

CURRICULUM VITAE

Benny **Tan** Zhi Peng
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LL.B. (Hons) (NUS); MPhil in Criminological Research (Distinction) (Cambridge)
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1) CAREER

May 2021 – Present	Assistant Professor (Practice), NUS Faculty of Law
Jul 2018 – April 2021	Sheridan Fellow, NUS Faculty of Law
Jul 2016 – Jun 2018	Lecturer, NUS Faculty of Law
March 2016 – Sept 2018	Associate, Trident Law Corporation
Aug 2014 – Jun 2016	Instructor in Legal Skills Programme, NUS Faculty of Law
Jun 2012 – Jul 2014	Deputy Public Prosecutor & State Counsel, Attorney-General's Chambers (Singapore)

2) EDUCATION

Aug 2008 – Jun 2012	LL.B. (Hons) (NUS)
Oct 2018 – Aug 2019	MPhil in Criminological Research (Distinction) (Cambridge)

3) AWARDS AND ACHIEVEMENTS

Academic Awards

AY18/19	Manuel López-Rey Graduate Prize (awarded for being overall top student across both MPhil programmes offered by the Institute of Criminology, University of Cambridge)
AY11/12	Dean's List (top 10% of cohort)

Teaching Awards

AY21/22	NUS Faculty of Law Teaching Excellence Award
AY19/20	NUS Faculty of Law Teaching Excellence Award
AY17/18	NUS Annual Teaching Excellence Award
AY17/18	NUS Faculty of Law Teaching Excellence Award
AY15/16	NUS Faculty of Law Teaching Excellence Award

Writing Awards

2021	Best Feature Article, Singapore Law Society Law Gazette Awards (judging panel comprised two High Court judges, two law academics and a Law Society Council member)
2016	Best Feature Article, Singapore Law Society Law Gazette Awards
2015	Best Feature Article, Singapore Law Society Law Gazette Awards

Service Achievements

2022	Judiciary Volunteers Certificate of Appreciation
2021	Judiciary Volunteers Certificate of Appreciation
2020	Judiciary Volunteers Certificate of Appreciation

Other Achievements

2014	ECC-SAL Singapore Mooting Competition Quarter Finalist (Top 8)
AY09/10	B.A. Mallal Moots Semi Finalist (Top 8)
2008 – 2012	NUS Faculty of Law Scholarship

4) RESEARCH SPECIALISATION

Criminal Law (in particular sentencing law and practice)
Law of Evidence and Criminal Procedure
Statutory Interpretation
Pedagogy

5) TEACHING HISTORY

Taught at Undergraduate level

AY19/20 – Present	Criminal Law
AY16/17 – Present	Evidence Law
AY14/15 – AY16/17	Legal Analysis, Research & Communication

Taught at Graduate Certificate Level

2018 – Present	Seminars on Criminal Law, Evidence Law and Sentencing Law
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Taught at Postgraduate level

2017 – 2018 Evidence law in Singapore Institute of Legal Education, Part A Course
 AY14/15 – AY15/16 Common Law Reasoning & Writing

6) APPOINTMENTS AND MEMBERSHIPS

Court Appointments

May 2022 Appointed independent counsel (formerly known as *amicus curiae*) by Singapore Court of Appeal in *Poh Yuan Nie v PP* [2022] SGCA 74. Court noted that independent counsel’s submissions “provided useful material and approaches and contributed substantially to the analysis”.

2016 – 2017 Supreme Court Young *Amicus Curiae* (YAC) Panel

- a) Appointed YAC in 3-member bench High Court Magistrate’s Appeal case of *Koh Yong Chiah v PP* [2017] 3 SLR 447. Assisting the court in overhauling the sentencing framework for offence of giving false information to public servant under s 182 of the Penal Code. Court stated that it was greatly assisted by YAC’s written brief.
- b) Appointed YAC in High Court Magistrate’s Appeal case of *Tey Thean Yang, Dennis v PP* (MA 9096/2017) to assist the court in ascertaining the relevant sentencing considerations for the offence of “spoofing” (market manipulation technique) under s 201(a) of the Securities & Futures Act. YAC written brief submitted, but appellant withdrew appeal thereafter.
- c) Appointed YAC in High Court Magistrate’s Appeal case of *GBY v PP* (MA 9262/2017/01) to assist the court (heard by Chief Justice) in ascertaining the relevant sentencing considerations and benchmark sentence(s) for the offence of engaging in sexual activity while knowing that one is HIV-positive. YAC written brief submitted, but appellant withdrew appeal on the day of hearing. YAC brief later referred to and considered extensively by the parties and court in *GCP v PP* [2019] SGHC 153.

