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DISTRICT JUDGE SHAWN HO
13 February 2026

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGDC 17

District Arrest Case No. 915592 of 2025

Between

Public Prosecutor

And

Ang Kim Chuan

EX TEMPORE JUDGMENT

[Criminal Law] — [Statutory Offences] — [Road Traffic Act]
[Criminal Law] — [Driving without due care and attention] — [Death]
[Criminal Procedure and Sentencing] — [Sentencing] — [Sentencing Framework
in *PP v Selvakumar Ranjan*]

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Public Prosecutor

v

Ang Kim Chuan

[2026] SGDC 17

District Arrest Case No. 915592 of 2025

District Judge Shawn Ho
13 February 2026

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District Judge Shawn Ho

Introduction

1 Mr Ang Kim Chuan pleaded guilty to driving without due care and attention,¹ causing the death of Ms Ng Cheow Tee.

2 He was imprisoned for 17 months and disqualified from driving for 8 years.

¹ Under s 65(1)(a) punishable under s 65(2)(a) read with s 65(6)(a) of the Road Traffic Act 1961 (“the Act”).

Sentencing framework in Public Prosecutor v Selvakumar Ranjan was not applied

3 Having reviewed the comprehensive submissions of both the prosecution and the defence, I did not apply the sentencing framework in *Public Prosecutor v Selvakumar Ranjan* [2020] SGDC 252 at [136] for fatal accident cases.²

4 This was because *Selvakumar Ranjan*'s sentencing framework had been overtaken by developments in our High Court jurisprudence over the past 5 years. I elaborate.

The sentencing framework has been overtaken by developments in our High Court jurisprudence over the past 5 years

5 First, the laying down of sentencing benchmarks should generally be left to the appellate court: *Public Prosecutor v Sindok Trading Pte Ltd (now known as BSS Global Pte Ltd)* [2022] SGHC 52 at [29]. This principle was affirmed in *Kandasamy Senapathi v Public Prosecutor* [2023] SGHC 296 at [37] and *Yeo Kee Siah v Public Prosecutor and another appeal* [2024] SGHC 77 at [88]. Notably, *Sindok Trading* was decided more than a year after *Selvakumar Ranjan*.

6 While several District Court cases have applied *Selvakumar Ranjan* – such as *Public Prosecutor v Toh Chuan Nam* [2022] SGDC 68, *Public Prosecutor v Teo Kai Xiang* [2022] SGDC 184, *Public Prosecutor v Kabra Chandra Prakash* [2024] SGDC 307 and *Public Prosecutor v Wilson Koh Zheng Hao* [2023] SGDC 131 (“*Wilson Koh*”) – they do not amount to appellate endorsement.

² Section 65(2) of the Act.

7 The High Court in *Wilson Koh* neither endorsed nor commented on the sentencing ranges in *Selvakumar Ranjan*. The High Court dismissed the appeal pursuant to s 387 of the Criminal Procedure Code 2010 and issued a warrant of arrest as the appellant was absent at the Magistrate’s Appeal.

8 This paralleled the situation described in *Kandasamy Senapathi v Public Prosecutor* [2023] SGHC 296 at [34]. While the specific sentences for the CDSA charges in *Public Prosecutor v Ho Man Yuk & others* [2017] SGDC 23 were upheld in *Shaikh Farid v Public Prosecutor and other appeals* [2017] 5 SLR 1081, the High Court did not comment specifically on the appropriateness of the sentencing ranges set out by the court below. In his subsequent decision in *Chong Kum Heng v Public Prosecutor* [2020] 4 SLR 1056 at [70], the High Court Judge stated unequivocally that he had not commented specifically on the appropriateness of the sentencing ranges set out in *Ho Man Yuk*.

9 Second, relying on *Selvakumar Ranjan*’s reference³ to the suggested working or functional definition on culpability in *Public Prosecutor v Cullen Richard Alexander* [2020] SGDC 88⁴ (“*Cullen*”) would not be appropriate. This was because the High Court in *Sue Chang v Public Prosecutor* [2022] SGHC 176 at [91]-[92] had concerns that the descriptions for each level of culpability in *Cullen* significantly conflated the offences of careless or inconsiderate driving (in s 65 of the Act) with that of reckless or dangerous driving (in s 64 of the Act).

³ *Public Prosecutor v Selvakumar Ranjan* [2020] SGDC 252 at [120]-[127].

⁴ *Public Prosecutor v Cullen Richard Alexander* [2020] SGDC 88 at [109].

(see also *Public Prosecutor v Lim Wei Liang William* [2022] SGDC 229 at [37]-[38] and *Public Prosecutor v Lim Hee Joo* [2023] SGDC 159 at [65]-[66])

10 Given the High Court’s concerns in *Sue Chang, Cullen’s* suggested working or functional definition on culpability – and by extension, *Selvakumar Ranjan’s* sentencing framework that incorporates it – cannot be relied upon. The District Court in *Selvakumar Ranjan* made it clear that its sentencing framework was “not cast in stone and it (was) subject to reconsideration and refinement as our case law develops” (at [117]).

11 Third, the District Court in *Selvakumar Ranjan* at [119] stated that given that the element of harm under s 65(2) of the Act is constant since death is always the outcome, there is *no* harm element incorporated in the framework. However, this sat uneasily with the High Court’s jurisprudence:

(a) The 3-Judge Panel of the High Court in *Jeremiah Ng* at [80(a)], in relation to offences under s 64(1) punishable under s 64(2A) read with ss 64(2)(c) and s 64(2D)(B) of the Act, stated that it would be necessary to also consider any serious harm other than the harm which is the subject of the charge. This is provided that such other harm is either actual harm directly the subject of a *TIC Charge* or harm which is intrinsically related to the charge such as the *potential harm* that could have been caused. With regard to the actual harm caused other than that of the charge, this would entail considering:

- (i) the nature and location of the injuries (including the complexity, extent, number and treatment);
- (ii) the degree of permanence of the injuries; and

(iii) the impact of the injuries (on quality of life)

(see *Chen Song v Public Prosecutor* [2024] SGHC 129 (“*Chen Song*”) at [124] and [127]).

