

No Comment: Your Right to Resist the Police

a handbook by the transformative justice collective

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Chapter 1: Background

Here in Singapore, policing permeates every aspect of our lives. Whether the web of invisible red tape constraining free speech or assembly, or the roving eye of the CCTV camera trained upon us, or the presence of officers (increasingly robots) on patrol in everyday spaces, we are constantly reminded of the state's anxiety to maintain social control through its monopoly on legal force.

How do we, as the people, protect ourselves in light of a seemingly all-powerful state?

This handbook aims to provide some basic answers. We cover what to do when stopped or visited at home by the police, what to do during interrogation, and outline the potential consequences of facing a criminal investigation. Anecdotes from activists and organisers who have experienced police repression illustrate the issues in the handbook.

In other countries, legal handbooks teach you to protect yourself by exercising your basic rights, for example, by refusing police interviews until you have seen a lawyer. Such rights do not exist here. Instead, given the limited scope of legal protections against unreasonable questioning and arrest, we emphasise tactics for harm reduction against police overreach – how to push back, draw boundaries, negotiate.

Whether you are a citizen going about their everyday business or an activist looking to best exercise a right to speech and assembly, we hope this handbook is a useful starting point to protect yourself as best you can whilst continuing the struggle for a world without policing. Abolition may be difficult to imagine today but, in the words of Ursula Le Guin, so was the divine right of kings.

The usual disclaimer applies: This handbook is birthed from the experience of various activists and organisers, and does not constitute legal advice.

Chapter 2: Facing the Police

This chapter presents a series of common situations where you may encounter the police. They are also equally applicable to situations where you are confronted by other enforcement officers (e.g. from the URA or LTA), given that they may in certain circumstances also exercise some police powers.

Use logic and common sense to determine the best course of action. Cooperate or focus on de-escalation if your priority is to get out of the situation fast. However, police officers sometimes take advantage of your ignorance of the law to act beyond their (already wide) powers – the best way to protect yourself is often to continually press officers to justify their actions, and to make them cite the specific legal basis for their actions.

If you don't hold your ground, the police will push you over.

2A. You've been stopped by the police in public for questioning or search

Protecting Yourself:

Ask the police for proof of identity

Take down their name, rank and unit. This is all the more crucial if the officers are in plainclothes.

Record the interaction via audio/video

This is to keep police accountable. If they say that you cannot do so, or ask you to delete or surrender any film or image, ask them to show you the particular provision of law that forbids it. If they say you are 'obstructing their duties', ask how the police they are being obstructed, or whether any officer is endangered by the film. Insist that the recording is for your own protection, and clearly does not obstruct or endanger them.

Text a friend or fellow activist

Update someone (preferably with some experience), so they can come down and assist, particularly if you are being arrested. More eyes on the police means more safety.

#1 Filming the Police

During a candlelight vigil outside Changi Prison, our group was approached by police. An officer was filming throughout. We asked him to stop, and asked him where in the law it states that he is allowed to film. The officers kept insisting that they don't have to explain where in the law they can do these things. In the end, the Commander of that division ended up telling the officer to stop filming. I also asked for officers' names, titles, and took photos of them. Years later, during yet another police encounter outside Changi Prison, I filmed an officer and he didn't say anything about it.

What the police might do:

The police may ask for your IC, name and address

You are only obliged to provide your details and NRIC if the officer informs you that an offence is suspected to have been committed. Get them to state the offence, and write it down (incl. date, time, officer name and rank) before providing anything.

The police may retain your IC for investigation

The police have the right to retain your IC for the purpose of investigations, though this is uncommon.

The police start asking you questions

Ask if the questions are part of a statement taken for the purpose of an investigation. If it is not, do not engage. Ask if you are arrested or if you may leave – it can't be both. If they insist on questioning you, tell the police you will cooperate in a formal interview and ask them to serve written notice under Section 21(1) of the Criminal Procedure Code to be interviewed at a station another time. You can speak to a lawyer before the interview.

The police wish to conduct a search on you

Ask what the purpose of the search is, and what the suspected offense is. Ask what provision of law is being relied upon for the search. The police may conduct a search without warrant in an arrestable offence, if they have reason to believe that the document or thing is in possession of a person reasonably suspected of having committed the offence, or if it is not known who possesses the thing or document considered necessary for an investigation.

Note: Police's search powers were significantly expanded in 2024. Prior to these changes, police could only conduct a search without warrant in an arrestable offense if it was unlikely that the document or thing would be produced with a written order. Most offences in Singapore are arrestable offences. If a search is legal, you may be arrested or potentially face charges for obstruction of justice for resisting a search.

The police/auxiliary police officer/enforcement officer wish to conduct a search on a bus or train

You may lawfully refuse any form of search or inspection if the officer cannot provide any valid identification card on demand. Even if they do, you may still refuse, in which case you may be ordered to leave the premises with your property. However, you may additionally be liable for a fine not exceeding \$1000 for refusing a search.

A frisk search may only be conducted by a police officer, an auxiliary police officer, a security officer, or an outsourced enforcement officer. It is limited to "quickly running the hands over the individual's outer clothing". Any LTA employee or the type of officers aforementioned can ask you to walk through a screening detector or inspect your belongings.

You may additionally be asked to remove coat, jacket, gloves or any other article of clothing that can be "conveniently removed" for inspection. There is no proper definition of "conveniently removed", but a strip search is likely not permissible.

Note: The power of search or inspection on public transport was significantly expanded in 2021 to include auth persons other than police officers.

Some questions to ask the police:

- What legal power(s) are you exercising in stopping me? Can you tell me which section of the Criminal Procedure Code empowers you to do this?

- Why are you questioning me, and under what power? Is there an ongoing investigation?
- Am I suspected of committing any offence? If so, can you tell me which offence?
- Am I being arrested or am I free to go?

