



HONG KONG INTER-SCHOOL MOCK TRIAL CHAMPIONSHIP

13-14 April, 2019





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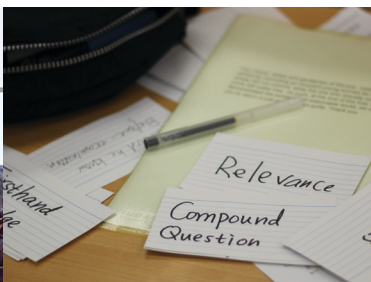




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FOREWORD

Congratulations to ACO for organising the Hong Kong Inter-School Mock Trial Championship 2019. The Championship not only provides the opportunity for the Champion to take part in the United States world-class competition, but also to local secondary school students to learn about the legal system in Hong Kong before choosing their future careers. From the mock trial, they learn about the role of judges, barristers and solicitors, and also citizens who all play a part in the rule of law. It is not only a challenge to their debating skills, but also requires their understanding of the various roles, researches into the law, analysing and advocacy abilities. It will certainly lead the students through an interesting expedition which I hope they will all enjoy.

THE HONOURABLE
MISS ELSIE LEUNG OI-SIE, GBM, JP



You would have seen depictions of court scenes and portrayals of famous lawyers in film, television and social media. Few things capture the imagination like the drama and suspense of a trial. This unique set of competitions provides the opportunity for students not just to observe, but to be part of a very realistic mock trial, with judges who are eminent members of the legal profession, and set in the impressive Moot Court at the Faculty of Law, University of Hong Kong. There is no lesson like hands-on experience, no excitement like the chance to have a say in how a trial unfolds. It would be a pity to pass on such a “one in a lifetime” event.

PROFESSOR MICHAEL HOR; DEAN, FACULTY OF LAW,
THE UNIVERSITY OF HONG KONG





The challenge of a moot mirrors the challenge lawyers face in conducting litigation. We are concerned to understand the client's problem, identify possible solutions, manage expectations and work effectively to a resolution of the controversy. As participants in the 6th Hong Kong Inter-School Mock Trial Championship you will have to understand the subject matter of the moot, work out how your team can best advance your case, motivate and help one another and prepare and present effectively. It is not an exam. There is no right answer.

I know from the high standards of the various teams in previous years that you will all have prepared thoroughly and will take the moots very seriously. But do not become obsessed with winning. Enjoy the competition and take the opportunity to watch other competitors. Have fun!

THE HONOURABLE
MR. JUSTICE JONATHAN HARRIS



I congratulate ARCH Community Outreach and its partners, Empire Mock Trial and the University of Hong Kong, for hosting the Hong Kong Inter-School Mock Trial Championship 2019. This is the sixth year of the Championship, and it continues to grow in stature and influence. It has helped students to develop their advocacy skills, and provided them with a useful introduction to how our legal system operates. It is particularly heartening to see the way in which the Championship is helping to prepare our future trial advocates, and everyone who participates will undoubtedly benefit from the experience. A trial is not ultimately about winning or losing, but about getting to the truth of the matter in dispute. The Championship provides participants with experiences which will be invaluable in their future careers, and I urge them to make the most of the opportunity.

PROFESSOR GRENVILLE CROSS
SBS, SC



WELCOME

On behalf of ARCH Community Outreach, it is our honour to welcome you to Hong Kong Inter-School Mock Trial Championship (HKISMTC) 2019! We are excited to organise the annual competition that brings together over 300 students from 22 secondary schools. We hope that all competitors are excited to argue this year's case, "Chan v. FTW Canning", and have the chance to win a sponsored trip to the US to compete in the Empire Mock Trial San Francisco competition in the fall.

The HKISMTC 2019 is the culmination of a year of hard work. We are pleased to collaborate with Empire Mock Trial and The University of Hong Kong. We are grateful for all the time and effort our sponsors and partners have dedicated to help recruit judges and volunteers from all around Hong Kong, without which this competition would not be able to happen. We would also like to offer our sincerest gratitude to the Honourable Mr. Justice Jonathan Harris and Professor Grenville Cross SBS, SC – two illustrious legal practitioners who have kindly agreed to serve as our Chief Adjudicators for the competition.

