IN THE GENERAL DIVISION OF
THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

[2026] SGHC 214

Magistrate's Appeal No 9082 of 2026/01

Between

Low Man Hong

… *Appellant*

And

Public Prosecutor

… *Respondent*

GROUNDS OF DECISION

[Criminal Procedure and Sentencing — Appeal — Appeal against conviction]
[Criminal Law — Statutory offences — Section 65 Road Traffic Act 1961 (2020 Rev Ed)]

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Low Man Hong
v
Public Prosecutor

[2026] SGHC 214

General Division of the High Court — Magistrate's Appeal No 9082 of 2026
See Kee Oon JAD
4 September 2026

14 October 2026

See Kee Oon JAD:

Introduction

1 The appellant claimed trial in a District Court to one charge of driving without due care and attention causing death, an offence under s 65(1)(*a*) of the Road Traffic Act 1961 (2020 Rev Ed) ("RTA"), punishable under s 65(2)(*a*) read with s 65(6)(*a*) of the RTA. After a four-day trial, the district judge ("DJ") below convicted the appellant on this charge and sentenced him to six months' imprisonment. The DJ also imposed a disqualification order ("DQ") of eight years with effect from the appellant's date of release. The DJ's grounds of decision are found in *Public Prosecutor v Low Man Hong* [2026] SGDC 152 ("GD").

2 In HC/MA 9082/2026/01 ("MA 9082"), the appellant appealed against his conviction only. Having considered the parties' submissions, I dismissed the

appeal. In doing so, I delivered brief oral remarks. I now furnish full reasons in writing for my decision.

Factual background

3 The factual basis for the appellant's conviction is extensively set out in the GD. The main background facts were undisputed and were set out in an Agreed Statement of Facts. I outline the salient facts briefly as follows.

4 The appellant was employed as a bus driver by Tower Transit Singapore Pte Ltd. On 20 June 2022, he drove a double-decker bus bearing the registration number SMB3609K ("Bus"). Shortly before 10.26pm, the appellant was driving the Bus along Ang Mo Kio Avenue 1 towards Boundary Road on lane 3 of the three-lane road. When the Bus approached the signalised junction between Ang Mo Kio Avenue 1 and Ang Mo Kio Avenue 3, the traffic light along Ang Mo Kio Avenue 1 was red, and the Bus came to a complete stop before the stop line at the signalised junction. At this time, the pedestrian light in the same direction along Ang Mo Kio Avenue 1 also showed a red man, and a 61-year-old female ("Deceased") was standing on the pavement of the signalised pedestrian crossing of this junction.

5 After the traffic light along Ang Mo Kio Avenue 1 turned green and the pedestrian light also turned to show a green man, the appellant began to execute a left turn from Ang Mo Kio Avenue 1 to Ang Mo Kio Avenue 3. At around the same time, the Deceased began walking from the abovementioned pavement and started crossing the road at the signalised pedestrian crossing along Ang Mo Kio Avenue 1. The appellant did not notice the Deceased crossing the road. The front left portion of the Bus collided onto the Deceased ("the Collision"), causing the Deceased to fall and to be run over by the Bus. The appellant did

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not notice the Collision between the Bus and the Deceased and continued driving the Bus. The Deceased was dragged along the road under the Bus for approximately 82.2m before she was eventually separated from the rear of the Bus near the junction of Ang Mo Kio Avenue 3 and Ang Mo Kio Street 21.

6 At the time of the Collision, the traffic volume was moderate, the road surface was dry, and the weather was clear. At about 10.26pm, the police received a "999" call informing them of the accident. Paramedics and police subsequently arrived at the scene, and the Deceased was pronounced dead at 10.40pm.

7 The appellant only became aware of the Collision on 21 June 2022 after the police notified his company and his company informed him about it. The appellant accepts that the Deceased's death was caused by the Collision with the Bus. Consequently, and as rightly noted by the DJ, the sole issue in dispute during the trial was whether the appellant drove without due care and attention when he was making the left turn at the said junction through the pedestrian crossing.