(b) The High Court in *Wu Zhi Yong v Public Prosecutor* [2022] 4 SLR 587 at [36], in relation to offences under s 67(1)(b) read with s 67(2)(a) of the Act and s 64(1) punishable under s 64(2C)(a) read with ss 64(2C)(c) and 64(2D)(i) of the Act, provided a non-exhaustive list of offence-specific aggravating factors, which included “serious *property damage*”. As a general rule, the amount of any loss or damage may serve as a proxy indicator of harm (at [36(b)]).

(c) The High Court in *Public Prosecutor v Ganesan Sivasankar* [2017] SGHC 176 at [56], in relation to offences under s 304A(a) of the Penal Code, stated that there will be exceptional cases where the harm caused by the offence can also be used to determine both the applicable category and where the particular case falls within the applicable presumptive sentencing range — one example of this would be where more than one death is caused (see also *Public Prosecutor v Tay Chong Chi Stephen* [2025] SGDC 155 at [59]).

12 Fourth, I agreed with the District Judge’s views in *Public Prosecutor v Ang Sin Ee, Alvin* [2025] SGDC 47 at [56(b)], which stated that he had doubts “on whether the sentencing framework in *Selvakumar Ranjan* should continue to apply, in light of the *Chen Song* sentencing framework. This is because it does not appear justifiable to (him) that the sentencing range of 6 to 12 months’ imprisonment should apply equally to *both* these scenarios: first, where death is caused and the Accused’s culpability is low (as held in *Selvakumar Ranjan*);

and second, where “greater harm” grievous hurt is caused and the Accused’s culpability is low (as held under Band 2 of the *Chen Song* framework).”

13 An offender who causes death should naturally receive a higher sentence than an offender who causes grievous hurt, assuming that their culpability is the same.⁵

14 With respect, I was not inclined towards the District Court’s views in *Public Prosecutor v Setoh Weng Yew Roger (Situ Rongyao, Roger)* [2024] SGDC 318 at [20], where the District Court stated that “In (his) view, the application of either the *Selvakumar (Ranjan)* sentencing framework, or the *Chen Song* framework to the present case do not yield dissimilar results as the sentencing frameworks were not necessarily inconsistent.”

15 Fifth, the District Court in *Selvakumar Ranjan* at [128] stated that:

As for the indicative sentencing range, in *Cullen*, when I drew up the sentencing framework for inconsiderate driving causing grievous hurt, the sentencing range for **low culpability** and **very serious harm is 6 to 9 months’ imprisonment**. Given that harm is always very serious for causing death situations, I am in general agreement with the Prosecution that other than exceptional situations (e.g. when the deceased was a family member of the accused), **the starting point sentence for inconsiderate driving causing death should be 6 months**.

[emphasis added]

16 I did not agree with *Selvakumar Ranjan*’s starting point, viz. that “the *starting point* sentence for inconsiderate driving causing death should be 6 months”, for the following reasons:

⁵ Prosecution’s Address on Sentence at [14(b)].

Harm

(a) Harm in *Cullen* (even for “very serious harm”) is not the same as the harm in *Selvakumar Ranjan* – death. Death is generally the most serious consequence of any offence: *Public Prosecutor v BDB* [2018] 1 SLR 127 at [60].

Culpability

(b) The District Court’s view in *Selvakumar Ranjan* at [128] was based on the sentencing range for *Cullen*’s “low culpability”, and the High Court in *Sue Chang* (at [91]-[92]) had concerns about *Cullen*’s suggested working or functional definition on culpability.

(c) It was unclear as to why the starting point should be “6 months’ (imprisonment)” when 6 months was at the *lowest* end of the sentencing range for *low* culpability of “6 to 12 months’ imprisonment” in *Selvakumar Ranjan* (at [136]). Based on the maximum punishment of 3 years, 6 months was about 16.6% of the prescribed punishment. If the 30% Plead Guilty discount under the SAP Guidelines⁶ (which came into effect on 1 October 2023) was given, the sentence would be reduced to about 4 months (about 11% of the prescribed punishment).

(see also Ivan Tang et al., *Sentencing Frameworks for Consistency: A Proposed Framework*, (2024) 36 SAclJ 380 at [31]-[36], highlighting the challenge when guideline sentencing frameworks provide limited examples)

⁶ Sentencing Advisory Panel (“SAP”) of Singapore.

Clustering Effect & Anchoring Effect

(d) A starting point of “6 months’ (imprisonment)” would likely lead to a clustering of sentences around the lower end of the sentencing range and may lead to an anchoring effect.

(Tan Song Cheng v Public Prosecutor [2021] SGHC 138 at [26], *Public Prosecutor v GED and other appeals* [2022] SGHC 301 at [128] and *Public Prosecutor v Lin Pengli Barrie* [2025] SGHC 133 at [30])

(see also See Kee Oon, *Fact-Finding and Reality: A Judicial Decision-Making Primer* (Academy Publishing, 2022), “Anchoring Bias” at 16-18)

(e) A clustering of sentences around the lower end of the sentencing range would go against the court’s duty to consider the full spectrum of sentences in determining the appropriate sentence: Court of Appeal in *Iskandar bin Jinan v Public Prosecutor and another appeal* [2024] SGCA 55 at [92(b)].