Faculty or University Appointments

July 2022 – Present Fellow, NUS Teaching Academy
 July 2017 – Present Course Director, Graduate Certificate in Criminal Justice, NUS Faculty of Law
 July 2020 – Present NUS Fellow, NUS Law Centre for Pro Bono and Clinical Legal Education (*Deputy Director from July 2020 to July 2022*)
 June 2020 – Present Member, Student Advisor Committee, NUS Faculty of Law
 July 2017 – Present Member, Social Committee, NUS Faculty of Law

July 2017 – June 2020	Member, Continuing Legal Education and Continuing Professional Development, NUS Faculty of Law
July 2017 – June 2020	Working Committee, Centre for Pro Bono & Clinical Legal Education
July 2017 – Present	Faculty Adviser, Student Disciplinary Assistance Scheme
August 2019 – July 2022	Faculty Adviser, Criminal Justice Club

External Appointments and Memberships

August 2022 – Present	Independent Consultant (in specific cases, on <i>ad-hoc</i> basis), AGC-Crime Division
February 2021 – Present	Singapore National Focal Point for the AICHR Thematic Study on the Rights of Accused Persons in Criminal Cases in ASEAN (nomination by Ministry of Foreign Affairs)
July 2012 – Present	Member, Singapore Academy of Law
March 2016 – July 2018	Member, Law Society of Singapore

7) PUBLICATIONS

Books

- 1) *Foundations of Criminal Law in Singapore* (Academy Publishing, 2022)
- 2) Updating author, *Halsbury's Laws of Singapore: Volume 8 – Criminal Law*, 2022 Reissue (LexisNexis, 2022)
- 3) Co-author (with Eleanor Wong) of *Creative Licence: The Regulation of Media in Singapore* (Academy Publishing, 2021) (monograph on the regulatory (criminal and civil) regime for films, broadcast, internet, arts entertainment, and advertising in Singapore)

Book Chapter

- 1) "Life Imprisonment in Singapore – Legal and Sociological Perspectives" in Dirk Vanzytsmit, Catherine Appleton & Giao Vu, eds, *Life Imprisonment in Asia* (Palgrave-McMillan, 2022)

Longer articles (~10000 words unless otherwise stated)

- 1) "Sentencing Offenders Under the Road Traffic Act for Driving Dangerously or Carelessly While Under Influence – Resolving the Double-counting Quandary" (2023) SAcLJ (published on e-First 10 October 2023)
- 2) "Statutory Interpretation in Singapore – Another 10 Years On: A Synthesis of Current Law and Review of Developments" (2021) 33 SAcLJ 986
- 3) "The Role of Prosecutors as Ministers of Justice – Disclosure of Unused Material, and Calling of Witnesses at Trial" (2021) Singapore Law Gazette (in two parts – February and

March 2021 issues respectively)

- 4) "Assessing the Effectiveness of Sentencing Guideline Judgments in Singapore Issued Post-March 2013 and a Guide to Constructing Frameworks" (2018) 31 SAclJ 1004 (~18000 words)
- 5) "Reflections on Section 2(2) of the Singapore Evidence Act & the Role of Common Law Rules of Evidence" (2018) 30 SAclJ 224 (~18000 words)
- 6) "Curing Non-compliance with Foreign Laws in the Context of Service Out of Jurisdiction – A Review of Singapore's Position" (2015) 27 SAclJ 91
- 7) "Improving Student Assessment in the National University of Singapore, Faculty of Law - A Plea for More Communication of Assessment Expectations & Provision of Feedback" [2013] Singapore Law Review 103
- 8) "The International Law Commission's Draft Articles on the Effects of Armed Conflicts on Treaties: Evaluating the Applicability of Impossibility of Performance and Fundamental Change" [2013] Vol 3(1) Asian Journal of International Law 51

Shorter articles and notes (~5000 words or less)

