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DISTRICT JUDGE
ANDREW TAN SHAO WENG
29 January 2026

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGDC 47

District Court Originating Claim No 538 of 2024

Between

Wee Soon Wah

... Claimant

And

Syn Chevor Chee Meng Troy
Anthony

... Defendant

District Court Originating Claim No 1089 of 2023

Between

(1) Syn Chevor Chee Meng Troy

... Defendant

And

(2) Wee Soon Wah

... Third Party

FOUNDATIONS OF DECISION

[Tort] – [Negligence] – [Motor Accident] – [Liability]

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Wee Soon Wah

v

Syn Chevor Chee Meng Troy Anthony and another matter

[2026] SGDC 47

District Court Originating Claim Nos 1089 of 2023 and 538 of 2024
District Court's Appeals No. 28 of 2025
District Judge Andrew Tan Shao Weng
11 July 2025, 26 September 2025 and 23 October 2025

29 January 2026

District Judge Andrew Tan Shao Weng:

Introduction

1 On 11 May 2023, at approximately 1230am, Wee Soon Wah (“Mr Wee”) was driving his taxi along the left most lane of Loyang Avenue whilst transporting his passenger Son Doeun (“Miss Son”). Around the same time, Syn Chevor Chee Meng Troy Anthony (“Mr Syn”) was driving against the flow of traffic, and under the influence of alcohol, along Loyang Avenue from the direction opposite to Mr Wee’s vehicle. Realising that he was driving against the flow of traffic, Mr Syn sought to exit Loyang Avenue by turning into Old Tampines Road. Whilst Mr Syn executed this turn, there was a collision between the vehicles driven by Mr Wee and Mr Syn.

2 Through DC/OC 538/2024, Mr Wee contends that Mr Syn was fully liable for the accident that took place and seeks damages. The latter concedes that he is liable but argues that the former was contributorily negligent. Mr Syn was sued by Ms Son for damages arising from the same accident in DC/OC 1089/2023 and through this third-party action Mr Syn seeks contribution from Mr Wee.

Salient Facts

3 Loyang Avenue is an 8-lane dual carriageway, with 4 lanes facilitating traffic from each direction. Traffic traveling from opposing directions are separated by a concrete road divider. Traffic from Old Tampines Road joins Loyang Avenue via *a discretionary left turn*. Vehicles turning into Old Tampines Road from the opposing direction from which Mr Wee was travelling can do so *via a signalised junction*. These facts are significant, for reasons explained at [14] below.

4 Videographic evidence was furnished during the trial, and it reveals the following. Shortly before the collision – between the vehicles of Mr Wee and Mr Syn – Mr Wee was driving on Lane 4 of Loyang Avenue towards the junction of Old Tampines Road and Loyang Avenue. The traffic lights were green in his favour, and he saw a vehicle travel past the junction ahead of him. Two vehicles – travelling in the same direction as Mr Wee – remained stationary at the junction along lanes 1 and 2. The vehicle in lane 2 was a lorry which was significantly taller than a sedan. At the time Mr Wee noticed the stationary vehicles, the traffic lights had turned green in their (and his) favour for approximately 1-2 seconds. Shortly after Mr Wee drove past these two stationary vehicles his taxi collided with Mr Syn’s vehicle which had, by that

time, travelled approximately 250 metres against the flow of traffic along lane 2 of Loyang Avenue.

The law

5 The law on contributory negligence was stated in *Ng Swee Eng (administrator of the estate of Tan Chee Wee, deceased) v Ang Oh Chuan* [2002] SGHC 137 (at [60] to [61]):

60 The principles of contributory negligence are set out in Halsbury's Laws of Singapore vol 18 (Butterworths, 4th Ed) paras 240.326 and 240.327. Paragraph 240.326 reads:

The existence of contributory negligence does not depend on any duty owed by the plaintiff to the defendant and all that is necessary to establish a plea of contributory negligence is for the defendant to prove that the plaintiff did not in his own interest take reasonable care of himself and contributed by this want of care to his own injury.

61 Further, at para 240.327:

The standard of care depends on foreseeability ... [S]o contributory negligence requires the foreseeability of harm to oneself. A person is guilty of contributory negligence if he ought reasonably to have foreseen that, if he did not act as a reasonably prudent person, he might hurt himself. A plaintiff must take into account the possibility of others being careless. As with negligence, the standard of care is objective in that the plaintiff is assumed to be of normal intelligence and skill in the circumstances.