2B. You've been called by the police to the station for an interview

Ask them for the purpose of the interview

Try and get as much clarity over why or what you are being called for. Often officers will say "I will tell you when you come". Insist, or ask them to issue a formal letter under s21(1) CPC. This should state the basis for the investigation and the case reference of the investigation.

Ask the police whether the interview is voluntary or compulsory

If the interview is voluntary, you may decline to attend. If compulsory, ask for written notice under s21(1) CPC.

Setting an interview date

Set a date and time conducive for you and at your convenience. If you later need to change the date/time because you are unwell, or for other reasons, you can inform the Investigation Officer. Consult with a lawyer or experienced activists before attending the interview, to get a better sense of what to expect, and what your rights are during the interview.

#2 Found at the workplace

I have been summoned for investigation multiple times. Usually they call you first, and if you don't answer they look for you at your residence. Sometimes they go to your home directly.

The police should allow you to postpone the interview. They might press you not to postpone, but they usually give in if you insist. So far, I've not been forced to go down at an inconvenient time.

Once, I kept postponing the interview. They went to my house, but my mom told them I wasn't in. They eventually found me at my workplace, the address of which is not publicly listed. I suspect they might have visited all the addresses registered to the company I work at to find me.

2C. You've been visited by the police at my place of residence

Do not invite the police in or allow entry into your residence. Ask the officers to identify themselves – name, unit, the name of lead officer – and their purpose for showing up.

The police are delivering a letter or notice

Ensure that the letter is correctly addressed to you, if not, reject it. Ask them to leave after handing over the letter.

The police wish to take a statement

Tell them you do not wish to give a statement now. Insist that they provide formal notice under s 21(1) of the CPC so that you may appear at the police station another day to answer questions.

The police wish to search the residence

Ask whether the search is necessary and why. Ask what they are searching for, the alleged offence it pertains to, and whether it is an arrestable offence. Whether an offence is arrestable is stated in the 1st Schedule of the Criminal Procedure Code for Penal Code Offences, or in the Act containing the offence (if not the Penal Code).

If the search pertains to a non-arrestable offence, the police must produce a valid search warrant. If it is an arrestable offence, the police must identify what document or thing they are searching for. For a search to be legally valid, the police have to either: (a) believe you have the item and would not hand over to them if asked (b) have reasonable belief that you committed an offence and have the item (c) believe the item is necessary for their investigation (d) are unsure where the item is.

Note: Prior to amendments to the law 2024, search could only happen without a warrant if police believed you would not produce the item or document when ordered.

#3 Raided at the university

4 police officers and 2 university staff knocked on the door of my dorm room and told me to come out. The police announced they were here for an investigation. I asked for a letter, which they gave.

They demanded to interview me on the spot. I pushed back, but they insisted. The police also tried to search my room, which I resisted, but they said I could be obstructing justice. They said they don't need proof to search my room and I can google the law. My friend was filming the whole time they searched my room and they were frustrated by it. It was chaotic. The room was tiny, they were all trying to go in.

I was instructed to unlock all my devices. The officers looked through my photos, found some of the incident they were investigating, and confiscated my laptop and phone. They made me write down my passwords to allow them future access, too. I was thankful I had a short window to remove irrelevant content from my devices to protect my privacy. They kept my SIM card but returned the phone case to me. I wasn't given any opportunity to transfer my data, they just told me to 'go figure it out' with the telephone company. While some devices belonging to other people involved in the action have been returned, the police have not returned my phone to this day. The next day, I went to the station for interrogation.

I wish I could have stood my ground and said "enter by force if you need." Especially because our rights during these types of encounters are really vague. For example, do they need a warrant? It's very confusing.

2D. The Police want to seize property from a residence or during a police investigation

Do not voluntarily hand over any property to the police. Ask whether the property is suspected to have been used or is intended to be used in an offence, or is evidence of an offence and

why. The police may prohibit the disposal or dealing with an item instead of seizing it – you may attempt to negotiate for this, even though it is unlikely to be accepted. Ensure you are issued a receipt in relation to any seized property.

2E. You are being arrested by the police

Ask what offense you are being arrested for. Ensure that there is an arrest warrant or, in the case of an arrestable offence not requiring a warrant, a reason for arrest. Do not resist arrest. Ask to see a lawyer, even if you will not be given one any time soon.

If no one is with you, try to contact a friend or family before you are taken to the station, so someone is aware of your whereabouts and can bail you out if needed. You may not get a phone call at the police station but you should ask anyway. You can only be detained for up to 48 hours. By the end of the period, they must either release you, charge you, or bring you before a judge to request an extension of the detention.

2F. You are confronted by police during an action / event **See ‘Protecting Yourself’ under Section 2A**

The police try to enter a private venue or event

Start by refusing voluntary access to the police. Ask if police are conducting a search for anything specific, or what specific action do they find to be in violation of the law? If they are simply seeking entry without search (whether to intimidate participants or otherwise), refuse them. Push them to be explicit in saying what exactly they are investigating, how it is covered by the law they’re relying on, and why investigating this requires search of the venue.

The police try to stop your event or action

Ask why and what legal powers they are using to order you to stop. You can try to negotiate with them to allow the action to go ahead, unless they can confirm that you are committing a specific offence under the law. You can point out how it is legal or peaceful, and offer to talk to the police afterwards, and answer any questions they may have. Alternatively, you may have someone speak to the police while others continue.

If the police issue you with a ‘Move-on Order’ under the Public Order Act, you have to leave the area or face arrest and criminal charges, including possible jail time. The order will specify the perimeter of the area you need to leave, and the period of time you need to refrain from entering it.

If you think police might show up during any event/action, have a response plan. Consider:

Who will talk to the police?

Who will document the interactions with the police?