The proceedings below

The Prosecution's submissions

8 The Prosecution submitted that the appellant did not exercise due care and attention when executing the left turn because:

(a) First, he failed to give himself enough time to assess if it was safe to proceed. The appellant executed the left turn in a continuous motion without stopping or visibly slowing down, in contravention of rr 4 and 7 of the Road Traffic (Pedestrian Crossings) Rules (1990 Rev

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Ed) ("Pedestrian Crossings Rules") and r 9 of the Road Traffic Rules (1999 Rev Ed) ("Road Traffic Rules").

(b) Second, he did not adequately and continuously check behind the two structures on the Bus that obscured his vision, namely, the left A-pillar and the front left door structure, especially when the Bus entered the junction of the pedestrian crossing.

The appellant's submissions

9 The appellant submitted that he had taken all reasonable steps when executing the turn. In particular:

(a) First, he had followed the procedure taught to him during training and performed all the requisite checks when executing the left turn. According to the appellant, this encompassed checking for pedestrians by scanning the pedestrian crossing and the left side of the Bus, leaning his body forward to check his blind spots, checking the left side mirror and rearview mirror, and finally turning his head to look outside the left side of the Bus body and door.

(b) Second, and contrary to the Prosecution's case, the appellant did not breach r 4 or r 7 of the Pedestrian Crossings Rules.

(c) Third, the Prosecution had failed to prove that slowing down or stopping the Bus, or re-checking the appellant's blind spots, would have allowed the appellant to detect the Deceased and avoid the Collision.

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The DJ's decision

10 Preliminarily, the DJ below acknowledged that the applicable standard of care was that expected of a reasonable and prudent driver. This standard was not determined in a vacuum, but in accordance with the type of road and prevailing traffic conditions faced by the accused (GD at [33]).

11 The DJ held that pedestrians had precedence at pedestrian crossings, and that when drivers made left turns, they must proceed with due regard for the safety of pedestrians. In coming to this conclusion, the DJ considered the following (GD at [35]–[36]):

(a) Rule 9 of the Road Traffic Rules states that where left turns are permitted at junctions, the driver of the vehicle shall proceed "with due regard for the safety of pedestrians crossing the road".

(b) Rule 7 of the Pedestrian Crossings Rules states that pedestrians who are about to enter or have entered a crossing shall be permitted free and uninterrupted passage over the crossing by all drivers of vehicles who are approaching the crossing, notwithstanding that such drivers might already have received a signal to proceed from light signals.

(c) Rule 4 of the Pedestrian Crossings Rules states that the driver of a vehicle who is in the process of turning his vehicle at a junction where there is a pedestrian crossing *shall* stop his vehicle in order to give way to any pedestrian who is either crossing or is starting to cross the junction.

(d) Rule 5 of the Pedestrian Crossings Rules states that the driver of every vehicle approaching a pedestrian crossing must proceed only at

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such speed as would enable him to stop his vehicle before reaching the crossing.

12 On this footing, the DJ found that the appellant had fallen below the requisite standard of care in two key respects (GD at [40]):

(a) First, the appellant failed to keep a proper lookout when executing the left turn.

(b) Second, the appellant failed to stop at the pedestrian crossing to give way to the Deceased, thereby breaching r 4 of the Pedestrian Crossings Rules.

13 Briefly, the DJ noted that there were two zones of obstruction to the appellant's view when he was seated in his usual driving position in the driver's seat of the Bus. These two zones of obstruction were caused by the left A-pillar and left front door structure of the Bus (GD at [42]). The DJ also noted that by adjusting his body position while in the driver's seat, it would have been possible for the appellant to see behind the region obstructed (GD at [46]). The DJ then referred to *Public Prosecutor v Tan Phuay Khoo* [2023] SGDC 297 ("*Tan Phuay Khoo*") at [57] and [63] for the proposition that a driver ought to "take the necessary steps to overcome that sight barrier in order to keep a proper lookout for any pedestrians" (GD at [47]).

