

Singapore

## Man acquitted of raping girlfriend's teenage daughter

Though the victim said she was raped in the cabin of a prime mover, she was “unable or unwilling” to sketch the interior of the cabin, the judge said.



By [Vanessa Paige Chelvan \(/author/7542030\)](#)

12 Apr 2017 07:33PM

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SINGAPORE: A 56-year-old man accused of molesting, sexually assaulting and raping his girlfriend's teenage daughter was acquitted of all charges on Wednesday (Apr 12), after High Court judge Kan Ting Chiu found the prosecution's case wanting.

Judge Kan said he was “unsatisfied” with the ambiguity of the charges against the accused and the lack of credibility of the victim, who refused to report the rapes and could not give clear evidence on the stand. He also noted that the police investigation “should have been carried out better than (it was)”.

The man, a crane operator, was also accused of molesting the victim's younger sister. But prosecutors said they would “delist” the charge following the man's acquittal.

He was in a relationship with the girls' mother and lived with the family for seven years, from 2004 until 2011, in a flat at Circuit Road.

The victim accused him of molesting her in 2009, when she was 15, sexually assaulting her twice in June 2010 and raping her in 2010 and early 2011 in a prime mover belonging to the construction company he worked for.

The victim told her boyfriend she had been raped in April 2011. She told her mother too, although she only said that the accused had “touched” her, and persuaded her mother not to call the police.

She confided in her sister in December 2011, only to find out her sister had allegedly been raped too. They told their older brother, who called the police.

Though the victim claimed she was raped in the cabin of the prime mover, she was “unable or unwilling” to sketch the interior of the cabin, Judge Kan said. Her description of the cabin was “confusing”, though she claimed to have been inside on many occasions over the years.

Judge Kan also rapped investigators for failing to gather “important evidence” – photographs of the interior of the cabin before the prime mover was scrapped.

The senior judge also expressed doubt about whether the alleged rapes were committed in the tractor at all.

He pointed out that prosecutors had amended some of the man’s five charges to omit the prime mover’s licence plate number, so the charges alleged only that the rapes were committed “in a forested area in Punggol”.

“A reasonable inference is that over (time), doubts had arisen over the omitted particulars,” the judge said.

At his trial, the man and his boss denied he had driven the prime mover home. For one, he did not have a licence and the man’s boss said another employee usually used the tractor in question, and even slept in it at night.

“The primary evidence on all the charges came from (the victim), who did not tell anyone of the offences for a long time,” Judge Kan said. “Where a person remains silent, and only complains after a long delay, that delay must be scrutinised.”

“Someone so abused and humiliated would be expected to seek help and redress when she breaks her silence. (But) when she did speak, what she said was contradictory and inconsistent,” Judge Kan said, adding this had “a negative impact on her credibility”.

After he was acquitted, the man made a beeline for his lawyers, Mr Abraham Vergis and Mr Raj Joshua Thomas, to give them both a hug.

“I am so grateful to the Criminal Legal Aid Scheme and my lawyers, who worked hard to prove my innocence,” he said via a statement released through his lawyers.

Mr Vergis, who took on the case just two days before the trial began in July 2016, said it was “extremely challenging”, especially because the charges were “serious”, but that “the judge was understanding and the prosecutors were very fair, which really helped”.

Source: CNA/xk