

OPENING STATEMENT

1 Your Honour, my name is Kwek Mean Luck, 2nd Solicitor General, Attorney General's Chambers, appearing as State Counsel in this matter. With me, are Mr Yang Ziliang and Ms Ruth Teng from the AGC. Mr M Mahendran and Ms Chitra Balakrishnan appear as counsel for the Next of Kin, while Ms Lee Lit Cheng appears as counsel for the Ministry of Home Affairs.

2 This is an inquiry under the Coroners Act into the death of Mohamed Taufik Bin Zahar (the "**Deceased**"), a 34 year old male.

3 Section 27(1) of the Coroners Act states that the "purpose of an inquiry into the death of any person is to inquire into the cause of and circumstances connected with the death". To this end, this section provides that a Coroner's Inquiry must be directed at ascertaining the following four matters, insofar as they may be ascertained:

- (a) the identity of the deceased; and
- (b) how, when, and where the deceased came by his death.

4 In this case, the identity of the deceased is not in dispute. The evidence presented will relate to "where", "when", and "how" he came by his death, with a majority of the evidence directed to the question of "when" and "how".

5 The Coroners Act provides that the Coroner shall not frame a finding in such a way as to determine any question of criminal, civil or disciplinary liability, but shall not be inhibited in the discharge of his functions by any likelihood of liability being inferred from facts that he determines or recommendations that he makes.

6 The role of the officers from the Attorney-General's Chambers, acting as State Counsel, is to assist the Coroner in making his determination, by presenting all relevant evidence gathered. We represent the interests of the State in ensuring that cases of unnatural deaths are properly investigated.

7 In this inquiry, there are two “properly interested persons”, a term defined in the Coroners Act. The first is the Next-of-Kin, who is the deceased’s wife. The Coroners Act specifically provides that the Next-of-Kin have the right to examine any witness. The second is the Ministry of Home Affairs (“MHA”). MHA’s interest in this matter arises primarily because of the police officer’s role in the death of the deceased.

8 I will now go through the main evidence that will be presented, starting with the background as to how this inquiry arose. I will go into some detail, so that the Court and all the parties concerned can appreciate the broader context, and within this context, the key issues to consider.

The Event and Security Measures

9 The incident took place in the early morning of 31 May 2015. From 29 to 31 May 2015, the Shangri-La Hotel was the venue for the 14th Asian Security Summit, also known as the International Institute of Strategic Studies Shangri-La Dialogue (the “**Event**”). This is an annual event attended by defence ministers, defence officials and military chiefs worldwide. The Event attracted a total of 227 delegates from 27 countries, including the Defence Secretary of the United States of America. The Singapore Police Force adopted a high level of security for the Event, given its significant potential as a prime target for terrorist attacks.

10 Explosives have consistently been the most prevalent type of weapon used in terrorist attacks, accounting for over 60 per cent of all incidents globally, according to the Global Terrorism Index Report 2014. Past incidents in the Middle East involving the use of explosives such as vehicle bombs have resulted in heavy death tolls. In 2001, the Jemaah Islamiyah (JI) network had planned to use truck bombs against embassies, MRT stations and military installations in Singapore. The Bali bombings in 2002 and the Marriot Hotel attack in Jakarta in 2003 also involved the use of car bombs. These explosives are referred to as Vehicle-borne Improvised Explosive Devices (“**VBIED**”).

11 The Police conducted a series of road blocks and security checks on persons and vehicles at and around the Event venue from 28 May to 31 May 2015. A Vehicle

Check Station was situated along Ardmore Park before the junction of Ardmore Park and Anderson Road (the “**VCS**”), where armed police officers were deployed to deal with vehicles evading the VCS and prevent them from advancing towards the hotel.

12 The objective of the VCS was to ensure that vehicles entering the Event venue’s vicinity were not carrying dangerous weapons or VBIED to cause damage to life and property. The determination of the VCS location took into account various factors, including its proximity to the Event venue, the suitability of the terrain for setting up a vehicle search area, and traffic conditions.