Statistics on Road Traffic Fatalities

17 Bringing this to sharper focus is the Prosecution’s argument that fatal road traffic accidents, particularly those related to speeding, have increased in prevalence in Singapore over the last few years.⁷

18 I agreed with the Prosecution and highlight the following points:

⁷ Prosecution’s Address on Sentence at [18].

- (a) Road traffic fatalities in Singapore in 2024 hit a five-year high.⁸
- (b) Speeding contributed to one in three fatal crashes^{9,10}
- (c) Road traffic fatalities in 2024¹¹ regressed to levels not seen since 2016¹², reversing a decade-long downward trend. The increase in road traffic fatalities was partly due to higher road traffic volumes, with the lifting of pandemic-related safe management measures.¹³
- (d) Deep concerns about the increasing number of road traffic fatalities were raised in Parliament on 3 October 2023 and 7 January 2025.¹⁴

19 Behind each statistic is a family in grief. Every life is precious.

20 If the *Selvakumar Ranjan* sentencing framework no longer applies, it affects two categories of offenders:

- (a) Repeat offenders. For repeat offenders punishable under s 65(2)(b) of the Act, the District Court in *Public Prosecutor v Lim Wei Liang William* [2022] SGDC 229 adjusted upward the sentencing ranges found in *Selvakumar Ranjan* to account for the higher prescribed

⁸ Singapore Police Force, Annual Road Traffic Situation 2024 at [2]-[7].

⁹ 46 in 139 fatalities in 2024.

¹⁰ Singapore Police Force, Annual Road Traffic Situation 2024 at [2]-[7].

¹¹ 142 deaths in 2024.

¹² 141 deaths in 2016.

¹³ The Minister for Home Affairs, Mr K Shanmugam, Written Answers to Questions for Oral Answer Not Answered by End of Question Time [*Singapore Parliamentary Debates, Official Report* (3 October 2023) vol. 95].

¹⁴ Prosecution's Address on Sentence at [19].

punishment under s 65(2)(b). The *William Lim* framework was adopted in *Public Prosecutor v Yuan Changqing* [2024] SGDC 233.

(b) Serious repeat offenders. For serious repeat offenders punishable under s 65(2)(a) read with s 65(2)(d) of the Act, the District Court in *Public Prosecutor v Ang Hiap Boon* [2023] SGDC 208 at [43] adopted sentencing bands that were “proportionately consistent with the ranges set out in *Selvakumar Ranjan* and *William Lim*”.

Charge

21 The Accused pleaded guilty to the following charge:

You,

NAME : ANG KIM CHUAN

SEX/ AGE : MALE / 60 YEARS OLD

NATIONALITY : SINGAPOREAN

are charged that you, on the 20 July 2024, at about 5.52pm, along Bukit Batok West Avenue 6 towards the direction of Bukit Batok East Avenue 6, near lamppost 26, Singapore, which was a public road with a speed limit of 50km/h, did drive a motor car bearing registration number SFB188K on the road without due care and attention, *to wit*, by driving at a speed of between 82 km/h and 86km/h and failing to keep a proper lookout for other road users, which resulted in a collision with a pedestrian, one Ng Cheow Tee, and causing her death, and you have thereby committed an offence under s 65(1)(a) of the Road Traffic Act 1961 (“RTA”) punishable under s 65(2)(a) of the RTA read with s 65(6)(a) of the RTA.¹⁵

¹⁵ DAC No. 915592 of 2025.

Statement of facts

22 The Accused is Mr Ang Kim Chuan, a 60-year-old male Singaporean. At the time of the offence, he was the driver of a motorcar bearing vehicle plate number SFB188K (“the Car”).¹⁶

23 The deceased is Madam Ng Cheow Tee (“Madam Ng”). Madam Ng was 76 years old at the time of her death. She was a pedestrian at the material time.¹⁷

I. First Information Report

24 On 20 July 2024, at about 5.56pm, the Police received a call reporting that a car had knocked into an elderly pedestrian at Block 137 Bukit Batok West Avenue 6, Singapore 650137, and the said pedestrian was unconscious and bleeding.¹⁸

II. Facts Pertaining to the Charge

25 On 20 July 2024, at about 5.22pm, the Accused was driving on the right lane of the two-lane dual carriageway of Bukit Batok West Avenue 6 (“Avenue 6”), heading in the direction of Bukit Batok East Avenue 6.¹⁹

¹⁶ SOF at [1].

¹⁷ SOF at [2].

¹⁸ SOF at [3].

¹⁹ SOF at [4].

26 At this juncture, Madam Ng was crossing the two-lane road in front of Block 132 towards Block 137. This was not a designated pedestrian crossing. The prescribed road speed limit for Avenue 6 is 50km/h.²⁰

27 As the Accused approached and negotiated the bend from Block 130 to Block 132 of Avenue 6, he continued to accelerate the Car. The Accused drove at a speed of between 82kmh and 86kmh (see paragraphs [10] to [11] of the SOF) and failed to keep a proper lookout for other road users. As such, he failed to spot Madam Ng crossing the road even though she was visible as early as 2.8s before the collision and did not apply his brakes until only 0.2s before the collision (see paragraph [12] of the SOF). By such manner of driving without due care and attention, the Accused caused the Car to collide into Madam Ng near lamppost 26. As a result of the collision, Madam Ng was flung into the air and landed on the road.²¹

28 After the collision, the Accused exited the Car and called for an ambulance. The Accused then waited at the scene of the accident for police officers to arrive. Madam Ng was pronounced dead on 20 July 2024 at 6.14pm.²²

29 At the material time, the traffic was moderate, weather was clear and road surface was dry.²³

²⁰ SOF at [5].