What steps can you take to protect your privacy if the police wish to seize devices?

What devices will/won’t you bring to the action?

What laws might the police invoke? What sanctions do they carry?

What search powers might the police invoke? How can you best prepare for this?

What will you do if the police ask you to stop the action / event?

What will you do if the police issue you with a move-on order?

#4 Defying move-on orders

My first direct encounter with the police was protesting for trans rights outside the Ministry of Education in January 2021. The five protestors were calling for an end to policing of gender expression and discrimination against LGBTQ+ students in MOE schools.

I made the decision to protest after a briefing discussing different risk levels and risk appetites. We talked about possible repercussions, such as phone confiscations, so I went prepared. A few minutes after we started protesting at MOE, the police arrived and issued us move-on orders. Three of us stayed, defying the move-on order, and the police arrested us.

Being patted down in the police station was invasive. But other than that, it was honestly very boring as we were waiting for hours before we could get bailed out. This experience gave me a lot more courage moving forward. I experienced what it was like to deal with the police, and I wasn't afraid. At that point, I was just about to start university, so I was not overly concerned about jobs. The material implications only sunk in after, when I was applying for a license required for my work. The company conducted an internal investigation on me and I had an elongated timeline for my license to come through, which meant I couldn't earn in the meantime.

Chapter 3: Police Interrogations

This chapter provides a general picture on how police interrogations take place, and highlights typical issues that arise. In Singapore, you have no right to your lawyer during an interrogation. It is best you meet your lawyer prior to a police interview. In the event of interrogation following an arrest, the Singapore Courts have held that even a 2-week delay to accessing a lawyer is “reasonable”, as access to a lawyer may interfere with police investigations.

3A. What to expect in an interrogation

After you arrive at the station, the investigation officer will lead you to an interview room within the station. The room is typically bare, just tables and chairs. Typically, one other officer will be present throughout the interview. The officer will turn off their body camera before the interview commences.

The interview starts with questions about your background, before diving into the substance of the investigation. Your responses will be recorded on a tablet by the officer. A copy of the statement will be shown to you at the end of the interview. Read carefully and make any amendments you wish to make before signing. It is your statement and you can amend or retract anything you have said at any point.

If you are subsequently charged in Court, these statements will likely be used against you.

3B. Answering questions during the interview

Exercise your right to silence

You have a right not to say anything that may incriminate you. If you do not wish to answer any question, you may reply ‘no comment’. Under most circumstances, it is not helpful to provide additional information to the police since it will become evidence against you in Court. Do not lie during interviews as that is a criminal offense.

If you choose to say ‘no comment’ throughout an interview, which also has the benefit of speeding things up, the police may attempt to intimidate you by saying that this is ‘obstruction of justice’. Again, you have a right not to say anything that may incriminate you.

If you are charged subsequently, you will have another opportunity to give what is known as a ‘cautioned statement’. You may also state any facts you wish to include then. If your defense against the charge does not show up in your statement(s), the Court could deem it an ‘afterthought’ or draw an adverse inference against you.

If asked on something beyond the scope of the original interview

If there are irrelevant questions, tell them you believe it is beyond the scope of the interview and refuse to answer them.

If you are told you are ‘uncooperative’ or not saying what they want you to say
Say you are already cooperating by being present.

#5 Dealing with threat, inducement, or promises during investigations

Prior to my interview over a protest action commencing, the chief investigation officer gave me a long lecture in the interrogation room. He pulled out two different interview forms and placed them on the table, and explained that one was for “witnesses” and the other was for “accused persons”. He said that my other ongoing investigations were about to complete, but if I refused to cooperate they might have to reconsider the outcome.

This was practically a threat! I told the interviewing officer to write out word-for-word the threat in the statement, and also to put in the statement that I believed this was a threat to prosecute me if I exercised my right to silence.

Threats, inducement, or pressure can render statements taken in investigation inadmissible in Court, but they must be both objectively made out and operate on your mind so as to affect your statement.

3C. Other things you should do during a police interview

Ask if you are currently being interviewed as a witness or accused person

This will provide information on the tone or purpose of the interview, and if the police are trying to find a way to prosecute you.

Ask the officer to record the interview in Q&A format

Officers will either record your statement in a first-person narrative or as Q&A. Ask for your statement to be recorded verbatim in Q&A format, as this prevents any possible distortion of what you have said.

Take copious notes

Bring pen and paper to write down the questions and responses you give, preferably verbatim. You will not be provided a copy of your statement.

Take your time

As your answers have consequences, take as much time as you need to ponder your responses. Don’t feel pressured. Take all the time you need to write your notes too.

#6 Table-banging over interview notes

At one point during an investigation over alleged POFMA offences, the Deputy Superintendent sitting in the interview slapped the table in frustration and said, angrily, “can you not write everything down as it is taking too long”? I asked him which specific provision of the Criminal Procedure Code prevented me from taking my own notes, and whether he would give me a copy of the statement otherwise. He had no response and I continued my note-taking. The interview turned out to be 10 hours long with over 300 questions asked.

Remove anything you do not wish to include in your statement

If you say something you regret, or wish to change your statement, edit it out before signing. You can delete full sentences/answers too, even if the cop protests.

Make yourself comfortable

Ask for toilet breaks, water, snacks. Ask to change the temperature of the aircon if it is too cold or hot. If you are tired or overwhelmed, ask for the interview to continue another day.

Ask for an interpreter

If you have difficulty with English, you may ask for an interpreter to do the interview in a language of your choice, and have your statement interpreted back to you.

Ask for an ‘Appropriate Adult’ if you are under 18, or have an intellectual or mental disability

‘Appropriate adult’ allows trained volunteers to accompany during an interview or interrogation with the aim of facilitating communication between police and vulnerable persons, providing emotional support. While the efficacy of the scheme is questionable, it might still be better to have someone around than not. The scheme does not apply if you are in custody.

