



**CILEX Level 3 Certificate in Law and Practice/  
CILEX Level 3 Professional Diploma in Law and Practice**

**Unit 11 – Criminal Litigation**

**Case study materials**

**November 2023**

**Information for candidates**

- You should familiarise yourself with these case study materials before the examination, taking time to consider the themes raised in the materials.
- You should consider the way in which your knowledge and understanding relate to these materials.
- In the examination, you will be presented with a set of questions which will relate to these materials.
- You may discuss these materials with your tutor(s).

**Instructions and information to candidates during the examination**

- You are allowed to take your own clean/unannotated copy of this document into the examination. Alternatively, you can access the electronic version of this document in the examination.
- You are **not** allowed access to any statute books in the examination.
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

***Turn over***

## **CASE STUDY MATERIALS**

### **ADVANCE INSTRUCTIONS TO CANDIDATES**

You are a trainee lawyer working for Nicola Wilson, the lawyer in charge of the Criminal Litigation Department of Kempstons Solicitors, Manor House, Kempston, Bedford MK42 7AB.

You have been asked to review the attached documents from the file of Lily Cheung. The documents are:

**Document 1** Witness statement - Chi Cheung

**Document 2** Interview record - Lily Cheung

**Document 3** Attendance note - Lily Cheung

**DOCUMENT 1**

**WITNESS STATEMENT CHI CHEUNG**

(CJ Act 1967, s.9; MC Act 1980, s.5A(3)(a) and s.5B; Crim PR, Part 27)

Statement of: Chi Cheung  
Address: 1 Orchard Lane, Bedfordshire, MK10 2SN  
Age / Date of Birth: Over 18  
Occupation: Retired

Who states:

This statement (consisting of 1 page(s) signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: 1 November 2023

Signed: C Cheung

I live at 1 Orchard Lane, Bedfordshire. This morning in the early hours, around 5am, I was woken by noises in the back garden. I went to the bedroom window and saw there was a light in the shed and someone moving around in it. I went downstairs, opened the patio doors to the garden and started to walk towards the shed. I heard somebody shout "Ouch!". I called out: "What are you doing? That's my shed, my property. I'm calling the police!"

I then saw a figure come out of the shed with my mountain bike. They turned their face to me and I saw it was my daughter, Lily Cheung. She got on my mountain bike and started to ride towards the front gate and off down the lane at the front of our house. By this time, my wife had also come downstairs as she had heard shouting and I told her to call the police.

I went to the shed and saw that the combination padlock had been opened. Apart from my missing mountain bike, some tools had been moved. There was a pool of blood on the floor of the shed and blood on one of the pairs of gardening shears, as though someone had cut themselves. The trail of blood led out of the garden onto the front lane where Lily had ridden my mountain bike.

Lily is very troubled with a drug addiction. Neither myself nor my wife have seen her for many months as we do not support her lifestyle choices.

Both my wife and I are very upset by what has happened - our own daughter stealing from us. The mountain bike was bought with money given to me as a retirement present from my job as a sports teacher at the local college where I have worked for over 20 years and is worth £2,000. It is a distinctive orange colour with my initials CC on the handlebars. No doubt Lily is stealing to fund her drug habit. Apart from myself and my wife she is the only one to know the combination for the padlock to the shed, which is her date and month of birth: '2201'.

***Turn over***

## CASE STUDY MATERIALS

## DOCUMENT 2

**INTERVIEW RECORD LILY CHEUNG**  
**KEMPSTON EAST POLICE STATION**  
**RECORD OF AUDIBLY RECORDED INTERVIEW**

INTERVIEW OF: Lily Cheung

DATE OF BIRTH: 22 January 2001

ADDRESS: Flat 2 Peterson Court, Kempston

DATE: 1 November 2023

INTERVIEW AT: Kempston East Police Station

TIME COMMENCED: 1015

TIME CONCLUDED: 1130

DURATION OF INTERVIEW: 75 mins

TAPE REFERENCE NO: 23/01/89/LC

INTERVIEWING OFFICERS:

DS 592 James Adamson /DC 128 Emelia French

OTHER PERSONS PRESENT: None

Signature of officer preparing record: *E French*

## Tape times

1015

## PARTICULARS OF INTERVIEW

Normal introductions were made and Lily was reminded of her legal rights and cautioned.

DS 592 James Adamson said Lily was under arrest in relation to burglary.

**French:** So Lily, where were you at around 5am this morning?

**Cheung:** I'm saying nothing. Can I make a phone call to my boyfriend please? I need to ask him to do something for me.

**French:** Like you didn't tell us your real name or address when you were arrested?

**French:** *(rapidly stands up, leans across the table towards Lily and laughs in her face)*

You think you're so clever lying to us all the time. Why were you found riding an orange mountain bike with the initials CC on the handlebars that has been reported stolen and doesn't belong to you.

**Cheung:** *(silent)*

**French:** (*bangs fist on table*)

Come on Lily, just admit it. You stole that mountain bike, didn't you? And from your own dad? How could someone do that? How low do you have to get?

**Cheung:** *(silent)*

## CASE STUDY MATERIALS

**French:** Lily, the sooner you admit it, the sooner you can get home. You stole that mountain bike and that's how you hurt your hand isn't it?

**Cheung:** I'm not saying anything. I need to make a phone call to my boyfriend, can I do that please?

**French:** Not until you tell us the truth and admit what you did.

1035-1125 **French:** *(repeatedly banging fist on the table, shouting in the face of Lily, pointing fingers and accusing her of burglary)*

**Cheung:** *(repeatedly saying 'No Comment')*

**French:** We can sit here all day until you admit it.

1128 **Cheung:** Look I need to make a phone call, if I say I did it can I make a phone call please?

**French:** So you did it?

**Cheung:** So I can make that phone call, yes I did it ok. Now can I please make that call?

1130 Interview terminated

**Turn over**

**ATTENDANCE NOTE LILY CHEUNG**

**Date: 1 November 2023**

**Client: Lily Cheung**

**Matter: Burglary**

**Attended by: Robert Michaelson - duty lawyer**

**Attendance: 8 units**

Attending Lily Cheung (DOB: 22/01/2001) on the matter of burglary, who confirmed as follows:

This morning, I was cycling to the job centre as I am currently unemployed, when I was stopped by a police car. The officers who stopped me asked me my name and address and where I had got my mountain bike from. I hadn't done anything so I gave them a false name and address and said nothing more. They arrested me apparently for burglary at my parents' house, but I have not been there for many months.

I am a drug user and I am seeking treatment for this. I do not see my family because of this. The mountain bike I was using today was given to me by a friend. My hand is bandaged as I cut it whilst cooking the other day.

I was not at my parents' address in the early hours of this morning as I was at my flat with my boyfriend, who has since left the flat. I needed to make a phone call to him to go to my flat to look after my dog. I only said I did it so I could make a phone call and I still haven't been able to do this.

**Lily has the following previous convictions and bail history:**

01.01.2020 – Theft – s.1 Theft Act 1968 (Fine)

01.01.2020 – Failure to surrender bail (Fine)

01.08.2022 – Theft – s.1 Theft Act 1968 (Conditional discharge)

01.08.2022 – Failure to surrender bail (Fine)

**End of the case study materials**