

**IN THE REPUBLIC OF SINGAPORE**  
**SINGAPORE MEDICAL COUNCIL INTERIM ORDERS COMMITTEE**

Between  
**Singapore Medical Council**

And  
**Dr Jipson Quah**

*... Respondent*

**Interim Orders Committee:**

Dr Subramaniam Suraj Kumar (Chairman)  
A/Prof Agnes Ng Suah Bwee  
Adj A/Prof Lee Cheng  
Mr Kenny Chooi (Legal Assessor)

**Counsel for the SMC:**

Ms I-Lin Lee  
Ms Grace Lim Rui Si  
(M/s Drew & Napier LLC)

**Counsel for the Respondent:**

Mr James Gomez Jovian Messiah  
(M/s Edmond Pereira Law Corporation)

**DECISION OF THE INTERIM ORDERS COMMITTEE**

**(5<sup>TH</sup> REVIEW OF THE INTERIM ORDER)**

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

**Purpose of the Inquiry**

1. This Interim Orders Committee (“**IOC**”) was appointed under section 59A of the Medical Registration Act 1997 (version as of 30 June 2022) (“**MRA**”) to inquire into and determine whether an interim order under section 59B(1) of the MRA should be made against Dr Jipson Quah (“**Dr Quah**”).

## **Order of the IOC**

2. In the Decision of the IOC dated 23 March 2022, the IOC ordered that Dr Quah's registration be suspended for a period of 18 months with immediate effect from 23 March 2022, or until the conclusion of the disciplinary proceedings against Dr Quah under Part VII of the MRA, whichever is earlier ("**Interim Suspension Order**").

## **Previous reviews of the Interim Suspension Order**

3. In the Decision of the IOC dated 22 September 2022, the IOC reviewed the Interim Suspension Order and ordered that the Interim Suspension Order be maintained on its current terms ("**1<sup>st</sup> Review of the Interim Suspension Order**").
4. In the Decision of the IOC dated 21 December 2022, the IOC further reviewed the Interim Suspension Order and ordered that the Interim Suspension Order be maintained on its current terms ("**2<sup>nd</sup> Review of the Interim Suspension Order**").
5. In the Decision of the IOC dated 20 March 2023, the IOC further reviewed the Interim Suspension Order and ordered that the Interim Suspension Order be maintained on its current terms ("**3<sup>rd</sup> Review of the Interim Suspension Order**").
6. In the Decision of the IOC dated 19 June 2023, the IOC further reviewed the Interim Suspension Order and ordered that the Interim Suspension Order be maintained on its current terms ("**4<sup>th</sup> Review of the Interim Suspension Order**").

## **The SMC's application to the High Court and the 5<sup>th</sup> review of the Interim Suspension Order**

7. Since the initial Interim Suspension Order was made, it was reviewed on four occasions pursuant to section 59C(1)(a) of the MRA.
8. In respect of each of the four reviews, Dr Quah had agreed to the Interim Suspension Order being maintained, and the IOC had found that it was necessary for the protection

of members of the public and in the public interest that the Interim Suspension Order remains in place.

9. On 30 June 2023, the SMC applied to the High Court to extend the Interim Suspension Order for a period of 12 months beginning on 23 September 2023 or until the conclusion of the proceedings under Part 7 of the MRA (whichever is earlier), or for such period as the High Court deems fit.
10. Although Dr Quah contested the SMC's application, the High Court granted the application on 7 September 2023 and extended the Interim Suspension Order for the full period of 12 months beginning on 23 September 2023, or until the conclusion of the proceedings under Part 7 of the MRA, whichever is earlier.
11. In the light of the High Court decision, the Interim Suspension Order is effective until 22 September 2024, unless the proceedings under Part 7 of the MRA are concluded earlier.
12. On 21 November 2023, a fifth review hearing of the Interim Suspension Order was conducted.
13. The SMC submitted that the Interim Suspension Order should be maintained on its current terms.
14. Dr Quah agreed that an interim order should be made, but submitted that Dr Quah's registration should be made subject to conditions and restrictions instead of being suspended.

