

**IN THE REPUBLIC OF SINGAPORE**

**SINGAPORE MEDICAL COUNCIL DISCIPLINARY TRIBUNAL**

**[2021] SMCDT 7**

Between

**Singapore Medical Council**

And

**Dr Gan Tau Ming Aaron**

*... Respondent*

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**FOUNDATIONS OF DECISION**

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Administrative Law – Disciplinary Tribunals

Medical Profession and Practice – Professional Conduct – Criminal Conviction - Suspension

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**Singapore Medical Council**

**v**

**Dr Gan Tau Ming Aaron**

**[2021] SMCDT 7**

Disciplinary Tribunal – DT Inquiry No. 7 of 2021

Prof Tan Ser Kiat (Chairman), Prof Ng Wai Hoe, Ms Shobha Nair (Legal Service Officer)

20 October 2021

Administrative Law – Disciplinary Tribunals

Medical Profession and Practice – Professional Conduct – Suspension

25 November 2021

**GROUNDS OF DECISION**

*(Note: Certain information may be redacted or anonymised to protect the identity of the parties.)*

**Introduction**

1. Dr Gan Tau Ming Aaron (“**the Respondent**”) is a registered medical practitioner who at the time of the commission of offences was a Senior Resident at the Singapore General Hospital. On 11 July 2019, he had pleaded guilty to and was consequently convicted on 14 charges under section 268 of the Penal Code (Cap 224), punishable under section 290 of the same; three charges under section 29(1)(a) of the Films Act (Cap 107) and one charge under section 21(1)(a) of the Films Act, punishable under section 21(1)(i) of the same<sup>1</sup>. 32 other charges were taken into consideration for purposes of sentencing. The Respondent was sentenced to a total imprisonment term of six weeks’ and a fine of \$14,900. These convictions had not been set aside.

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<sup>1</sup> See page 104 of the Agreed Bundle of Documents

2. Section 53(1)(b) of the Medical Registration Act (Cap. 174) (the “**MRA**”) provides that where a registered medical practitioner is found by a Disciplinary Tribunal (the “**DT**”) to have been convicted in Singapore or elsewhere of any offence implying a defect in character which makes him unfit for his profession, the DT may exercise one or more of the powers referred to in subsection 2. This would include an order to suspend the registration of the registered medical practitioner in the appropriate register for a period of not less than three months and not more than three years.
3. A Notice of Inquiry (“**NOI**”) was served on the Respondent on 12 July 2021 setting out the 17 charges preferred against the Respondent, of which 14 were related to public nuisance offences (section 268 of the Penal Code) and three were related to the offences of making obscene films in breach of the Films Act. The NOI was amended setting out 16 charges against the Respondent, of which 14 relate to the public nuisance offences and two relate to the Films Act offences. The amended NOI was served on the Respondent on 20 October 2021. The charges of the Singapore Medical Council (“**SMC**”) are annexed to these Grounds for ease of reference.
4. Before the DT, the Respondent pleaded guilty to all 16 charges against him and accepted without qualification the Agreed Statement of Facts. In essence, the facts relate to the Respondent’s frequent attendance at the Tampines SAFRA Swimming Pool to swim after work and to a lesser degree at the SAFTI Military Institution and Queenstown Swimming Pool, where he took photographs and videos of unknown male persons in the shower area of the men’s toilets. This took place over a period of one and a half years (from early 2016 to mid-2017). The men were in various states of undress, some completely nude with their genitals exposed. The videos and photographs were taken by the Respondent by placing his handphone to his ear and pretending that he was talking to someone when in fact he was taking the said videos and photographs by pointing the camera at the victims. Other than one male person who alerted the security personnel at the Tampines SAFRA Swimming Pool and subsequently the police, no one else was aware of the actions of the Respondent and the videos and photographs were only viewed by the Respondent.

