

The Scripted Mock Trial of **Regina vs. Superman**



or



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Characters:

1. Judge
2. Court Clerk
3. Crown 1- , 2- 3-
4. Defence 1- , 2-
5. Superman
6. Constable Peters
7. Mr. Costco
8. Mr. Power
9. Lois Lane
10. Jimmy Olsen
11. Foreperson
 Sheriff (no speaking parts)
 Jury (done through online polls, or in class)

Superman's Court Appearance

Court Clerk: All rise. This court is now in session.

Judge: You may be seated.

Court Clerk:

The Honorable Madam/Mister Justice _____ presiding. The case of Regina vs. Superman.

Judge: Are all parties present?

Crown 1: [Lawyers stand.]

Yes, Your Honour. I am _____ and this is my associate _____ (*name of the other lawyers you are paired up with; ignore if you are the only lawyer*). We/I are acting on behalf of the Crown in this matter.

Defence 1: [Lawyers stand.]

My Your Honour, I am _____ and this is my learned friend _____ (*name of the other lawyers you are paired up with; ignore if you are the only lawyer*). We/I are acting on behalf of the accused.

Judge: Thank you. [Lawyers sit.]

[To the clerk.] Madam/Mr. Clerk, please read the indictment, the charges.

Clerk: [Turns to Superman.]

Please rise to hear the charges. [Defence lawyers and Superman stand.]

Superman, you stand charged that on or about the 1st of November, in the year 2020, in the City of Metropolis, Ontario, did commit an offence of breaking and entering a warehouse located at King George Highway and 136th Street, contrary to section 348 of the *Criminal Code of Canada*. You also stand charged that on or about the 1st of November, in the year 2020, in the City of Metropolis, Ontario, did

commit an offence of mischief resulting in damage over \$1000 to wit the property located at King George Highway and 136th Street, contrary to section 430 of the *Criminal Code of Canada*.

How do you plead to the first charge of breaking and entering?

Superman: Not guilty.

Clerk: To the second charge of mischief?

Superman: Not guilty.

Clerk: [Turns to the judge.]
You Honour, the accused pleads not guilty to both charges.

Judge: [To the Crown.]
Please proceed with your opening statement.

Crown 1:

Your Honour, and ladies and gentlemen of the jury, we intend to prove that Superman deliberately broke the wall of the warehouse and then entered, thereby committing breaking and entering and mischief.

We will prove that Superman had the intent to commit these crimes and that he was responsible for the actions that led to the destruction of the warehouse wall. In support of the case, the Crown will call Constable Peters, Mr. Costco, and Mr. Power.

We now call the arresting officer, Constable Peters.

Clerk: Take the bible in your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Const.: I do.

Clerk: Please state your name and address.

Const.: I am Constable John Peters and I live at 8131 Serve and Protect Street.

Crown 2: Where do you work and what is your job?

Const.: I am a member of the Royal Canadian Mounted Police, with the Ontario detachment, assigned to Special Crimes Unit.

Crown 2: Constable Peters, please explain to the court what the Special Crimes Unit is and how long you have worked there.

Const.:

Special Crimes Unit is a police squad trained to handle Super-Powered criminals. I have worked on this squad for five years.

Crown 2: Constable, what happened on the afternoon of November 1st, 2020?

Const.: I received a call from a witness that Superman was about to break into a warehouse.

Crown 2: What did you see when you arrived at the scene?

Const.:

I saw that the brick wall of the warehouse was in pieces and someone was entering the hole in the wall.

Crown 2: Was that someone the accused?

Defence 2: [Lawyer stands to make the objection.]
Your Honour, I object! The Crown is leading the witness.

Judge: Objection sustained.
[Defence sits.]
Please rephrase the question.

Crown 2: Yes Your Honour. Constable, who was the person you saw entering the building?

Const.: Him! [Pointing to Superman.]

Crown 2:

Your Honour, please let the record show that Constable Peters identified the accused as the person in question. [To the Constable.] What happened next?

Const.:

I arrested Superman on the charges of breaking and entering and mischief resulting in damage over one thousand dollars.

Crown 2: No further questions, Your Honour.

