

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

District Arrest Case No. 911245 of 2025 & Ors

Between

Public Prosecutor

And

Lam Kuet Keng Steven John

BRIEF REASONS FOR SENTENCE

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Public Prosecutor
v
Lam Kuet Keng Steven John

District Arrest Case No. 911245 of 2025 & Ors

7 November 2025

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District Judge Shawn Ho

Introduction

- 1 Mr Lam Kuet Keng Steven John, pleaded guilty to four charges:
 - (a) two charges for drink driving (repeat offender) and careless driving (serious repeat offender) under the Road Traffic Act 1961, and to
 - (b) two charges under s 182 of the Penal Code 1871.
- 2 At the material time, Mr Lam was a practising lawyer of about 30 years.¹
- 3 He was imprisoned for 8 weeks, fined \$18,000 in default 36 days' imprisonment, and disqualified from driving for 72 months.
- 4 These are the brief reasons for my decision, which I may supplement with full grounds of decision, if necessary.

¹ SOF at [2].

Sentencing

Decision on sentence

Framework in Wu Zhi Yong v Public Prosecutor

5 The High Court in *Public Prosecutor v Cheng Chang Tong* [2023] SGHC 119 at [42]-[43] stated that the framework in *Wu Zhi Yong v Public Prosecutor* [2022] 4 SLR 587 at [39] can provide useful guidance in sentencing for careless driving.

6 The Defence stated that it was inclined to accept the Prosecution's submission that a modified framework derived from *Wu Zhi Yong* would be appropriate in the present case.²

7 I agreed with the Prosecution that the *Wu Zhi Yong* framework should apply to the present offence with modified sentencing ranges for each band as follows:³

Band	Degree of seriousness	Sentencing range
1	Lower level of seriousness with no offence-specific aggravating factors present or where they are present only to a limited extent. The offender's blood alcohol level is also likely to be at the lowest or second lowest bands in the framework set out in <i>Rafael Voltaire Alzate</i> [2022] 3 SLR 993.	A fine of between \$5,000 and \$10,000 and imprisonment of between 3 weeks and 3 months.

² Mitigation Plea at [35].

³ Prosecution's Address on Sentence at [16].

2	Higher level of seriousness and would usually contain two or more offence-specific aggravating factors. In these cases, the level of culpability and blood alcohol level will typically both be on the higher side. Where an offender's blood alcohol level is in the highest or second highest band of the framework in <i>Rafael Voltaire</i> , the case is likely to fall at least within Band 2.	A fine of between \$10,000 and \$18,000 and imprisonment of between 3 months and 2 years.
3	The most serious cases of driving without due care and attention or without reasonable consideration for others using the road whilst under the influence of drink. In these cases, there will be multiple aggravating factors suggesting higher levels of culpability and higher alcohol levels.	A fine of between \$18,000 and \$23,000 and imprisonment of between 2 years and 3 years.

8 For the above framework, I agreed with the Prosecution that:

(a) Unlike the offences in *Wu Zhi Yong*, the present offence involves *mandatory* imprisonment, in addition to a fine of at least \$5,000. Accordingly, the modified sentencing ranges reflect both fines and imprisonment terms in each band for the present offence, as opposed to fines only being part of Band 1 in *Wu Zhi Yong*.⁴

⁴ Prosecution's Address on Sentence at [17(a)].

(b) In line with the High Court’s guidance in *Ng En You Jeremiah v Public Prosecutor* [2025] SGHC 135 at [81], a slightly longer range and correspondingly more sentencing discretion was allocated to the middle band, *i.e.* Band 2, to facilitate discriminating between the variety of offences with moderate to higher levels of seriousness.⁵

(1) First step: classification of the offence

9 The court would have regard to the offence-specific factors at the first step to identify the sentencing band within which the offence falls (*Wu Zhi Yong* at [35]).

10 The potential for harm has to be assessed with reference not only to the actual distance travelled, but the distance which the offender intended to travel: *Chan Chow Chuen v Public Prosecutor* [2024] SGHC 294 at [24]. Here, the Accused drove about 6.9km in his inebriated state.⁶ He intended to drive about 19.8km back to his residence.⁷

11 I was mindful that in *Fan Lei v Public Prosecutor* [2024] SGHC 278 at [10], merely travelling a distance of 17km was not enough to point to increased potential harm. In *Fan Lei*, there was no evidence that the offender was driving in a careless manner over that 17km.