### **Framework adopted by the IOC**

15. Section 59D(1) of the MRA provides as follows:

**“Interim Orders Committee may revoke, vary or replace interim order**

**59D.**—(1) Where an interim suspension order or an interim restriction order has been made under this section or section 59B(1) in relation to any person, the Interim Orders Committee that made the order or another Interim Orders Committee appointed in its place may, either upon its review referred to in section 59C or upon the recommendation of a Complaints Committee, Disciplinary Tribunal or Health Committee —

- (a) revoke the order or revoke any condition or restriction imposed by the order;
- (b) make an order varying any condition or restriction imposed by the order;
- (c) if satisfied that to do so is necessary for the protection of members of the public or is otherwise in the public interest, or is in the interests of the registered medical practitioner concerned, or that the registered medical practitioner has not complied with any requirement imposed as a condition or restriction of his registration in the interim restriction order, replace that order with an interim suspension order having effect for the remainder of the period of the former; or
- (d) if satisfied that the public interest or the interests of the registered medical practitioner concerned would be more adequately served by an interim restriction order, replace the interim suspension order with an interim restriction order having effect for the remainder of the period of the former.”

16. In summary, the IOC may, upon review of the Interim Suspension Order, make any of the following orders:

- (a) Maintain the Interim Suspension Order on its current terms;
- (b) Revoke the Interim Suspension Order; or
- (c) Replace the Interim Suspension Order with an interim restriction order for the remainder of the period of the Interim Suspension Order.

17. Both parties have agreed that the test in determining whether, upon a review of an interim order, the interim order should be maintained, revoked, or replaced, is the same test which is applied in determining whether the interim order should have been made (i.e. whether it is necessary for the protection of members of the public, or is otherwise in the public interest, or is in the interests of the medical practitioner concerned).

18. In this regard, the test and relevant principles to be applied in determining whether an interim order should have been made against Dr Quah have previously been set out in our earlier Decision of the IOC dated 23 March 2022, wherein the Interim Suspension Order was made against Dr Quah.

## The SMC's case

19. The SMC submitted that it remains necessary for the protection of members of the public and is in the public interest that the Interim Suspension Order continues to be in place for the remainder of the period of the order or until the conclusion of the relevant proceedings against Dr Quah under Part 7 of the MRA, whichever is sooner. There are no grounds for revoking the Interim Suspension Order or replacing the Interim Suspension Order with an interim restriction order.

### **(A) The Interim Suspension Order is necessary for the protection of members of the public**

20. It is necessary for the protection of members of the public that the Interim Suspension Order remains in place. Since the IOC's decisions on 23 March 2022, 22 September 2022, 21 December 2022, 20 March 2023 and 19 June 2023, and/or the extension of the Interim Suspension Order by the Court on 7 September 2023, there have been no material developments that displace the need to maintain the Interim Suspension Order.

21. The allegations involve Dr Quah profiting financially from the COVID-19 pandemic, flagrantly abusing the privileges given to him as a doctor and deceiving the MOH. While the allegations took place within the specific context of the COVID-19 pandemic, they are serious allegations that raise a substantial risk of harm to his patients and to members of the public, because the issues raised concern Dr Quah's integrity and honesty as a medical professional and relate directly to the clinical setting.

22. The COVID-19 pandemic threatened public health and lives, disrupted economic and social activities, and increased the strain on the healthcare system. Doctors played a critical role in the fight against COVID-19. They were entrusted with facilitating the implementation of measures such as PET, COVID-19 testing, exempting individuals from vaccinations, and administering vaccinations, in order to manage COVID-19 infection rates and assist with the controlled resumption of economic and social activities. Facilitating the upload of PET results that did not comply with statute, false ART results, and false vaccinations statuses as alleged by the MOH exposed the public to various risks. First, Dr Quah's own patients and other members of the public were exposed to the risk of contracting COVID-19, which could have resulted in serious

illness or even death. Second, such exposure had the potential to lead to another wave of infection of COVID-19.