13 The Police adopted a multi-pronged approach to deter, detect and deal with the threat of VBIED in the Event venue’s vicinity, as follows:

(a) The Police issued a news release on 22 May 2015 to provide advanced notice to the public about the Event, and of traffic and security measures at the Event vicinity;

(b) The Police employed traffic signs in the vicinity of affected roads and ahead of the brightly-lit VCS, to alert motorists of the road closures and the checks that were being conducted in conjunction with the Event;

(c) Vehicles approaching the VCS were stopped by police officers for initial verification checks, before being directed to undergo a detailed inspection within the VCS. The VCS was designed in a manner that required a driver to manoeuvre around concrete barriers to reach vehicle inspection bays.

(d) Towards the end of the VCS, a line of concrete barriers weighing about two tons each, police land rovers or mobile crash barriers were set up to deter, slow down and impede drivers who may attempt to evade checks at the VCS and drive VBIED towards the Event venue.

(e) Beyond this line of concrete barriers, a pair of armed Gurkha Contingent (“**GC**”) officers was deployed to use all lawful means to prevent

any vehicle from crashing through the barriers and leaving the VCS without clearing the requisite vehicle checks. This pair is also known as the Vehicle Counter Assault Team (the “**VCAT**”).

(f) The VCS where the incident occurred was situated along Ardmore Park before the junction of Anderson Road. The distance between the final concrete barrier and the Shangri-La Hotel was approximately 33 to 34 metres.

14 Despite the sensitive nature of the security operations for the Event, both the MHA and the Singapore Police Force have been open and willing to share relevant information on the circumstances surrounding this incident. This can be seen in the various media releases and Deputy Prime Minister Teo Chee Hean’s speech during the Parliamentary Debates in July 2015.

15 At the same time, we are conscious not to erode the effectiveness of future security operations during the course of this Coroner’s Inquiry, especially when discussing operational matters which could be used by adversaries against our security forces in future events. All the parties (including MHA and the NOK) have thus agreed that certain details will be redacted. This has been done without affecting the placement of the relevant facts for the Coroner’s review.

16 Some of these details include the identities of officers who are involved in more sensitive security operations. In this case, these were the GC officers. They will be referred to as GC1, GC2 and so on. The types of weapons and ammunition used in such operations, held in this case by the GC officers, will also not be revealed and will be referred to as Firearm 1 and 2 and bullet 1, 2 and so on.

The Incident on 31 May 2015

17 On 31 May 2015 at about 4.17 am, a red Subaru saloon car bearing the registration plate number SGN 7206 X (the “Car”) was seen approaching the VCS. Besides the driver, there were 2 passengers in the car. The driver was the Deceased. Mohamed Bin Ismail (“**Mohamed**”), Male, 31 years old, was the front

passenger of the Car, while Muhammad Syahid Bin Mohamed Yasin (“**Syahid**”), Male, 26 years old, was the rear centre passenger of the Car.

18 The Car drove past the first Auxiliary Police Officer (“**APO**”) Goh Boon Ping (“**Goh**”), who was stationed along Ardmore Park to warn drivers of the vehicle checks ahead.¹ The Deceased did not heed APO Goh’s waving of his traffic wand to slow down and also disregarded a “*Slow Down Police Check Ahead*” sign.

19 APO Muhd Riau Alfian (“**Riau**”) was stationed between the first and second layer of concrete barriers to control and direct traffic towards the VCS.² APO Riau also noticed that the Car was approaching him in a fast manner, and waved his traffic wand to signal to the Deceased to slow down. The Car came to a stop in front of APO Riau. APO Riau approached the front passenger’s door. The front passenger wound down his window and APO Riau saw three male Malay subjects in the Car. APO Riau asked the trio where they were headed. Mohamed replied that they were intending to drive straight, before turning left at the junction of Ardmore Road and Anderson Road. APO Riau then directed them to proceed towards the VCS.

20 Sgt Daryl Ng (“**Daryl**”) and SSgt Keith Wang (“**Keith**”) were stationed at the VCS³ to stop and engage all vehicles entering the VCS. A “Police Stop” sign was displayed at their position. A third layer of concrete barriers was placed at the beginning of the VCS. The Deceased drove into the VCS and came to a stop where these two officers were stationed.

