



**ADVOCACY CUP 2022
SEMI-FINALS AND GRAND FINALS**

PP v DENNY TAN

BACKGROUND

The Charge reads:

CHARGE

You,

Name : DENNY TAN
Sex/Age : MALE / 30 YEARS OLD

are charged that in or around 19 June 2021, at 24A Riverwest, Bedok Spring Condominium, #10-55, did push Nat Oh from a height, thereby causing the death of the said Nat Oh, an offence under section 300(a) of the Penal Code, punishable under section 302 of the Penal Code.

Examination in Chief

Examination-in-Chief of the Prosecution Witness must be based on the statement to the Prosecution – Confidential Statement 1.

Examination-in-Chief of the Accused must be based on the statement to Defence Counsel – Confidential Statement 2.

Cross Examination

The Prosecution has indicated that it will only cross examine the Accused, Denny Tan. The Defence has chosen to cross examine Mac Lim, Nat Oh’s neighbour from the opposite block.

Only one material witness for the Prosecution and the Defence will be cross examined for the purposes of the Mock Trial.

Both Prosecution Witness and Accused may be cross examined on the entire contents of the Confidential Statements. For the purposes of the cross-examination, the statements made in each of the Confidential Statements shall be taken to have been adduced during the respective Examinations-in-Chief.

All other Exhibits and statements are to be taken to have been duly admitted into evidence for the purposes of the cross-examination.

CONFIDENTIAL STATEMENT 1

Statement of Mr Mac Lim to Prosecution

1. I am Mac Lim, 25 years old. I am an accounts manager. I live with my parents at 26A Riverwest, Bedok Spring Condominium, #05-55.
2. I had just returned home from a night out with my friends on 19 June 2021. We started drinking at around 8 p.m., and had to end around 10.30 p.m., when the bars started closing.
3. I can hold my alcohol pretty well, but when I got home that night, my head was spinning. I think it was about 11.00 p.m. when I reached home and got to my room. I don't know what the time was as I was not wearing a watch on me. I was taking out my contact lenses and getting ready to go to bed when I heard a noise from the opposite block of apartments.
4. I glanced out of my window and saw two figures at the balcony of the 10th floor, right opposite my block. One figure was wearing a navy-blue t-shirt and black shorts, and of a short build. The other figure was wearing a white shirt and dark blue jeans, and of a taller build, about a head taller than the other figure.
5. The two figures seemed to be talking to each other in a heated manner when all of a sudden, the taller figure grabbed the shorter figure. A struggle between them ensued. I could see that the shorter figure's hands were grabbing the balcony railing, while the taller figure was trying to push him off.
6. I am sure that the taller figure was attacking the shorter figure.
7. I turned around to get my spectacles to get a better look at the commotion. I usually keep my spectacles right beside my bed, on top of a drawer, but that night, it just so happened that I could not find them there. I must have misplaced them before I went out.
8. I went all around the house to start looking for my spectacles, and finally found them at my sink, next to where my toothbrush was. Just as I got a hold of my spectacles, I heard a loud thud. I quickly put on my spectacles and took a look outside. I saw a body lying on the first floor in a pool of blood, motionless. It was the shorter figure.
9. I immediately called for an ambulance and then the police.
10. I later learnt the identity of the victim as Nat, my neighbour.
11. I do not know Nat well. I have bumped into him once or twice in the condominium gym, when I started working out last year. Nat was very strong, despite being quite short. I saw him bench press 80kg and deadlift 100kg. That was very impressive to me.
12. It is a pity he died so young.

