

**NATIONAL UNIVERSITY OF SINGAPORE  
FACULTY OF LAW**

**ADVOCACY COMPETITION 2018**

**PRELIMINARY ROUND  
TRIAL PROBLEM**

**PP v. Tau Lang Chia**

Tau Lang Chia has been charged with theft under section 379 A of the Penal Code. The prosecution witness is Portia Ting.

**General Notes for the Competition**

*Examination in Chief*

The Confidential Instructions for both the Prosecution Witness and the Accused are provided only to furnish the background facts for this case and do not form part of the evidence. Counsel are not permitted to make reference to them during the trial.

Examination-in-Chief of Portia Ting must be based on her statement to the Prosecution – Confidential Statement 1. Examination-in-Chief of the accused must be based on his statement to Defence Counsel – Confidential Statement 2. Counsel may choose the parts of the statements on which to examine their witnesses. Witnesses may not depart from the Confidential Statements when giving their evidence. Some embellishment is permitted but the key facts must be as set out in the Confidential Statement.

The Accused shall be the first to give evidence for the Defence.

*Cross Examination*

Both Prosecution Witness and Accused may be cross examined on the *entire* contents of the Confidential Statements, even though the material may not have been entirely adduced during Examination-in-Chief. It shall be assumed that the entire contents of both Confidential Statements was adduced during Examination-in-Chief.

References to the contents of the Confidential Statements during Cross-Examination shall be to the “Notes of Evidence”.

Assume that when the Prosecution Witness gives evidence, all the evidence from other prosecution witnesses has already been adduced, but none of the evidence from Witnesses for the Defence would have been adduced yet.

*Exhibits and other Witnesses*

All exhibits are admitted in evidence.

*This Mock Trial Problem was first created by Lim Lei Theng for the Advocacy Cup Competition 1996 and has been amended for the 2007 Competition. It has been substantially updated for the 2018 Competition.*

**CONFIDENTIAL STATEMENT 1**

***Statement of Portia Ting to Prosecution***

Name : Portia Ting-Tong  
Age : 27  
Height : 1.75 m  
Weight : 40 kg  
Sex : Female  
Address : 57 Goodwood Drive Singapore 274659  
Occupation : Shop Owner

1. You were an SIA air stewardess who married Ting You Qian in 2014, one of the wealthiest men in China. He moved to Singapore to live with you. You have no children yet.
2. He bought you everything you wanted. New house or apartment so that you can renovate or rebuild and sell or rent out. New diamond accessories every Valentine's Day, Christmas and on any occasion imaginable. High end fashion.
3. Birthday June 2017, husband bought you the most beautiful car you have ever driven. Fully restored Volvo P1800 in British Racing Green. Told your husband this one is a keeper. An old car but so unique. There are only 2 others you know of in Singapore and both are gold. So you feel very special.
4. 23 December 2017, about 4 p.m., parked car along a road in Holland Village. Crossed road to bakery to collect Christmas puddings for children's home. Annual donation event that you do with socialite friends.
5. Puddings ready but not packed. Had to wait. Went to Cold Storage to buy some cheese for the husband and returned to bakery.
6. While still waiting, admiring own car from window of bakery when you saw a young person loitering around the car. Short and skinny. Standing on pavement next to car, walking back and forth. Hands in pockets. Staring at your car. Longish hair, almost to shoulders. Blue long-sleeved shirt, sleeves rolled up. Jeans torn at knees. Bright pink sneakers. Stared at the person, pondering androgyny, wondering about gender. Thinking about fashion choices of the poor. Feeling sorry for the poor and plain. Thought that even if the person sat in your car, it would not fit at all.
7. A group of school children walked by just outside bakery, same side of the road as you, blocking car and young person. Cashier called to tell you puddings ready. You turned away from view of the road to go and pay and collect. Made sure to check that all puddings look good. 12 Christmas puddings – sometimes they are not so pretty.

8. Opening door of bakery with 4 bags in your hand, saw someone driving your car away. Glimpsed shoulder length hair and cuffs of blue shirt on the hands at the steering wheel. Dropped everything and ran after the car. Hard to run in Jimmy Choos, especially uphill. Even though car stopped before turning left towards main parking in the area and exit, could not catch up. Screamed but no one came to help.
9. Everyone else just stood and stared. No one did anything to help. Called the police. Called the husband, who sent his Rolls to pick you up. Retrieved puddings, demanding fresh ones. Very upset.
10. 4 hours later, police called you to tell you that car was found in a lot next to MRT at Holland Village. Cartier watch, Bulgari jewellery, new Baume & Mercier Clifton GMT Power Reserve purchased for husband and 3 bags full of new clothes from Chanel gone. Car unscathed.
11. Following day, police called you to go to police station. You were shown a line-up of 5 people. Accused was the only one in blue shirt with long hair.
12. Shown Chanel blouse. Identified it as yours. Monogrammed with your initials upon request at the shop.