14 The DJ rejected the appellant's oral evidence that he had done all the requisite checks (summarised above at [9(a)]). The DJ found that, based on the in-vehicle camera footage from the Bus, "[i]t was clear" to the DJ that the appellant "only turned his head a few times to the left and leaned forward slightly for a few seconds at the start of the turn, *before* the Bus reached the dotted lines demarcating the pedestrian crossing". The DJ also found that after

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the appellant had done the above, the appellant then looked straight and made the turn in one continuous motion without visibly slowing or stopping (GD at [48]).

15 On that footing, the DJ held that these checks, which the appellant had done at the beginning of the turn, were "insufficient to account for the dynamic field of vision that constantly changed as he navigated the turn". The DJ held that the appellant had failed to keep a lookout by re-checking leftwards for pedestrians when he was executing the left turn, and had failed to move his body leftwards or forwards so as to overcome the visual impediments caused by the blind spots behind the left A-pillar and the left front door structure (GD at [49]–[51]).

16 As for the appellant's failure to stop at the pedestrian crossing to give way to the Deceased, the DJ held that this was in contravention of r 4 of the Pedestrian Crossings Rules, and found that this "fortified" her conclusion that the appellant had driven without due care and attention (GD at [60]). Rule 4 of the Pedestrian Crossings Rules states:

> **Precedence for pedestrians, cyclists, mobility vehicle users and PMD riders**
>
> **4.** The driver of a vehicle who is in the process of turning his vehicle at a road intersection or junction where there is a pedestrian crossing shall stop his vehicle in order to give way to any pedestrian, cyclist, mobility vehicle user or PMD rider who is either crossing or is starting to cross the intersection or junction.

17 The DJ found that r 4 of the Pedestrian Crossings Rules set out an objective rule, that where there was a pedestrian either crossing or starting to cross the junction, drivers must stop in order to give way to the pedestrian (GD at [55]–[57]). The DJ rejected the appellant's submission that r 4 was

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subjective, *viz*, that every driver turning at a pedestrian crossing must stop *only if he noticed* a pedestrian who is crossing or starting to cross the junction. In the DJ's view, r 4 and the surrounding rules (recounted above at [11]) established the precedence of pedestrians at pedestrian crossings. Accordingly, the DJ reasoned that Rule 4 inherently presupposed that a driver must perform proper checks to detect such pedestrians. Therefore, in the DJ's view, it could not have been Parliament's intention that the driver's mandatory obligation to stop is contingent on whether a driver *subjectively perceived* the pedestrian (GD at [58]–[59]).

18 For good measure, the DJ rejected, as irrelevant, the appellant's contention that the Prosecution had not shown that slowing down or stopping the Bus or re-checking blind spots could have led to him noticing the Deceased and avoiding the Collision. The DJ noted that if the appellant had taken all reasonable steps, he would not be guilty of an offence, regardless of whether the Collision had occurred or not (GD at [39]).

The parties' cases on appeal

19 In MA 9082, the appellant essentially repeated his submissions below. In brief, the appellant submitted that:

(a) the DJ erred in finding that he failed to look leftwards for pedestrians when executing the left turn;

(b) the DJ erred in finding that he ought to have leaned forward or leftward to re-check his blind spots when executing the turn; and

(c) the DJ erred in finding that he breached r 4 of the Pedestrian Crossings Rules.

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20 Conversely, the Prosecution submitted that the DJ's reasoning disclosed no error, and that MA 9082 ought to be dismissed.

21 Accordingly, I assessed the DJ's reasons in light of these alleged errors (recounted above at [19]).

My decision

Whether the appellant kept a proper lookout

22 I first considered whether the DJ had erred in finding that the appellant failed to keep a proper lookout.

23 The appellant disputed the DJ's characterisation of what he was depicted as doing in the in-vehicle camera footage from the Bus. As recounted above (at [14]), the DJ watched the footage and concluded that the appellant "only turned his head a few times to the left and leaned forward slightly for a few seconds at the start of the turn, before the Bus reached the dotted lines demarcating the pedestrian crossing", and that afterwards, the appellant looked straight and made the turn in one continuous motion without visibly slowing or stopping (GD at [48]).