CONFIDENTIAL STATEMENT 2

Statement of Mr Denny Tan to Defence counsel

1. I am Denny Tan and I am 30 years old. I work at AbangBeer Pte Ltd, a company that I help found with Nat.
2. Nat and I have been close friends since we were children. We were in the same class in secondary school and went to the same junior college as well. Later, during university, we both chose to do a degree in business. During our university days, we would regularly go clubbing and stay out late together.
3. Bonded by our mutual love for alcohol, we started experimenting on brewing our own beer. We eventually created our speciality blend, "*Lux-spice Beer*", and we decided to set up AbangBeer to distribute it.
4. Nat and I have been business partners for about 6 years now. As we are childhood friends and worked on creating this business together, we decided to be 50-50 shareholders of the company. This has always worked out for us as we make our decisions by agreement. We always find a way together.
5. Our business was initially very successful. Lux-spice Beer was a hit amongst Singaporeans, both young and old. However, COVID-19 and the Circuit Breaker did pose some difficulties for us, given that nightlife operations have been heavily curtailed.
6. The night of 19 June 2021, I got a text from Nat asking me to come over for a drink. I went over, thinking it would just be our usual merrymaking session. But when I arrived, I found that Nat was already heavily intoxicated. He told me that he had at least finished three bottles of Lux-spice Beer, and was starting on his fourth one.
7. As I was starting to have a stomach ache, I declined any drinks. We sat at the balcony of his condominium apartment and talked. Nat was unusually melancholic that night. He told me that he had recently been clinically diagnosed with depression and had been seeing a psychiatrist. He told me that he was afraid that his wife, Angela, had been cheating on him. In addition to all of that, he was worried about the finances of AbangBeer, which had taken a turn for a worse due to the COVID-19 situation.
8. At one point, while we were talking, Nat got very emotional, stood up and grabbed the balcony railing. I was a bit shocked, and worried that he might fall off in a drunken stupor, so I hurriedly grabbed him by the shoulders and asked him to head back into the apartment. Thankfully, Nat listened to me, and we headed inside.
9. As it was getting late by then, and I had an early morning yoga class the next day, I decided to head off first. I told him not to worry, and not to do anything silly since things would work out for the company as we would be getting a fresh injection of cash soon.
10. After exiting Nat's apartment, I took the lift straight to the basement carpark, where I got into my car and drove home.
11. Nat is my friend and I did not kill him.

STATEMENT 1

Coroner's Evidence

1. Victim's death was caused by a fall from a height. I cannot discern if there were signs of struggle prior to that.
2. Accused had high level of alcohol content in his blood at point of death. Traces of antidepressant drugs were also found in the Accused's bloodstream.

STATEMENT 2

Statement made by IO, Benedict Batch

1. Report made by the Coroner suggested that Deceased's death was caused by a fall from his condominium apartment.
2. Balcony railing has fingerprints of the Deceased only.
3. A search of AbangBeer Pte Ltd's office revealed documentary evidence that AbangBeer Pte Ltd is in debt of over \$500,000. Letters of demand threatening insolvency proceedings dated in or around December 2020 were found.
4. Forensics done on the Deceased's mobile phone revealed WhatsApp conversations, exhibited herein as Exhibits 1 and 2.
5. A search of the condominium apartment revealed letters between Accused and Angela, exhibited herein as Exhibits 3 and 4.
6. The CCTV footage taken on the night of the incident shows the following:
 - a. 10.26 p.m. - Accused seen entering the Deceased's apartment. Accused was wearing a white shirt and dark blue jeans.
 - b. 11.03 p.m. – Accused seen leaving the Deceased's apartment.
 - c. 11.10 p.m. – Angela is seen coming home. Angela was wearing a white blouse and light blue jeans.
7. The Deceased has a life insurance policy in the sum of \$1,000,000, with Angela as the sole beneficiary.

STATEMENT 3

Statement made to IO by Accused

1. Nat and I are business partners. We founded AbangBeer Pte Ltd together.
2. I only dropped by his house to pick up some company documents on the night of the fateful incident. I had a couple of drinks with him before leaving. We talked about our plans to expand AbangBeer to Thailand in the coming year together.

3. Nothing seemed out of the blue about Nat when I met him.
4. I have never seen the letters you have shown me. It is not my handwriting. I do not know Angela.
5. I left at around 11.00 p.m..
6. Nat is my friend and I did not kill him.