21 Sgt Daryl and SSgt Keith approached the Car and stood on the left side of the Car. Sgt Daryl knocked on the front passenger window and signalled for it to be wound down. SSgt Keith also asked the Deceased to wind down the left rear window. Sgt Daryl saw the Deceased pressing a button located at the driver’s door but the rear window did not budge.

¹ Area 1 of the Sketch Plan refers.

² Area 2 of the Sketch Plan refers.

³ Area 3 of the Sketch Plan refers.

22 Mohamed then told Sgt Daryl that the rear window was spoilt. As SSgt Keith reached forward to open the rear left passenger door slightly, the rear window started to wind down. SSgt Keith then closed the passenger door and found this behavior suspicious.

23 After SSgt Keith closed the rear left passenger door, Syahid appeared agitated and asked the two officers why they were being checked. Before the officers could reply, Syahid suddenly shouted “Jalan! Jalan!” meaning “Go! Go!” in English. The Deceased started revving the engine, and the Car began to accelerate. The windows were also winding up as the Car drove through the VCS.

24 Sgt Daryl moved alongside the car, tapped on the windows repeatedly and shouted ‘Stop!’, but the Car continued to accelerate towards the final line of concrete barriers. Seeing that the Car was about to crash into the concrete barriers, SSgt Keith shouted ‘Crash through!’ twice to alert the other officers in the VCS.

25 SSSgt See Toa Chew Yin was deployed at the junction of Anderson Road and Ardmore Road where the final line of concrete barriers and a Police Ford SUV was deployed. She saw the Car heading towards her direction and raised her left hand to signal the Deceased to stop the Car. However, as the car was approaching her direction at a fast speed, she took a few steps back to avoid being hit.

26 Insp James Rai S/O Nelamohan (“**Insp James**”) saw the Car accelerating towards the barriers without checks. As the Car crashed through the barriers notwithstanding repeated warnings, he sounded the air horn and shouted ‘Dash Through!’ several times.

27 GC Officer 1 and GC Officer 2 were stationed along Anderson Road, facing the oncoming Car, which was accelerating through the VCS without undergoing necessary checks. GC Officer 1 and GC Officer 2 had noticed the police officers engaging the occupants of the Car and that the Car had driven off without being checked and cleared by the police officers.

28 Upon seeing the Car accelerating towards the final line of concrete barriers, GC Officer 1 and GC Officer 2 stepped off the kerb and moved towards the Car.

They readied their weapons and raised them to shoulder-level, shouting 'Police, stop!' repeatedly as they walked towards the moving Car. However, the Car continued to accelerate towards the concrete barriers and crashed through the barriers. GC Officers 1 and 2 heard the alert raised by Insp James.

29 The Car did not show any sign of slowing down, despite the repeated verbal warnings by GC Officer 1 and GC Officer 2. The Car turned to the left, approaching the Shangri-La Hotel and surrounding residential apartments. To prevent the Car from travelling further, GC Officer 1 aimed Firearm 1 at the direction of the driver and fired one shot. When the Car continued to veer to its left without stopping, GC Officer 2 aimed Firearm 2 at driver of the moving Car and fired two shots in quick succession.

30 There was still no indication that the Car was stopping. GC Officer 2 then fired two more shots in quick succession towards the driver's direction. At this point, the Car slowed to a crawling speed along Anderson Road and veered to its right. GC Officers 1 and 2 followed the Car for about 30 metres and alerted other security checkpoints of the situation.

31 GC officers 3 and 4 were situated at the checkpoint at the T-junction of Anderson Road and Orange Grove Road. As the Car travelled slowly towards them, they observed Mohamed and Syahid fleeing from the Car. GC Officer 4 shouted "Police, stop!" repeatedly at Mohamed and Syahid.

32 The Car eventually came to a standstill on a grass verge near the junction of Anderson Road and Orange Grove Road. GC Officers 3 and 4 moved forward to check the Car. GC officer 4 observed the Deceased bloodied and slumped in the driver's seat, with an open wound at the side of his head. The Deceased did not display any signs of life.

33 An ambulance was requested for at 4.22 a.m. Tests conducted on the car for traces of explosive particles yielded negative results. At about 4.45 a.m., paramedics at the scene examined the Deceased and pronounced him dead at about 4.54 a.m.