## **CONFIDENTIAL STATEMENT 2**

### ***Statement of Tau Lang Chia to Defence Counsel***

Name : Tau Lang Chia  
Age : 19  
Height : 1.55 m  
Weight : 45 kg  
Hair : Shoulder length, tied in pony tail  
Sex : Male  
Address : Blk 45 #-6-094 Bedok Avenue West Street 100 Singapore 867463  
Occupation : Student at ITE East

1. 23 December 2017, at Holland Village around 4 p.m.. Waiting for friends outside Katong Laksa. Supposed to go to friend's house at Sengkang for project work at 4:30 p.m. Alone.
2. Was wearing blue long sleeved shirt, faded jeans torn at knees. Grunge look. Sleeves rolled up. Always rolls up because cuffs are worn. Wearing slippers. Usual attire when not in school uniform.
3. Swinging school bag and twirling file on your hands. Bag is a blue denim satchel. File is blue also.
4. Saw a green sports car driving by. Car made the U-turn at the end of the dead-end road and parked right in front of you. Beautiful car. Old style. Never seen before. Noisy like anything.

5. Very curious. Basically stood and stared. When driver came out of the car, was a lady wearing high heels and tight jeans. Wearing oversized shades. Bright red lipstick. Dangly earrings. Looked like a movie-star. Woman did not look at you at all. Like no one in the world exists except her. She went to bakery across the road. You went closer to look at the car.
6. Looked inside the car and saw Chanel bags, Cartier watch and a package wrapped in red with gold ribbon. Keys in ignition. Doors unlocked. Wondered how fast car would go. Imagined yourself in the car. Walked up and down. Looked around. No one looking. Tried car door. It opened. Smell of leather from inside,
7. Thought about taking car for a quick drive and dismissed the idea quickly. Silly idea. Phone beeped. Friends say that they are waiting at MRT. Shut car door and walked away towards 7 Eleven to get a drink before going to MRT.
8. Passed a girl, same height, also blue shirt, wearing bright pink sneakers – very unique Asics Gel Noosa Tri 8 that your girlfriends were looking at longingly (you have 3 girlfriends, one at ITE with you, one a waitress in Clarke Quay, one at ITE West). Too expensive and very difficult to get. Stared at the shoes as you walked and almost tripped walking up the hill.
9. After buying drink from 7 Eleven, took a last look at the car before turning towards MRT. Saw the girl also looking at the car. Saw the girl go into the car and drive off. Admired her guts. Didn't do anything because the lady came out screaming and yelling "Stop! Thief!" Walked towards MRT. None of your business.
10. Went to do project work with friend Huat. His brother, Beng, came home while you were working and took you into his room to give you a lady's shirt and a pair of shoes – turned out to be a good knock-off of the Asics Gel Noosa Tri 8 which you could give to your girlfriend. Said he had bought it from Chatuchak Market in Bangkok. The blouse, he said, was from the same place and has the initials PTT, for your mother, who's name is Polly Tau-Tia.
11. Brought bag and shoes home. That night 10 pm, police came to your house and arrested you. Took away bag and shoes. They said they found your blue school file inside the car.

### **STATEMENT 1**

#### **Statement made to the Police by Lee Ho Huat on 24 December 2017 at 6 p.m.**

1. I am a friend of Tau Lang Chia. He came to my house for project work on 23 December 2017. He arrived about 6 p.m. He looked very excited and showed me a Cartier watch. I took it from him because he owed me money. I pawned it at the pawn shop for \$5,000 this morning.
2. My brother, Lee Ho Beng, lives in Chiang Mai and visits us every now and then. My brother was in Singapore yesterday and left last night around midnight. He and Chia talked

for a short while yesterday but I do not know what they talked about. Chia came out of my brother's room with two bags. I don't know what is in the bags. My brother and I don't get along. I don't know where my brother is. Chia and my brother are good friends.

*(Since 25 January 2018, Lee has been in remand awaiting prosecution for armed robbery.)*

## **STATEMENT 2**

### **Statement made to the Police by Portia Ting at 5:15 p.m. on 23 December 2017**

At about 4 p.m. I was at the bakery in Holland Village when my car was stolen. The car is a 1956 Volvo P1800 in British Racing Green licence number SC 85 H. Inside the car is my Cartier watch, and my shopping. I saw the boy who stole my car. He was walking up and down next to my car when it was parked along the road. He was wearing a long sleeved blue shirt and blue jeans. His hair was tied up in a pony tail. I tried to run after the car but I could not catch up in time.

## **STATEMENT 3**

### **Statement made to the Police by Tau Lang Chia on 24 December 2017 at 6 p.m.**

1. I was at Holland Village outside Subway and I saw a car being stolen. It was a green sports car. It was stolen by a man wearing a long sleeved blue shirt like mine and jeans. He also had long hair like me. I have not seen him before. I do not know who he is.
2. The blue file is mine. It is my school file. I lost it yesterday. I cannot remember where. I had it in my hand when I was outside Subway. Then I cannot remember where it went.
3. The shirt you are showing me, I bought at a pasar malam at Holland Drive for \$50 2 days ago. The shoes you have found in my house are from a friend. I am taking care of them for him so that he can give it to his girlfriend. He doesn't want to bring it home because his mother will ask him. I would never wear those shoes. They are so girly.
4. I did not steal a car or take it for a joy ride. I have no driver's licence.

