

Independence

Law

Core Topic: Criminal Law Paper 1

**Contents:**

I. Multiple Choice Questions – 10 credits

II. Short Answer Questions – 10 credits per question

III. Independent Research – 80 credits per question

IV. Academic Reading – 50 credits each

V. Extended Exam Style Questions Part One – 60 credits each plus 20 additional credits for marking your own.

VI. Extended Exam Style Questions Part Two – 100 credits each plus 20 additional credits for marking your own.

i. Multiple Choice Questions

Answer the questions below that explore the themes of this unit.

10 credits.

1. True/False – Murder carries a mandatory life sentence.

2. T/F Every crime needs to have the Actus Reus and Mens Rea present

3. Which one of the following statements about Mens Rea is false?

1. Mens Rea is often referred to as the fault element
2. Mens Rea refers to the motive of the defendant
3. Mens Rea translates as the guilty mind
4. Mens rea is largely used proved using subjective tests

4. Which section of the Theft Act 1968 states that property is regarded as ‘belonging to another’ where received by mistake?

1. s.5(1)
2. s.5(2)
3. s.5(3)
4. s.5(4)

5. The use of which rule of Statutory Interpretation has increased since the UK joined the European Union?

1. Literal Rule
2. Golden Rule
3. Mischief Rule
4. Purposive approach

6. Which one statement about law magistrates is accurate?

1. Lay magistrates are required to sit for at least 26 days per year
2. A single lay magistrate can sit and hear trials
3. Lay magistrates can attend the Crown Court to hear appeals from the magistrates
4. Lay magistrates must complete an outline legal knowledge test prior to interview for the role

7. Which of the following sources of legal advice typically does not receive any government funding?

a. Insurance companies

b. Law centres

c. The Civil Legal Advice Helpline

D. The Citizens’ Advice Bureau

8. T/F-s.18 GBH is more serious than s.20 GBH.

9. T/F- Loss of Control is an element of Voluntary Manslaughter.

 10 . T/F- All courts are bound by their previous decisions?

ii. Short Answer Questions

Short answer questions are a great way to test your knowledge (AO1) of a topic. This type of question also appears throughout A Level Law exam papers. The command word for 5 mark questions are ‘State’ and/or ‘Explain’.

 Each question answered is worth 10 credits. There are a further 10 credits available for self-assessment marking and adding to your answers if needed.

1. State and explain a stage in the process of a Bill becoming an Act of Parliament. (5 marks)
2. Explain what is meant by the term persuasive precedent and binding precedent. (5 marks)
3. Explain what is meant by the term ‘Ratio Decidendi and Obiter Dicta (5 marks)
4. Explain what is meant by the term ‘More than merely preparatory’ when concerning attempted crimes (5 marks)
5. Explain three functions of the Judiciary (5 marks)
6. Explain the elements needed in order to be guilty of Robbery (5 marks)
7. Explain the vocational training received for a Barrister and Solicitor (5 marks)
8. Explain what is meant by the term subjective recklessness and give an example of a crime it is relevant to. (5 marks)
9. State an institution of the European Union and explain its function (5 marks)
10. State what is meant by the term appropriation when examing the law of Theft (5 marks)

iii. Hyperlinks for Independent Research

Each research task has a strong link to the topic of crime, but may also focus on wider legal themes, remember to try and view law as a holistically as possible.

80 credits for each completed reading task. 30 credits for a two page summary of one of the viewing options.

1. Equality in the workplace

<https://www.bbc.co.uk/news/uk-northern-ireland48760750?intlink_from_url=https://www.bbc.co.uk/news/topics/cdmk1zlq338t/legal-profession&link_location=live-reporting-story>

Question: How can you apply the decision in this case to the following question: “Assess the view that women are now treated the same as men in the workplace.”

1. Salaries of the Legal profession

<https://www.bbc.co.uk/news/uk-47372265?intlink_from_url=https://www.bbc.co.uk/news/topics/cdmk1zlq338t/legal-profession&link_location=live-reporting-story>

Question: How does the article help you understand the following question: “Assess the view that Barristers are all rich”.

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1. Diminished Responsibility

<https://www.telegraph.co.uk/news/2019/06/07/sally-challen-mother-bludgeoned-husband-death-hammer-will-not/>

What does this article tell us about recent development to the law of Voluntary Manslaughter? Why do you think the Supreme Court has taken this approach

Suggested viewing:

BBC - Silk: This two series drama follows the work of a group of Barristers in a set of Chambers in London. It examines the work they undertake and the pressure they find themselves both prosecuting and defending.

BBC - Criminal Justice: This thriller by Peter Moffatt looks at the challenges and politics of the criminal justice system seen through the live of the accused.

BBC – Garrow’s Law: Legal drama inspired by the life of pioneering 18th century William Garrow

BBC – OJ: Made in America: The rise and fall of an American idol.

Netflix – White Collar: Matt Bomer stars as a charming, conniving con artist who teams up with an FBI agent to help him gain insight into how these kinds of criminals really think.