## Submissions on Sentence by the SMC

5. Counsel for the SMC relied on the two-stage approach detailed in the Sentencing Guidelines for Singapore Medical Council Disciplinary Tribunals (“**SMC DT Sentencing Guidelines**”) published on 15 July 2020<sup>2</sup>. It guides the Tribunal to consider the individual sentence for each charge by applying four steps towards that determination. The second stage involves calibration of the sentence to ensure proportionality.
6. In this case a total of 16 charges were preferred against the Respondent which broadly relate to public nuisance offences and contravening the provisions of the Films Act. The public nuisance offences relate to 10 charges of taking photographs of unknown male persons without their knowledge and four involving photographs and videos. The two offences under the Films Act relate to the making of obscene videos.
7. It was Counsel for the SMC’s submission that the harm caused was slight on account of the fact that there was only one victim per charge<sup>3</sup> while the culpability of the Respondent was moderate given the intentional nature of his acts.
8. Following the guidance of the Courts in *Wong Meng Hang v Singapore Medical Council*<sup>4</sup> (“**Wong Meng Hang**”), Counsel for the SMC submitted that based on the harm-culpability matrix set out in *Wong Meng Hang*’s case, the applicable sentencing range would be a suspension from the practice of medicine for a period between three months and one year.
9. Referring to the third step of the SMC DT Sentencing Guidelines, it was the SMC’s submission that the following sentences be imposed:
  - (a) a three and a half-month suspension for each of the public nuisance charges which involved the taking of photographs;

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<sup>2</sup> See paragraph 73 (June 2020 Edition)

<sup>3</sup> See paragraph 26 of the Prosecution’s Sentencing Submissions (Amendment No.1)

<sup>4</sup> [2019] 3 SLR 526

- (b) a five-month suspension for each of the public nuisance charges involving the taking of a photograph and a video; and
  - (c) a five-month suspension involving each charge of making obscene films.
10. It was the SMC's position that the Respondent's timely guilt of plea warranted a downward adjustment and relying on precedents, it submitted that half a month for each of the charges as detailed above may appropriately be shaved off and submitted that a global sentence of 12 months suspension be recorded. The case of *SMC v Dr Sim Choon Seng*<sup>5</sup> ("Sim Choon Seng") where a doctor's registration in the Register of Medical Practitioners was suspended for 14 months for having been convicted of 20 counts of offences relating to the recording of upskirt images of various female victims using his mobile phone was highlighted as instructive. Both that and the present case involved multiple similar offences over a long period of time and involved calculation and deliberation in the commission of the acts.

### **Respondent's Submissions on Sentence and Mitigation**

11. The Respondent's Counsel was in agreement on the approach the Tribunal should take in sentencing. Interestingly however, the Respondent's Counsel viewed the harm as one that was on the lower end of the spectrum of moderate harm<sup>6</sup>, somewhat in line with the view expressed in *Sim Choon Seng* but the culpability of the Respondent as low. The indicative sentencing range given that interplay fell within the 3-to-12-month suspension framework as well. Counsel explained that the offences were not as grave as sexual offences of outrage of modesty under the law as highlighted by the fact that the latter carries a mandatory imprisonment term. Counsel asserted that the offences reflected the Respondent's moral failing and it has not impacted his professional duties and he remained a committed and outstanding doctor<sup>7</sup>. Various testimonials from supervising doctors and peers painted a picture of a very competent professional who did exceptionally well both as a medical student and as a doctor.<sup>8</sup> The Counsel spoke of the fact that there was no physical contact with the victims. There was also no

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<sup>5</sup> [2021] SMCDT 1

<sup>6</sup> See para 16 of the Respondent's Sentencing Submissions (Amendment No. 1)

<sup>7</sup> See para 22 of the Respondent's Sentencing Submissions (Amendment No. 1)