Bring a friend to the station

Bring a friend to the police station. The person accompanying you should have the IO’s number, and bug them to let you go if the interview drags.

Apply for a ‘First Information Report’

You can apply, after paying a fee (currently SGD16), for a copy of the police report that is made against you via the SPF website. You will need the case reference of the investigation, which the officer can give you. In some instances, the reports were given willingly. In others, the police refused until legal action against them was threatened.

What to do if police are making things difficult for you

If the police refuse any accommodation you seek during the interview, or refuse to allow you to take notes, you should refuse to continue the interview. If the police insist you cannot amend your statement, or include anything you wish to include, you should refuse to sign the statement. If the police say they will not allow you to leave until you do so, ask if they are arresting or detaining you, and on what legal basis.

#7 Getting comrade support

Prior to my police interview, I attended an independently organised police briefing, which was really helpful to understand what to expect. I felt a lot of anxiety at first, but many friends accompanied me to the interview, which was really nice. I know in other cases someone tried to attend with the person under investigation but wasn’t allowed into the station. The interview itself was very anticlimactic, as the questions were very factual and I responded with ‘no comment’ to everything.

3D. If the police wish to seize items from you

When can the police seize items from you

A police officer may seize any property related to a suspected offence; suspected to have been used, or intended to be used to commit an offence, or suspected to constitute evidence of an offence. This suspicion can arise from something you may have mentioned in the course of your statement, or if the alleged criminal offence pertains to something which you may have accessed through a device (e.g. making an IG post on your phone). The police may first ask you to volun-

tarily hand over your device instead. Do not do so as you effectively waive your (already limited) protection under the law.

Be warned that if you do not have the device or item on hand, the police may take you to your home in order to search for and seize the item. On the other hand, this is often too much of a hassle, and police will not insist on seizure if you do not bring your phone to the station.

What to confirm with the police before seizure happens

Ask them why and whether it is necessary for the investigation, and what they are searching for. Tell them you are concerned about your privacy and, if you wish, you could also offer to show them any specific information that they may require for their purposes.

Informal requests to view information on your device instead of seizure

The police may request to informally see some information on your device – such as scrolling through text and whatsapp messages or social media posts and DMs. Co-operating can result in them choosing not to seize your device.

Passwords to access computer or phone

If your device is seized, the police can request for you to provide the password to them to access your computer or phone. You are legally obliged to do so. Whether you are legally obliged to provide passwords to social media accounts or similar which you may have signed out prior to the interview is a grey area, although people have been known to successfully resist such demands. The police may label this ‘obstruction of justice’, and pressure you to provide such information. You can keep refusing, or offer to provide them with relevant information for their investigation so that they don’t have to access your private data.

Protecting your privacy

You may consider removing content irrelevant to the investigation from your device, if you are expecting a seizure or a check of your device. This may include messages with friends and family, apps or platforms that have no connection with the investigation.

If the police impound your passport during the investigation

The police may impound your passport during an ongoing investigation. They may do so for persons deemed a flight risk (e.g. foreigners or Singaporeans residing overseas), although the law itself does not specify any necessary legal threshold or basis before your passport can be impounded. You may apply to the police to return the passport (whether for your travel or permanently), or make an application to the District Court if rejected by the police. The police are unlikely to return you your passport during the course of the investigation, unless you threaten legal action.

#8 Taken to my house forcibly and having my devices seized

After my statement was completed, another police officer walked into the interrogation room and told me there were instructions to seize my mobile and computer. I told them I would not hand over my mobile and asked them to provide a search warrant. They replied that a warrant is not necessary.

More officers came in and told me to hand over my phone or have it seized under Section 34 of the Criminal Procedure Code. I asked them to show me the relevant provision, and they handed me a printed copy. I still refused to hand over my mobile. They said they could arrest me, handcuff me, and take me home to seize my computer. I said, do it.

I also said I wanted to see my lawyer. To which they said my lawyer had been making a lot of noise in the reception. Some time later, my lawyer comes in and tells me that regardless of whether I was arrested, they ultimately will still seize my mobile and computer. She argued with the officers but was told to leave. They were going to my home to seize my desktop.

After my lawyer left, they insisted I give them my mobile. They continued to threaten me, and more officers entered the room. I did not budge. I told them they could arrest me. Eventually, they ushered me into the carpark where a car was waiting. I was sandwiched between two officers in the backseat as they drove me to my residence. When I got out, I was surprised to be surrounded by four other officers from the forensics department.

By the time we reached my unit, my lawyer was there with another friend who brought a camera to film. All the officers came into my flat. I told them to remove their shoes but they did not. They asked me where my desktop was. I showed them. They took my CPU and asked me to sign 10 seals to paste all the openings. They said that when they remove the seals, everything will be videoed.

They saw my old laptop. I told them that there is no Facebook application in my laptop, and this investigation is related to my Facebook post. The officers told me that if I opened the laptop and let them confirm that there is no Facebook application, they would not seize it.

The forensic team then took photos of my living room, work desk, and computers. Then one officer sealed the devices with the sticker that I signed. Again, they wanted to seize my laptop. I reminded them they had just said they would not take it if I showed them there was no Facebook application. They seized it anyway.

After the notebook, I was asked to handover my mobile. I told them that since my Gmail and Yahoo applications have nothing to do with my Facebook, I will uninstall them. Surprisingly, they agreed. So I deleted Messenger, Gmail, Yahoo, and WhatsApp. For what it's worth, all contacts were erased too.

Then the instructions came that I need not follow them back to the station. Earlier they said I had to. So they changed their mind yet again.

