# Public Prosecutor v Vincent Lee Chuan Leong
# [2000] SGHC 78

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| **Case Number** | : CC 32/2000 |
| **Decision Date** | : 04 May 2000 |
| **Tribunal/Court** | : High Court |
| **Coram** | : Chan Seng Onn JC |
| **Counsel Name(s)** | : Francis Tseng with Winston Cheng and Edwin San (Attorney-General's Chambers) for the prosecution; Edmond Pereira (Edmond Pereira & Partners) for the accused |
| **Parties** | : Public Prosecutor — Vincent Lee Chuan Leong |

## JUDGMENT:

### GROUNDS OF JUDGMENT

1. The accused pleaded guilty before me to the following charge :

> That you, **LEE CHUAN LEONG VINCENT**
>
> some time between 7:30 p.m on the 9th day of September 1999, along Sian Tuan Avenue, Singapore and 08:00 am on the 12th day of September 1999 at 43 Lorong Kismis, Singapore, together with Zhou Jian Guang and Shi Song Jing, and in furtherance of the common intention of you all, abducted one Sandi Yong Sze Hui, female aged 14 years, with intent to hold the said Sandi Yong Sze Hui for ransom, and you have thereby committed an offence punishable under Section 3 of the Kidnapping Act, Chapter 151 read with Section 34 of the Penal Code, Chapter 224.

2. Upon his conviction on his plea of guilt, an outstanding charge of criminal conspiracy to commit kidnapping for ransom was withdrawn. The accused admitted without any qualification to the following statement of facts:

**The Statement of Facts**

The Accused person is Lee Chuan Leong Vincent (hereinafter "the accused") male / 33 years, NRIC : S 1773673 F of Blk 552 Pasir Ris St 52 #10-87.

> 2. The victim is Yong Sze Hui, (hereinafter " the victim ") female / 14 years, a Secondary 2 student of Monk's Hill Secondary School. She is residing at No. 25 Sian Tuan Avenue, Singapore.
>
> 3. Investigations revealed that sometime in early August 1999, the accused met Zhou Jian Guang @ Guo Ping, ( hereinafter "Guo Ping" ), male / 26 years and Shi Song Jing @ Ah Jing ) male / 29 years at a coffee shop located behind Hougang Plaza. Guo Ping and Ah Jing are both nationals of the People's Republic of China. Guo Ping and Ah Jing asked the accused whether he could help them find a job in Singapore. A few days later, they met up again at a hawker centre in Hougang.

There, the accused suggested that they conduct a kidnap for ransom and came up with the details to execute the scheme. Guo Ping and Ah Jing agreed to the plan suggested by the accused.

4. On 25 August 1999, the accused rented a house at No. 43 Lorong Kismis through a housing agent from Mr K Sivanathan. The accused paid for the rental of the house by way of a United Overseas Bank ( "UOB" ) cheque amounting to $2,600. The accused also paid the housing agent, Mr Tham See Weng, $325 as commission by way of another UOB cheque. The purpose of renting this house was to keep the victim there for the duration of the kidnapping.

5. On 26 August 1999, the accused proceeded to M/s National Automobile Service at Block 5033 Ang Mo Kio Industrial Park 2 #01-279. There, he rented a Toyota LiteAce motor van, bearing registration number GQ 3466 Y (hereinafter "the vehicle" ). The accused paid for the rental of the vehicle using his Overseas Chinese Banking Corporation Visa credit card.

6. On the same day, the accused went to a shop in Ubi Industrial Estate. There, he paid for a pair of false vehicle licence plates bearing number GQ 6292. Later that day, the accused and Ah Jing fixed the false licence plates on to the vehicle.

7 From 26 August 1999 till 8 September 1999, the accused, together with Guo Ping and Ah Jing, drove around Singapore looking for victims to kidnap. The profile of their intended target was that of a young schoolgirl. They decided to roam the Bukit Timah area as they felt that it was a "rich man" area.

8. On 9 September 1999, the victim was walking alone along Sian Tuan Avenue on her way home. Near the junction of Sian Tuan Ave and Hua Guan Lane, the vehicle was driven up to the victim. The accused was the driver of the vehicle. Ah Jing grabbed the victim and pulled her into the van while Guo Ping closed the sliding door of the van As the accused drove off, Guo Ping and Ah Jing blindfolded the victim and tied her up using adhesive tapes.

9. Upon arriving at No. 43 Lorong Kismis, the victim was carried into one of the bedrooms of the house by Ah Jing. The accused then asked the victim questions pertaining to her family's wealth and background. The accused also obtained the victim's father's handphone and residence telephone numbers from her.

10. Shortly before 9.00 p.m. on 9 September 1999, the victim's father, Mr Yong Cher Keng, ( hereinafter "Mr Yong" ) received a call on his handphone from the accused who spoke in Mandarin. The accused informed Mr Yong that the victim was in his hands and demanded a sum of $500,000 for the release of the victim if he wanted to see the victim again. The accused then hung up the phone.

11. About 3 minutes later, Mr Yong again received another call from the accused on his handphone. This time, the accused asked him if he had any problem in raising the said amount of $500,000. Mr Yong expressed his difficulty in raising the money. The accused then informed Mr Yong that he would call him back about half an hour later. Immediately after this call, Mr Yong called '999' and reported the matter to the police.