23. It is against this backdrop that Dr Quah's improper conduct of remote PET reflects an alarming lack of due regard for the relevant regulations and for ensuring that his medical services were of the proper standards and quality.
24. Dr Quah's alleged actions demonstrate dishonesty and a cavalier attitude towards healthcare-related regulations intended to protect the public and public health. Through his alleged (and, to an extent, admitted) actions, he abused the privileges accompanying his registration as a medical practitioner and aided unvaccinated members of the public to circumvent vaccination-differentiated SMMs.
25. While the specific COVID-19 measures Dr Quah was alleged (and, to an extent, admitted) to have flouted are no longer in effect today, the necessity of the Interim Suspension Order to protect members of the public remains. In Dr Quah's own words, at the time the Interim Suspension Order was imposed, "*the DORSCON level was orange, the second most serious level*" and "*the COVID-19 disease was a serious threat at the material time*". The willingness to disregard pandemic measures and deceive the MOH even when there was a serious threat to Singapore indicates an attitudinal issue of Dr Quah's that, in a more general sense, has the potential to harm patients.
26. In any event, COVID-19 remains a major threat and continues to pose as a threat to the public as well as the Singapore healthcare system. As the Minister for Health said in his opening remarks at the COVID-19 Multi-Ministry Taskforce press conference on 9 February 2023, "*the COVID-19 virus is still with us*" and "*our Emergency Departments in our hospitals continue to be very busy*". He stressed that Singapore's transition out of the acute phase of the pandemic "*does not mean that our state of alert and preparedness is over*" but rather, "*the more society stands down, the greater the responsibility for the healthcare system and our healthcare workers*". As recently as 6 October 2023, the Minister stated that Singapore was "*now going through another COVID-19 infection wave*" and, while it will be treated as an endemic disease, the Minister cautioned against lowering our guard, highlighting that "*the COVID-19 virus has not become milder since the pandemic crisis*".

27. In the circumstances, the SMC submitted that the Interim Suspension Order is necessary to address the above risks of harm to the public. A doctor who is alleged to have flouted healthcare-related measures, been dishonest in a clinical setting and to the authorities at the expense of public health, and aided patients to circumvent healthcare-related measures threatens the integrity, resilience, and stability of our healthcare system. The allegations against Dr Quah are therefore extremely serious and demonstrate a clear and substantial risk of harm to members of the public if left unchecked.

**(B) The Interim Suspension Order is in the interest of the public**

28. Further or in the alternative, it is in the public interest for the Interim Suspension Order to be maintained. It is crucial that doctors do what they can to protect and promote the health of individuals and the community, including contributing to patient and public education: see SMC's Ethical Code and Ethical Guidelines (2016 Edition) ("ECEG") at [3(c)(v)] of the Ethical Code. Doctors must also maintain the highest standards of moral integrity and intellectual honesty: see ECEG at [3(b)(i)] of the Ethical Code. Both of these principles are basic and pervasive, but the allegations against Dr Quah indicate that he may have flouted both to a serious extent.

29. Dr Quah was alleged to have facilitated the conduct of remote PET that were not in compliance with statute, the upload of false ART test results to justify an exemption from vaccination (which Dr Quah admitted to), and the upload of false vaccination statuses (which Dr Quah admitted to). The alleged conduct involves an abuse of the privileges accompanying his position as a doctor. Dr Quah's claims that he has been "*held in high regard for [his] professionalism*" and has held numerous professional appointments aggravate his alleged dishonesty and lack of due care for healthcare-related regulations.

30. The SMC also notes that the alleged acts would likely have involved some degree of deliberation and premeditation on Dr Quah's part.

31. An average member of the public would therefore undoubtedly be shocked to learn that a registered medical practitioner, who had allegedly acted dishonestly in a clinical setting in the context of an ongoing pandemic and is the subject of ongoing criminal proceedings, was allowed to continue practising in any aspect. Public confidence in the

medical profession is thus likely to be seriously damaged if Dr Quah does not continue to be suspended, especially since the alleged improper conduct was committed at the expense of public safety in the context of a pandemic.