²¹ SOF at [6].

²² SOF at [7].

²³ SOF at [8].

III. Video Footage and Accident Reconstruction Report

30 Footage from the front and back facing cameras of the Car were submitted to the Forensic Chemistry and Physics Laboratory of the Health Sciences Authority (“HSA”) for analysis. A report bearing Lab No. 2507954-FC-001-A dated 30 June 2025 was subsequently prepared by Ms Leong Wai Ying, a Senior Forensic Scientist of the HSA (“the Accident Reconstruction Report”).²⁴

31 According to the Accident Reconstruction Report, the average speed of the Car is estimated to be between 82km/h and 86km/h prior to the collision with Madam Ng, *ie*, segment of travel A to D (Table 1). The collision between the Car and Madam Ng occurred at the point marked as “D” (Figure 1). As a result of the collision, Madam Ng was flung from the point marked as “D1” to the point marked as “D4” (Figure 1).²⁵

32 Based on a frame-by-frame analysis of the video, the Accident Reconstruction Report indicated that the deceased could be seen as early as 2.8s before the collision but the Accused “could have approximately started braking” only 0.2s before the collision.²⁶

33 The timeline of events based on the examination of the video footage from the front facing camera referred to above is set out in the Annex to the Statement of Facts.²⁷

²⁴ SOF at [9].

²⁵ SOF at [11].

²⁶ SOF at [12].

²⁷ SOF at [13].

IV. Injuries Sustained by Madam Ng

34 An autopsy report dated 22 July 2024 prepared by Dr Tan Shi Rui (“Dr Tan”) of the HSA’s Forensic Medicine Division concluded that the cause of Madam Ng’s death was multiple injuries, which pattern of injury was consistent with those sustained in a road traffic accident.²⁸

V. Toxicology Report of Madam Ng

35 Madam Ng’s toxicology report dated 12 August 2024 prepared by Ms Nadia Norashikin bti A S Wong of the HSA’s Analytical Toxicology Division documented that:

- (i) on analysis of a sample of peripheral blood (plain) belonging to Madam Ng, 0.01 µg/ml of chlorpheniramine was detected in the blood sample; and
- (ii) on analysis of a sample of urine belonging to Madam Ng, chlorpheniramine and less than 20mg/100ml of ethanol were detected in the urine sample.²⁹

36 A clarification on the Toxicology Report dated 22 January 2025 by Dr Tan (“the Clarificatory Letter”) states that the chlorpheniramine detected in Madam Ng’s blood and urine samples is used medically for the treatment of flu-like or allergy symptoms. The Clarificatory Letter also states that the ethanol

²⁸ SOF at [14].

²⁹ SOF at [15].

found in Madam Ng's urine sample is likely due to post-mortem generation, and these two substances did not cause or contribute to the Madam Ng's death.³⁰

VI. Vehicle Damage Report and Mechanical Inspection Report of the Car

37 A Vehicle Damage Report prepared by the Singapore Police Force on 20 July 2024 documented the following damage to the Car:

- (i) The front number plate was ripped off;
- (ii) There were dents and scratches on the front bonnet;
- (iii) The left side of the front bumper was cracked; and
- (iv) There were scratches on the right side of the front bumper, the right rear door and all four wheels.³¹

38 A Mechanical Inspection Report dated 7 August 2024 documented the following:

- (i) There were damages to the front bonnet, front grille, front number plate and front bumper of the Car;
- (ii) The engine system, transmission system, steering system and braking system of the Car were all in serviceable condition;
- (iii) There was no evidence to suggest that there was any possible mechanical failure or abnormal behaviour that may have caused or contributed to the accident; and

³⁰ SOF at [16].

³¹ SOF at [17].

- (iv) The 4 tyres of the car were in serviceable condition with remaining tread depth of approximately between 5.7mm to 6.5mm.³²

VII. Conclusion

39 By virtue of the foregoing, the Accused did drive the car without due care and attention, *to wit*, by driving the car at a speed of between 82km/h and 86km/h and failing to keep a proper lookout and thus causing the death of Madam Ng by such manner of driving, and he has thereby committed an offence under s 65(1)(a) of the Road Traffic Act 1961 (“RTA”), which is punishable under ss 65(2)(a) and 65(6)(a) of the RTA.³³

40 The Accused admits to the above offence and stands charged accordingly.³⁴

Prescribed punishment

41 The prescribed punishment for s 65(1)(a) punishable under s 65(2)(a) read with s 65(6)(a) of the Act is:

- (a) A fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both, and
- (b) A driving disqualification of not less than 8 years, unless there are special reasons.

³² SOF at [18].

³³ SOF at [19].

³⁴ SOF at [20].

42 An offender under s 65(1)(a) punishable under s 65(2)(a) read with s 65(6)(a) of the Act is subject to separate components of punishment – a fine and/or imprisonment *and* the mandatory disqualification of at least 8 years unless special reasons are provided. Increasing the quantum of the fine imposed or even imposing a custodial sentence should not be taken to mandate the imposition of a reduced disqualification period than would otherwise have been ordered.

43 An offence’s statutory maximum sentence signals the gravity in which Parliament views such offences. A sentencing judge ought to take this into account when determining precisely where the offender’s conduct falls within the entire range of punishment set by Parliament: *Public Prosecutor v Kwong Kok Hing* [2008] 2 SLR(R) 684 at [44] (Benny Tan, *Assessing the Effectiveness of Sentencing Guideline Judgments in Singapore Issued Post-March 2013 and A Guide to Constructing Frameworks*, (2018) 30 SAcLJ 1004 at [46]).

