

Doctor guilty of causing cyclist's death through negligence fined \$20,000 by SMC



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Doctor Teo Tiong Kiat, 66, who was found negligent in a fatal hit-and-run accident, has been fined \$20,000 and censured by the Singapore Medical Council (SMC)'s disciplinary tribunal.

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by **KASH CHEONG**

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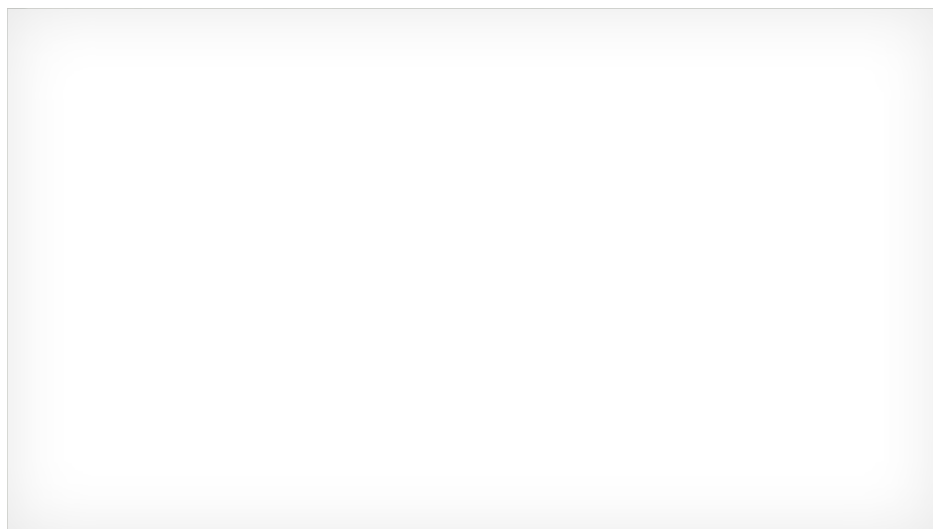
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Here is the statement from the SMC:

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The SMC's Disciplinary Tribunal ("DT") held a disciplinary inquiry on 28 January 2014 against Dr Teo Tiong Kiat ("Dr Teo"). Dr Teo is currently practising at Teo Clinic & Surgery Pte Ltd.

This matter stemmed from Dr Teo's conviction, after trial, on 25 May 2012 of three offences (collectively referred to hereinafter as the "3 Criminal Convictions") in the Subordinate Courts as follows:-

(a) Failing to stop his motor vehicle after committing a serious road traffic accident which caused serious injuries to one cyclist and death to another under Section 84(1) read with Section 84(7) of the Road Traffic Act (Cap. 276, 2004 Rev Ed) ("the Act"); an offence punishable under Section 131(2) of the Act (the "First Offence");

(b) Failing to render such assistance as may reasonably be in his power under Section 84(3) read with Section 84(7) of the Act; an offence punishable under Section 84(8) read with Section 84(9) of the Act (the "Second Offence");and

(c) Removing his motor vehicle after the accident without the authority of a police officer under Section 84(4) read with section 84(7) of the Act; an offence punishable under Section 131(2) of the Act (the "Third Offence").

In relation to the 3 Criminal Convictions, the following penalties were imposed by the Court:-

(a) First Offence - 1 week imprisonment;

(b) Second Offence - 2 weeks' imprisonment and disqualified from holding or obtaining all classes of driving licence for a period of 5 years with effect from the date of release from prison; (

c) Third Offence - 1 week imprisonment.

Dr Teo had also pleaded guilty to two charges of negligent driving arising from the same factual matrix, and for which separate penalties were imposed. In the result, the Court imposed a global sentence of 4 weeks' imprisonment and disqualification from holding or obtaining all classes of driving licence for a period of 5 years with effect from the date of Dr Teo's release from prison for the five offences.

At the disciplinary hearing, Dr Teo was charged under the Medical Registration Act (Cap. 174) for three counts of having been convicted of offences implying a defect in character which made him unfit for his profession, one for each of the 3 Criminal Convictions. No charges were preferred at the disciplinary hearing for the two charges of negligent driving. Dr Teo pleaded guilty to the 3 charges preferred and was accordingly convicted by the DT.

In the DT's Grounds of Decision, the DT indicated that it considered Dr Teo's mitigation plea and the submissions made by Counsel for the SMC. In relation to the mitigation plea, the DT noted that Dr Teo was deeply remorseful, that he pleaded guilty to the 2 charges of negligent driving before the Court, and that he did not contest the charges that he faced before the DT. The DT also noted that Dr Teo had an unblemished record, and that these proceedings constituted Dr Teo's first disciplinary offences in his many years of medical practice. Testimonials from Dr Teo's fellow professionals and ex-patients attesting to his outstanding qualities and professionalism as a doctor and friend were also taken into consideration.

The DT noted that this was a case where the 3 charges arose out of the same road accident. While the DT acknowledged that "hit-and-run" related offences are serious offences, it further observed that unlike previous SMC disciplinary proceedings involving criminal convictions that had resulted in the imposition of a sentence of suspension for the doctor concerned, this particular case did not involve any pre-meditation, fraud, dishonesty, or violence.

Insofar as the need for the protection of the public was concerned, the DT noted that Dr Teo had voluntarily stopped driving immediately after the accident and that he voluntarily undertook not to drive again for the remainder of his life. The DT therefore determined that the risk of reoffending is significantly reduced in this particular case.

Having considered the relevant factors in its entirety, the DT ordered that Dr Teo:- (a) pay a penalty of \$20,000.00; (b) be censured; (c) give a written undertaking to SMC that he will not apply for a driving license or drive in future or engage in the conduct complained of and any similar conduct; and (d) pay the costs and expenses of and incidental to these proceedings, including the costs of the solicitors to the SMC.

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