6 Essentially, considering whether one is contributorily negligent is a fact-centric exercise which focuses on whether the party contributed to the injury by failing to take reasonable steps – given the circumstances – to prevent the injuries in question.

Mr Syn’s contentions as to why Mr Wee was contributorily negligent

7 Mr Syn advances three main contentions as to why Mr Wee was contributorily negligent.¹ First, Mr Wee failed to maintain a proper lookout for traffic ahead of him, thereby failing to notice Mr Syn’s vehicle. Second, Mr Wee failed to give way to Mr Wyn’s vehicle. Third, Mr Wee did not “take reasonable steps to avoid or mitigate the impact of the collision”.² These three contentions were premised on the same substratum of facts, and they are discussed below.

8 Mr Syn contends that unusual circumstances existed which ought to have put Mr Wee on notice of anomalous road conditions ahead. The circumstances were as follows. Two vehicles remained stationary despite the traffic lights having turned green in their favour for approximately 1-2 seconds. In this regard, Mr Wee had witnessed the change in traffic lights from a distance of 50 to 100 meters from the junction.

9 Notwithstanding the unusual circumstances, Mr Wee failed to pay heed to road conditions ahead of him. Had he done so, he ought to have observed Mr Syn’s vehicle travelling from the opposing direction. In Mr Syn’s submissions, his vehicle would have been in plain sight of Mr Wee had the latter been observant as the vehicle’s headlights were switched on.³

10 In light of Mr Wee’s failure to spot Mr Syn’s vehicle, the former failed to avert the collision by giving way to the latter’s vehicle. In addition, Mr Wee further contends that Mr Wee “took inadequate measures to avoid the

¹ Mr Syn’s closing submissions dated 26 September 2025 (at [5])

² Ibid at ([5(c)]).

³ Ibid at ([24]).

[c]ollision”.⁴ In this regard, Mr Syn contends that Mr Wee could have swerved to avoid the collision or mitigate its impact.⁵ Instead of doing so, Mr Wee applied the brakes hard and flashed his headlights.

My decision

11 Before commencing my analysis on the issues raised, I state – at the outset – that the fact that Mr Syn, by driving whilst intoxicated and against the flow of traffic – had contravened the criminal law does not, ipso facto, preclude a finding that Mr Wee was contributorily negligent. The authorities cited by parties support this proposition. In addition, the right of way does not accord one a shield against a finding of contributory negligence. Erroneous driving is an ever-present risk, and if one does not act reasonably in reacting to such error – especially obvious ones – then he or she can expect to be found contributorily negligent. I turn now to my findings.

12 First, the conditions at the material time were not such that Mr Wee ought to have been put on alert that anomalous road conditions were ahead of him. Much was made by Mr Syn of the presence of two stationary vehicles at the material junction, notwithstanding that the traffic lights were green in their favour. However, the evidence of Mr Wee was that the lights had changed for approximately 1-2 seconds. Further, his evidence that it is not unusual for vehicles to move off shortly after the traffic lights have changed comports with common sense. Further, Mr Wee had witnessed a vehicle driving through the junction (in the lane he was travelling in) upon the traffic lights having turned green. These facts, combined with the absence of obvious peculiarities such as

⁴ Ibid at ([26]).

⁵ Ibid.

vehicles blaring their horns or having their hazard lights on, would not have given rise to an apprehension that something was amiss.

13 Second, in my view, Mr Syn’s conduct was so remote that a reasonable driver – barring obvious circumstances which trigger heightened suspicion – would not be able to contemplate. Mr Syn was driving against the flow of traffic along an 8-lane dual carriageway divided into two by a concrete divider. Further, the turn he was executing into Old Tampines Road ought properly to have been done *via a signalised junction*. The corollary to this factoid is that Mr Wee would have been entitled – upon seeing the traffic lights turn green in his favour – to assume that *no vehicles would have been turning into Old Tampines Road as he passed through it*. In making the above observations, guidance is obtained from *Thorben Langvad Linneberg v Leong Mei Kuen* [2013] 1 SLR 207, in which the Court of Appeal stated (at [50])