44 The court should ensure that the full spectrum of sentences enacted by Parliament is carefully explored in determining the appropriate sentence, *viz.* Completeness principle: *Poh Boon Kiat v Public Prosecutor* [2014] 4 SLR 892 at [60].

Prosecution’s submissions on sentence

45 The Prosecution sought the following sentence:³⁵

DAC No	Offence	Sentence
915592 of 2025	Driving without due care and attention causing death	21 to 24 months’ imprisonment + DQ 8 years

³⁵ Prosecution’s Address on Sentence at [2], [26] and [27].

- 46 The Prosecution stated the following points:
- (a) The dominant sentencing consideration is general deterrence. The penalties under the Act (including s 65 of the Act) were enhanced in 2019 to provide for “stronger deterrence against irresponsible driving”, in order to “make our roads safer”.³⁶
 - (b) As a starting point, the *Selvakumar Ranjan* framework has always been intended to be provisional.³⁷
 - (c) The High Court had rejected the core foundations of the *Selvakumar Ranjan* framework (i.e., its working definition of culpability and its dismissal of harm as a relevant factor in determining the appropriate sentencing band). The *Selvakumar Ranjan* framework is no longer relevant in view of these developments, and that the District Courts should therefore no longer rely on the said framework.³⁸
 - (d) The application of the *Selvakumar Ranjan* framework has led to a clustering of sentences around the lower end of the permissible custodial range: see the summary of cases in the Annex of the Prosecution’s Address on Sentence.³⁹
 - (e) The anchoring effect is reflected in the sentencing statistics for offences under s 65(2)(a) of the Act. Since the decision of *Selvakumar Ranjan*, despite the maximum imprisonment term of 3 years:⁴⁰

³⁶ Prosecution’s Address on Sentence at [4].

³⁷ Prosecution’s Address on Sentence at [10].

³⁸ Prosecution’s Address on Sentence at [11]-[12].

³⁹ Prosecution’s Address on Sentence at [13]-[14].

⁴⁰ Prosecution’s Address on Sentence at [15].

(i) The mean sentence has been only 27.3 weeks imprisonment – i.e., about 6 to 7 months’ imprisonment.

(ii) The median sentence has been only 21.4 weeks’ imprisonment – i.e., about 5 to 6 months’ imprisonment.

(iii) The 25th percentile sentence has been only 17.1 weeks’ imprisonment – i.e., about 4 to 5 months’ imprisonment.

(iv) The 75th percentile sentence has been only 34.3 weeks’ imprisonment – i.e., about 8 to 9 months’ imprisonment.

(f) The need for general deterrence (which is the dominant sentencing consideration) in fatal road accident cases is greater today than when *Selvakumar Ranjan* and the other cases in the Annex were decided.⁴¹

(g) It is trite that where an offence is becoming prevalent in Singapore, such prevalence constitutes a relevant consideration in sentencing and the Court should mete out a stiff sentence to show its disapproval and to deter like-minded offenders.⁴²

(h) Fatal road traffic accidents, particularly those which are related to speeding, have increased in prevalence over the last few years. According to the Police News Releases on the Annual Road Traffic Situations:⁴³

⁴¹ Prosecution’s Address on Sentence at [16].

⁴² Prosecution’s Address on Sentence at [17].

⁴³ Prosecution’s Address on Sentence at [18].

(i) From 2022 to 2023: there was a 26% increase in fatal traffic accidents from 104 cases in 2022 to 131 cases in 2023, and an 83.3% increase in the number of speeding-related fatal accidents from 18 cases in 2022 to 33 cases in 2023.

(ii) From 2023 to 2024: there was a 6.1% increase in fatal traffic accidents from 131 cases in 2023 to 139 cases in 2024, 15 and a 43.8% increase in speeding-related fatal accidents from 32 cases in 2023 to 46 cases in 2024.

(iii) From the first half of 2024 to the first half of 2025: there was an 11.4% increase in fatal traffic accidents from 70 cases in the first half of 2024 to 78 cases in the first half of 2025.

(i) It is imperative, more now than before, to send a strong deterrent signal that anyone who drives carelessly and thereby causes the death of another person will be met with disapprobation and receive a harsh punishment accordingly.⁴⁴

(j) Instead of using the *Selvakumar Ranjan* framework, this Court is urged to broadly consider the harm and culpability in this case as a whole and determine a proportionate sentence bearing in mind the full statutory range of punishment (*ie*, up to 3 years' imprisonment).⁴⁵

(k) The Accused was speeding prior to the collision, exceeding the prescribed speed limit by at least 30 km/h.⁴⁶ The Accused was especially careless in his failure to notice the deceased – he failed to keep a proper

⁴⁴ Prosecution's Address on Sentence at [19].

⁴⁵ Prosecution's Address on Sentence at [21].

⁴⁶ Prosecution's Address on Sentence at [22(a)].

lookout for an extended period of time.⁴⁷ The deceased could be seen as early as 2.8s before the collision.⁴⁸

(l) Based on the harm and the Accused’s high culpability, his claim-trial sentence should be on the higher end of the 3-year imprisonment range. A claim-trial sentence of 30 to 33 months’ imprisonment would be appropriate.⁴⁹

(m) Given the Accused’s Stage 1 plea of guilt, the Prosecution had no objection to a sentencing discount of 30% based on the Sentencing Advisory Panel’s Guidelines on the Reduction in Sentences for Guilty Pleas. This would calibrate his sentence to 21 to 24 months’ imprisonment.⁵⁰

Mitigation plea

47 The Defence sought the following sentence:⁵¹

DAC No	Offence	Sentence
915592 of 2025	Driving without due care and attention causing death	9 months’ imprisonment + DQ 8 years

⁴⁷ Prosecution’s Address on Sentence at [22(b)].

