



Prosecution on Fiat Training Programme Programme Details

Seminar 1: Monday 27 September 2021 5:30 – 7:00pm

Guest Speakers: Winnie Tam SC, Graham Harris SC, and Maggie Yang DPP
Speakers: Polly Wan (DoJ), Marco Li (Bar)

Considerations prior to start of trial

1. Liaison.
2. Prosecution Code: Key chapters.
3. Victim's Charter.
4. Starting point.
5. Preparatory matters.
6. Amendment of Charge.
7. Handling plea bargain.
8. How to handle offers to cooperate with law enforcement? Taking of NPS etc. Who to speak to in the event that such offers are made (Advising counsel/SPP OCM/ SCP 1)?

At the conclusion of Seminar 1, the course materials will be distributed to the participants.

Written assignment (1)

The participants will be required to write a short Advice on charges for trainers to review.

Seminar 2: Tuesday 5 October 2021, 5:30 – 7:00pm

Speakers: Edward Wong (Magistrate), Polly Wan (DoJ), Emily Yu (Bar)

Pre-trial Preparations – Part 1

1. Know the Court and the clerk.
2. Any issues from pre-trial preparations?
3. Preparation for PTR.
4. Defence Witnesses.
5. Trial length & practical arrangements.
6. Documents preparation.
7. Internal assessment of merits/weaknesses.
8. Consider source of evidence.
9. Discussion on the draft Advice submitted by the participants.

Written Assignment (2)

Participants will be required to prepare draft Admitted Facts for trainers to review.



Seminar 3: Tuesday 12 October 2021 5:30 – 7:00pm

Speakers: Andrew Mok (Magistrate), Polly Wan (DoJ), Memi Ng (Bar)

Pre-trial Preparations – Part 2

1. Exhibits.
 2. Anticipation of challenges/weaknesses.
 3. Witnesses in trial.
 4. Vulnerable witnesses.
 5. Expert witness.
 6. Reminders/examples – general evidence handling (what questions to ask).
 7. Discussion on the draft Advice submitted by the participants.
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Seminar 4: Friday 15 October 2021 5:30 – 7:00pm

Speakers: Andrew Mok (Magistrate), Polly Wan (DoJ), Franco Kuan (Bar)

Practical issues and challenges by the defence

1. Stay of proceedings.
2. Voir dire/alternative procedure.
3. Constitutional challenges.
4. Non-disclosure.
5. Amendment of charges.
6. Criminal Records/Disciplinary records.
7. Evidential law concerns?
8. Half time submissions/Case to answer.
9. Right to speeches.
10. Prosecutor's duties in Sentencing.
11. Disposal of Exhibits.
12. Costs.
13. Bail pending appeal.

Post-trial tasks/duties

1. Post-trial advice.
 2. Documentation.
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Seminar 5: Monday 18 October 2021 5:30 – 7:00pm

Speakers & Trainers: Graham Harris SC, David Leung SC, Giles Surman, Jonathan Ah-weng, S.W. Lee

Advocacy Refresher – Part 1

I. Examination-in-Chief (General)

1. Basic Techniques.
2. Live Demonstration of Asking non-leading questions to elicit evidence from a victim in a simple case.
3. Simple Exercises for Participants to conduct Examination-in-Chief.
4. Feedback with further Demonstrations.
5. Live Demonstration of Production of Exhibits.
6. Live Demonstration of Examination-in-Chief in Voir Dire.
7. Short exercise for Participants.

II. Refreshing Memory

8. Basic Techniques.
9. Live Demonstration with examples.
10. Short exercise for Participants.

Briefing on the mock trials

Participants will be paired up as a team to draft and file a joint set of Admitted Facts to be submitted 3 days before the mock trial.

Seminar 6: Tuesday 19 October 2021 5:30 – 7:00pm

Speakers & Trainers: David Leung SC, Giles Surman, Jonathan Ah-weng, S.W. Lee

Advocacy Refresher – Part 2

III. Handling Hostile Witness

1. Basic Techniques.
2. Live Demonstration with examples.
3. Short exercise for Participants.

IV. Cross-Examination

4. Basic Techniques.
5. Live Demonstration with examples.
6. Short exercise for Participants.

V. Re-examination

7. Basic Techniques.
8. Live Demonstration with examples.
9. Short exercise for Participants.



Seminar 7: Wednesday 20 October 2021 5:30 – 6:30pm

Presenters: Performance Coach from Punch Performance

Introduction to Performance Skills

Mock Trials: Saturday 23/30 October 2021 9:30am – 5:30pm

Participants will be paired up as a team to conduct a full trial as fiat counsel in their elected stream of either English or Chinese (Punti) trial on one of the two Saturdays.

3 days before the mock trial, participants have to submit a set of draft Admitted Facts.

Participants will conduct a full trial uninterrupted, presided over by Magistrates and members of the Bar who have sat as Deputy Magistrates, with Defence counsel and witnesses.

Magistrates:

Principal Magistrate Ada Yim
Acting Principal Magistrate Jason Wan
Acting Principal Magistrate Lily Wong
Magistrate Veronica Heung
Magistrate Colin Wong
Magistrate Andrew Mok
Magistrate Arthur Lam
Magistrate Jacky Ip
Magistrate Gary Lam
Magistrate Peter Yu
Magistrate Minnie Wat

Trainers & Defence Counsel:

Graham Harris SC	David Leung SC
Martin Hui SC	David Ma
Steven Kwan	Marco Li
Bruce Tse	David Boyton
Charles J. Chan	Memi Ng
Lawrence Hui	Edward Ng
Jonathan Ah-weng	S.W. Lee
Tony Li	Tony Ko
Franco Kuan	Benson Tsoi
Joseph Lee	Kay Chan
Shirley Hung	Linda Chan
Emily Yu	Grace Chau
Yasmine Zahir	Breanne Kwok