- 1) "Assessment of Mitigatory Weight of an Accused's Guilty Plea: A Post-*Ng Kean Meng Terence* Empirical Study and Practical Suggestions" [2023] SAL Practitioner 3 (Crime)
- 2) "Admissibility of Statements Given by an Accused to a Non-Law Enforcement Officer" [2021] SAL Practitioner 15
- 3) "Can There Be Theft of a Discarded Item – *Parti Liyani v Public Prosecutor* [2020] SGHC 187" (2021) 33 SAclJ 724
- 4) "Enough is Enough: The Narrowed Scope of the Arnold Exception in Singapore" (Oct 2016) 132 Law Quarterly Review 571 - 576
- 5) "Wilful Blindness and Presumption of Knowledge in Section 18(2) of the Misuse of Drugs Act – Putting the Puzzle Pieces Together" (February 2016) Law Gazette 36
- 6) "Use of Third-Party Convictions as Evidence in Subsequent Criminal Proceedings" [2016] SJLS 356 - 368
- 7) "An Offender's Lack of Antecedents – A Closer Look at its Role in Sentencing" (May 2015) Singapore Law Gazette 24
- 8) "Jail Term as New Benchmark Sentence for Careless Driving Causing Death – *PP v Hue An Li*: A Case Commentary" (Dec 2014) Law Gazette 34

Others

- 1) Co-author (with Tracey Evans Chan) of "Biomedical Law and Ethics" (2022) 23 Singapore Academy of Law Annual Review of Cases (published on e-First 7 July 2023)

- 2) Co-author (with Tracey Evans Chan) of “Biomedical Law and Ethics” (2021) 22 Singapore Academy of Law Annual Review of Cases 142
- 3) Co-author (with Tracey Evans Chan) of “Biomedical Law and Ethics” (2020) 21 Singapore Academy of Law Annual Review of Cases 161
- 4) “E-proctoring: A (Generally) Fuss-free, Cost-free Method” (October 2020) NUS CDTL Teaching Connections
- 5) Co-author (with Tracey Evans Chan) of “Biomedical Law and Ethics” (2019) 20 Singapore Academy of Law Annual Review of Cases 121
- 6) Book Review, “Designing Effective Legislation by Maria Mousmouti” (2020) 1 SJLS 360

8) CONFERENCE PAPERS, WORKSHOPS AND SEMINARS

Doctrinal

“Sentencing Frameworks Issued by Singapore Appellate Courts in the Past Five Years: Key Observations and Reflection Points” (23 August 2023), Attorney-General’s Chambers

Panellist in “Criminology Seminar 2023” (22 May 2023), organised by Ministry of Law

Panellist in “The Evolution of Sentencing in Singapore”, at Sentencing Conference 2022 – Sentencing Frameworks (31 October & 1 November 2022), jointly organised by Singapore Academy of Law and State Courts

“Life Imprisonment in Singapore: Brief Legal and Sociological Perspectives”, presented at “Life Imprisonment in Asia: Law and Practice Online Conference” (5 October 2021), co-hosted by University of Nottingham, School of Law, Vietnam National University Hanoi, School of Law, International Organisation of Educators and Researchers Inc and Melbourne Law School, Asian Law Centre

“Statutory Interpretation in Singapore – Key Developments in the Last 10 Years”, co-presented (with Justin Jerzy Tan) at National University of Singapore, Faculty of Law, Continuing Legal Education CPD Seminar (18 March 2021)

“Overview of the Presumption of Innocence in Singapore”, presented at “The Presumption of Innocence Online Experts Workshop” (24 July 2020), co-organised by Asian Law Centre, University of Melbourne and School of Law, Vietnam National University

“Updates on Recent Criminal Justice-Related Cases in Singapore”, presented at Central Police Division (27 September 2019)

Pedagogy and Skills

“NUS Law undergraduates: Gender disproportionality among top academic performers, and factors associated with academic performance”, presented at NUS, Faculty of Law, Teaching Seminar (13 September 2023)

“Online Teaching In and Outside of Covid Times: Perspectives from Teachers and Students”, organised and co-presented at NUS, Faculty of Law, Teaching Seminar (8 July 2020)

“Using student portfolios to emphasise learning growth over academic results”, presented at NUS Learning on NUS Campus (19 Nov 2019)

