

11 FEBRUARY 2014

CRIMINAL INVESTIGATIONS AGAINST LEE KIM HUAT @ LIM HAI TIONG

1. The Attorney-General's Chambers ("AGC") has completed its review of the investigation papers relating to Lee Kim Huat @ Lim Hai Tiong, the driver of the motor bus involved in the fatal road traffic accident along Race Course Road on 8 December 2013 ("the driver").
2. The driver was arrested on 9 December 2013 and released on bail pending investigations into whether he had committed any offence in the accident that led to the death of Indian national Sakthivel Kumaravelu ("the deceased"). Video footage from the four cameras mounted on the driver's bus, capturing comprehensive views of the vicinity of the bus' external surroundings as well as its interior, was also seized on 8 December 2013.
3. The Traffic Police submitted its investigation papers to AGC in January 2014. AGC has carefully and extensively studied the evidence, which include:
 - a. All relevant video footage of the incident;
 - b. An independent expert report commissioned for the investigations;
 - c. Written statements of all relevant witnesses;
 - d. Visits to the scene of the accident by investigators, prosecutors and forensic experts; and
 - e. Autopsy and toxicology reports and other medical evidence.
4. The following facts are apparent from the investigations:

- a. Shortly before the fatal accident, the deceased was asked to disembark from the bus on account of his misbehavior and he duly complied. Thereafter, the deceased walked in an unsteady manner towards Race Course Road;
- b. The deceased was found to be moderately to severely intoxicated, with a blood alcohol level of 217mg/100ml of blood. This was close to three times the legal limit for driving;
- c. Video footage revealed that the deceased had started running after the bus in an unsteady manner shortly after the bus had moved off. He then placed his right palm against the left side of the moving bus;
- d. The deceased's act of placing his hand upon the moving bus, exacerbated by his intoxicated state, caused him to lose his balance and fall into the path of the moving bus;
- e. Throughout the entire incident, the driver was driving at a very low overall speed of approximately 5.6 to 5.9km/h. His attention had been engaged in avoiding the heavy human traffic in the vicinity of his bus, as well as negotiating between the stationary and moving vehicles along Tekka Lane;
- f. At the point of the accident, the driver was filtering out of Tekka Lane into Race Course Road. The driver was watching out for oncoming traffic from his right, and could not be expected to foresee that the deceased had run after the moving bus. Nor could the driver have expected that the deceased would fall into the path of the bus; and
- g. The period between the contact with the bus made by the deceased and his fall spanned about four seconds.

5. Having reviewed the evidence in the investigation papers submitted, the Public Prosecutor has determined that no offence was committed by the driver in relation to the fatal accident. As such, no further action will be taken against him.

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