12 For the manner of driving, instead of staying in lane 2, the Accused veered right into lane 1 (*i.e.* rightmost lane), straddling both lanes 1 and 2 at

⁵ Prosecution’s Address on Sentence at [17(c)].

⁶ SOF at [9]. Prosecution’s Address on Sentence at [18(a)(i)(B)].

⁷ SOF at [8]. Prosecution’s Address on Sentence at [18(a)(i)(C)].

some point.⁸ After he veered right into lane 1, the Accused continued veering right towards the road divider.⁹ He lost control of his car, causing it to mount the right curb onto the road divider, colliding into nine sections of the central guard railings and destroying the plants on the road divider.¹⁰

13 I have considered the Accused's conduct following the accident and his attempts to evade arrest. After the accident, the Accused attempted to leave the accident scene by *twice* flagging taxis¹¹ – he only failed to leave because eye-witnesses managed to stop the Accused from getting away, including having to *physically restrain* him.¹²

14 The property damage to nine sections of the central guard railings in the road divider, which was public property that the LTA had to repair, amounted to \$1,848.00.¹³ The Accused has made full restitution.¹⁴

15 I agreed with the Prosecution that:

(a) There was potential harm as the Accused drove without due care and attention in a residential area. As shown by the crowd that gathered shortly after the incident, there were also a number of pedestrians

⁸ SOF at [10].

⁹ SOF at [11].

¹⁰ SOF at [11].

¹¹ SOF at [17] and [20].

¹² SOF at [17]-[22]. Prosecution's Address on Sentence at [18(a)(iv)].

¹³ SOF at [12].

¹⁴ Mitigation Plea at [21] and [38(c)].

around.¹⁵ That said, the accident took place at about 12.25a.m.,¹⁶ when there would be fewer road users vis-à-vis the daytime.

(b) The Accused's alcohol level was 61µg per 100ml of breath,¹⁷ more than 3 hours after he stopped drinking. This is towards the middle of Band 2 of the framework in *Rafael Voltaire Alzate v Public Prosecutor* [2022] 3 SLR 993.¹⁸

(c) The Accused is traced for related antecedents, having been convicted of one count under s 65 of the Road Traffic Act (Cap 276, 2004 Rev Ed) on 24 October 2006 (while driving under the influence of alcohol as well), for which he was sentenced to a fine of \$800.¹⁹

(d) Given the Accused's post-incident attempts to escape and his related antecedent, a longer DQ period of 66 to 72 months is appropriate to serve the three objectives of punishment, protection of the public and deterrence: *Chen Song* at [143] to [144].²⁰

16 All things considered, the indicative starting point is at the higher end of Band 1, viz. about 8 to 9 weeks' imprisonment and a fine of \$8,000.

(2) Second step: calibration of the sentence

17 At the second step of the analysis, the court will have regard to the

¹⁵ Prosecution's Address on Sentence at [18(a)(i)(A)].

¹⁶ Mitigation plea at [31].

¹⁷ SOF at [28].

¹⁸ Prosecution's Address on Sentence at [18(a)(iii)].

¹⁹ Prosecution's Address on Sentence at [18(b)].

²⁰ Prosecution's Address on Sentence at [21].

offender-specific factors.

18 In the present case, after considering the offender-specific factors, the indicative starting sentence, i.e. 8 to 9 weeks' imprisonment, a fine of \$8,000 and 72 months' driving disqualification, was left unchanged.

19 I turn next to the drink driving offence.

Framework in Lee Shin Nan v Public Prosecutor

20 For repeat drink driving, the applicable case is *Lee Shin Nan*.

(1) Starting sentence range

21 The starting ranges are as follows:

Level of alcohol (µg per 100ml of breath)	Under the <i>Rafael Voltaire</i> Framework for first-time offenders	The initial uplift	Indicative band for repeat offenders
36 – 54	Fine: \$2,000 – \$4,000 Disqualification: 24 – 30 months	Fine: \$3,000 – \$4,000 Disqualification: 36 months	Fine: \$5,000 – \$8,000 Disqualification: 60 – 66 months
55 – 69	Fine: \$4,000 – \$6,000 Disqualification: 30 – 36 months	Fine: \$4,000 – \$5,000 Disqualification: 36 – 42 months	Fine: \$8,000 – \$11,000 Disqualification: 66 – 78 months
70 – 89	Fine: \$6,000 – \$8,000 Disqualification: 36 – 48 months	Fine: \$5,000 – \$6,000 Disqualification: 42 – 48 months	Fine: \$11,000 – \$14,000 Disqualification: 78 – 96 months