Judge: Defence, do you wish to cross-examine?

Defence 1:

Yes, Your Honour. [Standing.] Constable Peters, has the accused been in trouble with the law before?

Const.: Well ... no.

Defence 1: Did you see five men with Lois Lane?

Const.: Yes.

Defence: Did those men have guns?

Const.: Yes.

Defence 1 Are you aware of what Superman has done for this city?

Const.: Well ...

Defence 1:

Well, let me refresh your memory. He has helped citizens by upholding the law, put the needs of others before the needs of himself, and has kept law and order by controlling criminal activity. No further questions, Your Honour.

Judge: [To the Crown.] Do you wish to rebut; to re-question this witness against this new evidence that just emerged?

Crown 1:

Yes, Your Honour, thank you. Constable, simply put, were charges laid against the five men for kidnapping?

Const.: Yes

Crown 1: Have they been to trial?

Const.: Yes.

Crown 1: Were they convicted?

Const.: No.

Crown 1: Thank you. No further questions.

Judge: Thank you. You may step down.
[To the Crown.] Please call your next witness.

Crown 3:

Thank you, Your Honour. I call Mr. Costco, the owner of the warehouse to the stand.

Clerk:

Take the bible in your right hand. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Costco: I do.

Clerk: Please state your name, address and occupation.

Costco:

My name is William Costco, I live at 189 King George Highway, in the city of Metropolis, Province of Ontario, beside my warehouse. I am the owner and manager of the Costco warehouse.

Clerk: You may be seated.

Crown 3: Please tell us what happened on the first of November .

Costco:

My friend, Harry Robinson, ran into my house and told me that Superman was about to break the wall of my warehouse.

Crown 3: What did you do?

Costco: I ran to my warehouse.

Crown 3: What did you see?

Costco:

The bricks of the warehouse were in pieces on the ground. Superman was entering the building through the hole in the wall.

Crown 3: Did Superman ask permission to enter the building?

Costco: No.

Crown 3: Thank you. I have no further questions.

Judge: Does the defence wish to cross-examine?

Defence 2:

Where were the bricks lying when you arrived at the warehouse?

Costco: I already told you, they were lying in pieces on the ground.

Defence 2: On the outside of the building?

Costco: Yes, on the outside!

Defence 2:

In your opinion, isn't it true that if Superman crashed through the wall, the bricks would have been carried inside the building with the impact, rather than outside?

Crown 2:

Objection! This calls for a conclusion on the part of the witness. Mr. Costco is not a demolition expert.

Judge: Sustained. Please strike the last question from the record.

Defence 2: Mr. Costco, when did you arrive at the warehouse?

Costco: I don't know.

Defence2: Well, was it before or after the police arrived?

Costco: At the same time.

Defence2: I have no more questions.

Judge: You may step down. [To the Crown.] Do you wish to call any more witnesses?

Crown 1: Yes, for our last witness we call Mr. Power, a demolition expert.

Clerk:

Take the bible in your right hand. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

Power: I do.

Clerk: Please state your name, address and occupation.

Power:

My name is Max Power, and I live at 8131, 156 Street, Metropolis, Ontario I am a demolition expert and I have been working for Sun Life Insurance Company for ten years investigating the cause of explosions.

Clerk: Please be seated.

Crown 1:

Mr. Power, have you ever investigated an explosion at a brick building prior to this particular investigation?

Power: Yes, I've conducted investigations in over twenty brick buildings.

Crown: Please describe for the court what one of your investigations would involve.

Power:

I go into a site and analyze the evidence such as the size of the hole and the distance debris was scattered to determine the cause of the explosion.

Crown 1: Please describe the scene at the warehouse on November 1st of 2020 .

Power:

There was a large hole in the warehouse wall approximately two meters wide and three meters high.

Crown 1: About the size of a large man?

Power: Why, yes!

Crown 1:

In your expert opinion, could the damage to the warehouse have been caused by Superman?

Power: With his super human strength... easily!

Crown 1:

Thank you. No further questions. Judge: Does the defence wish to question the witness?