Participants in the competition have embraced the rigors of academic and exam preparation, and dedicated months to prepare for all the challenging case. Regardless of the competition outcome, we are proud of all the hardworking teams have shown through the preparation workshops and hope the competition experience will help further help further develop advocacy, critical thinking and public speaking skills in our youths.

In the past 6 years, we have witnessed the incredible growth of the mock trial competition in Hong Kong. We look forward to watching all teams bring this year's case to life. Best of luck to all participants this weekend. Together, let's take mock trial to greater heights!

Best,
Jennifer Ma & Jennifer Yu

OPPORTUNITY TO COMPETE IN THE U.S.



The Championship Trial Team of 2018, Hong Kong International School, competed in the Empire Mock Trial Tournament held in San Francisco in October, 2018. Competing against 27 international teams from 4 different countries in the tournament, Rael Baird and Pieter van Wingerden, members of the HKIS team, received numerous commendations from judges each while the team as a whole won 3 ballots at the competition against a highly competitive opponents. It was a valuable opportunity for students to experience an international education, broadening their horizons beyond Hong Kong's shores.

This year's winning team will get the opportunity to compete in Empire Mock Trial's San Francisco tournament! It is our mission to broaden student participation in mock trial locally and internationally through this fun debating activity.



PANEL SPEAKERS

PROFESSOR GRENVILLE CROSS SBS, SC

Professor Grenville Cross SBS, SC is the Vice Chairman (Senate) of the International Association of Prosecutors. He served as Director of Public Prosecutions from 1997 to 2009, and as Deputy DPP from 1990 to 1997. He was appointed Queen's Counsel in 1990, becoming Senior Counsel in 1997. He is Honorary Professor of Law, University of Hong Kong, and Visiting Professor of Law, Chinese University of Hong Kong. He is Sentencing Editor of Hong Kong Cases and Archbold Hong Kong, and co-author of Sentencing in Hong Kong. In 2010, he was awarded the Silver Bauhinia Star, for his role in the development of prosecution services.



THE HONOURABLE MR. JUSTICE JONATHAN HARRIS

Mr. Justice Jonathan Harris of the High Court of the HKSAR read law at University College London. He qualified as a solicitor in 1983 and came to Hong Kong with an international law firm. Judge Harris rose to the rank of partner in the firm that is now. He was appointed Senior King Wood Mallesons, prior to joining the Bar in 1990. He was appointed Senior Counsel in 2006. Judge Harris' principal areas of practice involved company, insolvency, and security matters. He was appointed to the Court in 2009, and has since served as the Hong Kong Companies Court Judge.



MS. VICTORIA LLOYD

Ms. Victoria Lloyd was born in Hong Kong. She studied at Maryknoll Convent School since primary school through to secondary school. She read law at Oxford Brookes University and the College of Law, London. She then returned to Hong Kong to commence her legal career. Ms. Lloyd has been in private practice, since 1994, focusing on corporate and commercial law. She advises corporates and banks on mergers and acquisitions, securities offerings and other corporate and compliance matters. She has worked predominantly at international law firms and was made partner of an international law firm in 2006.



MR. WILSON LEUNG

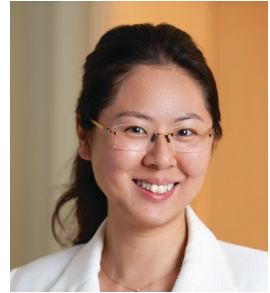
Mr. Wilson Leung is a barrister at Temple Chambers who practises in commercial litigation. He studied at the French International School in Hong Kong. After obtaining degrees from the London School of Economics and the Massachusetts Institute of Technology, he went to study law at BPP University and the University of Hong Kong. He received the Bar Scholarship and the Charles Ching Memorial Scholarship from the Hong Kong Bar Association. He was called to the Bar in 2008.