≥ 90	Fine: \$8,000 – \$10,000 Disqualification: 48 – 60 months (or longer)	Fine: \$6,000 – \$7,500 Disqualification: 48 – 60 months (or longer)	Fine: \$14,000 – \$17,500 Disqualification: 96 – 120 months (or longer)
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22 Based on the Accused’s alcohol level, the applicable sentencing range is Band 2, viz. fine of \$8,000 – \$11,000 and driving disqualification of 66 to 78 months.

(2) Adjustment on account of the repeated offending behaviour

23 In the present case, amongst other things, I considered that:

(a) The Accused’s alcohol level was not less than 61 µg of alcohol in 100 millilitres of breath.²¹ This was higher than the alcohol level for his drink driving conviction in 2006 (55 µg in 100 millilitres of breath).²²

(b) He had one previous antecedent for drink driving.

(c) The interval between the previous antecedent in 2006 and the present offence in 2024 was about 18 years. This was a dated antecedent.

(d) There is a trend of increasing danger posed to the public with his repeat drink driving offence. His vehicle veered right and mounted the right kerb before colliding onto nine portions of centre guard railing.

24 In the circumstances, the fine and disqualification should be pegged around the middle of Band 2, viz. a fine of \$10,000 and 72 months’ driving

²¹ SOF at [28].

²² SOF at [29].

disqualification for all vehicle classes.

(3) Adjustment to account for aggravating and mitigating circumstances

25 The distance travelled was about 6.9km.²³

26 Antecedents. I placed little weight on his compounded offences — the compounded speeding offence was fairly dated, while the compounded failing to conform to red light signal offence was dissimilar (*Chan Chow Chuen v Public Prosecutor* [2024] SGHC 294 at [31]).

27 Restitution. I gave due weight to the fact that the Accused made full restitution: *Angliss Singapore Pte Ltd v Public Prosecutor* [2006] 4 SLR(R) 653 at [76].

28 Guilty plea. The SAP Guidelines for Guilty Pleas applied (*Ng En You Jeremiah v Public Prosecutor* [2025] SGHC 135 at [110]-[111] and [115]-[117]). 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.

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

30 All things considered, for the repeat drink driving charge, the starting point for the sentence was about 8 to 9 weeks' imprisonment. After the PG discount, the sentence would be about 6 weeks' imprisonment.

31 To be clear, the full plead guilty discount of 30% also applied to his

²³ SOF at [9]. Prosecution's Address on Sentence at [18(a)(i)(B)].

other charges, i.e. the offences for careless driving (serious repeat offender) and s 182 of the Penal Code.

32 Given the in-car camera footage,²⁴ POLCAM footage,²⁵ Breath Analyzing Device test results, his arrest at the scene²⁶ and the eye-witnesses identifying the Accused as the driver of the car,²⁷ the evidence against the Accused was overwhelming and lends itself to the conclusion that he had little choice but to plead guilty: *Vasentha d/o Joseph v Public Prosecutor* [2015] SGHC 197 at [71] and [73], and *Public Prosecutor v BDB* [2017] SGCA 69 at [74].

33 The fine and disqualification at around the middle of Band 2, viz. a fine of \$10,000 and 72 months' driving disqualification for all vehicle classes were left unchanged.

(4) Final adjustment

34 The court should separately consider what term of imprisonment is appropriate having regard to all the circumstances. A term of imprisonment is mandatory for repeat offenders and arises from the parliamentary intent to deter recalcitrant drink driving and to prevent accidents, injury and death that can needlessly arise from drink driving: *Lee Shin Nan* at [70].

35 At this stage of the analysis, when considering the term of imprisonment, the court should categorise the offence in overall terms having regard to its

²⁴ SOF at [10].

²⁵ SOF at [17].

²⁶ SOF at [26] and [38].