3E. A final note on police interviews

A huge amount of discretion rests with the police in respect of how an interrogation is conducted. Some officers are professional or even friendly. Others prefer to intimidate or act like bullies.

Protocols also change over time. Just a few years ago, practically every activist who walked into a station with a phone would have it seized. One might think the purpose is more to inconvenience than for any actual investigative work. Today, most officers will just ask to glance through the contents of your social media or messages. Some officers are unbothered if you do not bring your phone. It's always good, however, to prepare for every possibility.

#9 Surprise phone seizure and travel difficulties

I went for a police interview where the officer looked through my phone checking photos, messages, and the phone's model details – but returned it to me after. I also had to hand over my passport to the police, which had expired at that point. So, two days later, I went straight from picking up my new passport at the embassy to handing it over to the police.

I went with the understanding that I was just handing over the passport; this is what I was told. But when I reached, they seized my phone on the spot. This was extremely panic-inducing as I had sensitive information on my phone. I asked if I could transfer data to my computer, which they allowed. I then spent 15 minutes leaving every chat, wiping my phone, then hard resetting. In those moments I was really panicking.

Eventually, they took the phone and returned my SIM card. I felt that the seizure of my phone was much more traumatising than the interview due to the element of surprise. I left the station completely dazed and cried a lot, but got through it with the support of my university supervisor and comrades.

After my passport was seized, every time I needed to travel I had to submit proof of flights and accommodation to my Investigating Officer and his supervisor for approval. I was told during my earlier interview that travel would not be a problem, but that has since proven false.

I noticed that while they were quick to approve travel for work-related matters, I faced immense difficulty getting approval for personal matters. On two occasions, I had asked for approval to visit my family which I had not seen in a year, and also to be a bridesmaid for my close friend's wedding in Indonesia. Both requests were rejected over Whatsapp.

The most difficult occasion was when my grandmother had a medical emergency, and I applied for my passport to visit them. They rejected the request and I appealed, even attaching proof of hospitalisation and details of my flight. They refused my appeal. Days later, my grandmother slipped into a coma. I then sought help from a lawyer to take legal action, and after a lawyer's letter to the police, the travel request was approved in two hours.

When I returned to Singapore, I was really angry. When I went to hand back my passport to the police, they asked me how my grandmother was and I burst into tears. I told the officer that the police had denied my last chance to see them awake. She proceeded to say, "I mean, we allowed you to go in the end."

Chapter 4: Outcomes from a Police Interrogations

There is no time limit for any police investigation to conclude. Investigations into even simple protests have been known to drag for up to 4 years and counting. When an investigation on you does conclude, the police should inform you of the outcome. This segment walks through various possible outcomes and what to expect.

4A. No further action taken

Fantastic! Time to roll your eyes at the police! The investigation has concluded and the police will not proceed further.

4B. I've been issued a stern warning/conditional warning

A warning means that the police take the view that you have committed the crime alleged in the investigation, but that they will not charge you in court. A conditional warning is a promise not to prosecute you on the alleged offense if you do not commit any further criminal offenses within a specified period. Be warned that such a promise is, however, not legally binding on the police.

While Singapore courts have deemed police warnings to have “no legal effect”, they do have real consequences in many situations. For example, migrant workers who receive warnings for alleged offenses are typically blacklisted from returning to Singapore to find work. Foreign students who have received warnings have had their student visas cancelled and deported, and are unable to enter Singapore without prior ICA approval. A letter of warning could trigger internal conduct investigations if flagged to a private company you work for.

You may refuse to receive or sign any letter of warning. The police may threaten to proceed with charges. You can then seek a lawyer's assistance to make representations to the police to not proceed with any action, and to withdraw the letter of warning, particularly if you are in a position where the letter of warning could affect you. Quashing a warning would be highly difficult if you have signed it. There have been cases where the police withdrew a warning letter after legal intervention.

Note: In 2025, TWC2 published an insightful report into the use of stern warnings that can be found online.

4C. I've been charged

The police will call you down to the station to serve the charges on you – you know they intend to charge you if they are evasive about what you are being summoned for. If you are asked to bring a bailor to the station, you will also know you are being charged. At the station you will be read charge sheets and asked to give a cautioned statement, where you can state any facts you may wish to add to your defense in Court. A copy will be provided to you. You will also be given a time and date to show up in Court to face the charges.

#10 Being called down to give a statement... and getting charged

Once I was called to the police station under the pretext of giving a statement but when I arrived, they arrested and charged me. While in lock up, they conducted a blood test on me. But I've since heard of cases like activist Seelan Palay where you can exercise your right to refuse, but they will put you in solitary confinement as a result.

Getting charged in Court

At your first court hearing, the charges will be read out to you again. The judge will ask how you intend to plead – your options are to plead guilty (admit guilt) or claim trial (prove your innocence). If you are not ready to decide, or wish to speak to a lawyer before deciding and have not done so, inform the Court that you need time to consider or find legal representation. The Court will then adjourn the hearing and set a new date for you to show up – usually in three weeks. Do not feel pressured to come to a decision there and then. Hold your ground.

Getting bail

Bail is the other issue to be dealt with at the first court hearing. Not all charges require bail – in charges carrying only a fine, the prosecution and the Court may not impose bail. However, bring a bailor in any case. Where bail is required, the starting amount is typically a non-cash guarantee of SGD\$5000. This means that if bail conditions are violated by your bailor, your bailor may be required to pay some or all of the guaranteed amount.

Your bailor should be a relative or a close friend. If not a relative, the bailor must be able to persuade the bail judge that they know you well enough and can 'monitor' you when you are on bail. The judge may ask your bailor questions such as 'where does the accused stay', 'what is their contact number', 'when did you last speak to the accused', 'how long have you known them', 'how do you know them'. Your bailor must also be familiar with the bail conditions, such as ensuring your attendance in Court and communicating with you daily, and should be able to recite them to the Court. Your bailor may have to show that they have the money in a bank account.