⁴⁸ Prosecution’s Address on Sentence at [22(b)].

⁴⁹ Prosecution’s Address on Sentence at [24].

⁵⁰ Prosecution’s Address on Sentence at [25].

⁵¹ Mitigation Plea at [20].

48 The Defence stated the following points:

(a) Based on the speed of the Accused’s car, there is one manner of dangerous driving behaviour, which is speeding.⁵²

(b) In *Public Prosecutor v Setoh Weng Yew Roger (Situ Rongyao, Roger)* [2024] SGDC 318, the District Court compared the sentencing framework in *Selvakumar Ranjan* to the one set out by the High Court in *Chen Song*.⁵³

(c) The High Court in *Chen Song* at [133] posited that it is “important for the sentencing court to be alive to the possibility of contributory negligence and the extent to which this affects the offender’s blameworthiness.”⁵⁴

(d) The High Court in *Chen Song* at [133] added that “the conduct of the victim or third parties may in certain circumstances be considered at this juncture in the calibration of the offender’s culpability”.⁵⁵

(e) Based on the sentencing band set out in *Chen Song* at [134], it appears that the Accused’s case falls within Band 2 (ie. greater harm and lower culpability).⁵⁶

(f) Given that the statutory maximum sentence under s 65(3)(a) of the Act is 2 years (compared to 3 years for s 65(2)(a) of the Act), a

⁵² Mitigation Plea at [6].

⁵³ Mitigation Plea at [7].

⁵⁴ Mitigation Plea at [9].

⁵⁵ Mitigation Plea at [10].

⁵⁶ Mitigation Plea at [11].

multiplier of 1.5 times can be imposed on Band 2 of *Chen Song*'s sentencing framework, which would take us to a range of 9 – 18 months' imprisonment. This suggests that *Selvakumar Ranjan*'s sentencing framework continues and should be remain relevant.⁵⁷

(g) The sentencing framework in *Selvakumar Ranjan* is tenable for offences under s 65(2)(a). For the harm and culpability factors, the court can have regard to the factors set out in *Chen Song* to assess the Accused's culpability.⁵⁸

(h) The Prosecution is submitting that *Selvakumar Ranjan*'s framework should no longer apply and their position should be adopted. The Defence submits that the court is not an appropriate forum to revisit the raw data of statistics. The statutory maximum sentence is 3 years and *Selvakumar Ranjan*'s sentencing framework has already taken that into account. It is up to Parliament to decide on whether there should be legislative amendment on the statutory maximum sentence.⁵⁹

(i) Further, the High Court in *Public Prosecutor v Sindok Trading Pte Ltd (now known as BSS Global Pte Ltd) and other appeals* [2022] 5 SLR 336 stated at [29] that laying out a sentencing benchmark should be left to the appellate court.⁶⁰

⁵⁷ Mitigation Plea at [12].

⁵⁸ Mitigation Plea at [13].

⁵⁹ Mitigation Plea at [14].

⁶⁰ Mitigation Plea at [15].

(j) With due respect to the Deceased, it has to be said that the manner of her crossing the road created a dangerous situation for herself (which led to her untimely demise) and other motorists.⁶¹

(k) In light of the Accused's culpability, his case falls within Moderate of *Selvakumar Ranjan's* sentencing framework and the starting sentence would be 12 months' imprisonment on a claim trial basis.⁶²

(l) The Accused is pleading guilty at the first instance and is remorseful for the road accident. The court should apply a sentencing discount of 30% in accordance with SAP Guidelines.⁶³

(m) The Accused's antecedents are outdated and no weight should be given to them. He also cooperated with the authorities for the investigations.⁶⁴

Sentencing

The Law

Legislative history of s 65 of the Act

49 As was observed by Sundaresh Menon CJ in *Wu Zhi Yong v Public Prosecutor* [2022] 4 SLR 587 at [15] (albeit in the related context of s 64 of the Act), the Road Traffic (Amendment) Act 2019 (Act 19 of 2019) envisaged a new scheme of penalties for careless or inconsiderate driving in a tiered

⁶¹ Mitigation Plea at [16].

⁶² Mitigation Plea at [17].

⁶³ Mitigation Plea at [18].

⁶⁴ Mitigation Plea at [19].

structure calibrated according to the degree of hurt caused. This is codified in the Act as ss 65(2) to 65(5). The maximum punishments which may be imposed for each category of harm increase concomitantly with the seriousness of the harm caused; this translates into wider ranges of punishments where more serious harm is occasioned: *Sue Chang* at [38].

50 For instance, where death is caused, s 65(2)(a) provides that a first-time offender is liable to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding three years or to both. In contrast, the residual category (where no actual physical harm is caused, but which includes cases of non-personal injury or potential harm) captured in s 65(5)(a) provides that a first-time offender is liable to a fine not exceeding \$1,500 or to imprisonment for a term not exceeding six months or to both: *Sue Chang* at [38].

51 By tiering the punishment provisions in accordance with the type of harm suffered, Parliament has given clear expression to the need to give explicit consideration to the outcomes that result from instances of careless or inconsiderate driving. This is a stark departure from the structure of s 65 of the pre-2019 Act, where there was a single range of punishment with no differentiation based on the type and/or degree of harm caused: *Sue Chang* at [39].

Decision on sentence

(1) Culpability

52 Relying on *Selvakumar Ranjan's* reference to *Cullen's* suggested working or functional definition on culpability would be inappropriate. This was because the High Court in *Sue Chang* at [91]-[92] had concerns that the descriptions for each level of culpability in *Cullen* significantly conflated the

offences of careless or inconsiderate driving (in s 65 of the Act) with that of reckless or dangerous driving (in s 64 of the Act).