²⁷ SOF at [13]-[14] and [26].

overall gravity and the nature and all the circumstances of the offending and reoffending behaviour into three broad classes with the following indicative sentencing bands:

Class	Indicative Sentencing Band
Serious	1 – 6 months’ imprisonment
More Serious	6 – 12 months’ imprisonment
Most Serious	12 – 24 months’ imprisonment

36 Our present case falls under the “serious” category. Amongst other things:

- (a) The Accused has one drink driving antecedent.
- (b) The interval between that antecedent in 2006 and the present offence in 2024 was about 18 years. The antecedent was dated.
- (c) For the manner of the Accused’s driving and the danger posed to others, he lost control of his car, causing it to mount the right curb onto the road divider, colliding into nine sections of the central guard railings and destroying the plants on the road divider.²⁸ For the avoidance of doubt, I agreed with the Prosecution and did not rely on any of the offence-specific aggravating factors for the s 67 charge that have been relied upon for the s 65 charge.²⁹

37 All things considered, I was of the view that the term of imprisonment ought to be in the lower end of the sentencing range for a “serious” case, viz.

²⁸ SOF at [11].

²⁹ Prosecution’s Address on Sentence at [27].

about 8 to 9 weeks' imprisonment. After the PG discount, the sentence would be about 6 weeks' imprisonment.

Section 182 of the Penal Code

38 In the present case, appreciable harm was caused by the s 182 offences, and the court should, as a starting point, impose a custodial term: *Koh Yong Chiah v Public Prosecutor* [2017] 3 SLR 447.³⁰

39 The harm in question was more than de minimis. I agreed with the Prosecution that the Accused's s 182 offences caused clear wastage of public investigative resources.³¹

40 For the first s 182 charge, acting on the Accused's information, SSS Ridwan directed Traffic Police resources to search the vicinity of Lompang Road for the alleged unknown friend who had escaped, but to no avail.³² For the second s 182 charge, acting on the Accused's information, the Traffic Police expended unnecessary resources and man hours to interview various witnesses, including TK and other eyewitnesses, to ascertain the identity of the driver of the Accused's car.³³

41 This wastage of public resources is causally connected to the Accused's provision of false information.³⁴

42 The falsehood was maintained for close to 17 months. The Accused

³⁰ Mitigation Plea at [41].

³¹ Prosecution's Address on Sentence at [34].

³² SOF at [34].

³³ SOF at [43].

³⁴ Prosecution's Address on Sentence at [34].

never came clean to the authorities at any point.³⁵ He maintained his falsehood until he indicated his intention to plead guilty.³⁶

43 The test of appreciable harm merely provides the sentencing court with a starting point. Other relevant sentencing factors should then be taken into account to determine (a) if the starting point should be departed from, and (b) what the appropriate quantum of fine and/or length of imprisonment should be (*Koh Yong Chiah* at [56]).

44 For the further factors which are relevant in assessing the Accused's level of *harm*:

(a) With regard to his false statements, the Accused never came clean to the authorities at any point.³⁷

(b) His predicate offences which he was seeking to avoid — drink driving (repeat offender) and careless driving (serious repeat offender) — were serious offences that were punishable under s 67A of the Act, and carried with them a driving disqualification for a period of not less than 5 years and *mandatory* imprisonment terms.

(c) At the scene, because of the Accused's lies, the police expended unnecessary resources to search the area for an imaginary person.³⁸

³⁵ Prosecution's Address on Sentence at [38].

³⁶ Prosecution's Address on Sentence at [38] (i.e. from 7 April 2024 to 5 September 2025).

³⁷ Prosecution's Address on Sentence at [38].

³⁸ Prosecution's Address on Sentence at [29].

(d) After being arrested, and after being warned to tell the truth, he maintained the false version. Because of the Accused's lies, the police expended unnecessary resources to interview witnesses to ascertain the identity of the driver of the Accused's car.³⁹

45 For the further factors which are relevant in assessing the Accused's level of *culpability*:

(a) The deception was perpetrated in active defiance of a warning by the police not to lie.

(b) The lie was actively said twice.⁴⁰

(c) At 12.49 a.m. on 7 April 2024, the Accused gave false information to a police officer via an oral statement that he was not the driver of the motorcar that was involved in a road traffic accident (and that the driver was an unknown person).