## **STATEMENT 4**

### **Statement made to the Police by Portia Ting at 11 a.m. on 26 December 2017**

I have been shown a Chanel blouse with PTT on it and can identify it as mine.

## **STATEMENT 5**

### **Statement made to the Police by Nelson Phua at 10 a.m. on 27 December 2017**

I have been shown a Chanel blouse with PTT on it. It is one of 10 that are available in Singapore. We sold 3 on 23 December alone. It is very popular. Ms Portia Ting bought one. I cannot remember who else bought the other two. The PTT is personalized embroidery that is sewn on upon request.

### **STATEMENT 6**

#### **Statement of the Investigating Officer Sher Lok Ho**

1. I interviewed all the witnesses and accused and took their statements.
2. When the car was reported to have been found, I had forensics examine it. There was a file inside with the name Tau Lang Chia and an address. We went to the address and found Tau. Arrested him when I located the branded blouse. Took the shoes because they seemed expensive.
3. Took statement from Tau. Took statement from Lee Ho Huat, his friend. The brother Lee Ho Beng cannot be located. ICA shows he left the country at 2350 on 23 December 2017 for Chiang Mai. Unable to locate in Chiang Mai.
4. Fingerprints on car steering wheel shown to be those of Lee Ho Beng, and Portia Ting Tong. No other discernible prints.
5. Arrested Tau. Unable to locate any other items. No pawn tickets on Lee Ho Huat nor Accused.

### **DEFENCE WITNESS STATEMENT 1**

#### **Statement of Bu Chew Ren, Cashier at Provence Bakery**

1. I am a cashier at Provence Bakery. I remember Portia T. That's what she calls herself. She comes to buy things from us once a week. I think she is bulimic. I can't imagine how she eats everything she buys and still stays so thin.
2. She usually comes around 4 in the afternoon, and is usually a little bit tipsy when she comes. I think she is alcoholic.
3. I remember she came to pick up her order of Christmas puddings on 23 December 2017. She was more than a little bit tipsy that day. Her order was not yet ready, so she went to get some Panadol from Cold Storage. She couldn't really walk straight. Maybe it was that or her new Jimmy Choos. She talks about her clothes and shoes all the time.
4. She wore her oversized shades in the shop the entire time. I really don't understand how she can see anything. She told me the brand of her shades once. I think they are called ILL.I oversized round sunglasses where she got the lenses coated with an extra tint to make them more effective in Singapore. They are really cool hexagonal things with a green frame.
5. I always take care of Portia, so when she came in, I immediately went to check on her order and came back within 30 seconds to tell her that they were not ready. Then she went to Cold Storage. When she came back, I was just getting the puddings and was packing them. She was staring out of the window, still wearing her glasses. I think she was probably admiring her own reflection in the tinted glass of our windows.

6. After she collected her puddings, she was leaving. Then I heard her shriek and run. She said, “my car ! my car!” She dropped all the puddings. I had to go and pick them up and check for those that exploded. Luckily we had extra to replace the ones that had exploded. I had to buy her a triple espresso with almond milk from Starbucks so that she could sober up before her husband’s Rolls Royce came to bring her to the police station.

**Exhibit A**

Shoes found in Accused’s bedroom on a shoe-rack. Shoes are dirty and have been worn before.



**Exhibit B**

Photograph of Volvo P1800. This is not in British Racing Green.



**Exhibit C**

Receipt from Provence Bakery (*which at the time of the robbery was located where iSteaks is now.*) Time stamp 4:21 p.m. Obtained from Portia Ting-Tong.

**Exhibit D**

CCTV footage from Provence Bakery obtained by Defence Counsel. View is only of the road and entrance to bakery. Car cannot be seen.

Time stamp 4 p.m. Portia Ting is seen walking into the bakery and stumbling on the pavement as she went up from road to pavement. Wearing oversized shades. Portia stumbles again on the 2 steps leading to the door of the bakery.

Time stamp 4 05 pm. Portia Ting leaves bakery and turns left towards the dead end. Still wearing oversized shades.

Time stamp 4:16 p.m. Portia Ting walking towards bakery from the dead end. Appears to drop something. Looks around in vain, tosses her head and continues towards bakery.

Time stamp 4:25 p.m. Portia Ting walks out of bakery, drops bags, appears to shout and runs towards the right of the screen.

**Exhibit E**

Relevant messages from Accused's mobile phone

23 December 2017

From Beng

2:15 p.m. Holland Village today got chance. Shiok old one. Outside Subway.

To Beng

2:16 p.m. C u there

From Beng

2:18 p.m. Siow U think I go. See you at home.

To Beng

2:19 p.m. I lone ranger

From Beng

2:21 p.m. Just take the stuff and run. You cannot drive one. Never locked. Always rich.

To Beng

4 p.m. Car very shiok. I try la.

11:40 p.m. Thanks for the fun today. Will never do it again. Too scary.

From Huat

4 p.m. You want time come

To Huat

4:30 p.m. now, from HV

From Huat

4:33 p.m. U go HV 4 f\*%\$?

To Huat

4.35 p.m. NOYB

- END -