MODERATOR

MS. SECY CHEUNG

Ms. Secy Cheung read law in the United Kingdom and obtained the PCLL from the University of Hong Kong before she got her LLM in PRC law from the Renmin University of China (中国人民大学). Ms. Cheung is an experienced litigator and specializes in civil and commercial litigation, including white collar defence and investigations. Over the past 15 years, Ms. Cheung has been participating in a number of pro bono and charity projects in Hong Kong as well as overseas, these include mock trial demonstrations in the United Kingdom, mentorship programmes in Hong Kong, teaching underprivileged kids in developing countries, combating human rights abuses, discrimination against women, discrimination based on sexual orientation and gender identity etc.



THE CASE EXCERPT

CASE SUMMARY

Chan v. FTW Canning

On 2 October 2017, Lee Chan ate canned peaches for dinner. A day later, she fell into a coma from which she would never wake up. After investigation, local police arrested Rowan Qing for contaminating a shipment of Princess's Peaches cans, manufactured by FTW Canning, with botulism. Lee's child, Andy Chan, has brought a suit against FTW Canning, alleging that the company knew that their products posed an increased risk of tampering. The affected cans, a new design FTW recently started manufacturing, had solid tabs, which made it easier to be tampered with and more difficult for the tampering to be discovered visually. No one is disputing how this attack occurred; the question is: did FTW Canning see this coming? Should they have? Was this attack too nefarious and unexpected for FTW to have foreseen it?

Andy Chan is bringing one cause of action as administrator of the estate of Lee Chan: negligence. The defendant, FTW Canning, has admitted that it owed a duty of care to the plaintiff to ensure its products were safe for their intended use and to warn consumers of any risks associated with their products. With that element undisputed, Chan, as the plaintiff, bears the burden of proving the following elements by a preponderance of the evidence. In other words, they must prove that the following things are more likely true than not:

1. Breach: That the defendant failed to discharge its duty of care, either by failing to produce a safe product or by failing to sufficiently warn the plaintiff of the risk its product posed.
2. Causation: That the defendant's breach was the direct and proximate cause of the harm suffered by the plaintiff. To prove this, the plaintiff must show that if the defendant had not breached its duty, the plaintiff would not have suffered harm, and that the plaintiff suffering harm was foreseeable.
3. Harm: That the plaintiff's decedent, Lee Chan, suffered harm.

CHAMPIONSHIP DETAILS & SCHEDULE

DAY 1 - APRIL 13, 2019 (SATURDAY)

8:15am	Registration	Large Moot Court
8:30am	Judges' Orientation	Judges' Room
8:45am	Opening Ceremony	Large Moot Court
9:15am	Pre-Trial Conference	Small Moot Court
9:45am	Round 1 (3 hours)	Competition Rooms
12:45pm	Lunch Break	
1:15pm	Judges' Orientation	Judges' Room
2:00pm	Pre-Trial Conference	Small Moot Court
2:30pm	Round 2 (3 hours)	Competition Rooms

DAY 2 - APRIL 14, 2019 (SUNDAY)

8:00am	Judges' Orientation	Judges' Room
8:30am	Registration	Large Moot Court
8:45am	Pre-Trial Conference	Small Moot Court
9:15am	Round 3 (3 hours)	Competition Rooms
12:15pm	Lunch Break	
12:45pm	Judges' Orientation	Judges' Room
1:30pm	Pre-Trial Conference	Small Moot Court
2:00pm	Round 4 (3 hours)	Competition Rooms
5:15pm	Panel Discussion	Large Moot Court
5:45pm	Awards Ceremony and Photo Taking	Large Moot Court

IMPORTANT ROOMS

Large Moot Court	2/F
Tabulation Room.....	Room 310
Captains' Room.....	Room 311
Judges' Room	Room 322 & 323
Small Moot Court	Room 723

COMPETING TEAMS

Teams have been assigned a food-themed team name for use over the course of the competition. These team names will allow us to communicate matchups and other important information, without revealing to judges the identities of schools. Please **DO NOT** share the name of your school with any judge during the competition. Below is the list of participating teams, followed by their assigned team name. The matchups for the first round of this year's competition will be randomly determined. Teams will find out which side and which team they will be facing through ACO's Facebook/ Instagram.