24 Instead, the appellant submitted that he was depicted as performing the following actions in sequence:

(a) As the Bus moved off from the stationary position, the appellant leaned forward and turned his head slightly to the left to check his blind spots.

(b) The appellant then looked forward to scan the front of the Bus.

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(c) The appellant then turned his head "about 90 degrees" to the left to scan the left side of the Bus, before returning his focus to the front-left portion of the Bus with his head turned slightly to the left.

(d) The appellant turned his head "about 90 degrees" to the left for a second time to scan the left side of the Bus.

(e) The appellant then maintained his focus on the front-left portion of the Bus with his head turned slightly to the left until he completed the turn.

25 On that footing, the appellant submitted that "it cannot be said that [he] was merely looking 'straight ahead' as he made the turn".

26 The appellant also submitted that the DJ erred in finding that he ought to have leaned forward or leftward to re-check his blind spots when turning. The appellant submitted that, contrary to the DJ's reasoning, r 9 of the Road Traffic Rules and rr 4, 5 and 7 of the Pedestrian Crossings Rules do not address the specific issue of "whether a reasonable bus driver, who has already leaned forward to check his blind spots once at the start of the turn and has thereafter continued to scan his left and front-left portions of the Bus for pedestrians, ought *additionally* to have leaned forward or leftward again to re-check those same blind spots before completing the turn".

27 Relatedly, the appellant submitted that the DJ had misinterpreted *Tan Phuay Khoo* at [57], which I reproduce below for ease of reference:

> 57 In my view, for a driver to keep a proper lookout, he or she needs to have a proper view of the road in order to check for potential hazards, and where this view is impeded or obscured – whether partially or entirely – then steps ought to

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> be taken to compensate for the obscuration to ensure that a proper view is had.

28 The appellant submitted that in the instant case, the phrase "a proper view" cannot mean "a completely unobstructed view as no such view is achievable given the structural blind spots of the Bus". Instead, the appellant submitted that "proper view" meant "a reasonably comprehensive view – one that gives a bus driver an acceptably high chance of detecting any pedestrians or hazards in his path". On that footing, the appellant submitted that his conduct gave him a "reasonably high chance of detecting any pedestrians crossing or about to cross the road" and that this accorded with what was reasonably expected of a bus driver.

29 I found the appellant's submissions on this point unpersuasive. As a matter of law, it is clear what is expected of drivers placed in the appellant's position.

30 Rule 9(2) of the Road Traffic Rules states the following:

> (2) At particular intersections or junctions where the turn to the left into crossing traffic is permitted, notices, lines or signs as defined in the Road Traffic (Traffic Signs) Rules (R 33) shall be placed to indicate such permission; and in such case the driver or rider of the vehicle **shall proceed with due regard for the safety of pedestrians** crossing the road and of the traffic stream which the vehicle seeks to enter. [emphasis added]

31 I agreed with the DJ's reasoning (GD at [36]) that such due regard must encompass keeping a proper lookout, and the keeping of a proper lookout must require the checking of blind spots. To begin with, the "structural blind spots of the Bus" (see [28] above) were due to the sight barriers which were not unknown or unexpected obstructions as far as the appellant was concerned. It was thus entirely incumbent on the appellant to exercise a high degree of care. As a matter

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of logic, due regard for the safety of pedestrians cannot be had if drivers were not required to exercise due care and make necessary endeavours to detect their presence while crossing the road, particularly where the driver's view was obstructed in some manner. This coheres with r 7 of the Pedestrian Crossings Rules, which states the following:

> **Precedence at controlled crossing**
>
> 7. Wherever there is a pedestrian crossing at a road intersection or junction where traffic is controlled by a police officer or by light signals, every pedestrian, cyclist, mobility vehicle user and PMD rider who is about to enter or has entered such crossing **shall be permitted free and uninterrupted passage over the crossing by all drivers** of vehicles who are approaching the crossing notwithstanding that such drivers may have already received a signal to proceed either from the light signals or the police officer, as the case may be. [emphasis added]

32 Plainly, the right of pedestrians to expect "free and uninterrupted passage over the crossing by all drivers" would be nugatory if pedestrians themselves were somehow expected to compensate for the blind spots of oncoming drivers. Adding such a gloss on r 7 of the Pedestrian Crossings Rules would turn the rule on its head and is obviously untenable. That burden to properly check for blind spots *must* fall on the drivers themselves.