If bail is required, after your hearing you will first be taken to the Court lock-up, while bail is being processed. You will be shackled and searched, and then placed in a holding cell. Ensure your bailor applies for bail by mid-afternoon, as it will take 1–2 hours. If bail is not processed by the end of the day, you will be taken to Changi Prison till the next day.

Bail for travel ('lejur application')

If you wish to travel whilst on bail, you will need to apply to the Court and submit proof of your travel plans. A further bail amount will be imposed for the duration of your travel, typically \$5000 – \$10000 in cash. This means your bailor will need to have the amount frozen in their

bank account or paid to the Court via bank transfer or cash. Your travel bailor will typically be prohibited from traveling with you.

Other matters before your plea is taken

If there are other pending investigations, or the prosecution is 'not ready' to proceed despite having charged you, they may seek adjournment of your case to a future hearing. Typically the Court will grant a 4–6 week adjournment. If the delays and adjournment become unreasonable (more than 6 months since you were charged), you should strongly object to any further delays during your hearing.

You may also seek an adjournment if you (or your lawyer) intend to write to the prosecution to negotiate a plea offer or get charges withdrawn. If you have a lawyer, they will typically ask for your presence to be dispensed with, which means you do not have to show up for court hearings.

The consequences of pleading guilty or claiming trial

If you are very certain you wish to plead guilty, do so at the earliest time, as you will receive up to a 30% discount on the sentence. Once you indicate a guilty plea, a further hearing will be arranged to take your plea formally, and you (or your lawyer) will argue for the appropriate sentence. This process typically takes 2–3 months. If you claim trial, a further hearing will be arranged to set timelines for your case and deal with other pre-trial matters, such as the list of witnesses, or the disclosure of evidence from the prosecution to the defense. This, and including the trial itself, typically takes 6 months to 1 year for simple cases.

Note:

The guidebook for accused-in-persons published by the Singapore Judiciary provides an in-depth guide into the criminal legal process after charges have been brought.

A quick note on legal assistance if you are charged

Individuals who cannot afford legal representation may apply for legal aid, subject to various eligibility criteria. Which legal assistance services you can access also depends on nationality. The Public Defender's Office provides legal representation for Singapore Citizens and PRs in most criminal offences. Non Singaporeans can request assistance from the Criminal Legal Aid Scheme. In both cases, you need a per capita household income of less than \$1650. Your case would also need to be assessed for its 'merits' before a legal aid lawyer will take it up.

Unfortunately, the eligibility criteria is narrow. If you do not meet the conditions but cannot afford the legal assistance you require (a frequent occurrence), there may be lawyers who would take on cases pro bono or low-bono. Seek help to find them.

Chapter 5: A General Guide to Running Events/Actions

This section provides a broad overview of the various laws relating to organising public events, assemblies, protests in Singapore. Given the numerous laws that infringe upon fundamental liberties in Singapore, this section can only serve as a general guideline. Readers are encouraged to read legislation for themselves or find someone experienced to discuss it with. All legislation can be found on Singapore Statutes Online.

5A. Outdoor Events, Actions, or Protests

Assemblies and processions are defined in the Public Order Act (2009) as:

- Assembly: a meeting or gathering where the purpose is to either (i) demonstrate support or opposition to the views or action of any person, group, or government; (ii) to publicise a cause or campaign; (iii) or to mark or commemorate any event. One person alone may constitute an assembly.
- Public assembly: an assembly that takes place in a public space, or to which members of the public in general are invited, encouraged, or permitted to attend.
- Procession: Two or more individuals moving together along a shared route for any of the purposes outlined above.

The notion of ‘assembly’ and ‘procession’ is incredibly broad. If you stand at the train station to take a photo in a t-shirt promoting your school’s orientation event, or hold a placard outside a hawker store in support of hawkers, this would technically be a cause-based assembly.

Even if your assembly or procession bears little or no outward sign of being ‘cause-based’, any after-the-fact social media commentary by you on your action may trigger an investigation. A lot ultimately turns on whether the police and the attorney-general want to investigate and prosecute you, in exercise of their discretion, which is typically the case if you express views contrary to the government.

Any such assembly or procession conducted without a police permit is deemed illegal under the Public Order Act. Both organisers and participants are liable for a fine for involvement in an illegal assembly or procession.

The overwhelming majority of permit applications for protest or assemblies outside Hong Lim Park to do with political issues have been rejected. If a permit is rejected by SPF, you may ‘appeal’ to the Minister of Home Affairs. If such ‘appeal’ succeeds, conditions may be imposed that defeat the original purpose of the protest. In previous instances, these included: changing

the location of your protest, requiring you to cordon off protestors, hiring security personnel for a 4-person protest, a ban from informing the press of the protest.

Note that in the course of the protest, any act of taping a poster to a wall or laying a placard against a fence could be deemed as vandalism. A charge of vandalism potentially carries more severe consequences including jail time or caning for repeat offenders. Further, there are laws restricting display of foreign emblems including flag of states, symbols of political organisations claiming to be national movements, and the likeness of any leader of the above.

#11 The regime adapts... so do we

My encounters with the police—being investigated and even charged for organising actions—have actually given me clarity. I know what I’m doing and why. That clarity has emboldened me.

I do struggle with balancing how much to warn people about potential risks without needlessly scaring them. This regime relies on self-censorship, self-policing, and fear. It’s important that we understand the risks so we can make informed decisions, but that knowledge shouldn’t paralyse us from action. Still, people are becoming braver. Doing it together, supporting each other, and learning from those with experience. When I started organising, I spoke with activists from the 2000s about conducting a protest without a permit. They said that if I complied with the police and moved on when told, there would be no investigation. This was not true in my case. Their tactics and responses are constantly shifting, so ours have to adapt as well.

