

B E T W E E N :

TAN AH TEE @ TAN KOK SER

Appellant

AND

THE PUBLIC PROSECUTOR

Respondent

A N D B E T W E E N :

LOW HONG ENG (f)

Appellant

AND

THE PUBLIC PROSECUTOR

Respondent

RECORD OF PROCEEDINGS

Coward Chance,
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IN THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL
ON APPEAL
FROM THE COURT OF CRIMINAL APPEAL
SINGAPORE

NO. 22 of 1981

NO. 23 of 1981

B E T W E E N :

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NO. 1

Trial Judges' Ruling

In the High
Court

No. 1

Trial Judges'
Ruling

Choor Singh J.:

21st September
1978

Explain to the two accused that we find that the Prosecution has made out a case against both of them on the charge on which they are being tried, which if unrebutted would warrant their conviction. Accordingly we call upon both of them to enter

their defence.

In the High
Court

No. 1

Before any evidence is called for the defence we have to inform you that you will be called upon by the Court to give evidence in your own defence. You are not entitled to make a statement without being sworn or affirmed and accordingly if you give evidence you will do so on oath or affirmation and will be liable to cross-examination. If after being called upon by the Court to give evidence you refuse to be sworn or affirmed or having been sworn or affirmed you without good cause refuse to answer any questions, the Court in determining whether you are guilty of the offence charged may draw such inferences from the refusal as appear proper. There is nothing in the Criminal Procedure Code which renders you compellable to give evidence on your own behalf. You shall accordingly be not guilty of any contempt of court by reason of the refusal to be sworn or affirmed when called upon by the Court to give evidence. We now call upon you to give evidence in your own defence. If you have any difficulty in deciding whether or not you should give evidence on your own behalf, you may consult your Counsel.

Trial Judges'
Ruling

21st Sept.
1978 cont.d.

ON APPEAL

NO. 23 of 1981

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