34 Mohamed was arrested at the driveway of Shangri-La Hotel and was found to be in possession of 78 Erimin-5 (containing the controlled drug nimetazepam) tablets as well as several sachets of unknown substances believed to be controlled drugs. The drugs were stored in a black and white sling bag he was carrying at the time of his arrest. These sachets of unknown substances were later determined to be controlled drugs diamorphine and methamphetamine. Mohamed admitted that these drugs belonged to him.

35 Syahid was arrested at Shangri-La Apartments. A black waist pouch was found at the rear passenger floorboard of the Car containing 17 tablets (which were later analysed to be Nimetazepam, also commonly known as 'Erimin-5'), two packets of crystallized substances (later analysed to be methamphetamine, also commonly known as 'Ice'), a small weighing scale, and drug apparatus. Syahid admitted that the pouch belonged to him.

36 The urine samples taken from both Mohamed and Syahid were also tested and showed that they had consumed specified drugs. Mohamed admitted to having consumed heroin (street name for diamorphine) just before meeting the Deceased, while Syahid admitted to having consumed methamphetamine the previous evening. The Deceased's bodily fluids were also examined and traces of specified drugs were found, such as methamphetamine and nimetazepam.

Further Investigations

37 CCTV footages from cameras in the vicinity were retrieved. The first that will be tendered captures the interaction between the Deceased and APO Riau. This took place at Area 2 of the Sketch Plan near the entrance of the Le Nouvel Ardmore

38 The second footage is from the entrance of the Ardmore II condominium, at Area 3 of the Sketch Plan. It shows the interaction between the police officers Daryl and Keith and the occupants of the Car. It also captures the Car accelerating away from the officers towards the final line of concrete barriers.

39 The third footage we will be adducing today is from a police camera mounted above the VCAT and facing directly towards the VCS. This covers Areas 3 and 4 of

the Sketch Plan. The video captures clearly the Car crashing through the concrete barrier and turning to its left. The video also shows a black taxi, driven by Mr Chong Koi Pin (“**Koi Pin**”), queued up behind the Car at the VCS. I will later refer to Koi Pin’s evidence.

40 The senior forensic scientist from the Health Sciences Authority’s Forensic Chemistry and Physics Laboratory closely examined the scene, the Car, the CCTV footage and the firearms and ammunition to reconstruct how many shots were fired, in what sequence, and which shot was the fatal one. This diagram shows the outcome of his analysis.

41 The blue cone represents the estimated projectile path from Firearm 1, carried by GC officer 1. This caused damage A in the middle of the windshield, which was widely captured in media photographs.

42 The four green cones represent the estimated projectile paths from Firearm 2, carried by GC officer 2. This officer informed that he fired a total of four shots in groups of two. The first and second shots caused damage D and C respectively. It can be seen that they were aimed towards the driver of the Car. The first shot went through the Car and exited at damage F.

43 The third and fourth shots caused damage B and E respectively. From the various angles of impact, the senior forensic scientist stated that the first shot was fired as the Car was approaching the shooter, the second and third shots as the Car drove past the shooter and the fourth shot fired as the Car was moving away from the shooter. Keep in mind the angle of the 4th shot resulting in Damage E when we discuss the autopsy report. The projectile would have entered the Car from the right rear of the driver.

44 In a second diagram, the senior forensic scientist shows at 1C the likely position of the Car when it was fired at. This was clearly after it had crashed through the final line of concrete barriers.

45 The autopsy report certified the cause of death to be a gunshot wound to the head. A penetrating injury approximately 4cm behind the right upper ear insertion is

believed to be the entry wound caused by a high velocity bullet. The bullet is believed to have fragmented upon impact with the skull. The forensic pathologist was of the opinion that “it is most likely that the large gaping laceration on the right side back of the head represented an entry wound from a single projectile with no exit wound”.

46 The senior forensic scientist took into consideration the forensic pathologist’s report as well as the bloodstain pattern analysis report and concluded that the fourth shot (that resulted in damage E and fired as the Car was moving away from the shooter) was the shot that struck the deceased.