(d) After being arrested, and after being warned to tell the truth, the Accused doubled down on his lie that he was not the driver, claiming that he was seated in the front passenger seat and that the driver was an unknown person who was gone when he woke up.⁴¹

(e) In other words, at about 4.57 a.m. on 7 April 2024, the Accused maintained the false version — by again giving false information to another police officer in a statement recorded by the investigation officer that he was not the driver of the motorcar that was involved in a road

³⁹ Prosecution's Address on Sentence at [29].

⁴⁰ Prosecution's Address on Sentence at [29].

⁴¹ Prosecution's Address on Sentence at [29].

traffic accident (and that the driver was an unknown person).

(f) Both statements were on the same day but given to different police officers.

46 All things considered, the sentence for each of the s 182 offences was 2 weeks' imprisonment.

Other points

(1) TIC charge

47 One charge was taken into consideration for sentencing — this was for being the driver of the motorcar that was involved in a traffic accident with nine portions of centre guard railings, and the Accused did fail to take reasonable steps to inform the owner of the damaged government property, which is an offence under s 84(1)(b) read with s 84(7) and punishable under s 131(2)(a) of the Act.⁴²

(2) Relevance of public service and contributions in sentencing practice

48 The High Court in *Stansilas Fabian Kester v Public Prosecutor* [2017] 5 SLR 755 stated at [102]:

(a) The fact that an offender has made past contributions to society might be a relevant mitigating factor not because it somehow reduces his culpability in relation to the present offence committed, but because it is indicative of his capacity to reform and it tempers the concern over the specific deterrence of the offender.

⁴² DAC 911247 of 2025.

(b) This, however, would carry modest weight and can be displaced where other sentencing objectives assume greater importance.

49 In the present case, the Accused has gone above and beyond in his public service and contributions to society, as seen from his volunteer work over decades, such as serving as Honorary Chairman of Punggol Central's CCC,⁴³ running community legal clinics in Sengkang and Punggol, and being awarded/appointed PBM,⁴⁴ BBM⁴⁵ and Justice of the Peace.⁴⁶

50 However, I placed no real weight on this because of the need for general and specific deterrence in this case.

(3) Consecutive sentences

51 All things considered, I agreed with both the Prosecution and the Defence that it was sufficient to run two of the custodial sentences consecutively. The offence of careless driving violated a completely different legally-protected interest from the offence under s 182 of the Penal Code.⁴⁷ Section 307(1) of the Criminal Procedure Code was engaged, viz. at least two of the imprisonment sentences must run consecutively.

(4) Totality principle

52 The sentences were in line with both limbs of the totality principle: *Mohamed Shouffee Bin Adam v Public Prosecutor* [2014] 2 SLR 998 at [54]-

⁴³ Citizen Constituency Committee (CCC).

⁴⁴ Public Service Medal (PBM).

⁴⁵ Public Service Star (BBM).

⁴⁶ Mitigation Plea at [8].

⁴⁷ Prosecution's Address on Sentence at [45].

[57].

Total sentence

53 For the above reasons, the Accused's sentence was as follows:

DAC No	Offences	Sentence	Status
911245 2025	s 67(1)(b) punishable under s 67(1) and read with s 67(2)(b) and s 67A(1)(a)	6 weeks \$10,000 i/d 20 days DQ of 72 months	Concurrent
911246 2025	s 65(1)(a) punishable under s 65(5)(d) read with s 65(5)(b), s 65(6)(j) and s 67A(1) of the Act	6 weeks \$8,000 i/d 16 days DQ of 72 months	Consecutive
911248 2025	s 182 of the Penal Code	2 weeks	Concurrent
911249 2025	s 182 of the Penal Code	2 weeks	Consecutive

54 The Accused was imprisoned for 8 weeks, fined \$18,000 in default 36 days' imprisonment, and disqualified from driving for 72 months.

Conclusion

55 The public-spiritedness of the five eye-witnesses is to be commended.

56 I am grateful for the hard work and submissions of both sides, especially to DPP Jonathan Tan for his comprehensive submissions on the law.

Shawn Ho
District Judge

Jonathan Tan (Attorney-General's Chambers) for the
Prosecution;
Ramesh Chandr Tiwary (M/S Ramesh Tiwary) and
Kenrick Lam (Templars Law LLC) for the
Defence.