(see also *Public Prosecutor v Lim Wei Liang William* [2022] SGDC 229 at [37]-[38] and *Public Prosecutor v Lim Hee Joo* [2023] SGDC 159 at [65]-[66])

53 In the circumstances, I did not rely on *Cullen's* suggested working or functional definition in relation to the level of culpability (see *Selvakumar Ranjan* at [120]).

54 The High Court decision of *Sue Chang* at [93] was helpful. It set out the factors for culpability for offences under s 65 of the Act: (a) circumstances which required the offender to exercise extra care or consideration; (b) the manner of driving; and (c) the offender's conduct following the offence.

55 First, in assessing an offender's culpability, due regard must be had to circumstances surrounding the incident which call for the exercise of extra care or consideration. Some examples of these circumstances include where the offender drives: (a) within a school or residential zone; (b) a heavy vehicle that is more difficult to control and requires a quicker reaction time; or (c) in poor road conditions (eg, heavy rain or heavy traffic): *Sue Chang* at [94].

56 Second, the offender's manner of driving is also a relevant factor going to culpability. Under this factor, it is apposite to consider any dangerous driving behaviour exhibited by the offender. This would include, for example, driving against the flow of traffic, speeding, sleepy driving, drink-driving, driving while under the influence of drugs, driving while using a mobile phone, flouting traffic rules, or "hell-riding" situations: see *Tang Ling Lee v Public Prosecutor* [2018]

4 SLR 813 at [28]. In addition, considerations pertaining to the duration of the offender's inattention (eg, momentary or prolonged/sustained), the avoidability of the offender's distraction or the reasonableness of the offender's misjudgment are also relevant: *Sue Chang* at [95].

57 Third, the offender's conduct following the commission of the offence is also relevant. In particular, it has been said that an offender's conduct that is "belligerent or violent" upon arrest would constitute an aggravating factor: *Edwin s/o Suse Nathen v Public Prosecutor* [2013] 4 SLR 1139 at [32]. In a similar vein, where the offender fails to stop in an attempt to evade arrest or to avoid apprehension by the authorities, this should also weigh against him: *Public Prosecutor v Lee Meng Soon* [2007] 4 SLR(R) 240 at [33] (*Sue Chang* at [96]).

58 I considered, amongst other things, the following factors:

(a) The Accused's manner of driving was poor: *Tang Ling Lee* at [28].

(i) He was speeding prior to the collision: *Chen Song* at [131(a)(i)].⁶⁵ As the Accused approached and negotiated the bend from Block 130 to Block 132 of Bukit Batok West Avenue 6, he continued to accelerate the Car.⁶⁶ The Accused drove at a speed of between 82kmh and 86kmh,⁶⁷ above the speed limit of 50 km/h.⁶⁸

⁶⁵ Prosecution's Address on Sentence at [22(a)].

⁶⁶ SOF at [6].

⁶⁷ SOF at [6] and [11].

⁶⁸ SOF at [5].

(ii) He failed to spot Madam Ng crossing the road even though she was visible as early as 2.8s before the collision and did not apply his brakes until only 0.2s before the collision.⁶⁹ The Accused failed to keep a proper lookout for an extended period of time.⁷⁰ As a result of the collision, Madam Ng was flung into the air and landed on the road.⁷¹

(b) I agreed with the Prosecution that while the deceased was not crossing at a designated crossing area,⁷² this was not a factor that reduced the Accused's culpability and should not be regarded as a relevant mitigating factor: *Guay Seng Tiong Nickson v Public Prosecutor* [2016] 3 SLR 1079 at [70].⁷³ As the driver, the Accused bore the responsibility of keeping a proper lookout.⁷⁴

59 The culpability was at least moderate.

(2) Harm

60 In the present case, Ms Ng Cheow Tee passed away. Death is generally the most serious consequence of any offence: *Public Prosecutor v BDB* [2018] 1 SLR 127 at [60].

61 There was high potential harm. The Accused sped while driving in a residential area during evening peak hour traffic: *Public Prosecutor v Cheng*

⁶⁹ SOF at [6] and [12].

⁷⁰ Prosecution's Address on Sentence at [22(b)].

⁷¹ SOF at [6].

⁷² SOF at [5].

⁷³ Prosecution's Address on Sentence at [22(b)].

⁷⁴ Prosecution's Address on Sentence at [22(b)].

Chang Tong [2023] 5 SLR 1170 at [56]-[57].⁷⁵ There were several other road users at the material time, including one other pedestrian crossing the road near where the deceased was struck.⁷⁶

62 To be clear, I am mindful that the damage to the Accused's own vehicle⁷⁷ should not be treated as an aggravating factor: *Ching Kelvin v Public Prosecutor* [2024] SGHC 297 at [15].

63 I am also mindful that in assessing the level of harm or potential harm, the sentencing court should be careful not to double-count any factors which may already have been taken into account in assessing the level of culpability: *Neo Ah Luan* at [70] (see also Andrew Ashworth, *Sentencing and Criminal Justice* (6th Edition, 2015, Cambridge University Press) at [4.3] and [4.5]).

(3) *Antecedents*

64 The fact that the Accused is a first-time offender is a neutral factor because it is not positive evidence of good character that could in turn be considered a valid mitigating factor: *Public Prosecutor v Tan Fook Sum* [1999] 1 SLR(R) 1022 at [32].

65 The mere absence of an aggravating factor is a neutral factor for sentencing: *Edwin s/o Suse Nathen* at [24] and *Poh Boon Kiat v Public Prosecutor* [2014] 4 SLR 892 at [99].