<sup>8</sup> See Tab D-E of the Respondent's Mitigation Plea

evidence of the fact that the victims were emotionally harmed. The photos and videos were for personal consumption and not circulated in the public domain. In addressing the culpability level of the Respondent, his counsel submitted that the Respondent was facing immense feelings of social isolation and preferred to spend time alone which included time at the club near his workplace. He was labouring under ‘*suppression*’ as detailed in medical reports produced, which is a maladaptive psychological defence mechanism. Simply put, he sought a substitute channel to expressing his homosexual orientation so as to keep his sexual orientation a secret. Dr DW<sup>9</sup> (“**Dr DW**”), a Consultant in psychological medicine at Hospital A provided his assessment of the Respondent’s mental state in 2019 and more recently on 8 October 2021. These collectively refer to the Respondent’s voyeuristic behaviour as conduct related to his attempts to avoid homosexual intimacy.

12. Given the dearth of cases on sentences involving similar offences as that faced by the Respondent, a recent decision of the DT in *SMC v Dr Azman Bin Osman*<sup>10</sup> (“**Azman**”) was highlighted where the Respondent had insulted the modesty of a woman by unzipping his pants before her thereby exposing his undergarments and groin. The Respondent there was suspended for a period of four months on being charged under section 53(1)(b) of the MRA. The DT in that case had opined that the harm to the victim was slight on account of there being no physical contact. Counsel also argued that the level of deliberation and calculation displayed in that case was absent in the present case. A lack of remorse on the part of the Respondent in *Azman* further distinguished it from the present. Similarly in *SMC v Dr Lum Yang Wei*<sup>11</sup>, a suspension of four months arising from the act of recording a co-worker at a hospital while the latter was easing herself in a toilet was imposed even in the context of an antecedent misconduct when Dr Lum was working in a different hospital.
13. Counsel for the Respondent sought a suspension of one month for each charge and sought that the SMC charges number 1 and 15 be ordered to run concurrently on the premise that the film mentioned in charge 15 was based on the video which was the subject matter in charge 1. Counsel submitted that a total sentence of 15 months would

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<sup>9</sup> See Tab A-C of the Respondent’s Mitigation Plea

<sup>10</sup> [2020] SMCDT 7

<sup>11</sup> [2020] SMCDT 4

be a crushing sentence and not in keeping with his past records and future prospects. Based on the one-transaction rule and totality principle, it was the Counsel for the Respondent's submission that a global sentence of four months was fair. She also informed the Tribunal that the Respondent was committed to review the state of his psychological health with Dr DW.

### **DT's Decision on the Appropriate Sentence**

14. One need go no further than the decision in *Wong Meng Hang v SMC*<sup>12</sup> to understand the cornerstones of professional conduct. This arguably applies whether one is a doctor, a lawyer, a teacher or any other individual in the service of others. In disciplinary proceedings, broader public interest considerations are paramount. In medical practice, a doctor meets with patients from all stations of life who are not having their best days. These patients need to be confident in not just the competence of medical doctors both in and out of the operating room but of the character of his doctor. The many years of study and training to become a doctor can result in one of two things. On the one hand, there may arise a sense of entitlement that comes from the knowledge that relatively few are able to acquire qualifications that enable the practice of medicine. This may result in a feeling that one should not be too harshly condemned for moral failings so long as it does not directly impact on how good a doctor is in the procedure room or in coming up with treatment plans. On the other hand, and hopefully more typically, many would see their qualifications as a privilege to be utilised to serve the ill when they are at their most vulnerable. Competence and trustworthiness are the cornerstones of the practice of medicine – given to a few. Much is expected from those few. How do criminal offences of the nature seen in this case question character? When the Respondent who was tasked daily to respect the bodies of his patients imposed himself on non-consenting adults in public spaces over a long period of time, only to be stopped fortuitously by one such adult, and when these acts were done for the sole purpose of gratifying his needs, he defiled the sanctity of the body he took an oath to protect, heal and restore. It is not significant that he did not come into physical contact with the victims. It matters little too that these were not his patients. The gratification at the expense of unsuspecting individuals who were in different states of undress is an

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<sup>12</sup> [2019] 3 SLR 526

offence to the bodies of these victims – one would expect a doctor to understand this. It is almost impossible to gather evidence of the emotional stress endured by victims of these types of offences as it may not be evident in the short term and many may be embarrassed to speak about it.