Speaker’s Corner

The legislation governing the use of Speakers’ Corner is the Public Order (Unrestricted Area — Speakers’ Corner) Order 2025. As this legislation is updated from time to time, do check for the latest version.

Bookings for Speakers’ Corner are formally processed and approved by the National Parks Board (‘NParks’) via their online form. Although the process is intended to be ‘light-touch,’ in practice applicants face additional bureaucratic hurdles that can make organising protests more challenging.

For instance, NParks may withhold approval of the protest and request detailed information such as details of all the speakers and performers, programming and content, and the design of any signs, banners, posters, brochures distributed by the organiser. Notably brochures/posters distributed by participants are not subject to NParks review under their terms and conditions (and impracticable). NParks may impose further conditions on the use of the park, such as identity checks by the organisers to ensure that only Singaporeans participate.

It is best to publicise your event once a Speaker’s Corner booking is submitted, and not wait till approval – as any number of issues or further queries may arise from NParks. If NParks are setting out unacceptable terms for the approval of your protest, force them to cancel it instead. They may think twice before doing so.

Who is Speaker’s Corner for?

Permitted Speech/Expression at Hong Lim Park

Speeches cannot touch on any matter that directly or indirectly relates to religion or religious

Activity	Singaporean	Permanent Resident	Foreigner (Employment Pass/Work Permit/Tourist, etc)
Apply to conduct an event	Yes	No*	No*
Give speeches	Yes	No*^	No*
Participate in events or activities	Yes	Yes	No*

* While there are provisions allowing non-Singaporeans to apply for a police permit to participate in or organise an activity, it is highly unlikely that permits will be granted.

^ While PRs cannot speak at Speaker’s Corner without a permit, the law does not presently include any prohibition to them performing.

belief without an additional police permit. Speeches cannot cause feelings of enmity, hatred, ill-will or hostility between different racial or religious groups. Any speech must be made in an official language of Singapore or a related dialect. Speakers also cannot display or exhibit, or cause to be displayed or exhibited, any banner, flag, poster, placard, photograph, film, sign, writing or other visual representation or paraphernalia, containing violent, lewd or obscene material at any point. Failure to comply is an offence.

Legal responsibility of the organiser

The organiser also has the legal responsibility to ensure that all speakers and participants comply with the relevant laws. Note that NParks imposes further ‘Terms & Conditions’ on the use of the park, which need to be agreed to before booking Hong Lim Park.

People’s Association Stage

Astonishingly, the stage facing Speaker’s Corner is run by the notoriously “neutral” People’s Association. This requires a separate application to the PA’s management for approval for use of the stage, even if you have a valid booking of Speaker’s Corner. The PA will reject any application for use of the stage if it involves any socio-political activity.

5B. Indoor Public Assembly

If the public assembly is held indoors, it may be exempt from a police permit. The relevant law is the Public Order (Exempt Assemblies and Processions) Order 2009. However, if your event contains any “performance” or “entertainment”, you may require separate licensing under the Public Entertainment Act (refer section below).

First, the event must be wholly indoors, such as in a meeting room or auditorium, for it to be considered an indoor event. A coffee shop would not qualify. Second, a police permit for an indoor public event would still be required if any of the organisers and speakers (whether in-person or recorded or zoom) are not Singaporeans, or if the event “directly or indirectly relates to any religious belief or religion, or any matter which may cause feelings of enmity, hatred, ill-will or hostility between different racial or religious groups in Singapore”.

It may be contentious (especially between the police and you) whether an event ‘directly or indirectly’ relates to religion or ‘may cause enmity’, since the provision is inherently broad

and subjective. Some care must be exercised in how you frame and programme your event. For example, thus far, events framed as being about ‘freedom of expression of activists opposing genocide’ have not been treated the same as a ‘pro-Palestine’ event.

The police often proactively approach event organisers to raise queries or provide ‘advice’ that a permit is required. They may also approach venue operators directly, which can spook some venue operators into cancelling your event.

When approached by the police over the need for a permit, you are not obliged to provide further information to them. If you can justify the lack of a permit, or can slightly adjust your programme in a way to avoid requiring a permit, hold your ground. You can tell the police that your position is that no permit is required, or that you will seek your own legal advice and make your own decisions, and proceed with your event.

Where a police permit is required, an application must be made in the same manner as that for an outdoor public assembly or procession. Permits have been granted for indoor events regarding race or religion, but with further conditions imposed. For example, an inter-faith panel on the death penalty in 2022 was given the go-ahead but on the condition that a Malaysian Hindu priest originally scheduled to speak would be removed from the event.

Finally, indoor private events are not regulated under the Public Order Act. However, for an event to be private do ensure that it is ‘by invitation only’. This could look like inviting attendees individually, or through a closed Telegram group or a mailing list. Note that there are also other specific types of assemblies exempted from a police permit, whether in or outdoors, such as a press conference.

#12 Don’t let fear overpower the reason you are moved to take action

My encounters with the police made it really scary to plan future actions. I kept worrying about whether the actions would provoke another police investigation, which was very traumatic. The fear was immobilising. I started to associate the action with fear rather than why I was moved by action to begin with.

But supporting my fellow organisers through this process actually brought us closer. It helped us trust each other more and made us more determined to fight for one another. In some ways, I think it made us stronger.

5C. ‘Entertainment’ or ‘Performances’ requiring a license

If your event includes any form of “entertainment”, you may be required to apply for an additional Public Entertainment Licence (‘PEL’) from the police or an Arts Entertainment Licence (‘AEL’) from the Info-comm Media Development Authority (‘IMDA’).