⁷⁵ Prosecution's Address on Sentence at [23(a)].

⁷⁶ Prosecution's Address on Sentence at [23(a)].

⁷⁷ SOF at [17]-[18].

(4) *Cooperation with the authorities*

66 I gave due weight to the Accused's cooperation with the authorities: *Public Prosecutor v Siew Boon Loong* [2005] 1 SLR(R) 611 at [16]-[18].

(5) *Guilty plea*

67 The SAP Guidelines for Guilty Pleas applied: *Jeremiah Ng* at [110]-[111] and [115]-[117] (see also Edwin Lim Wei Keat, *A Critical Analysis of the Application of Guidelines on Reduction in Sentences for Guilty Pleas in Singapore*, SAcLJ (10 October 2025, e-First) at [37]-[43]). I gave full weight to the Accused's guilty plea: *Angliss Singapore Pte Ltd v Public Prosecutor* [2006] 4 SLR(R) 653 at [77]. This saved the criminal justice system resources that would have been expended with a full trial.

68 Accordingly, I gave the Accused the full 30% discount (Stage 1) for his early plea of guilt.

69 All things considered, the starting point for the sentence was about 24 months' imprisonment, which was around the 2/3 range of the offence's prescribed punishment. After the PG discount, in the round, the sentence would be about 17 months' imprisonment.

(6) *Driving disqualification order*

70 Driving disqualification orders meld the three sentencing objectives of punishment, protection of the public and deterrence: *Edwin s/o Suse Nathen* at [13]-[14], *Koh Thiam Huat* [2017] 4 SLR 1099 at [64] and *Chen Song v Public Prosecutor* [2024] SGHC 129 at [143].

71 The most important sentencing principles engaged in driving

disqualification orders are to:

- (a) *protect society*, because disqualification orders are meant to prevent future harm that the offender may cause to the public, and to
- (b) *deter*, because such orders deprive offenders of the freedom to drive: *Public Prosecutor v Ong Heng Chua* [2018] SGHC 95 at [61].

72 As stated in *Public Prosecutor v Mohd Isa* [1963] MLJ 135, the “most satisfactory penalty for most motoring offences is disqualification” because a fine is paid once and then forgotten. For instance, a 12-month disqualification order would mean that for the entire year in which the order is in effect, the offender is reminded every day of his offence and the unwarranted risks in which he had placed ordinary members of the public: *Sivakumar s/o Rajoo v Public Prosecutor* [2002] 1 SLR(R) 265 at [28].

73 Where a person is disqualified for a period of 12 months or longer, that person’s driving licence shall be “of no effect” and the person is further prevented from driving a motor vehicle after the disqualification period unless he passes the prescribed test of competence to drive: s 43(1)(b) of the Road Traffic Act.

74 In the present case, I agreed with the Prosecution and Defence that a driving disqualification for 8 years (mandatory minimum) was appropriate.

75 When an offender seeks to come within the special reasons exception, the facts to back up such circumstances must be proved to the court’s satisfaction: *Toh Yong Soon v Public Prosecutor* [2011] 3 SLR 147 at [5]. The onus lies on an accused to raise special reasons for the court’s consideration, if such reasons exist: *Chue Woon Wai v Public Prosecutor* [1996] 1 SLR(R) 725

at [13], *Siti Hajar bte Abdullah v Public Prosecutor* [2006] 2 SLR(R) 248 at [12], and *Prathib s/o M Balan v Public Prosecutor* [2017] SGHC 303 at [12].

(See also *Wilkinson’s Road Traffic Offences*, Sweet & Maxwell, (32nd Ed, 2025, General Editor: Kevin McCormac) at [21-62])

76 There was no special reason to dispense with the driving disqualification, which was appropriate in the present case.

77 In the Malaysian Criminal Appeal Court case of *Public Prosecutor v Hiew Chin Fong* [1988] 1 MLJ 467 – which was endorsed in *Chua Chye Tiong v Public Prosecutor* [2004] 1 SLR(R) 22 at [61] and [62] – a 12-month disqualification period was imposed on the offender despite the fact that his livelihood depended on him having a driving licence.

Total sentence

78 For the above reasons, the Accused’s sentence was as follows:

DAC No	Offences	Sentence
915592 of 2025	Driving without due care and attention causing death	17 months’ imprisonment + DQ 8 years (all classes) with effect from release

Conclusion

Summary

79 A summary of my Grounds of Decision is as follows:

- (a) Culpability. The culpability was at least moderate (at [52]-[59]).
- (b) Harm. Someone passed away. There was also high potential harm (at [60]- [63]).
- (c) Antecedents. The fact that the Accused is a first-time offender is a neutral factor because it is not positive evidence of good character that could in turn be considered a valid mitigating factor (at [64]-[65]).
- (d) Cooperation with the Authorities. Due weight was given to his cooperation with the authorities (at [66]).
- (e) Guilty Plea. The Accused was given the full 30% discount for his early plea of guilt:
 - (i) The starting point for the sentence is about 24 months' imprisonment, which was around the 2/3 range of the offence's prescribed punishment.
 - (ii) After the PG discount, in the round, the sentence would be about 17 months' imprisonment (at [67]-[69]).

(f) Driving Disqualification Order. The Accused was disqualified from driving for 8 years (all classes) with effect from release; there were no special reasons (at [70]- [77]).

80 The sentence must reflect the sanctity of life — and finality of death.

81 I am grateful for the hard work and helpful submissions of both sides.

Shawn Ho
District Judge

Johan Tay (Attorney-General's Chambers) for the Prosecution;
Tan Jun Hao Don (Chia S Arul LLC) for the Defence.