**(C) The Interim Suspension Order is warranted and proportionate to the risk of harm to the public and of damage to public confidence in the medical profession**

32. In view of the seriousness of the allegations against Dr Quah (as highlighted by the fact that there are ongoing criminal proceedings against him in relation to his alleged conduct) and the above-mentioned risks of harm to the public and of damage to public confidence in the medical profession, the SMC submitted that the Interim Suspension Order is warranted and that the imposition of interim conditions (whether as proposed by Dr Quah or otherwise) would be inadequate and inappropriate.
33. The SMC submitted that the Interim Suspension Order is warranted and the public interest in maintaining it outweighs Dr Quah's interests. Dr Quah's alleged conduct took place within his professional capacity as a doctor and coupled with his admissions, reflects a complete lack of regard for measures implemented and mandated by the government, even where such measures are targeted at combating a serious threat to public safety. His continued lack of insight into the egregiousness of his conduct creates further concern as to his judgment within a clinical context. The imposition of conditions and restrictions on his practice would also be insufficient to guard against the potential harm to public confidence in the medical profession, especially since the allegations go to the heart of Dr Quah's integrity as a doctor and of the medical profession and also cast serious doubt on Dr Quah's ability to adhere to any conditions or restrictions imposed on him.
34. Further, the allegations do not involve an isolated incident involving a one-off lapse. Given (a) the number of remote PET results uploaded and the number of patients with false ART test results and vaccination statuses; (b) the extent of premeditation and dishonesty involved; (c) the degree of harm that could be caused to members of the public and to public confidence should Dr Quah be allowed to continue to practise in the interim; and (d) the present and future risks of COVID-19, other potential pandemics, and other healthcare concerns that are or will be addressed by statute and

other guidelines, the SMC submitted that the Interim Suspension Order should be maintained.

### **Dr Quah's Case**

35. Dr Quah submitted that an extension of the Interim Orders would be unreasonable, unnecessary and disproportionate to the allegations charged by the SMC. To this end, Dr Quah's case rests on the following points:
- (a) The continued suspension of Dr Quah's practice is excessive as investigations are delayed and uncertain which militate towards a conditional registration which would best serve the interests of the parties;
  - (b) There is no harm to members of the public since the alleged danger by Dr Quah is no longer present and therefore, a suspension order is not necessary for the protection of the members of the public;
  - (c) The suspension order has a punitive effect on Dr Quah even before investigations have concluded and charges have been proceeded in Court.
36. On 26 July 2023 and on 9 November 2023, Dr Quah drafted an alternative proposal for the consideration of the SMC ("**Proposed Conditions**"). Amongst other things, the alternative proposal set out the following:
- (a) Dr Quah shall not attend to patients suffering from or reasonably suspected to be suffering from COVID-19;
  - (b) Dr Quah shall not be allowed to administer COVID-19 vaccines;
  - (c) Dr Quah shall not be allowed to pass information or update the National registry in relation to COVID-19 matters;
  - (d) Dr Quah shall not be allowed to conduct any form of COVID-19 tests; and
  - (e) Dr Quah shall be required to practice under supervision whereby he shall report to a supervisor to review his professional work at the end of each week.

**(A) The continued suspension of Dr Quah’s practice is excessive as investigations are delayed and uncertain**

37. At present, Dr Quah has ceased practice for twenty-two (22) months. He has shut down all his clinics and has been unable to earn a living based on his profession. In ordering his suspension, the SMC considered that that it would be likely that it would take at least another 18 months for the matters/proceedings against Dr Quah to be resolved, which would include the time needed to complete police investigations, to close criminal proceedings (and the possibility of any subsequent appeal), and to conclude any potential disciplinary proceedings against him.
38. The IOC’s consideration with regard to the timeline of the matter is not supported by the actual state of affairs. It would take a copious amount of time for the relevant authorities to conclude their investigations and proceedings, if any, against Dr Quah. The charges that have been read in Court are at the Pre-Trial Conference stage and the Honourable AGC has indicated that it is unable to provide clear timelines on the course of the matter.
39. The crux of the present matter involves allegations that are yet to be tried before a Court of Law or a Tribunal. The SMC’s complaint committee is also unable to proceed with any proceedings as MOH is similarly unable to provide a clear timeline for the matter. In this regard, the delay(s) in the present matter are not caused by Dr Quah, but by the relevant investigating authorities.
40. As Dr Quah is not the cause of the delays, it would be unfair to penalize him with an extended suspension which is contrary to the reasonable time for such investigations to be completed as inferred from the MRA. A registration subject to conditions and restrictions would better accommodate the CC’s delayed investigations whilst ensuring that Dr Quah is not unfairly prejudiced by matters that are outside his powers despite his best efforts.