“Mentoring-in-Teaching Discussion at BTC”, co-presented at NUS Teaching Academy Initiative (collaboration between LKYSPP and NUS Law faculty) (1 November 2019)

“Introduction to Empirical Legal Research”, presented at Singapore Law Review – Empirical Legal Research workshop (13 Sept 2019)

“Class Participation: From Passive to Active”, co-presented at NUS, Faculty of Law, Teaching Seminar (13 Sept 2017)

“Communicating Assessment Expectations & Providing Feedback – An (ex)Student’s Perspective”, presented at NUS, Faculty of Law, Teaching Seminar (3 Oct 2012)

9) SELECTED MEDIA APPEARANCES, INTERVIEWS AND CITATIONS

Interviewed and cited by Straits Times in a feature article regarding recent issue of guilty plea guidelines by Singapore Sentencing Advisory Panel (“Guilty pleas earlier in court process can get higher sentencing discount under new guidelines”, 16 August 2023, Straits Times), available online: <<https://www.straitstimes.com/singapore/courts-crime/greater-sentencing-discounts-for-earlier-guilty-pleas-advisory-panel>>.

Op-ed published by Straits Times “Understanding what judges consider in sentencing” (15 August 2020, Straits Times), available online: <<https://www.singaporelawwatch.sg/Headlines/understanding-what-judges-consider-in-sentencing>>.

Interviewed and cited by Straits Times in a feature article regarding pegging of fines to an offender’s income (“The dollars and sense of pegging fines to an offender’s income”, 10 Dec 2019, Straits Times), available online: <<https://www.straitstimes.com/singapore/courts-crime/the-dollars-and-sense-of-pegging-fines-to-an-offenders-income>>.

Interviewed and cited by Straits Times in a feature article regarding recent trend of increase in issuing sentencing guideline judgments (“Increase in sentencing guidelines set recently”, 14 Sept 2017, Straits Times), available online: < <http://www.straitstimes.com/singapore/increase-in-sentencing-guidelines-set-recently>>.

Penned a commentary for Channel NewsAsia on a case involving sentencing of a sexual offender (“Commentary: What is an adequate punishment for insulting a young girl’s modesty”, 12 Nov 2017, Channel NewsAsia), available online: < <http://www.channelnewsasia.com/news/commentary/commentary-what-is-an-adequate-punishment-for-insulting-a-young-9384696>>.

Article "Jail Term as New Benchmark Sentence for Careless Driving Causing Death – *PP v Hue An Li*: A Case Commentary" reported in newspaper *Today* <<http://phone.todayonline.com/singapore/academic-questions-stiffer-starting-sentence-negligent-drivers>>.

10) THESIS SUPERVISION

Tan Yean San, "An Interdisciplinary Approach to Cultivating Empathy Through Student Pro Bono" (Directed Research 22/23 Sem 1)

Koh Zhongren Ignatius, "*Frankensteinian Families: Lessons from Mary Shelley and the Role of Familial Environments in Singapore's Youth Sentencing Framework*" (Yale-NUS Law DDP Capstone 21/22)

Ernest Chua, "A Content Analysis of Sentencing Decisions of Physical and Non-consensual Sexual Offences from 1976-2018 in the Straits Times" (Yale-NUS Law DDP Capstone 21/22)

Toh Jia-En Tyrone, "'Lay Schema': A Preliminary Exploration of how Non-Legally Trained Persons Process Crime News in Singapore" (Yale-NUS Law DDP Capstone 21/22)

Joel Tan Wei En, "Outcomes and Desert in Criminal Sentencing" (Yale-NUS Law DDP Capstone, AY20/21) (nominee for the Sheila N. Hayre Prize for Outstanding Capstone Project in Law & Liberal Arts)

Chong Ren Jie, "Turning a Blind Eye: Exploring the Conceptions of Wilful Blindness in Singapore" (Yale-NUS Law DDP Capstone, AY19/20) (awarded the Sheila N. Hayre Prize for Outstanding Capstone Project in Law & Liberal Arts)

Yeo Shi En Annette, "Building a Singapore for All: The Sentencing of Persons with Intellectual Disability" (Yale NUS Law DDP Capstone, AY19/20)
