



## **A Level Law Summer Independent Learning**

Welcome to A Level Law!

This pack contains various tasks to help you prepare for the start of your course in September.

Please **complete ALL tasks** ready for your first day at New College and **bring them with you to your first A Level Law lesson**. Please be aware that you will sit an **assessment** on the knowledge and skills covered in this pack within the first week of you starting at New College. You will have an opportunity to review your Summer Independent Learning and ask any questions on what you have learnt when you meet your teacher in one of the lessons before you sit the assessment. In order to evidence your work you can print this pack, write on the pdf file or complete the tasks on paper or on a Word document.

The Summer Independent Learning in this pack will focus on **Section B: Criminal Law - General elements of criminal liability**.

Once you have completed this pack, you will have knowledge of the following areas of criminal law,

- Actus Reus
- Mens Rea
- Omissions
- Causation
- Criminal case examples
- Theft
- Robbery

## Part 1 - Elements of a Crime

In order to be guilty of a criminal offence, the defendant (the accused person) must commit the **actus reus** and **mens rea** of the crime.

**Actus Reus** (AR) – Physical element of a crime (doing something or failing to do something)

**Mens Rea** (MR) – Mental element of a crime (guilty intention)

**Task 1** – using the internet research, the above Latin phrases and explain what they both mean in the space below.

**Task 2** - using the above two, terms (AR and MR) define what you think they are for each crime below:

Crime	Actus Reus (AR)	Mens Rea (MR)
Murder		
Theft		
S18 Grievous Bodily Harm		
Attempted Robbery		





## Omissions



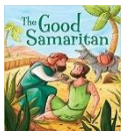

Although most people are guilty for physically doing a crime, sometimes people can be guilty of a criminal offence where they fail to act e.g. failing to stop at traffic lights. This is known as being **liable by omission**. (LBO) **An omission is a failure to act or a failure to do something.**

**Task 3 – Using the internet and the following links research the area of Omissions and detail the facts of the case examples:**

<https://www.youtube.com/watch?v=vOM7vNPYW-s>

<http://e-lawresources.co.uk/Actus-reus.php>

Area of Omissions	Explanation of the law	Case examples – Facts of the case
<b>Contractual Duty</b> 		R v Adomako (1994)  R v Pitwood (1902)
<b>Public Duties</b> 		R v Dytham (1979)
<b>Acceptance of Care</b> 		R v Stone and Dobinson (1977)
<b>Duty Via Relationship</b> 		R v Gibbins and Proctor (1918)

<p>Creation of a danger</p> 		<p>R v Miller (1983)</p>
<p>Omission under Statute (Parliament)</p> 		<p>Road Traffic Act (1988) – Give examples of when you will be Liable by omission:</p>
<p>Good samaritan rule</p> 		<p>We do not have this in the UK, so you can technically walk past someone in danger and not be liable by omission e.g. child drowning in a lake.</p>
<p>Doctors terminating care</p> 	<p>Doctors can terminate care and not be liable by omission as long as it is in the best interests of the patient.</p>	<p>E.g. Switching off a life support Bland (1993)</p>

Task 4 - Go through each scenario on the next page and decide if they can be liable by omission or not and explain your answer, linking it to the relevant category/categories above. Make your notes around each scenario.

Example

**Miles is a lifeguard at the local leisure centre. He is sat by the side of the pool but is waiting for a call from his girlfriend. His phone rings and he decides to take the call, they get into an argument and he stops paying attention to the people in the pool. Sam, a young boy aged 13 is in the pool with his friends. Sam dives into the pool and begins to struggle in the water. His friends think he is messing around and do not help. Sam continues to struggle but by the time his friends realise he is not messing around and try to get help Sam has drowned.**

Miles would be liable by omission. He is a lifeguard at the leisure centre, which means he has a contractual duty with the leisure centre that he must supervise people in the pool and help anyone in danger in the pool. Miles has failed to supervise and help Sam who was in danger in the pool, which has resulted in Sam drowning. Miles has failed his contractual duty - this is similar to the case of R v Pitwood where the gatekeeper failed to close the crossing when he went on his lunch. Miles would be liable for the death of Sam through his omission.

Morgan is an anaesthetist at Pinderfields hospital. One shift she is tired and whilst she is meant to be checking the oxygen levels of the patient, Cuthbert, she doesn't. He goes into cardiac arrest from lack of oxygen and dies. She is now charged with gross negligence manslaughter.