1. Apple Pie
Baptist Lui Ming
Choi Secondary
School



2. Cupcake
Belilios
Public School



3. Curry
Canadian
International School
of Hong Kong



4. Dim Sum
Chinese
International School



5. Donut
Diocesan Boys'
School



6. Dumpling
Diocesan Girls'
School



7. Egg tart
German Swiss
International School



8. Fried Rice
Good Hope
School



9. Hamburger
Harrow International
School Hong Kong



10. Hot Dog
Hoi Ping Chamber
of Commerce
Secondary School



11. Hot pot
Hong Kong
International School



12. Ice Cream
La Salle College



13. Noodles
Li Po Chun United
World College of
Hong Kong



14. Paella
Maryknoll Convent
School (Secondary
Section)



15. Pancake
S.K.H. Lam Woo
Memorial
Secondary School



16. Pizza
S.K.H. Tsang Shiu
Tim Secondary
School



17. Salad
Sing Yin Secondary
School



18. Sandwich
St. Joseph's
College



19. Sushi
St. Paul's
Convent
School



20. Spaghetti
Victoria Shanghai
Academy



21. Steak
Wah Yan College,
Kowloon



22. Taco
Yew Chung
International School

GUIDELINES FOR SPECTATORS

Spectators are permitted in all trials and we encourage you to watch as much of the competition as possible! To ensure that rounds proceed smoothly, we kindly ask all spectators to abide by the following guidelines:

- Please turn off or silence your phones and cameras. Photography is permitted, but kindly turn off the flash to avoid distracting the judges and competitors! Please note, however, that video recording of any kind is prohibited.
- When observing a mock trial, please try to limit any movement in and out of the room. There will typically be recesses halfway through trial (after the Prosecution Case-in-Chief) and near the end (before Closing Arguments). If you must transit before then, please wait until the current exam or statement has finished before exiting or entering the room.
- Please do not communicate with competitors! Competitors are not allowed to talk to or otherwise communicate (including verbal, non-verbal and written) with spectators until the round is officially over.
- While water is permitted in all rooms, other food and drinks should not be consumed in competition rooms.
- Please help us to keep HKU's rooms neat and tidy! Do not move any chairs or tables unless directed to do so by staff.
- Please respect the other team, judges, and staff at all times. Disruptive spectators may be asked to leave the room.
- Any issues should not be taken to the room judge. Instead, all problems should be directed to the nearest staff or to the Tabulation Room.



**NO
VIDEOSHOOTING
ALLOWED**



**NO FOOD
ALLOWED**



**COMMUNICATION
WITH COMPETITORS
FORBIDDEN**



**PLEASE BRING YOUR
OWN WATER BOTTLE**

FREQUENTLY ASKED QUESTIONS

WHAT IS MOCK TRIAL?

Mock trial is a competitive event where students step into the roles of lawyers and witnesses for a fictional court case. Two teams, one Prosecution and one Defence, examine witnesses, argue objections, and battle to win the case.

HOW DOES A TEAM WIN?

Each team tries the case four times, twice as the Prosecution, and twice as the Defence. In each round, there are two judges grading the teams based on their performance.

Judges give each team a score for each part of the trial. For lawyers, this score depends on considerations like argument delivery putting appropriate questions to witnesses; for witnesses, it is based on considerations like character development and knowledge of the facts. At the end of the round, all those scores are added up, and whichever side scores more points is the winner of that round. The verdict is not what matters at the end of the trial – the number of points won on each judge's ballot is the key.

WHAT ARE THE AWARDS?