Netflix – Amanda Know: Amanda Knox has been convicted and acquitted of murder twice as the primary suspect in the murder of her roommate while studying abroad in Italy. Directors Rod Blackhurst (*Here Alone*) and Brian McGinn (*Chef's Table*) revisit the embattled media sensation's [tangly story](http://www.nytimes.com/2015/03/28/world/europe/amanda-knox-trial.html?_r=0" \t "_blank) here with peerless access to key players and new archival footage. The doc explores both sides of Knox's case -- though Knox's participation gives you an idea of which way the film leans in terms of her guilt or innocence

Film – A time to Kill: When Carl Lee Hailey guns down the violent racists who raped his ten-year-old daughter, the people of the small town of Clanton, Mississippi see it as justice done, and call for his acquittal. But when extremists outside Clanton – including the KKK - hear that a black man has killed two white men, they invade the town, determined to destroy anything and anyone that opposes their sense of justice. A national media circus descends on Clanton.

As tensions mount, Hailey hires the inexperienced Jake Brigance to defend him. It's the kind of case that could make a young lawyer's career. But it's also the kind of case that could get a young lawyer killed.

iv. Recommended Academic Reading for Research Methods

50 credits for each chapter summary completed (either 300 – 500 words or a one page bullet-point summary)

150 credits for book summaries (either 700-1000 words or a two page bullet-point summary)

**Title: AQA A Level Law Book One Including AS Level: Book one Author(s): Jacqueline Martin and Nicholas Price.** Description: Written by experienced team of authors, it provides students with everything they need to know to about the English Legal System and fundamental points to both Criminal and Tort Law.’

**Title: The Rule of Law by Tom Bingham.** Description: 'The Rule of Law' is a phrase much used but little examined. The idea of the rule of law as the foundation of modern states and civilisations has recently become even more talismanic than that of democracy, but what does it actually consist of? In this brilliant short book, Britain's former senior law lord, and one of the world's most acute legal minds, examines what the idea actually means. He makes clear that the rule of law is not an arid legal doctrine but is the foundation of a fair and just society, is a guarantee of responsible government, is an important contribution to economic growth and offers the best means yet devised for securing peace and co-operation.

**Title: Letters to a law students: Nicholas J McBride** Description: What does it take to succeed as a law student? This book will show you how.

**Title: In you defence Author: Sarah Langford** Description: Sarah Langford is a barrister. Her job is to stand in court representing the mad and the bad, the vulnerable, the heartbroken and the hopeful. She must become their voice: weave their story around the black and white of the law and tell it to the courtroom. These stories may not make headlines but they will change the lives of ordinary people in extraordinary ways. They are stories which, but for a twist of luck, might have been yours.

With remarkable candour, Sarah describes eleven cases which reveal what goes on in our criminal and family courts: these are tales of domestic fall out, everyday burglary, sexual indiscretion, and children caught up in the law. They are sometimes shocking and they are often heart-stopping. She examines how she feels as she defends the person standing in the dock. She also shows us how our attitudes and actions can shape not only the outcome of a case, but the legal system itself

v. Extended Exam Questions Part One

60 credits for each 10 mark question (plus 20 for marking and reviewing) Paper 1: Criminal Law

 Practise 10 mark ‘analysis’ exam questions on Crime

Bob, who was suffering from depression and an alcoholic, stabbed his brother Jim to death after drinking ½ bottle of whiskey. Bob has just been prescribed medication from the depression and thought that his brother had been stealing them and replacing them with sugar pills. He usually drank vodka but had none in the house.

1. Explain whether the partial defence of Diminished responsibility would be available to Bob

Cameron and Jacob are working together on a building site. Cameron knows that Jacob’s wife is having an affair with another man. He taunts Jacob about this. Jacob loses his temper and hits Cameron on the head with a brick, killing him.

1. Explain whether the partial defence of Loss of Control would be available to Jacob

Alice took some illegal drugs. She is told that while she was under the influence of the drug, witnesses saw her hit Peter in the face with a saucepan, breaking his jaw. Alice cannot remember doing this.

1. What defence(s) might be available to her if she is charged with offences under s.18 and s.20 OAPA 1861

Courtney is a diabetic. One morning he gets up late and in his rush to get to work he forgets to take his insulin. As a result he becomes violent later in the day and punches Jemima in the face. W

1. What defence(s) might be available to him if he is charged with an offence under s.47 OAPA 1861

Vi. Extended Exam Questions Part One

100 credits for each 10 mark question (plus 20 for marking and reviewing) Paper 2: Tort Law

 Practise 10 mark ‘analysis’ exam questions on Tort

1. Brad has been injured by Ivan’s negligence. Assuming both duty and breach can be proved suggest to Brad what he will have to establish in order to prove that Ivan’s negligence caused his injury.
2. Peter owes Kingsmere a shopping centre is town. Recently some building work has been carried out in laying a flash new floor all around the shopping centre. There are a few cracks in some of the tiles of the flooring and when within 1 hour of opening, Stan trips on one of the tiles and fractures his leg.

Advise Stan as to his rights and remedies against Peter in regard to the accident

1. Pat was driving a car and stopped at set of traffic lights. Raji was driving his van behind Pat. Because he was changing tracks on his music player, Raji failed to notice that Pat has stopped and drove into the back of her car. As a result Pat’s car was damaged and Sara, a passenger, was injured.

Consider whether Raji would be liable in negligence to both Pat and Sara and assess the remedies available

1. Vic was a lorry driver who owned his own lorry. Recently, he changed one of the lorry’s wheels but he did not properly tighten the bolts on the new wheel. As he was driving the lorry, the wheel came off. Vic lost control of the lorry and collided with a car being driven by Walda. Walda was not wearing her seatbelt and suffered cuts, bruising and a head injury when she crashed through the windscreen as a result of the force of the collision.

Consider the rights and remedies of Walda against Vic in relation to the collision with his lorry