33 It was not the appellant's case, as I understood it, that the "structural blind spots of the Bus" which were created by the sight barriers were physically incapable of being overcome. Neither did he assert that he could not have taken the necessary steps to overcome them. His case was essentially that notwithstanding the "structural blind spots", he already had a "reasonably comprehensive view", and what he had done was sufficient to show that he had kept a proper lookout. However, this argument rings hollow given that he had completely failed to notice the Deceased when she was crossing the pedestrian

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crossing while she had full precedence in accordance with r 7 of the Pedestrian Crossings Rules.

34 With these observations in mind, it became clear that the DJ's interpretation of *Tan Phuay Khoo* was legally sound. For the avoidance of doubt, I rejected the appellant's submission that the "proper view" contemplated in *Tan Phuay Khoo* merely required drivers to have "a reasonably comprehensive view" that gave "an acceptably high chance of detecting any pedestrians". A proper view is one where adequate steps are taken to compensate for partial and/or total obscuration, or in other words, where blind spots are properly checked.

35 Consequently, the appellant ought to have, *when* the Bus was about to enter the pedestrian crossing, re-checked leftwards and moved his body leftwards or forwards to overcome the visual impediments caused by the blind spots behind the left A-pillar and the left front door structure.

36 To better illustrate this point, the DJ had reproduced images of the sight barriers as well as the reconstructed zones of obstruction resulting from these sight barriers (*ie*, the left A-pillar and the left front door structure) in her GD, which I now reproduce below:

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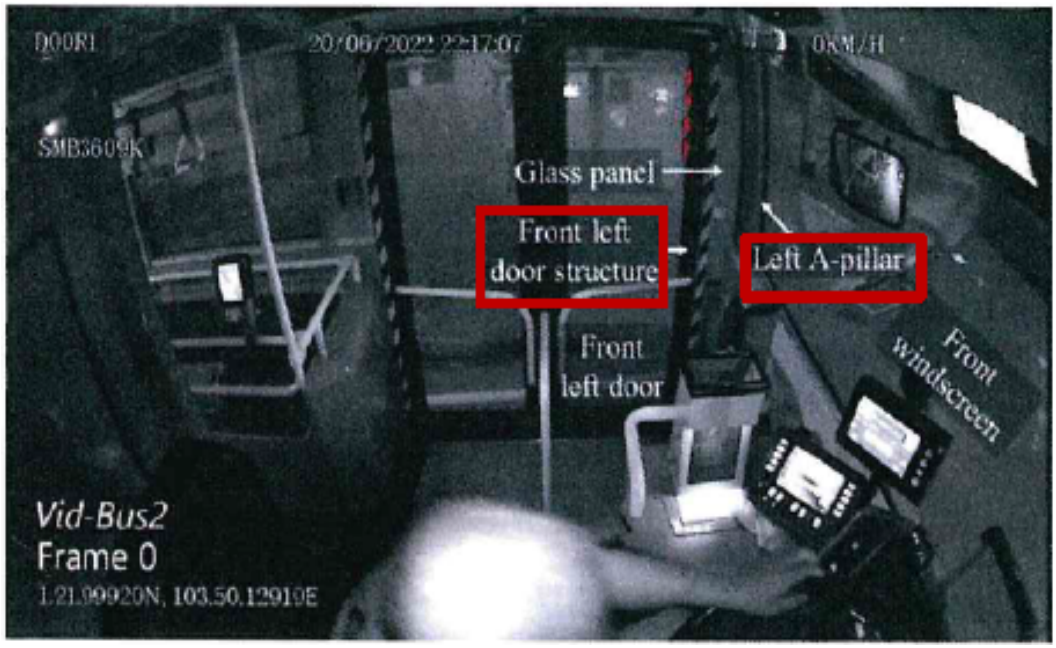