Defence 1:

Yes Your Honour. As part of your investigation do you test the surrounding area for traces of gunpowder?

Power: Of course, that's standard procedure.

Defence 1: Did you find any on the bricks?

Power: Yes, lots!

Defence 1: In your expert opinion, could guns fired at a wall cause it to crumble?

Power: Well... yes.

Defence 1:
Thank you no more questions.

Judge: Would the Crown like to call another witness?

Crown3: No, my Your Honour. The Crown rests.

Judge: Will the Defense please begin.

Defence 2:

My Your Honour, we intend to prove that Superman did not break the wall. His reputation shows that he would not hurt or injure anyone deliberately. To support our case, we will call Lois Lane, Jimmy Olsen, and Superman. For our first witness, we would like to call Ms. Lane.

Clerk:
Take the bible in your right hand. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

Lois: I do.

Clerk: State your name, address and occupation.

Lois:
Lois Lane, 8686 Damsel Lane, in the city of Metropolis, in the province of Ontario. I am a reporter for the Daily Planet. I've worked for the paper for five years.

Clerk: You may be seated. [Clerk returns to his/her seat.]

Defence 2: What happened to you on the first day of November 2020?

Lois:
Well, I was in my apartment putting together an article on welfare fraud when I heard a knock on the door. When I answered it, two men grabbed me, blindfolded me, and gagged me. I was taken to a car and driven somewhere.

Defence 2: Then what happened?

Lois:

I was marched down some stairs and tied to a chair. When they took my blindfold off, I saw five men with masks on; and they had guns. I started to scream and one of them hit me. One man said they couldn't let me write an article on welfare fraud because that might cause a police investigation and then all their plans would be ruined.

Defence 2:

What else did the man say?

Lois:

He said, you realize we can't let you live. He said that his gun was very powerful and that my death would be quick and painless. Then he laughed and pointed the gun above my head and shot at the wall.

Defence 2: Please tell the court what happened next.

Lois:

I screamed and bricks were falling around me. The gunman was laughing and saying good-bye Ms. Lane. Then I heard sirens and Superman was there. The men fled and Superman tried to go after them but Constable Peters blocked the doorway and arrested him.

Defence 2: Thank you Ms. Lane. I have no further questions.

Judge: Does the Crown wish to cross-examine?

Crown 3: Yes my Your Honour. [To Lois.] Were the bricks falling all around you just before Superman entered?

Lois: Yes.

Crown3:

So using basic laws of physics, is it safe to assume that there was an outside force pushing the bricks into the building?

Defence1:

Objection Your Honour. This question asks for a conclusion on the part of the witness. This witness is a reporter not a university physics professor.

Judge: Objection sustained.

Crown 3: Isn't true that you are in love with Superman?

Lois: Well... uh... um...

Crown 3: Remember, you are under oath.

Lois: Um... Yes.

Crown 3: Would you lie for him?

Lois: Um... uh...

Defence2: Objection!

Crown 3: I withdraw my question. Thank you. No further questions, my Your Honour.

Judge: [To defence.]
Please call your next witness.

Defence 2: I call Jimmy Olsen to the stand.

Clerk:
Please take the bible in your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?

Jimmy: I sure do.

Clerk: Please state your name, address and occupation.

Jimmy:
My name is Jimmy Olsen and I live at 4343 Shutter Bug Drive, in the city of Metropolis, in the province of Ontario. I am a photographer for the newspaper, The Daily Planet.

Clerk: You may be seated.

Defence2 : Jimmy, what were you doing on November 1st 2020?

Jimmy:
I was out in Metropolis with Clark Kent, a reporter with the paper, taking pictures of an accident. Clark said he had to go make a phone call and went over to a nearby telephone booth. Next thing I saw was Superman flying overhead. I decided to follow him because I knew he would lead me to a story.

Defence 2: Then what happened?

Jimmy: I followed Superman in my car, to a warehouse. I parked the car and then ran over.

Defence 2: What did you see?

Jimmy: I saw bricks lying all over the ground, so I ran inside.

Defence 2: What did you see on the inside?