- Championship Trial Team
- Outstanding Trial Teams
- Honourable Mentions
- The Honourable Mr. Justice Harris Award
- Outstanding Witnesses
- Outstanding Barristers



MORE ABOUT MOCK-TRIAL

Opening Statements

Opening statements are one of only two occasions when barristers are permitted to give speeches to the jury. During an opening statement, barristers preview the evidence and the witnesses they will offer at trial. Opening statements are the first time a jury hears specifics regarding the case, so barristers must speak clearly and methodically.

Examinations-in-Chief

For most of a trial, a team must present its evidence by putting questions to the witnesses. Exams-in-Chief involve two members of a team: one barrister and one witness. The witness must answer all of the barrister's questions while remaining in character. There will be three direct examinations per team. The Plaintiff presents the case first.

Cross Examinations

After every direct exam of a witness, the opposing team will also be allowed to ask questions. This is known as a cross examination. This meant to bring out information that the witness or side may be trying to hide, and barristers are much more pointed. Sometimes they will attempt to bring out information that was not mentioned during the exam in chief, or they may attack the witness' credibility. There is an opportunity to cross examine all three witnesses brought by the opposing side.

Closing Arguments

After all the witnesses (from both sides) have been called, each team is given one last opportunity to make the case for its side. This is the closing argument, and is presented directly to the 'jury.' During a closing argument, barristers marshal all the evidence elicited at trial that support their side, and ask the jury to deliver a verdict for their side.

MOCK TRIAL: PHASES

Opening Statement	1. Prosecution Opening	
Prosecution Case-in-Chief	2. π 1, Exam-in-Chief	3. Cross of π 1
	4. π 1, Exam-in-Chief	5. Cross of π 2
	6. π 3, Exam-in-Chief	7. Cross of π 3
RECESS		
Defence Case-in-Chief	8. Defence Opening	
	9. Δ 1, Exam-in-Chief	10. Cross of Δ 1
	11. Δ 2, Exam-in-Chief	12. Cross of Δ 2
	13. Δ 3, Exam-in-Chief	14. Cross of Δ 3
RECESS		
Closing Arguments	15. Prosecution Closing	
	16. Defence Closing	

Time limits apply to each team for each phase of a mock trial as follows:

Opening Statements:	5 minutes	π = Prosecution
Case-in-Chief:	25 minutes (total)	Δ = Defense
Cross Examination:	25 minutes (total)	
Closing Arguments:	9 minutes	

MAP AND DIRECTIONS



If you have any questions, please feel free to seek help from our competition assistants.

RESTAURANT OPTIONS

1. **BIJAS Vegetarian (一念素食)**

Location: G/F Run Run Shaw Tower, Central Podium, Centennial Campus

Opening hours: 11:30 a.m. - 9:00 p.m. (Sat) | CLOSED (Sun)

2. **Super Super Congee (一粥麵)**

Location: G/F Run Run Shaw Tower, Central Podium, Centennial Campus

Opening hours: 7:30 a.m. – 9:30 p.m. (Sat) | CLOSED (Sun)

3. **Delifrance**

Location: G/F The Jockey Club Tower, Central Podium, Centennial Campus

Opening hours: 8:00 a.m. – 8:00 p.m. (Sat & Sun)

4. **Grove Café**

Location: LG/F, The Jockey Club Tower, Centennial Campus

Opening hours: 8:00 a.m. – 10:00 p.m. (Sat) | 8:00 a.m. – 9:30 p.m. (Sun)

5. **Starbucks**

Location: Shop No.2, G/F, Composite Building



Ropes & Gray

is proud to be the Platinum Sponsor of the

HONG KONG INTER-SCHOOL MOCK TRIAL CHAMPIONSHIP 2019

**We congratulate this year's participants
and wish them well in the competition
and beyond.**

A GLOBAL LEADER

Ropes & Gray serves the needs of clients worldwide with a team of approximately 1,400 lawyers and legal professionals. We are proud to be recognized for a wide range of leading practices, as well as for the quality of our work, our commitment to diversity and inclusion, and our dedication to pro bono service.