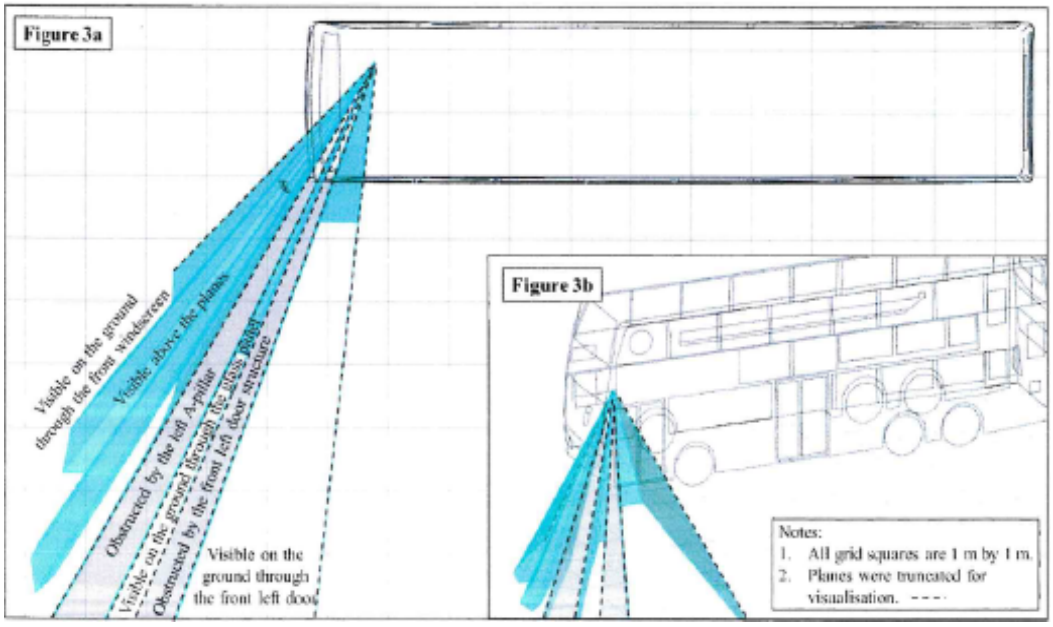

Figures 3a, 3b and 4 (exhibited in the GD at [42]–[43])

37 Evidently, the left A-pillar and the left front door structure constituted a sight barrier to the appellant, who was seated in the driver's seat of the Bus. It

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was incumbent upon the appellant to take the necessary steps to overcome that sight barrier to keep a proper lookout for any pedestrians.

38 It follows that the appellant's attempt to impugn the DJ's characterisation of the in-vehicle camera footage from the Bus was in vain. Plainly, it did not matter whether the appellant "looked straight ahead" or "slightly to the left". As the Bus was about to enter the pedestrian crossing, the law required the appellant to re-check leftwards and move his body leftwards or forwards to overcome the visual impediments caused by the blind spots behind the left A-pillar and the left front door structure. It was clear from the in-vehicle camera footage that the appellant did not do so. Instead, and as the DJ correctly observed, the appellant had only leaned forward for a few seconds at the start of the turn, *before* the Bus reached the dotted lines demarcating the pedestrian crossing (GD at [48]).

39 For completeness, I address the appellant's suggestion that there was an evidential gap in the Prosecution's case. The appellant emphasised that apart from himself, no other witness was called upon to give evidence on what was expected of a reasonable bus driver. On that footing, the appellant suggested that the Prosecution ought to have adduced additional evidence on the requisite standard of care.

40 I found this suggestion to be fallacious. In my view, there was no need for the Prosecution to adduce additional evidence. The Prosecution had discharged its burden of proving the requisite standard of care by drawing the court's attention to the relevant statutory law which governed the conduct in question, *viz*, s 65(1)(*a*) of the RTA, rr 4 and 7 of the Pedestrian Crossings Rules, and r 9 of the Road Traffic Rules. To my mind, the applicable statutory law was unambiguous, and there was no need for additional evidence, let alone

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expert evidence, to be adduced in order to determine what the requisite standard of care was.