**(B) Change in circumstances have rendered the potential threat of Dr Quah in relation to the allegations otiose**

41. All of the alleged offences against Dr Quah are in relation to COVID-19 measures implemented by the Singapore Government in response to the pandemic in 2020. At

present, COVID-19 has been declassified as a pandemic by the Ministry of Health as of 13 February 2023. A circular titled “Singapore to Exit Acute Phase of Pandemic” by the Ministry of Health confirmed the same.

42. As a result of the stepping down of all COVID-19 measures, the Singapore Government has removed the mandatory nature of the COVID-19 vaccination for free movement within Singapore. Further to this, the Singapore Government had also adjusted the Disease Outbreak Response System Condition (“**DORSCON**”) level to green. This marked the end of the restrictions and conditions imposed as a result of the COVID-19 pandemic. The adjustment to the DORSCON level was premised on the stable local situation, mild nature of the COVID-19 disease, and the minimal disruption to the healthcare capacity and daily lives.
43. In essence, the potential threat from Dr Quah in light of the allegations, viz, his alleged mishandling of COVID-19 measures has since abated and accordingly there can be no threat to the public in this regard.
44. In light of the changes in circumstances, which has substantively reduced the seriousness of the COVID-19 outbreak by reason of the lifting of the temporary measures, the potential threat to the public is significantly mitigated and rendered otiose as the temporary measures which were facultative of the alleged offences, have ceased to exist.
45. Accordingly, there is no threat from Dr Quah to the members of the public and the suspension order is not necessary for the protection of the public.

**(C) The extension of the suspension order has a punitive effect on Dr Quah**

46. Dr Quah has been unable to earn a living from his profession for about 22 months at present. A further extension of the orders without a clear end in sight would be a punitive imposition on Dr Quah even before any allegations have been proven against him.
47. Dr Quah has lost substantial income since the beginning of the investigations. The losses are compounding through his continued and prolonged suspension.

48. The objective of an interim order is to protect public interests whilst investigations and proceedings against a practitioner are ongoing. Although it may have collateral inconvenience, it cannot follow that the dominant effect of such an order may be punitive before any finding of facts are made into the allegations.
49. Accordingly, it would be contrary to the spirit and purpose of the interim orders framework to extend the present interim orders for Dr Quah's suspension as the dominant effect would be punitive especially when the primary objective of the interim order can be achieved through a conditional and restricted registration as set out in the Proposed Conditions. A restricted/ conditional registration, as proposed, would better achieve the purpose of the Interim Orders framework.

**(D) Dr Quah's general good conduct as a medical practitioner**

50. Save for the present allegations which Dr Quah vehemently denies and seeks to vigorously defend, Dr Quah's medical practice has been marked by compassion and dedication whilst holding the highest standards of the profession.
51. Dr Quah has maintained a clean record prior to the present allegations. Dr Quah has been a responsible medical practitioner and have been held in high regard for his professionalism prior to the present allegations.

**Decision and Order of the IOC**

52. In our earlier Decision of the IOC dated 23 March 2022, we have already explained why the imposition of the Interim Suspension Order is necessary for the protection of members of the public and is in the public interest, as well as how public confidence would be seriously undermined if (among other things) alleged breaches by medical professionals in relation to government-mandated safety measures are not treated seriously by those responsible for the regulation of medical professionals.
53. In the present case, the allegations against Dr Quah are very serious and grave, and involved a large number of patients. These allegations include at least 430 instances of remote PET and no less than 15 patients who were allegedly provided with false vaccination statuses.