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Learn more at [**ropesgray.com**](https://ropesgray.com).

ARCH COMMUNITY OUTREACH

ARCH Community Outreach (ACO) is a non-profit charity (IR File No. 91/11870) aimed at broadening Hong Kong youth's exposure to international education experiences and diverse careers networks. ACO offers two broad services - Widening Access Programs and Widening Participation Programs.



- Widening Access Programs (WAP) target under-resourced or under-represented high achieving students with the aim to provide support and guidance requisite for academic and professional success. Programs will include Careers Program, University Application Support and School Training and Workshops. Participants and Participating Schools are evaluated for eligibility to join the WAP programs.
- Widening Participation Programs (WPP) offer opportunities to all students in Hong Kong with an aim for them to learn from globally renowned professors and have an international exposure. Programs will include Global Aspiring Medic Conference, Hong Kong Interschool Mock Trial Championship and The Young Laureate Award.

STUDENTS' SUCCESS STORIES



Sandy Ng
(Po Leung Kuk Centenary Li
Shiu Chung Memorial College)
Land Economy, the University
of Cambridge with Prince Philip
Scholarship 2017-18

"Born at the grassroots, I never imagined myself studying at the University of Cambridge. The impossible became possible as I received tremendous help from the ACO program apart from my school. From writing personal statements to aptitude test and interview preparation, I was tutored and guided on a 1-1 basis. Not only were practical skills and knowledge attained, but also inspirations on my future career. I have gained so much exposure by visiting numerous renowned firms and meeting industry leaders throughout the ACO program. Without doubt, it was an empowering experience."



Jeff Cheung
(Sing Yin Secondary School),
Wesleyan University with
full scholarship 2016-17

"My story with ACO is an extraordinary one. I attended their scholarship talk and at the talk, Jennifer Ma and Jennifer Yu offered insights on the admissions to overseas schools and successful stories of Thomas and Shirley which inspired me a lot. I was offered the best guidance on the SAT test prep, personal statement and financial aid applications later on. Without the generous support from ACO, I would never dare to dream big! ACO has empowered my whole life, and I aspire to become a person who can empower others' lives!"

DONATION FORM

Personal Information:

Name (English): _____ Name (Chinese): _____

Other Name / Company Name: _____

HKID Card no (First letter and 4 digits):

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 Year of Birth: _____

Sex: _____ Telephone: _____ Email: _____

Name on Receipt (if different from above): _____

Donation Amount:

I would like to make a one-off donation to support ARCH Community Outreach:

☐ HK\$5,000 ☐ HK\$2,000 ☐ HK\$1,000 ☐ HK\$500 ☐ HK\$ _____

**If you would like to make a regular monthly donation, please contact us directly.*

Donation Method:

☐ Cash (Please come to our center for cash donation)

☐ Bank Transfer

HSBC: 048-895-163001 (Account Name: ARCH Community Outreach Limited)

(Please send this form with the original/ copy of the bank receipt)

☐ Crossed Cheque (No.: _____)

(Payable to "ARCH Community Outreach Limited")

Donations are tax-deductible with official receipts. To save administrative cost, an official receipt will be issued for donations of HK\$100 or above. For enquiry, please contact us directly.

ARCH Community Outreach Limited undertakes to comply with the requirements of the Personal Data (Privacy) Ordinance to ensure that personal data kept are accurate and securely kept. The personal data collected will be treated as strictly confidential and will be used by ARCH Community Outreach Limited and its service providers for the purposes of donation administration, receipt issuance and related communications.

To connect closely with you and to keep you informed of ARCH Community Outreach Limited's work as well as advocacy, development and fundraising progress, ARCH Community Outreach Limited and its service providers may use your contact information (name, telephone, email and address) for the purpose of communications, fundraising, volunteer recruitment and survey administration. If you would not like to receive such materials or communications, please tick the box. ☐

With your support, we can nurture more young adults for our future community. Thank you!

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