

Learning Plan – Criminal Litigation Practice

(Core Knowledge is in black text by default, with Non-Core Knowledge marked using **blue font**. Candidates will be able to pass the Part B Course and Examinations with sufficient understanding of the Core Knowledge.)

Synopsis:	The topic of crime and punishment has the ability to capture the public’s attention like no other aspect of the law and is, for many people, the most tangible manifestation of what law is about. Candidates will gain an understanding of the court process and what criminal practice entails, including the discovery and trial process. Through discourse with practitioners, candidates will also learn about the moral and ethical issues that arise in the course of criminal practice and gain a deeper appreciation of the relationship amongst the stakeholders in our criminal justice system (i.e., the Prosecution, the Defence, the Judiciary, and the client).
Learning Objectives	<p><u>Knowledge</u></p> <p>Candidates should:</p> <ol style="list-style-type: none"> 1. possess a working knowledge of criminal law and procedure and understand how this applies in the context of the criminal justice process in Singapore; 2. develop their knowledge and understanding of the provisions of the Criminal Procedure Code 2010 and other relevant statutes and appreciate how case law applies in a practical setting; and 3. be able to identify the issues raised in the scenarios they will be examined on and apply the relevant principles to the facts in a concise and practical manner. <p><u>Professional standards</u></p> <ol style="list-style-type: none"> 1. Candidates should be aware of the moral and ethical dilemmas they may encounter in the course of practising criminal law. 2. Candidates should be aware of the need to conduct themselves in a manner consistent with their duties to their client and their overriding duty to the court.
Learning Competencies	As above.

Profile of Principal Examiner	<p><u>Ramesh Tiwary - Sole Proprietor, Ramesh Tiwary</u></p> <p>Ramesh is the sole proprietor of Ramesh Tiwary, which commenced operations in 2006. Ramesh is an experienced criminal law practitioner and is currently a member of the Criminal Practice Committee of The Law Society of Singapore as well as an advocacy trainer with The Law Society of Singapore. He is also an active CLAS Volunteer and a Lead Counsel on the Supreme Court's Legal Assistance Scheme for Capital Offences (LASCO) panel.</p> <p><u>Diana Ngiam – Deputy Director (Legal) – Ministry of Home Affairs</u></p> <p>Diana currently serves as Deputy Director (Legal) in the Legal Division of the Ministry of Home Affairs. Diana's experience in practice is primarily in criminal defence litigation, where she served as a director in a leading local law firm for 9 years. Diana was admitted to the Singapore Bar in July 2012 and pupiled under Mr Subhas Anandan, whose values and approach to criminal defence work continue to guide Diana in her practice. Diana believes strongly in the need for fair representation as every accused person should be given the chance to have their voices heard. Outside of work, Diana is an executive committee member of the Association of Criminal Lawyers of Singapore ("ACLS"). Further, Diana volunteers with the Criminal Legal Aid Scheme, an initiative by The Law Society of Singapore, and the Enhanced Guidance for Plea Scheme (an initiative by the State Courts).</p>
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Timetable

No.	Content	Content Summary	Learning Material / Comment ¹	Comment
1.	Taking Instructions and Preliminary Advice	<p>A client comes to see you in one of 2 situations – before he is charged (i.e., while Police investigations are on-going, or after he has been charged. What do you do as his lawyer? In this lecture, Candidates will cover:</p> <ul style="list-style-type: none"> • Before client is charged • After client is charged • Applicable legislation and LP(PC)R 	1. Taking Instructions and Preliminary Advice	
2.	Pre-trial Negotiations	There is still time to act before the criminal trial commences. These are what we refer to as pre-trial negotiations. What can defence counsel do to help lighten their client's sentences?	This will be covered in the form of a live lecture during Contact Session 1.	
3.	Criminal Case Disclosure Conference (CCDC)	<p>What happens at the CCDC? In this lecture, candidates will cover:</p> <ul style="list-style-type: none"> • Disclosure requirements • Consequences of breach • <i>Kadar</i> disclosure • <i>Nabill</i> disclosure 	3. Criminal Case Disclosure Conference	
4.	Contact Session I (2 hours)	During Contact Sessions, Candidates will have the opportunity to field questions and discuss the learning material. The Contact Session will span 1.5 – 2 hours.	Candidates should review ALL learning materials in SN 1 and 3 in preparation for Contact Session I.	15 August 2024, 2.30 to 4.30 PM
5.	Pleading Guilty	<p>Your client has decided to plead guilty. There is a procedure to be followed for guilty pleas, as well as factors to take into account. In this lecture, Candidates will cover:</p> <ul style="list-style-type: none"> • Statement of Facts • Validity of Plea 	4. Pleading Guilty	

¹ Please note that there are no video lectures for Criminal Litigation Practice.

No.	Content	Content Summary	Learning Material / Comment ¹	Comment
		<ul style="list-style-type: none"> • Newton Hearing • Charges Taken Into Consideration • Antecedents • Address on sentence/ Mitigation • Pronouncement of Sentence & Consequential Orders • Retraction of Guilty Plea 		
6.	Trial	<p>How does a criminal trial work? In this lecture, Candidates will cover:</p> <ul style="list-style-type: none"> • Case for the Prosecution • Adverse inferences • Close of Prosecution's case • Case for the Defence • Recalling witnesses • Rebuttal witnesses • Closing submissions and judgment • Impeachment 	5. Trial	
7.	Contact Session II (2 hours)	During Contact Sessions, Candidates will have the opportunity to field questions and discuss the learning material. The Contact Session will span 1.5 – 2 hours.	Candidates should review ALL learning materials in SN 5 and 6 in preparation for Contact Session II.	3 October 2024, 2.30 to 4.30 PM
8.	Appeals & Other Applications	<p>What happens after the end of trial? Parties which are dissatisfied with the court's findings can still attempt to launch an appeal or start another application. In this lecture, candidates will cover:</p> <ul style="list-style-type: none"> • Overview • Appeals • Criminal Revisions • (4) Criminal Motions 	6. Appeals & Other Applications	

No.	Content	Content Summary	Learning Material / Comment ¹	Comment
9.	Disposal Inquiry and Forfeiture	<p>Apart from sentencing and judgments, the Court may also preside over ancillary proceedings and other matters. In this lecture, Candidates will cover:</p> <ul style="list-style-type: none"> • The Power to Seize Certain Property • Procedure Governing Seizure of Property • Power of Court to Order Disposal of Property • Disposal Orders • Forfeiture • Confiscation Orders 	7. Disposal Inquiry, Forfeiture	
10.	Contact Session III (2 hours)	During Contact Sessions, Candidates will have the opportunity to field questions and discuss the learning material. The Contact Session will span 1.5 – 2 hours.	Candidates should review ALL learning materials in SN 8 and 9 in preparation for Contact Session I.	1 November 2024, 2.30 to 4.30 PM
11.	Exams	3 December 2024 to 20 December 2024		