54. After the initial Interim Suspension Order was made on 23 March 2022, there have been four reviews of the interim order. At each review, we have found that it was necessary for the protection of members of the public and in the public interest that the Interim Suspension Order remain in place.
55. After the 4<sup>th</sup> review of the Interim Suspension Order, the SMC made an application to the High Court on 30 June 2023 to extend the Interim Suspension Order against Dr Quah for a period of 12 months beginning on 23 September 2023 or until the conclusion of the proceedings under Part 7 of the MRA (whichever is earlier), or for such period as the High Court deems fit.
56. During the hearing before the High Court, Dr Quah objected to the SMC's application for an extension of the Interim Suspension Order. Dr Quah's submissions to the High Court to inter alia oppose the SMC's application were the same as (or similar to) his current submissions at the 5<sup>th</sup> review to oppose the maintenance of the Interim Suspension Order.
57. Notwithstanding Dr Quah's submissions to oppose the SMC's application, the High Court granted the aforesaid application on 7 September 2023 and extended the Interim Suspension Order for the *full* period of 12 months beginning on 23 September 2023, or until the conclusion of the proceedings under Part 7 of the MRA, whichever is earlier.
58. According to the parties, the High Court, in its oral grounds of decision, said that the allegations against Dr Quah are grave and concern not only patient and public safety, but also his integrity and honesty as a professional. The High Court said that healthcare is close to the heart of the public and that if the allegations against Dr Quah are true, this will undermine public confidence. The High Court also stated that it is too punctilious to limit this to the pandemic setting, and that the potential prejudice to Dr Quah is outweighed by the grave allegations against him and the risk of harm to the medical profession.
59. Subsequent to the 4<sup>th</sup> Review of the Interim Suspension Order on 19 June 2023 and/or the High Court extension order which was recently made on 7 September 2023, there has been *no* material change in circumstances which displace the need to maintain the Interim Suspension Order.

60. With regard to Dr Quah’s submission that the potential threat relating to his alleged mishandling of COVID-19 measures have abated and that there can be no threat to the public, we agree with the SMC that COVID-19 continues to pose as a threat to the public and the Singapore healthcare system. This is supported by public statements from the Ministry of Health cautioning against lowering our guard in relation to the COVID-19 virus.<sup>1</sup>
61. In any event, even if the most direct and obvious dangers related with a failure to comply with COVID-19 measures have receded in recent times (as submitted by the Respondent), Dr Quah’s conduct (if the allegations were to be proved true) potentially show his apparent attitude in being willing to put numerous patients (including vulnerable members of the public) at the substantial risk of harm.
62. In *General Dental Council v Kontogiannis* [2022] EWHC 3069 (Admin), where a dentist was imposed with an 18-month suspension order for repeated breach of COVID-19 rules during 2020 which appeared to put patients at risk, the High Court made the following finding at [8]:
- “I am satisfied that the allegations in this case are serious. **Whilst the most direct and obvious dangers associated with failing to comply with Covid rules or failing to act responsibly and carefully about the risks associated with Covid may have receded in recent times, the apparent attitude of the respondent, if the allegations were to be proved true, are potentially indicative of an approach which in a more general sense has the potential to harm patients, and it is implied by the allegation that he did potentially put patients at risk.**”
- [emphasis added]
63. In *Decision of the Interim Orders Committee for Bijlani, Monica* (6 September 2023) (“*Bijlani (6<sup>th</sup> Review)*”), the respondent dentist Ms Bijlani Monica (“**Ms Bijlani**”) had allegedly (a) issued a false negative COVID-19 fitness to fly medical certificate; and (b) conducted COVID-19 testing without the necessary approvals and authorisation. During the sixth review of the interim suspension order against Ms Bijlani, she was awaiting trial in relation to allegations of fraud. The IOC held (at [11]) as follows:

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<sup>1</sup> Opening Address by Mr Ong Ye Kung, Minister for Health at the Official Opening of Stepping Stones Rehabilitation Centre and Serenity Centre, on Friday 6 October 2023, at the Institute of Mental Health at [3]-[7] (SMC’s Bundle of Documents (Fifth Review Hearing) dated 17 November 2023 (“**2SBOD**”), Tab 14, pages 164-165).