47 I would highlight three points arising from the evidence.

48 First, the incident took place very near the Shangri-La Hotel where the Shangri-La dialogues were being held. The Event involved defence ministers, defence officials and military chiefs from 27 countries. The Singapore Police Force therefore adopted a high level of security for the Event, given its significant potential as a prime target for terrorist attacks. Vehicle-borne Improvised Explosive Devices (VBIED) were known as a prevalent type of weapon in terrorist attacks. A Vehicle Check Station (VCS) was thus set up.

49 Second, at the point that the Car crashed through the concrete barriers at the VCS, it was not known to any of the officers what was inside the car (since it crashed through before checks could be made), why it crashed through, nor where it was heading. Having crashed through, the officers did not have any opportunity to verify, and had to respond.

50 Third, it is the evidence of the witnesses, that the shots were fired *after* the Car crashed through the concrete barriers and started to turn left onto Anderson Road.

- a. This was the evidence of officers GC1 and GC2 who fired the shots.
- b. It is also the consistent evidence from the police statements and conditioned statements of all witnesses, that the gun shots were heard only

after the car had crashed through the concrete barriers and started to turn left onto Anderson Road. These include:

- i. the police officers at the scene at the time of the incident;
- ii. the two passengers in the car (Syahid and Mohamed); and
- iii. the driver of the black taxi (Koi Pin) that was queued up just behind the Car at the VCS.

Investigation into the background of the deceased and the two passengers

51 Following the incident, further investigations have shed light into the background of the Deceased and his two passengers. Notably, such background was not apparent to the officers at the VCS at the time of the incident. I will share about their background, to allow for a better understanding of their actions at this Coroner's Inquiry.

52 The Deceased had antecedents for theft, robbery, and for impersonating a public servant. A Warrant of Arrest had been issued against him for failing to be present at a Pre-trial Conference fixed on 21 May 2015. The charges relating to the warrant were that of theft in dwelling and criminal intimidation under the Penal Code (Cap. 224), and the consumption of a specified drug (methamphetamine) under the Misuse of Drugs Act (Cap. 185). The complainant in both the theft and criminal intimidation charges was the Deceased's younger sister, Farahzilawati binte Zahar.

53 At the material time, the car driven by the Deceased had been rented by his wife. He had quarrelled with his wife the previous evening about their finances and about him staying out late at night. After his wife retired to bed at about midnight, the Deceased took the keys to the Car and drove the Car out without his wife's consent. He did not possess a valid driving licence at the time.

54 Mohamed, who was the front passenger of the Car at the time of the incident has criminal antecedents include rioting and drug-related offences. At the time of his arrest, he was "wanted" by the Central Narcotics Bureau (the "CNB") and the Police for drug-related offences and failing to stop at a road block.

55 Syahid, the rear centre passenger of the Car at the time of the incident, has criminal antecedents for drug-related offences, robbery, theft, theft-in-dwelling, rioting, and voluntarily causing hurt by dangerous means.

56 In the early morning hours of 31 May 2015, the Deceased, Mohamed and Syahid were headed from Geylang to Orchard Towers, to 'look for girls'. Syahid informed that while all three of them were in the Car, the Deceased suggested that in the event the Car should encounter any police road blocks, they would all try and escape the road block. All agreed with the Deceased's suggestion. Syahid agreed to do this as he was in possession of controlled drugs and had consumed the specified drug methamphetamine the previous evening. Both the Deceased and Mohamed had outstanding warrants for their arrests, and Mohamed was also in possession of controlled drugs and had consumed the specified drug diamorphine (street name 'heroin') a few hours earlier.

57 At Draycott Drive towards the direction of Draycott Park, the Deceased missed the turn into Claymore Hill. As such, he took the next turn into Draycott Drive towards the direction of Ardmore Park and the VCS. It was at the VCS that the incident took place.

Conclusion

58 Your Honour, we are committed to presenting all the relevant evidence to the Court, so that a proper determination can be made as to the cause of and circumstances surrounding the deceased's death. To this end, the conditioned statements of all relevant witnesses, forensic reports and sketch plan have been extended to this Court and to parties.

59 With that introduction, we seek Your Honour's leave to call the first witness.

Kwek Mean Luck, Second Solicitor-General
Yang Ziliang, State Counsel
Ruth Teng, State Counsel