

Court replaces teen's sentence for Jln Teo Kui Seng fatal crash to 6 years' jail

Kentigern Minggu

KUCHING: The High Court has substituted a teenage boy's six-year detention at the Henry Gurney School for causing a fatal multi-vehicle crash on Jalan Teo Kui Seng here in January last year with six years' imprisonment.

Judge Datuk Faridz Gohim Abdullah made the decision after allowing an appeal by the prosecution led by deputy public prosecutor Jean Siow Chung Hwei.

In June last year, the then 15-year-old boy was ordered to be detained at the reform school until the age of 21 and fined RM1,500 in default two months' imprisonment.

He was charged under Section 41(1) of the Road Transport Act 1987 with reckless driving causing the deaths of five people: George Herson Andrew, 15, Japin Kemin, 19, Nasrulkhik Mohamad Sedek, 41, Caryn Anne Risly, 35, and Wan Khairul Nizam Wan Abdul Kadir, 41.

The Section carries a prison

term of between five and 10 years and a fine of between RM20,000 and RM50,000, upon conviction.

He also faced a second charge under Section 39(1) of the Road Transport Act 1987, punishable under Section 39(5) of the same Act, which carries a fine of up to RM2,000 or imprisonment of up to six months, or both, upon conviction.

In allowing the prosecution's appeal, the judge held that the child offender could not be suitably dealt with by detention at Henry Gurney School, as the

maximum statutory detention period under the Child Act 2001 is three years.

The court further held that a three-year detention at the reform school would be manifestly inadequate for an offence under Section 41(1) of the Road Transport Act 1987.

The court also ordered that the teenager must not be allowed to associate with adult prisoners while serving his sentence.

Lawyer Jong Yee Ling represented the teenager at yesterday's proceedings.