15. The personal mitigating circumstances of the Respondent, in particular the ridicule he felt at the hands of his school mates and his working colleagues arising from their insinuations about the Respondent's sexual orientation, certainly calls for understanding. It bears little relevance however, to these proceedings. Almost without exception, every human being struggles at different times and to varying degrees with personal circumstances. The call of a doctor requires that he overcomes his struggle without harming another. If he is not able to do so, to then have the courage to find help in addressing the challenge. There is indeed nothing to be ashamed of and everything to be gained from understanding one's sexual orientation and ensuring that it is expressed in a way that does not compromise the interests of others. The DT acknowledges that the Respondent has been working with Dr Lim and as part of our orders, put in place the need to continue with a psychiatrist of his choice to ensure that these offences are never repeated.
16. The sentence of the DT must be one that meets the sentencing principle of general and specific deterrence. The sentence must be one that creates an awareness in the public and particularly among potential offenders that the punishment "*will be certain and unrelenting for certain offences and offenders.*"<sup>13</sup> The Respondent is a young doctor, and he has a long way to go in medical practice. The signal must be clear that behaviour that compromises the body and spirit of another will not be tolerated. A doctor with sterling academic qualifications and great skill will not fulfil his calling if he does not understand or believe the concepts of wellness and wellbeing of others – whether they are his patients or strangers enjoying a swim.
17. Using the harm - culpability matrix, the DT after deliberation, accepted that harm was on the lower end. The precedents speak of low harm arising from a lack of physical contact. The DT noted that the Respondent used the photographs and videos for his own

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<sup>13</sup> See *Wong Meng Hang v SMC* at para 25

viewing. We found however that the Respondent displayed moderate culpability arising from the fact that the offences spanned a long period of time and the evidence suggests that the Respondent made it a point to return to places where the offences could be committed. In fact the security personnel at the Tampines SAFRA Swimming pool observed that the Respondent had walked in and out of the pool area numerous times. The DT did not accept that there was no premeditation on the part of the Respondent. We agreed that the harm-culpability matrix would place the offences within the sentencing range of three months to one year. We diverged from both the Prosecution and the Respondent's Counsel on the appropriate starting point. The offences were largely similar in nature and a four-month starting point for each charge within each category of offences was felt to be appropriate.

18. We considered the fact that the Respondent had to wait for two years since his conviction for this hearing and that he had resigned from service at the Singapore General Hospital. He has already paid a price with respect to his career. He is willing to take steps to address his challenges and did not hesitate to plead guilty. We acknowledge his remorse and applaud his resolve. We lowered the starting point to a three-month suspension for each of the charges relating to the photographs for the public nuisance offences and to a three-month suspension for each of the charges relating to both the photographs and videos for the public nuisance offences. Similarly, a reduction of the starting point to a three-month suspension for each of the film charges was felt to be appropriate given the totality of the facts as detailed above. A global sentence of nine months' suspension reflects the gravity of the offences while opening the window of opportunity for the Respondent to prepare himself to better understand that he cannot divorce his professional calling from his personal limitations. These both relate to a fundamental need to respect the bodies of others.

## **Conclusion**

19. Accordingly, this Tribunal orders that:
  - (a) the Respondent's registration be suspended for a period of **nine (9) months**;
  - (b) the Respondent be censured;

- (c) the Respondent to submit a written undertaking to the SMC that he will not engage in the conduct complained of or any similar conduct;
- (d) the Respondent work with a psychiatrist of his choice during his period of suspension and if required by the appointed psychiatrist, beyond the suspension period, with a view to addressing the behaviour detailed in the charges and Agree Statement of Facts and to prevent similar conduct when he resumes his duties after the ordered period of suspension; and
- (e) the Respondent pay the costs and expenses of and incidental to these proceedings, including the costs of the solicitors to the SMC.

