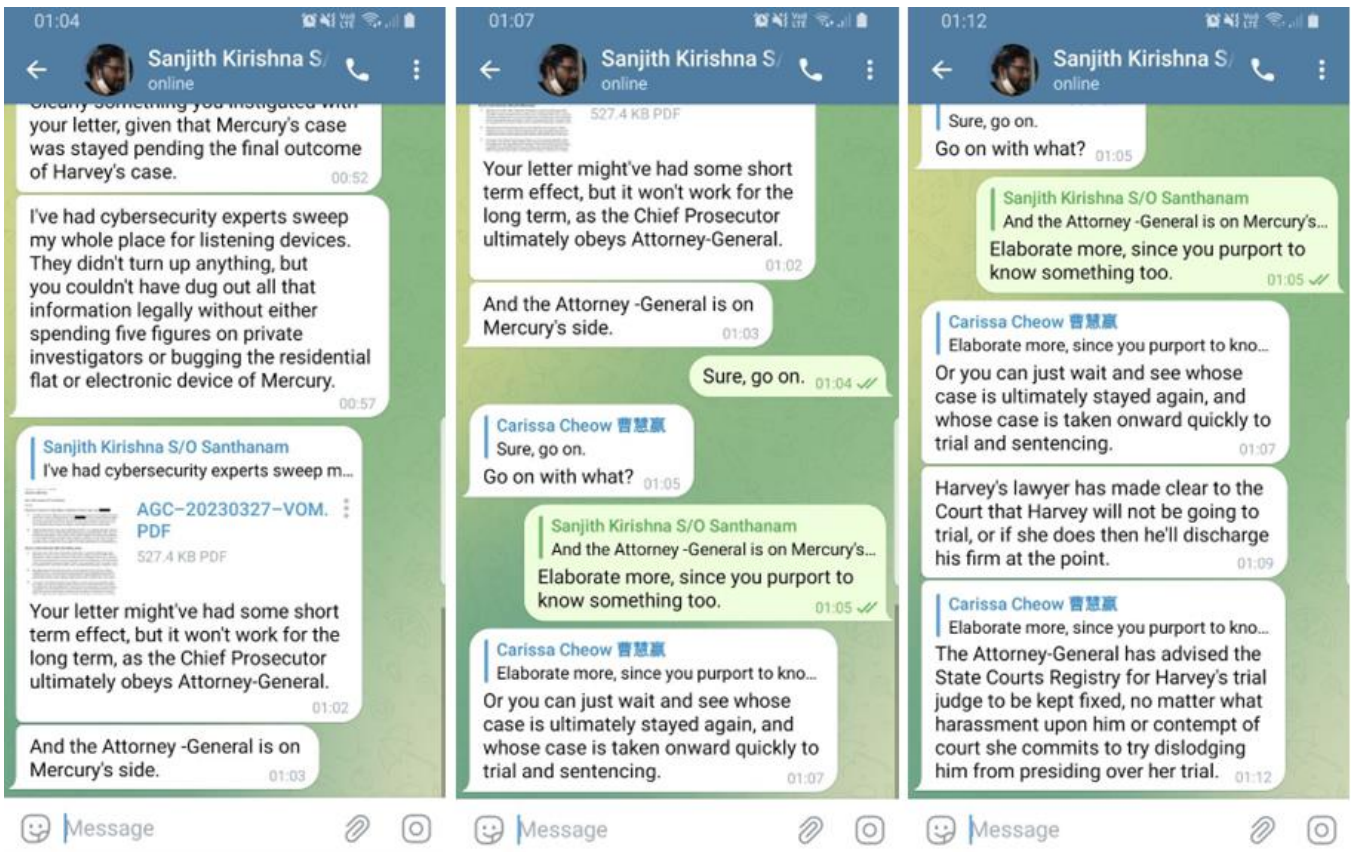
“Clearly something you instigated with your letter, given that Mercury’s case was stayed pending the final outcome of Harvey’s case. I’ve had cybersecurity experts sweep my whole place for listening devices. They didn’t turn up anything, but you couldn’t have dug out all that information legally without either spending five figures on private investigators or bugging the residential flat or electronic device of Mercury.

Your letter might’ve had some short term effect, but it won’t work for the long term, as the Chief Prosecutor ultimately obeys Attorney-General. And the Attorney -General is on Mercury’s side. Or you can just wait and see whose case is ultimately stayed again, and whose case is taken onward quickly to trial and sentencing. Harvey’s lawyer has made clear to the Court that Harvey will not be going to trial, or if she does then he’ll discharge his firm at the point.

The Attorney-General has advised the State Courts Registry for Harvey’s trial judge to be kept fixed, no matter what harassment upon him or contempt of court she commits to try dislodging him from presiding over her trial.”