12. From the time of the police report till the release of the victim there were numerous calls made by the accused to Mr Yong. Mr Yong negotiated with the accused for the ransom to be reduced and it was eventually agreed that the amount would be $330,000. During three of the phone calls, Mr Yong was allowed to speak to the victim. On the instructions of the accused, the victim told Mr Yong that she was safe and that he should not alert the Police and that he should get the ransom money ready. The accused also told Mr Yong to put the ransom money in a bag for delivery. Mr Yong replied that he had a black bag that he would use for the purpose.

13. In the evening on 11 September 1999, the accused gave instructions for Mr Yong to drive to Ponggol Marina Park to deliver the ransom money. Mr Yong complied, bringing along with him a black bag containing $330,000. Thereafter, Mr Yong was told to drive to Blk 127 Tampines St 11 where he was given further instructions on his handphone by Ah Jing as to where to drop off the money. The bag containing the money was finally dropped off at the grass verge near the overhead bridge. There the money was collected by the accused and Ah Jing. On the way back, they threw the bag out of the car after transferring the money into another carrier. Ah Jing then alighted from the car somewhere at Hougang taking along with him the ransom money as the accused and he felt they were being followed.

14. Guo Ping remained with the victim in the house at No. 43, Lorong Kismis when Ah Jing went with the accused to collect the ransom money. She was blindfolded throughout her stay at No. 43 Lorong Kismis for a period of about 60 hours.

15. On 12 September 1999 at about 7.40 a.m., the victim was released. She managed to take a taxi and return home.

16. At about 8.00 a.m., upon confirming that the victim had already been safely released, the police arrested the accused at his residence at Blk 552 Pasir Ris St 52 #10-87. On 14 September 1999 at 12.35 a.m., Guo Ping and Ah Jing were arrested at a HDB flat in Telok Blangah Crescent.

Mitigation Plea

3. Counsel for the accused urged the court to take into account the accused's plea of guilt as a mitigating factor. He submitted that the accused realised that what he did was wrong. He admitted his wrong to the police in his first statement and had maintained that stand throughout. Counsel submitted that only a sentence of life imprisonment should be imposed because:

(a) no acts of violence or injury was inflicted on the victim;

(b) although there were some words of threats uttered to the victim, none of the threats were carried out;

(c) the victim was not specifically targetted;

(d) the victim was taken care of and provided with food and her daily needs while under captivity.

4. Counsel stated that the accused deeply regretted the trauma caused to the victim including the pain and hardship caused to the family. Additionally, he would testify for the prosecution in the pending trial against his accomplices, Zhou Jian Guang and Shi Song Jing. Some personal background of the accused was given as part of the mitigation. Apparently, the accused was driven to commit the kidnapping because of the heavy financial losses he suffered in his share trading and the mounting medical bills arising from the late stage of his wife's pregnancy at that time. He was desperate. He therefore suggested the kidnapping scheme to Jian Guang and Song Jing whereby they could all be enriched. Counsel explained that the accused had to hire the van and rent the house to hide the kidnapped victim because his accomplices were foreign Chinese nationals and had no valid documents. It was not disputed by the prosecution that the accused fully cooperated with the police in their investigations and had led the police to the place where the victim was detained. He had informed the police of the identity of his accomplices and had assisted the police officers in trapping them.

5. Counsel further submitted that caning was inappropriate and that life imprisonment itself was a sufficient deterrent. He referred me to:

1. *Sia Ah Kew & Ors v. P.P.* (1972-1974) SLR 208

2. *P.P. v. Lee Soon Lee Vincent* (1998) 3 SLR 552 @ 555

**My decision**

6. I did not think it was appropriate to sentence the accused to death as the accused had pleaded guilty, he and his two accomplices were not armed and the victim was not ill-treated or hurt in any way except for the trauma which she suffered from being kidnapped and blindfolded for a considerable period of time. I decided that the alternative sentence of life imprisonment was the proper sentence in the particular circumstances of this case. However, I was at first minded to impose 6 strokes of the cane on the accused having regard to the fact that he was the mastermind, who hatched this detestable criminal scheme to kidnap for ransom a young vulnerable schoolgirl and he had further drawn in other persons to help him carry it through. A young schoolgirl was made to suffer the trauma of being kidnapped and blindfolded for some 60 hours. Sometimes the deleterious psychological effects could be more serious and longer lasting than the pain from physical injury. The victim's parents and other family members must have been put to extreme anxiety and worry, more particularly since the kidnappers had threatened to kill the child if the ransom sum was not paid.

7. After hearing the persuasive mitigation by defence counsel, I invited the prosecution to submit on the sentence. However, the learned DPP, Mr Francis Tseng, informed me that he was not making any submissions.

8. Therefore, having regard to the accused's plea of guilt, the absence of a criminal record, his full cooperation with the police during the entire investigations, his willingness to testify for the prosecution against his accomplices, the character references that were placed before me, and after taking into account other significant facts that the kidnappers were not armed, the victim was not hurt and was well looked after and released as soon as the ransom was paid, I decided to be lenient to the accused and did not impose any caning. Accordingly, I sentenced him to the minimum sentence of life imprisonment without any caning and backdated that sentence to the date of his remand.

Despite this, the accused is dissatisfied with the sentence and has appealed.

Dated this 4th day of May 2000.

CHAN SENG ONN

Judicial Commissioner

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