20. We further order that the Grounds of Decision be published with the necessary redaction of identities and personal particulars of persons involved.

21. The hearing is hereby concluded.

Prof Tan Ser Kiat  
Chairman

Prof Ng Wai Hoe

Ms Shobha Nair  
Legal Service Officer

Ms Shalini Mogan (M/s RHTLaw Asia LLP)  
for Singapore Medical Council; and

Ms Audrey Sim and Ms Joie Tan (M/s Dentons Rodyk & Davidson LLP)  
for Dr Gan Tau Ming Aaron

**MEDICAL REGISTRATION ACT (CAP. 174)**  
**MEDICAL REGISTRATION REGULATIONS 2010**  
**REGULATION 27**

**NOTICE OF INQUIRY BY DISCIPLINARY TRIBUNAL (AMENDMENT NO. 1)**

20 October 2021

To: **Dr Gan Tau Ming, Aaron (MCR No. M16581F)**  
< Address redacted >

Dear Sir,

Notice is hereby given to you that, in consequence of information received by the Council, an inquiry is to be held by the Disciplinary Tribunal into the following charges against you:

**1<sup>ST</sup> CHARGE**

1. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the "**Penal Code**") and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

**Particulars**

- (a) that on the 6<sup>th</sup> day of January 2016, at or about 6.01pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 23 photographs and 10 videos of an unknown

male in the toilet while he was changing (Charge No. MAC-906332-2018);

- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);
  
- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);
  
- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week’s imprisonment in respect of Charge No. MAC-906332-2018;

- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

### 2<sup>nd</sup> CHARGE

- 2. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the "**Penal Code**") and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

#### Particulars

- (a) that on the 22<sup>nd</sup> day of January 2016, at or about 6.32pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 32 photographs of an unknown male in the toilet while he was changing (Charge No. MAC-906336-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the "**Public Nuisance Charges**") particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of

Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) ("**Films Act**") for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the "**Films Act Charges**");

- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the "**Admitted Charges**"), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);
- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week's imprisonment in respect of Charge No. MAC-906336-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and

you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

### 3<sup>rd</sup> CHARGE

3. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the “**Penal Code**”) and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

#### Particulars

- (a) that on the 16<sup>th</sup> day of February 2016, at or about 8.10pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 10 photographs of an unknown male in the toilet while he was changing (Charge No. MAC-906337-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);
- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-

2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);

- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week's imprisonment in respect of Charge No. MAC-906337-2018
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

#### **4<sup>th</sup> CHARGE**

- 4. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the "**Penal Code**") and punishable under section 290 of the Penal Code for

causing annoyance to the people in general who have occasion to use the public toilet, to wit:

Particulars

- (a) that on the 4<sup>th</sup> day of March 2016, at or about 7.06pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 28 photographs of an unknown male in the toilet while he was changing (Charge No. MAC-906338-2018);
  
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);
  
- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-

906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);

- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week's imprisonment in respect of Charge No. MAC-906338-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

#### **5<sup>th</sup> CHARGE**

5. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the "**Penal Code**") and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

#### **Particulars**

- (a) that on the 19<sup>th</sup> day of July 2016, at or about 7.39pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 23 photographs of an unknown male in the toilet while he was changing (Charge No. MAC-906343-2018);

- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);
- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);
- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week’s imprisonment in respect of Charge No. MAC-906343-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6)

weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;

- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

### **6<sup>th</sup> CHARGE**

6. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the "**Penal Code**") and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

#### **Particulars**

- (a) that on the 27<sup>th</sup> day of July 2016, at or about 7.30pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 21 photographs of a young boy and his father in the toilet while they were changing (Charge No. MAC-906345-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the "**Public Nuisance Charges**") particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) ("**Films Act**") for making obscene films

particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);

- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);
- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week’s imprisonment in respect of Charge No. MAC-906345-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks’ imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks’ imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

## 7<sup>th</sup> CHARGE

7. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the “**Penal Code**”) and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

### Particulars

- (a) that on the 16<sup>th</sup> day of September 2016, at or about 6.05pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 10 photographs and 2 videos of an unknown male in the toilet while he was changing (Charge No. MAC-906347-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);
- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-

2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);

- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week's imprisonment in respect of Charge No. MAC-906347-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

### **8<sup>th</sup> CHARGE**

- 8. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the "**Penal Code**") and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

#### **Particulars**

- (a) that on the 23<sup>rd</sup> day of September 2016, at or about 7.28pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 21 photographs of an unknown male in the toilet while he was changing (Charge No. MAC-906349-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);
- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);

- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week's imprisonment in respect of Charge No. MAC-906349-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

### **9<sup>th</sup> CHARGE**

9. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the "**Penal Code**") and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

#### **Particulars**

- (a) that on the 1<sup>st</sup> day of October 2016, at or about 1.16pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 1 video of a young boy and his father in the toilet while they were changing (Charge No. MAC-906351-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under

section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);

- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);
- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week’s imprisonment in respect of Charge No. MAC-906351-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks’ imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks’ imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

### **10<sup>th</sup> CHARGE**

10. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the “**Penal Code**”) and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

#### **Particulars**

- (a) that on the 3<sup>rd</sup> day of October 2016, at or about 7.27pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 24 photographs of an unknown male in the toilet while he was changing (Charge No. MAC-906352-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);

- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);
- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week’s imprisonment in respect of Charge No. MAC-906352-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks’ imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks’ imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

## 11<sup>th</sup> CHARGE

11. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the “**Penal Code**”) and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

### Particulars

- (a) that on the 14<sup>th</sup> day of December 2016, at or about 11.28am, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 41 photographs and 3 videos of an unknown male in the toilet while he was changing (Charge No. MAC-906358-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);
- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-

906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);

- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week's imprisonment in respect of Charge No. MAC-906358-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

### 12<sup>th</sup> CHARGE

12. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the "**Penal Code**") and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

### Particulars

- (a) that on the 26<sup>th</sup> day of February 2017, at or about 11.42am, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 32 photographs of an unknown male in the toilet while he was changing (Charge No. MAC-906364-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (3=2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);
- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);

- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week's imprisonment in respect of Charge No. MAC-906364-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

### 13<sup>th</sup> CHARGE

13. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the "**Penal Code**") and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

#### Particulars

- (a) that on the 23<sup>rd</sup> day of July 2016, at or about 11.50am, in the male toilet of Queenstown Swimming Complex located at No. 473 Stirling Road, Singapore, you took 35 photographs of an unknown male in the toilet while he was changing (Charge No. MAC-906368-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under

section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);

- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);
- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week’s imprisonment in respect of Charge No. MAC-906368-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks’ imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks’ imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

#### **14<sup>th</sup> CHARGE**

14. That you, Dr Gan Tau Ming, Aaron, are charged that on Thursday, 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of one (1) charge under section 268 of the Penal Code (Cap. 224, 2008 Rev Ed) (the “**Penal Code**”) and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet, to wit:

#### **Particulars**

- (a) that on the 17<sup>th</sup> day of July 2017, at or about 3.00pm, in the male toilet of Tampines SAFRA Swimming Pool located at No.1A Tampines Street 92, Singapore, you took 7 photographs of one [ Name redacted] in the toilet while he was changing (Charge No. MAC-906370-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);

- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);
- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a fine of S\$1,000, in default one (1) week’s imprisonment in respect of Charge No. Charge No. MAC-906370-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks’ imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks’ imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