Jack is in the habit of looking after his elderly auntie Edna. He is tired one morning and decides rather than going to help her he is going to go for a weekend away. When he comes back he sees that Edna has died from malnutrition. He is now charged with manslaughter.

Andy is out partying celebrating his university results. He gets back to his house at 4am and decides he is hungry. He cooks chips but falls asleep with the hob on. The chip pan catches fire and sets the house on fire. When he wakes up and notices he decides to leave the property instead of ringing 999. He is now charged with Arson.

Jade and Chloe are best friends. They were walking the cinema when they saw someone drowning in a park lake. Because they were rushing to watch the film and did not want to miss the trailers they walked past and did not help. The victim died.

## Causation

For many crimes, the element of causation will apply. This is used to prove that the defendant caused the end outcome (e.g. murder – must prove the defendant caused death). There are two parts to proving causation.

**Task 5 - Use the following link to research the two-part test for causation and explain them in the space below:**

<http://www.e-lawresources.co.uk/Causation-in-criminal-liability.php>




1. Factual cause –



2. Legal cause –

Once the two-part test above is proven, the defendant will be guilty, because causation will be established (chain of causation created). However, there are a number of ways that the **chain of causation can be broken**, if it is broken then the defendant is no longer fully responsible for the consequence.

**Task 6 – Watch the video using the link below and then complete the table to show ways that the chain of causation can be broken.**

<https://www.youtube.com/watch?v=GCaxConAMRs>

Area that can break the chain of causation	Explanation (when will it break the chain?)	Case examples
Eggshell conditions / Thin skull rule 		R v Blaue (1975)
Escape of the victim 		R v Roberts (1971)  R v Williams and Davis (1992)
Self treatment and refusal of treatment 	Refusal –  Self-treatment -	R v Holland (1841)

<p>Third Parties – Gross Medical Treatment</p> 		<p>R v Jordan (1956)</p> <p>R v Smith (1959)</p> <p>R v Cheshire (1991)</p>
<p>Life support machines</p> 		<p>R v Malcherek and Steel (1981)</p>
<p>Other intervening events .e.g natural disasters</p>		<p>Examples of natural disasters -</p>

Task 7 - Complete the mini scenarios below to decide if the defendant will be guilty or if the chain of causation will be broken. Apply the following:

1. Factual cause
2. Legal cause
3. Any of the intervening acts that can break the chain of causation e.g. eggshell / escape etc.
4. Conclude

A. Ben is having a shootout with the police and in order to protect himself, moves his friend in front of him. The police shoot and a bullet hits his friend straight through the chest, killing him instantly.

B. Tim has attacked Matthew and he has ended up on life support. At the hospital the doctors decide after using the required tests that Matthew is better off with his machine turned off so they do so.

C. Natasha and David are having a fight when Natasha stabs him in the back with a kitchen knife. When the ambulance arrives the crew drop him on the floor twice, and when he is in hospital they do not check his medical records and give him 4x antibiotics that he is allergic to. David has an allergic reaction and dies.

**Task 8** - You have now looked at the first two areas of criminal law (omissions and causation). **Please create some revision resources to show your teacher what you will use to revise from for assessments in A level Law.**

Examples of revision resources you can create:

- 1) Poster
- 2) Brochure / leaflet
- 3) Mind map
- 4) Revision cards
- 5) Quizzes
- 6) Apps – any revision apps you can use e.g. Quizlet



## Part 2 – Property Offences

**Task 9** – Research the Theft Act 1968 using this link <https://www.legislation.gov.uk/ukpga/1968/60> and complete the following table on the law on theft and robbery.

Question	Answer
Section 1 - What is the basic definition of theft?	
Section 4 – what does 'Property' include?	
Section 7 – How long can a person be imprisoned if found guilty of theft?	
Section 8 – What is the definition of 'Robbery'?	
Section 8 – How long can a person be imprisoned if found guilty of robbery?	



**Task 10** – Research the offences of theft and robbery, in the box below explain how they are different and why you think they have different maximum sentences if a person is found guilty. Use this link as a starting point for your research – spend no more than 30 minutes researching. <https://www.fearless.org/en/professionals/resources/theft-robbery>

**Task 11** - Please create some revision resources on theft and robbery to show your teacher what you will use to revise from for assessments in A level Law.