50 More pertinently, the Singapore courts have also considered the appropriate standard of care in road traffic accidents. For example, in the decision of *SBS Transit Ltd v Stafford Rosemary Anne Jane* [2007] 2 SLR(R) 211 (“*Stafford*”), this court observed as follows (at [32]–[34]):

32 Before considering the evidence as to what those circumstances were, we would like to expand on the following paragraph in the trial judge’s decision:

... When one travels on the roads, one cannot assume perfect road manners from the other road users. The reasonable road user must act on the basis that there may be negligence and incompetence on the part of others, and he has to make allowance for them. **However, this duty cannot be overstated; he is not required to regard other road users as threats to him against whom he must protect himself, and he must be allowed to go about with a degree of calm and confidence necessary for the orderly movement of traffic.** With reference to a person in the position of the deceased, I only need to quote and concur with the statement that:

[T]here is – in the absence of clear and compelling circumstances to the contrary – no legal duty on a driver to slow down automatically each time he or she approaches a junction if there is no stop sign or (as is the case here) the lights are in his or her favour at a junction where traffic lights are present. ... [trial judge’s emphasis omitted]

per Andrew Phang Boon Leong JC (as he then was) in *Ong Bee Nah v Wong* [sic] *Siew Wan* [2005] 2 SLR(R) 455 at [95].

33 We fully agree with the learned judge that the law requires the motorist to act on the basis that there may be negligence and incompetence on the part of other road users and to make allowance for them, **but without having to contemplate possibilities that are remote**. As Lord Macmillan had observed in *Fardon v Harcourt-Rivington* [1932] All ER Rep 81 at 84:

[T]he user of the road is not bound to guard against every conceivable eventuality, but only against such eventualities as a reasonable man ought to foresee as being within the ordinary range of human experience.

34 *The crux of the issue is what a reasonable person would apprehend in a particular set of circumstances.* At one extreme is a driver of a car on an open road in dry weather and perfect visibility. He may drive at whatever speed his car can permit him safely to attain – subject to the legal speed limit – if he does not see any vehicle, person or animal that may obstruct his path. *However, once there is other traffic on the road, or there are pedestrians or animals at the roadside, or there are obstructions to his view, he must contemplate the possibility that any of these may impinge upon his path and must adjust his speed accordingly to one at which he can effectively stop or otherwise avoid a collision.* If the road is wet, then he must slow down even further because his braking distance is increased. If visibility is low, then he must proceed at a speed at which he can stop the car the moment an obstruction comes into view. If there are children walking alongside the road, he must contemplate the higher possibility of a child suddenly dashing across his path as compared to adult pedestrians. All these are essentially matters of common sense. Further, the driver must be aware at all times that his motor vehicle is, by reason of its mass and speed, a potentially dangerous weapon. The law requires

that he handles it with good sense and common
decency.

[emphasis added in italics and in bold italices]

14 Third, I observe that Mr Wee's conduct at the material time was reasonable. He was driving past Old Tampines Road, from which vehicles could have joined Loyang Avenue by making a discretionary left turn. His attention was, and very reasonably so, focused on checking for vehicles emanating from Old Tampines Road to the left, not from the right where Mr Syn's vehicle was situated.

15 Finally, I find no merit in Mr Syn's contention that Mr Wee acted unreasonably by not swerving to avoid or mitigate the collision. The latter only had a split second to react to the sight of Mr Syn's vehicle. In this regard, not only was his attention focused on vehicles emanating from his left, Mr Wee's sight of Mr Syn's vehicle would have been obscured by the vehicles which remained stationary at the junction – especially the lorry which was of significant height.

Conclusion

16 In light of my findings above, Mr Syn is held 100 percent liable for the accident, with no liability attributed to Mr Wee.

Andrew Tan Shao Weng
District Judge

Mr Mitchell Leon Siu Kin (Characterist LLC) for the claimant in
DC/OC 538/2024;
Mr Low Hong Quan (Ascentsia Law Corporation) for the defendant
in DC/OC 538/2024 and DC/OC 1089/2023;
Mr Daniel Poon (M/s Daniel Poon & Co.) for the third party in
DC/OC 1089/2023.