“11. The Committee determined that an **interim order remains necessary** for the **protection of the public** and otherwise **in the public interest**. There has been **no material change in circumstances since the interim order was last reviewed**. Whilst not bound to the reasoning of the last IOC, the Committee determined that **the reasons expressed on that occasion continue to apply**. Ms Bijlani continues to await trial in respect of serious allegations of fraud. The GDC’s investigation remains on hold pending the conclusion of the criminal proceedings. Whilst she denies the allegations against her, this Committee cannot resolve disputes of fact. In the Committee’s judgement, **there would be a real risk of harm to the public and to public confidence in the profession should no interim order remain in force pending the outcome of the GDC’s investigation**.

[emphasis added]

64. In addition, the UK High Court’s decision of *Sandler v General Medical Council* [2010] EWHC 1029 (Admin) stated at [23] that the reputation of the profession could be adversely affected, and the public interest may be damaged, if a doctor who faced serious allegations was allowed to practise while they proceeded through the criminal courts.
65. In the present case, the Interim Suspension Order against Dr Quah continues to be necessary as there would be a risk of harm to the public and to public confidence in the profession if no interim order remains in force pending the outcome of the ongoing investigations by the police and the Ministry of Health, and the criminal proceedings against him.<sup>2</sup>
66. At the time when the Interim Suspension Order was made against Dr Quah on 23 March 2022, he had faced one criminal charge in the State Courts. During the 5<sup>th</sup> review hearing, when parties were asked to update the IOC on the status of the criminal proceedings, Dr Quah disclosed that he was currently facing 17 criminal charges in the State Courts. It would therefore appear that the number of criminal charges against Dr Quah has increased substantially since the Interim Suspension Order was first made. Accordingly, the reputation of the profession could be adversely affected (and correspondingly, the public interest could be damaged) if a medical practitioner who is facing serious allegations and numerous criminal charges was allowed to continue to practise while criminal proceedings were ongoing.
67. We are also of the view that the mere imposition of conditions or restrictions on registration would not sufficiently protect the public or satisfy the wider public interest.

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<sup>2</sup> 1<sup>st</sup> Affidavit of Jipson Quah filed in HC/OA 662/2023 at [5] (2SBOD, Tab 11, pages 126-127).

68. In this regard, the following statement of the IOC in *Bijlani (6<sup>th</sup> Review)* at [12] is of useful guidance:

“12. There was **no information** before the Committee **to suggest that interim conditions could be formulated to be workable, measurable and proportionate, owing to the seriousness to the allegations which Ms Bijlani faces, the nature of those allegations of fraud in relation to the use of her professional position** and the cogency of the material in support of them. The Committee noted that Ms Bijlani’s registration is also currently suspended in relation to other matters. Nevertheless, the Committee was satisfied that the **interim suspension of Ms Bijlani’s registration remains necessary** and proportionate in the particular circumstances of this case.”

[emphasis added]

69. In any event, any potential financial loss of income to Dr Quah would not outweigh the public interest in maintaining the Interim Suspension Order against him.<sup>3</sup>

70. In the premises, we find that it is necessary for the protection of the public and/or in the public interest that the Interim Suspension Order remains in place.

71. As such, we order that the Interim Suspension Order (as extended by the High Court) be maintained on its current terms until the next review, or until the conclusion of the proceedings under Part 7 of the MRA, whichever is earlier.

### **Publication of Decision**

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

Dated this 21<sup>st</sup> day of November 2023.

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<sup>3</sup> *Bijlani v General Dental Council* [2021] EWHC 3521 (Admin) at [27] (SMC’s Bundle of Authorities (Fifth Review Hearing) dated 17 November 2023, Tab 5, page 46).