Jimmy:
Five guys with guns almost ran over me and nearly broke my new Cannon. Superman started to chase them but then Constable Peters appeared in the doorway and arrested him. I couldn't believe he arrested Superman and let those five guys go.

Defence 2: Thank you Jimmy, no further questions.

Judge: Does the Crown wish to cross-examine?

Crown 1: Yes Your Honour. Jimmy, did you see how Superman entered the warehouse?

Jimmy: No.

Crown: Did he use the front door with you?

Jimmy: No he didn't use the front door.

Crown 1: What is your relationship with Superman?

Jimmy: I think Superman is the greatest! He's my hero!

Crown 1: Would you lie to protect Superman?

Defence 2: Objection!

Judge: Sustained!

Crown 1: Has Superman ever saved your life, Jimmy?

Jimmy: Oh yes, many times!

Crown 1: So you are very loyal to Superman, aren't you?

Jimmy: Of course!

Crown1: Thank you, no more questions.

Judge: You may step down. Please call your next witness.

Defence 1: I call the accused, Superman, as the next witness.

[Superman is escorted to the stand by a sheriff. The sheriff remains at Superman's side during his testimony.]

Clerk: Take the bible in your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Superman: I do.

Clerk: State your name, address and occupation.

Superman: My name is Superman and I live at 8567 Hero Drive, in the city of Metropolis, in the province of Ontario. My occupation is fighting crime, although I've never made any money from saving the world.

Clerk: You may be seated.

Defence 1: What were you doing on November 1st, 2020?

Superman: I was flying over the suburb of Metropolis when I heard a muffled scream.

Defence 1: What did you do then?

Superman:
I wasn't positive where it had come from, but I guessed the direction and flew over there. Using my X-ray vision, I began looking into the buildings as I flew by.

Defence 1: What did you see?

Superman: Inside a warehouse I saw Lois Lane tied up and a man firing a gun.

Defence 1: Then what happened?

Superman:
I approached the wall of the warehouse and told people to back away because I was about to break through the wall.

Defence 1: Did you break the wall down?

Superman:
No, as I was winding up, the wall just crumbled. So I flew through the hole and went after the men. That's when I ran into Constable Peters and was arrested.

Defence 1: I have no further questions, Your Honour.

Judge: Does the Crown wish to cross-examine?

Crown 3: Yes, my Your Honour. [To Superman.] Did you intend to break the wall?

Superman: Well ... yes ... I did intend to...

Crown 3: You testified that the wall began to crumble when you were winding up. How close were you to the wall at that point?

Superman: I ... um... was right in front of it, I guess.

Crown 3: Did you touch any of the bricks?

Superman:
I'm not sure. I think I might have hit some of them with my elbows on my way through.

Crown 3: Were you touching the wall when it began to crumble?

Superman: No, I saw it crumble with my eyes before I went through it.

Crown 3: Would you go to any lengths to rescue Ms. Lane if her life were in danger?

Superman: Yes, of course!

Crown 3: I have no further questions, Your Honour.

Judge: You may step down.

Defence 1: I have no further witnesses, my Your Honour.

Judge: [To defence.]
Would you please begin your closing submission.

Defence 1:

Your Honour, ladies and gentlemen of the jury, the Crown must prove beyond a reasonable doubt that Superman intended to, and did, break through the wall. This they have not done. Superman has testified that he flew through an already existing hole in the wall. The only reason he entered the building was to save Ms. Lane's life. No witness for the Crown actually saw Superman break the wall.

While Superman admits he did have the intention of breaking the wall, he did not carry out the act, because as he approached the wall, it crumbled. Ms. Lane has testified that she was held in the warehouse by five men, one of whom fired a gun at the wall causing it to collapse. The Crown has presented no evidence which contradicts these facts. This is further supported by the evidence of Mr. Costco who testified that the bricks were outside the warehouse.

Ladies and gentlemen of the jury, you do not have to be an expert to know that an explosion inside a building will force the bricks to the outside. You heard a demolition expert testify that gunpowder was found on the bricks and that the guns found at the scene of the crime were powerful enough to cause bricks to be blown apart. Let's not tie the hands of our city's most popular and successful Super Hero, let's allow him the freedom to rescue people in trouble and chase down criminals. I ask you to find Superman not guilty of both of these ridiculous charges.