**15<sup>th</sup> CHARGE**

15. That you, **DR GAN TAU MING, AARON**, are charged that on 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of a one (1) charge under section 29(1)(a) of the Films Act (Cap 107) ("**Films Act**") for making obscene films, to wit:

Particulars

- (a) that on the 6<sup>th</sup> day of January 2016, at or about 6.02pm, at the male toilet of Tampines SAFRA Swimming Pool located at No. 1A Tampines Street 93, Singapore, you made an obscene film by using your iPhone 7s mobile phone which has a video recording function to film one unknown male subject in states of undress (Charge No. MAC-906371-2018);
- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the "**Public Nuisance Charges**") particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) ("**Films Act**") for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the "**Films Act Charges**");
- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the "**Admitted Charges**"), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-

2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);

- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to three (3) week's imprisonment in respect of Charge No. MAC-906371-2018;
- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).

### **16<sup>th</sup> CHARGE**

16. That you, **DR GAN TAU MING, AARON**, are charged that on 11 July 2019, while registered as a medical practitioner, you were convicted in Singapore of a one (1) charge under section 29(1)(a) of the Films Act (Cap 107) ("**Films Act**") for making obscene films, to wit:

#### **Particulars**

- (a) that on the 16<sup>th</sup> day of February 2017, at or about 8.05pm, at the male toilet of Tampines SAFRA Swimming Pool located at No. 1A Tampines Street 93, Singapore, you made an obscene film by using your iPhone 7s mobile phone which has a video recording function to film one

unknown male subject in states of undress (Charge No. MAC-906375-2018);

- (b) that on 11 July 2019, you were charged at Court 13C of the State Courts of the Republic of Singapore with a total of fourteen (14) charges under section 268 of the Penal Code and punishable under section 290 of the Penal Code for causing annoyance to the people in general who have occasion to use the public toilet (collectively, the “**Public Nuisance Charges**”) particularised at the 1<sup>st</sup> to 14<sup>th</sup> Charges of this Notice of Inquiry and two (2) charges punishable under section 29(1)(a) of the Films Act (Cap 107) (“**Films Act**”) for making obscene films particularised at the 15<sup>th</sup> to 16<sup>th</sup> Charges of this Notice of Inquiry (collectively, the “**Films Act Charges**”);
- (c) that on 11 July 2019, you pleaded guilty to the Public Nuisance Charges and the Films Act Charges (collectively the “**Admitted Charges**”), and consented to having 32 other charges taken into consideration for the purposes of sentencing (Charge Nos. MAC-906330-2018, MAC-906331-2018, MAC-906333-2018, MAC-906334-2018, MAC-906335-2018, MAC-906339-2018, MAC-906340-2018, MAC-906341-2018, MAC-906342-2018, MAC-906344-2018, MAC-906346-2018, MAC-906348-2018, MAC-906350-2018, MAC-906353-2018, MAC-906354-2018, MAC-906355-2018, MAC-906356-2018, MAC-906357-2018, MAC-906359-2018, MAC-906360-2018, MAC-906361-2018, MAC-906362-2018, MAC-906363-2018, MAC-906365-2018, MAC-906366-2018, MAC-906367-2018, MAC-906369-2018, MAC-906372-2018, MAC-906373-2018, MAC-906374-2018, MAC-906376-2018 and MAC-906377-2018);
- (d) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to three (3) week’s imprisonment in respect of Charge No. MAC-906375-2018;

- (e) that on 11 July 2019 you were convicted at the State Courts of the Republic of Singapore and sentenced to a total sentence of six (6) weeks' imprisonment with effect from 11 July 2019 and a fine of \$14,000, in default 14 weeks' imprisonment in respect of the Admitted Charges;
- (f) the aforementioned convictions have not been set aside;

and you are thereby guilty of having been convicted in Singapore of an offence implying a defect in character which makes you unfit for the medical profession, and you are liable to be punished under section 53(2) read with section 53(1)(b) of the Medical Registration Act (Cap 174).