

GCE

LAW: Criminal Process

Mock Trial



Criminal Process

Mock Trial

N.B. You can substitute your own names, dates etc. and decide on the witnesses you would like to call; or alter or add to any of the following information.

Defendant in case: Max Hasty – charge of burglary

Scenario

On the 23rd of February 2007 a burglary took place at 85 Todd Street. It occurred at about 11.30 at night and was particularly nasty.

Entry was gained by a single man kicking in the front door. The householders, Mr and Mrs Tarot, who are both in their 70's, were upstairs in bed at the time. Awoken by the noise of the door being kicked in they could only lie in terror as the ground floor of their home was ransacked. Later, once silence had fallen, they went down and called the police. The police investigated and a witness came forward (use your own names) saying that he had seen a youth running from the premises. He believed he would be able to recognise the youth if he saw him again.

A list of missing items was prepared which included a Masonic ring belonging to Mr Tarot bearing a Latin inscription. Some days later Dylan Darma was stopped by a beat bobby for riding a bicycle on the pavement. When speaking to him the officer notices that he was wearing a ring matching the description above. He asked him where he had got it from. Darma refused to tell him and was arrested. Later Darma was interviewed and provided a statement to the police. On the strength of this the home of Max Hasty was searched and he was arrested. Subsequently Mr Hasty has been charged with possession of cannabis, you need to interview him about the burglary. (He is interviewed and subsequently charged with burglary and is due to face trial at Crown Court)

Statement of Max Hasty

On the 23rd of February I was walking home. I'd been to a friend's house to borrow a CD but he wasn't in. My route took me past Thomas Park so I thought I'd walk through the park and see who was hanging around by the benches. I used to be a regular down there myself but it all got a bit sad and tired so I gave it up. Also it was beginning to change down there largely because of Dylan. He had an odd attitude like he wanted to be apart of the group but then he wanted it to be his group. He was like friendly to everyone to their face but then really bitchy. Also he was always in trouble with the police. Some of them thought that was smart but I just couldn't see the point.

I told a couple of people what I thought and then I just gradually gave it up. By the 23rd I hadn't been down there for a couple of weeks and hadn't been down there regularly for a couple of months.

As I got down there that night, I could see there was only a few of them on the benches and that one of them was Dylan so I decide I wouldn't stop. I said a general hello and made some general crack about waiting for the aliens and someone said something about how they had been, but now that I'd arrived they could all go home. We all laughed and I just carried on.

Then I heard running behind me and Dylan came out of the dark saying he was going my way and he'd walk with me. My route took me through the estate and Dylan said he had to see someone there.

He told me he was going to see someone called Ken about 'a bit of business' and did I want to come along. I made excuses and he said something like 'you always seem to be busy these days'. I waffled on about stuff but I could see he was getting the message. We parted on Todd Street and I walked home.

About a week later the police came to my house. There were two of them. One I knew because he'd nicked me before for throwing stones at cars. I let them in cos they said they'd got a search warrant but I didn't know what it was about. They were very thorough in their searching and found my dope stash. So then they arrested me and took me down the station. They kept asking me about a burglary on Todd Street but I didn't know what they were on about. They were saying that they had a description which fitted me and I would go on a parade. I agreed and I was picked out. I knew it all had something to do with Dylan particularly since he looks a bit like me but they weren't telling me he'd made a statement and I didn't want to bring him up because you just don't do that. In the end they said they were charging me with the cannabis and that they would need to interview me again for the burglary. Its Dylan they should be talking to, they've got nothing on me except the ID but who says Dylan wouldn't have been picked out if he'd been put up there.

Statement of Dylan Darma

On Sunday the 23rd of February I went over to Thomas Park. Most of my evenings start there and there's a group of us who meet over there. Max Hasty is one of the group. Usually we hang around over there and have a drink before deciding what to do with the rest of the evening.

On the 23rd we sat around for an hour or so and then Max asked me if I wanted to meet a friend of his. He told me he knew someone who had this great place with leopard skin carpets on the walls and things like that. It sounded like a laugh so I agreed to go with him. The house was somewhere on the estate but I couldn't tell you exactly where because I wasn't paying much attention.

When we got there Max introduced me to a person he identified as Len and we went in. The place was wild. All done out in this nylon leopard skin look like the inside of a Mark 3 Cortina. I kept looking for the fluffy dice!

So anyway we sat down and Len got out some cider and put on some music and we started chatting. Some time later Max got up and went out. I remember he said something to Len. I thought he was going to the bog. Then a couple of minutes later Len got up and went out. He said something like 'back in a minute' as he went.

Some time later they both came back laughing. Len brought a bottle of cider with him and put on another record and we carried on talking.

By the time we left it was late. As we were walking home Max offered me this ring. He told me Len had given it to him but he didn't like it much. He said he hadn't wanted to offend Len by turning it down. I looked at it and it looked like gold with this sort of picture of some tool on the front. There were some words inside it but they were in some foreign language and I couldn't read it.

I put the ring on my finger. Later I learnt that the ring was in fact stolen property and I surrendered it to the police. I am willing to attend court and give evidence.

Statement of PC Terry Tantra

On the 28th of February in the company of PC Jones I went to the home of Mr Max Hasty to execute a search warrant. I was working on information received. I rang the bell and Mr Hasty answered the door. He invited us in. PC Jones remained with Mr Hasty in the front room while I searched the bedroom and the kitchen. Nothing was found in the bedroom but in the kitchen I recovered a small quantity of vegetable matter from a jar labelled 'nutmeg'. This was among a large collection of spice jars on a shelf. I returned to the front room where I said to Mr Hasty 'What's this then Max?' to which he replied, 'Just a bit of blow Mr Tantra. You're not going to do me for that are you?'

I cautioned the defendant and informed him that he was under arrest. A search of the front room failed to reveal anything of significance.