Judge: Thank you. [To Crown.] Would you please begin your closing submissions?

Crown 1: Yes, of course your Honour.

Ladies and gentlemen of the jury, if we do not tie Superman's hands in the same manner that all law abiding citizens' hands are tied, then we give him a license to randomly destroy other people's property without any recourse for the property owners. There can be no doubt that Superman intended to break the wall and in fact, the wall crumbled under his touch when he approached it.

You have heard him admit that he would stop at nothing to rescue Ms. Lane and on November 1, that meant flying through a wall, resulting in mischief and breaking and entering. You heard Ms. Lane testify that the bricks fell inward and landed all around her. This could only be caused by Superman smashing through the wall. I ask for a guilty verdict on both counts. Superman must be held accountable by the same laws that govern all citizens of Canada.

Judge: [To the jury.]

Ladies and gentlemen of the jury, you have heard the evidence, and must now decide whether or not Superman is guilty of these crimes. The Crown argues that

Superman had the intention of breaking of the wall and carried out the act resulting in mischief. Also, that Superman forced his way into the building, thereby committing break and enter. The defence argues that the wall was already broken and that Superman entered the building only to apprehend the criminals that held Ms. Lane.

If you have any doubt that Superman intended to break through the wall OR that Superman actually did break through the wall, you must find Superman not guilty. If, on the other hand, you have no doubt that Superman committed these crimes then you must find him guilty. You already selected your jury foreperson, so when you return, they will deliver the verdict to the court. There will be a brief recess while the jury deliberates.

[The jury files out of the courtroom to discuss among themselves what they think the verdict should be. The Judge leaves the bench, if they so choose.]

Clerk: All rise. This court is now in recess for 5 minutes.

Teacher:

Please discuss the case amongst yourselves and then go to the poll and make your vote for innocent or guilty. Since this is just for fun, we will determine the winner based on the most votes since you can all vote today.

Jury must consider:

“On the charge of break and enter, how many find Superman guilty?”

How many find him not guilty?”

“On the charge of mischief, how many find Superman guilty? How many not guilty?”

Normally a jury selects a foreperson now, but one was assigned to you for this task. They will deliver the verdict to the judge on a paper, they will look at it, then wait for the foreperson to say the verdict out loud for the court to hear.

DONE? Time to return now.

Clerk: All rise. This trial is again in session. The Honourable Justice _____ is presiding.

[The jury files in and everyone goes to their original seats. The judge returns to the bench. Judge nods to the people in the court and then sits. People in the court sit after the judge sits. The jury foreperson remains standing.]

Clerk: Mr./Madam Foreperson, have you reached a verdict?

Foreperson: Yes Your Honour, we have.

Clerk: Will the accused, Superman, please rise?

[The sheriff, Superman, and his lawyers stand.]

Clerk: On the first count of break and enter how do you find the accused?

Foreperson: We find the accused: (guilty/not guilty).

Clerk: On the second count of mischief how do you find the accused?

Foreperson: We find the accused: (guilty/not guilty).

Judge: *If the accused is **found guilty** on any or both counts, then:*

Superman, you have been found guilty in this court of charges brought before you. As such, a sentencing hearing is now scheduled 30 days from today, back here in my courtroom. Crown and Defence will submit their sentencing submissions to me by the end of the week and I will review these before making my sentencing ruling. The sentencing reports are designed to give each side a voice about what they think is fair punishment for you, Superman. For example, the Crown will ask for a jail sentence, and the defence will ask for a small fine or probation. Then I will need to find the balance that is best in a fair and equitable society, in accordance with case law.

Thank you members of the jury for your civic duty, thank you to the Crown Attorney's office, the Defense team and court personnel. This case is dismissed.

*If Superman is found **not guilty**, the judge will:*

Superman, you have been found not guilty of the charges brought before you in this court. You are free to go. Thank you members of the jury for your civic duty, thank you to the Crown Attorney's office, the Defense team and court personnel. This case is dismissed.

Clerk: All rise. This court is now adjourned.