41 The Deceased had the full right to "free and uninterrupted passage over the crossing" when the Collision unfortunately happened. The appellant had failed to accord her that right. He had not proceeded with due regard for the safety of the Deceased. Therefore, I affirmed the DJ's finding that the appellant had failed to drive with due care and attention while turning left from Ang Mo Kio Avenue 1 to Ang Mo Kio Avenue 3. Plainly, the appellant had failed to keep a proper lookout in the circumstances.

Whether the appellant breached the Pedestrian Crossings Rules

42 I turn to address the appellant's submissions on r 4 of the Pedestrian Crossings Rules. As recounted above (at [16]–[17]), the DJ found that r 4 of the Pedestrian Crossings Rules set out an objective rule that where there was a pedestrian either crossing or starting to cross the junction, drivers must stop in order to give way to the pedestrian (GD at [55]–[57]). Consequently, the DJ found that the appellant's failure to stop at the pedestrian crossing to give way to the Deceased constituted a contravention of r 4 of the Pedestrian Crossings Rules.

43 The appellant contended, as he did before the DJ, that r 4 of the Pedestrian Crossings Rules was subjective, *viz*, that every driver turning at a pedestrian crossing must stop *only if he noticed* a pedestrian who was crossing or starting to cross the junction. In the appellant's words, a driver cannot "give way" to a person he does not know to be present.

44 In connection with this submission, the anterior question was how the appellant could claim not to know that the Deceased was present. This has been

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addressed in my earlier analysis above; the irresistible inference is that this could only have come about because the appellant had failed to keep a proper lookout. Once the DJ's finding on this aspect was affirmed, this was dispositive of the appeal.

45 In any event, I rejected the notion that r 4 of the Pedestrian Crossings Rules carries any subjective element on the part of the driver of a vehicle. In my view, the DJ had correctly reasoned, based on the plain text of r 4 and its surrounding rules (*ie*, rr 5 and 7 of the Pedestrian Crossings Rules), that r 4 inherently presupposed that a driver must perform proper checks to detect such pedestrians. As the DJ rightly noted, it cannot be that the driver's *mandatory* obligation to stop is contingent on whether a driver *subjectively perceived* the presence of the pedestrian. The only sensible reading of r 4 is that as long as there is a pedestrian who is either crossing or starting to cross the pedestrian crossing, every driver who is about to execute the turn through that pedestrian crossing "shall stop his vehicle in order to give way". Regrettably, the appellant failed to do so, thus causing the fatal Collision.

46 Lastly, in the oral arguments before me, the appellant highlighted what he termed the "unique" and "mysterious" circumstances surrounding the Collision, and the "very low" probability of the Collision happening.

47 I disagreed with these unhelpful and self-serving characterisations. There was nothing unique or mysterious about the undisputed fact that the Deceased was hit by the Bus while crossing a pedestrian crossing when she had every right to do so. There was also no basis to suggest that there was a "very low" probability of the Collision happening.

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48 In this appeal, it was incumbent upon the appellant to show that the DJ's findings of fact were plainly wrong and/or against the weight of the evidence. The appellant simply had not done so, and his repeated assertion that he did not see the Deceased and could not understand how the Collision occurred did not lend more credence to his defence. This was especially so, given the DJ's fundamental finding that the appellant did not see the Deceased because he had failed to keep a proper lookout. That failure to keep a proper lookout was the gravamen of the appellant's charge under s 65(1)(*a*) of the RTA. The DJ's finding was amply justified, and I was satisfied that the DJ was correct to convict the appellant on that charge.

Conclusion

49 For the foregoing reasons, I dismissed MA 9082 and affirmed the appellant's conviction.

See Kee Oon
Judge of the Appellate Division

Ng Cho Yang, Justin and Ho Juan Yao, Andrew (Kalco Law LLC) for the appellant;
Grace Chua and Kenneth Ng (Attorney-General's Chambers) for the respondent.

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