Type of activities requiring AEL include live music or performances, stand-up comedy, poetry readings, exhibitions, or films. A PEL is required for activities such as the playing of recorded music or dancing. There are also activities exempted from requiring a license, such as “Getai” performances, traditional music or drama, and arts entertainment for children under 12 (but not if they are religious or have a ‘political end’).

There are two main categories of PELs:

- a. **a temporary/ad-hoc licence** , tied to specific events and dates (typically 1 to 7 days)

- b. **a venue/establishment licence**, which is applied for annually by the venue, and exempts the venue from applying for a license of each performance.

Conducting your event at a venue with an establishment licence relieves the burden of having to make a separate application to the authorities. Do note that venue licences typically come with conditions that may differ from venue to venue. Do ask the venue operator to confirm the conditions applicable to them.

If you are applying for an ad-hoc license, particularly an AEL, IMDA states that at least 20 working days are required for applications. An application must contain the full details of the performance for which approval is sought – e.g. a script, the contents of an exhibition, a list of songs performed. If you are applying to screen a film, and the film has not been rated before, this can take up to two months depending on the length of the film. There have been many cases where the rating of the film was only given the day before the scheduled screening.

The licensing process may also take longer if IMDA demands that you censor or revise your performance. If it pertains to ‘sensitive’ or political topics, IMDA will likely consult with the Ministry of Home Affairs or any other relevant authorities before giving you their decision. Be warned that in such cases, a decision may come at the last minute leaving you with little time to make changes (if you wish to do so).

While AELs or PELs are granted for applications deemed as ‘late’, and there seems to be some amount of latitude, this is ultimately discretionary on their part.

Conditions may be imposed on the grant of any license. For example, the screening of a R21 film (rated for its political content) at an art gallery in 2025 required a cash deposit of \$10,000 to IMDA, to be forfeited if any person under 21 were found to be watching the film.

Finally, IMDA and/or SPF sometimes actively reach out to request more information on an event, or to inform the organiser that a licence is needed. It is observed that this is often the case if the topic is political in nature or deemed as sensitive. In some instances, IMDA has insisted that a permit is necessary even if the entire evening’s programme of speeches has a single performance of just one song. The suggestions in Section 5B regarding responding to the authorities in respect of indoor public assemblies apply here too.

How to deal with authorities

It is best to deal with the authorities in writing, or minimally to minute any verbal discussion and have it confirmed over email. Ask for reasons and the legal basis for any position taken by the authorities. If you notice that the issues raised regarding your event are not properly derived from the text of the legislation, or that the police’s objections are constantly shifting, there is a highchance that it is entirely baseless.

One recent example was when NParks took issue with a Speaker’s Corner protest on the basis that it touched on issues of “foreign politics”. However, when challenged that there is simply no specific prohibition in the law on speeches about “foreign politics”, NParks then said that an event about foreign politics would be “subject to assessment under broader public safety and security considerations”. Organisers pushed back again by questioning the legal basis for such assessments to be made. The issue was ultimately dropped by NParks, and the protest went ahead.

A final note

Regardless of whether you are organising an event complying with the multitude of regulations, or intend to engage in civil disobedience, what you say or do at the protest/action/event are also

subject to laws restraining free speech, such as – contempt of court, civil and criminal defamation, the Maintenance of Religious Harmony Act and the Maintenance of Racial Harmony Act. These are presently beyond the scope of this handbook, we encourage you to pursue further research or talk to comrades navigating these regimes.

ANNEX: LEGISLATION REFERRED THROUGHOUT THE HANDBOOK

Legend:

Criminal Procedure Code = 'CPC', Public Order Act = 'POA', National Registration Regulations = 'NRR', Rapid Systems Transit Act = 'RSTA', Vandalism Act = 'VA', Foreign National Emblems (Control of Display) Act, = 'FNEA'; Public Order (Unrestricted Area – Speaker's Corner) Order 2025 = 'POSCO', Public Order (Exempt Assemblies and Processions) Order 2009 = 'POEAPO', Public Entertainment Act = 'PEA', Public Entertainments (Specified Arts Entertainment) (Exemption) Order 2005 = 'PEEO', Film Act = 'FA'

Chapter 2	Power to require name, address and IC, and powers of arrest	s 7(1) NRR, s 65 CPC	
	Power to retain IC for investigation	s 7(2) NRR	
	Power to issue notice to appear at the station	s 21(1) CPC	
	Power to seize audio-visual record of law enforcement activity	s 38 POA	
	Power of search in an arrestable case	s 34 CPC	
	Power to search or inspect in train	s 23A RSTA	
	Power to arrest without warrant in arrestable offence	s 64 CPC	
	Power to issue move-on order	s 36/3 POA	
	Chapter 3	Right to Silence	s 22(2) CPC
		Right to have statement interpreted to you in language you understand	s 22(4) CPC
Power of seize property		s 35 CPC	
Duty to make First Information Report		s 14 CPC	
Power of Seizure		s 35 CPC	
Duty to provide receipt of items seized		s 37 CPC	
Power to access computer and order production of password		s 39 CPC	
Power to order surrender of passport		s 112 CPC	
Procedure to apply for return of passport		s 113 CPC	
Chapter 4		No Further Action	s16(1A), s 17(2)(b) CPC
	Bail	s 92, 93 CPC	
	Conditions of bail and duties of sureties	s 94, 104 CPC	
Chapter 5	Cautioned Statement	s 23 CPC	
	Definition of assembly and processions	s 2 POA	
	Application for permit	s7 POA	
	Conditions may be imposed on any public assembly or procession	s 8 POA	
	Appeal to minister against refusal of permit or condition imposed	s 11 POA	
	Definition of act of vandalism and penalties	s 2 VA	
	Penalties for vandalism	s 3 VA	
Display of foreign symbols	FNEA		
Conditions for public speak-	s 4(1), s4(2)(b) POSCO		

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