STATEMENT 4

Statement made to IO by Mac Lim

1. I live opposite where the incident occurred. I could see all of the events very clearly from where I was.
2. I heard a commotion occurring outside my block at about 11.00 p.m.. I saw two figures struggling at the balcony of the 10th floor. One was wearing a black t-shirt and black shorts. The other figure was wearing a white shirt and light blue jeans.
3. I thought nothing much about it at first, as I wanted to go to bed. I turned away from the window and went to brush my teeth to get ready for bed. A while later, I heard a loud thud sound.
4. I put on my spectacles and took a look outside. I saw a body lying on the first floor in a pool of blood, motionless. I called the police immediately after.

STATEMENT 5

Statement made to IO by Angela Mah

1. I am Nat's wife. I have been married to him for 3 years. We have no kids.
2. I was out that night with my girlfriends. I only learnt about my hubby's death after I got home. I realised he was not in the apartment but lying at the foot of our condominium block instead. I was extremely shocked and broke down and cried on the spot.
3. Nat has been depressed and unstable recently. I think it's because his business hasn't been doing well. Sometimes he will fly into a rage and throw and smash things in the house. Once, he threw a beer bottle at me because I said something that annoyed him.
4. I don't know Denny well. I have only met him a couple of times as he is Nat's business partner. I think we went clubbing together with a group of friends together back in the good old days. Nat said they were best friends from high school.
5. I am very sad that Nat is dead now. I don't know why he had to leave me like that.

STATEMENT 6

Statement made to IO by Kua Buay Tio

1. I am Kua Buay Tio, Optometrist for Mac Lim. I have been his optometrist for 10 years.
2. Mac Lim is short sighted in the left eye by 50 degrees and in the right eye by 400 degrees. He has severe astigmatism.
3. He always loses his glasses and comes back to me every 6 months to make a new pair. He would come into my shop squinting.

STATEMENT 7

Statement made to IO by Bo Lui

1. I am Bo Lui, an employee of AbangBeer Pte Ltd. I handle the reporting of AbangBeer's accounts. Nat and Denny are both directors.
2. We have been losing money every month, for more than twelve months straight now. I heard that there is also a potential lawsuit against AbangBeer for breach of agreement. Suppliers have been chasing us for payment.
3. I sit right outside Nat's office. I was very scared of Nat. Nat would often shout at employees if they made a mistake. He would also be screaming on his phone at times. I don't know who Nat was on the phone with.
4. Recently, Nat and Denny have had increasingly heated confrontations over the company's poor state of finances. On 17 June 2021, I was doing work at my desk when I heard Nat and Denny having an argument. I distinctly remember Nat saying to Denny: "This is all your fault! You better find a way out of this, or I'll kill you I swear!"
5. In response, I heard Denny raise his voice and say: "How dare you?! This whole company is my baby. The beer is my creation! You deserve nothing! If you didn't have a 50% stake, I would long have given you the boot!"
6. I got scared, so I went to the toilet to hide.

STATEMENT 8

Statement made to IO by Quek Ting Fang

1. I am Dr Quek Ting Fang, Nat's psychiatrist.
2. Nat came to seek help around December 2020, and I diagnosed him with major depressive disorder. Nat has a history of suicidal ideation. I gave him anti-depressants to cope with his condition.

EXHIBIT 1

WhatsApp messages from the Deceased to the Accused on 19 June 2020:

[19/6/21: 10.11pm]

Hey Bro

[19/6/21: 10.12pm]

Can you come over I need to talk to you

EXHIBIT 2

WhatsApp messages from the Deceased to Angela Mah on 19 June 2021:

[19/6/21: 10.00pm]

You better come back

[19/6/21: 10.00pm]

I know where you've been going, stop lying to me

[19/6/21: 10.00pm]

You're going to meet him aren't you

EXHIBIT 3

Letter found on the Deceased's dressing table:

Dear Angela

I love you... let's run away together

EXHIBIT 4

Letter found on the Deceased's dressing table:

Dear D

Hiding things from N is getting harder... we will have to act soon