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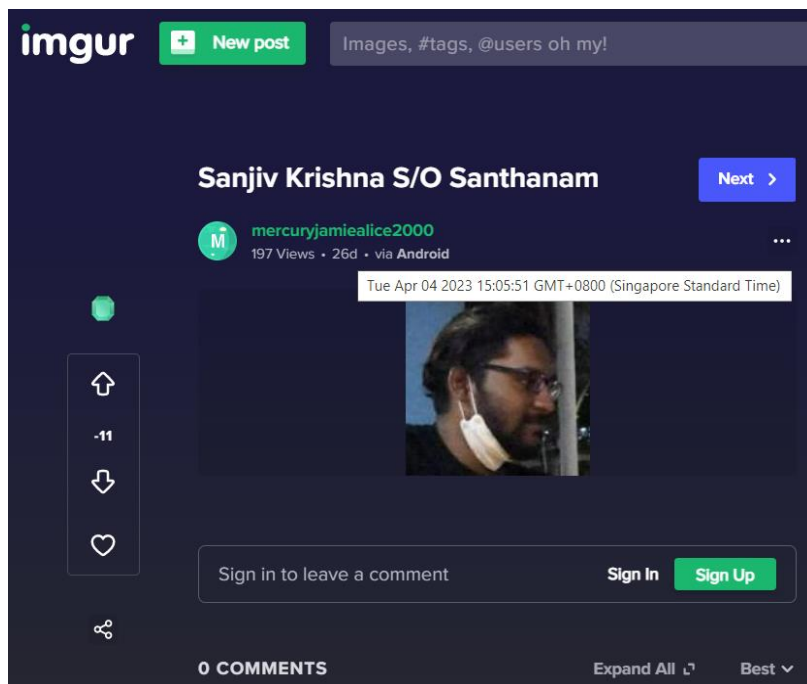
104. For ease of reference, please find attached the screenshots enclosed in Figures 1650 to 1652 of the second Bundle of Evidence (466 pages) containing the messages I had received on 8 April 2023 from the fake “Sanjith Kirishna S/O Santhanam” Telegram burner account operated by Mercury:



105. For the avoidance of doubt, “Harvey’s trial judge” refers to District Judge Kessler Soh Boon Leng, and “the Attorney-General” refers to Mr Lucien Wong Yuen Kai, SC.
106. The meaning of the statement “*the Attorney-General is on Mercury’s side*” is *prima facie* apparent.
107. The statement “*the Attorney-General has advised the State Courts Registry for Harvey's trial judge to be kept fixed*” is clearly understood to mean that Mr Lucien Wong Yuen Kai, SC has instructed the State Courts Registry to continue to retain District Judge Kessler Soh Boon Leng specifically as the trial judge presiding over Harvey’s criminal proceedings.
108. Taken together, the combined meaning of the former statement “*Mercury's case was stayed pending the final outcome of Harvey's case*” and the latter statement “*you can just wait and see whose case is ultimately stayed again, and whose case is taken onward quickly to trial and sentencing*” suggests that some course of action which is planned to be taken will ultimately result in Mercury’s case becoming stayed again pending the conclusion of Harvey’s criminal case, which is instead made to proceed to trial and sentencing at the earliest possible time.
109. Given that the latter statement was in reply to my request for Mercury to “*elaborate more, since you purport to know something too*” regarding Mercury’s assertion that “*the Attorney-General is on Mercury’s side*”, it can reasonably be understood to mean that such course of action aimed at such outcome will be taken by Mr Lucien Wong Yuen Kai, SC in the furtherance of Mercury’s interests and at the expense of Harvey’s interests, or at least that this is the assertion being made by Mercury using the fake “Sanjith Kirishna S/O Santhanam” Telegram burner account.

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110. Note firstly that the source of the image which was used as the display picture for the fake Sanjith Telegram burner account can be traced back to an imgur.com upload (imgur.com/gallery/KOiX8sV) on 4 April 2023 at the timestamp 15:05:51 GMT+8 (Singapore Standard Time) by an account with the username “mercuryjamiealice2000” which was also created on 4 April 2023, and secondly that the name of the picture was a fifth misspelling of Sanjith’s name, “Sanjiv Krishna S/O Santhanam”:



111. While the Attorney-General is listed in Article 22(b) of the Constitution as one of the key public offices covered under the discretionary powers of your good office, I confirm that I am aware of and do fully acknowledge the limits to the powers of your good office of the President under Article 22 of the Constitution for exercise of your discretionary powers after consulting with the Council of Presidential Advisers (CPA) either to refuse to appoint or to refuse to revoke any appointment to key public offices listed in Article 22(a) to 22(n) of the Constitution, and which only permits the President to refuse such an appointment or revocation initiated by the relevant appointing authority, but not to initiate a revocation directly should no such revocation of appointment already have been made by the relevant appointing authority in the first place.
112. Please refer to pages 399 to 402 and 453 to 455 of the second Bundle of Evidence (466 pages) for more specific information disclosing the connection between Mr Lucien Wong Yuen Kai, SC and those groups known to be involved in “Operation High Tide” through CanaVox and Ms [REDACTED]. Such connections raise the question of whether there would be a real risk that Mr Lucien Wong Yuen Kai, SC in his capacity as the Attorney-General and hence the Public Prosecutor would encounter a conflict of interest that could cause him to decline to try any offence under the MRHA pertaining to “Operation High Tide” and involving groups and persons involved in “Operation High Tide” where he may already have a close personal connection with such groups and persons.
113. In the event that Mr Lucien Wong Yuen Kai, SC in his capacity as the Attorney-General had indeed instructed the State Courts Registry to continue to retain District Judge Kessler Soh Boon Leng specifically as the trial judge presiding over Harvey’s criminal proceedings, as Mercury using the fake Sanjith Telegram account asserts to be so, there is a real risk that he could encounter a similar conflict of interest that could cause him to decline to consent to instituting any prosecution for possible offences which District Judge Kessler Soh Boon Leng could subsequently be found to have committed in the course of investigations by the Corrupt Practices Investigation Bureau.

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114. The concern regarding MRHA § 17 and Prevention of Corruption Act § 33 therefore pertains to the requirement for the Public Prosecutor to consent to prosecuting offences charged under either the MRHA, or offences found in the course of investigations by the Corrupt Practices Investigation Bureau which may or may not be limited to offences specified in the Prevention of Corruption Act. While there would otherwise be good reason for such provisions to exist, in the context of the circumstances surrounding “Operation High Tide” and District Judge Kessler Soh Boon Leng’s current role in presiding over the criminal proceedings for both Mercury’s and Harvey’s cases wherein Mercury is considered the pivotal means for “Operation High Tide” to achieve its ends, there is a real risk of conflicts of interest on both fronts which Mr Lucien Wong Yuen Kai, SC as the Attorney-General may encounter which may cause him to decline to prosecute on both fronts.
115. I therefore wish to appeal to your good office of the President to review the set of materials I have provided in conjunction with your Council of Presidential Advisers (CPA), such that you may in turn be in a better position to raise this matter with the Cabinet upon coming to a further and better understanding of the circumstances at hand.
116. While I note that Article 35(6)(a) of the Constitution does technically provide a way for the President, through the Prime Minister, to remove the Attorney-General from office, it is explicitly specified that *“the Prime Minister shall not tender such advice except for inability of the Attorney-General to discharge the functions of his office (whether arising from infirmity of body or mind or any other cause) or for misbehaviour and except with the concurrence of a tribunal consisting of the Chief Justice and 2 other Supreme Court Judges nominated for that purpose by the Chief Justice”*. I submit that the removal of the Attorney-General through convening such a tribunal for misbehaviour under Article 35(6)(a) of the Constitution is far from a preferable way to review the appointment of the Attorney-General with a view to addressing the conflicts of interest.
117. I instead submit that the Attorney-General’s **recusal or transfer from the specific cases wherein conflicts of interest may or will arise** would be the preferable way as compared to an outright removal from office through means other than voluntary resignation, and wish to emphasize my desire to maintain the integrity of the Singapore Legal Service even in the course of addressing such conflicts of interest that could arise; outright removal should thus only be a last resort.

Conclusion

118. Whereas Article 22F(1)(a) of the Constitution provides that *“in the exercise of his functions under this Constitution, the President shall be entitled, at his request, to any information concerning the Government which is available to the Cabinet”*, I therefore wish to request for your good office of the President, upon having reviewed the set of materials I have provided to you, to consider exercising the powers of your good office of the President to obtain further information from the Cabinet relating to various matters related to “Operation High Tide” where necessary or otherwise relevant as provided for by Article 22F(1)(a) of the Constitution, and I pray that Singapore may be able to find the most optimal way to address the internal and external threats posed to our society and to various segments of our population by “Operation High Tide” and Far-Right Extremism.
119. Whereas our Republic of Singapore was founded upon a commitment to building a multi-racial and multi-religious society, and remains a diverse society situated in a geopolitically complex regional neighbourhood where our survival as a people depends on the continued integrity of our public service, the continued importance of upholding the rule of law, and the continued safeguarding of our shared common space without succumbing to the rising trend of groups seeking to dominate and impose their own values onto the rest of society, I appeal to your good office in your esteemed capacity as Singapore’s Head of State to carefully consider the matters I have brought before you.

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120. I trust that your good office will afford due consideration to the various matters raised hereinbefore, thank you for your kind attention, and await your favourable response. I can also be contacted at +65-████-████ or ██████████@██████.com if you happen to require any urgent clarification.

Yours faithfully,



Ms Carissa Cheow Hui Ying
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