

Year 12 Summer Independent Learning – Law

Part 1: Compulsory Content

The tasks in Part One are compulsory and must be completed for the first lesson. The Initial Assessment at the beginning of the year will test your knowledge from these tasks. Please bring your completed tasks to the first lesson.

Elements of a crime

In order to be guilty of a criminal offence, the defendant must commit the **actus reus** and **mens rea**:

Actus Reus (AR) – Physical element (doing something or failing to something)

Mens Rea (MR) – Mental element (guilty intention)

Task 1

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 GBH		
Attempted Robbery		

Task 2

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). Use the following links to research the area of omissions and detail the case examples (next page) that you will use in exam questions:

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

<http://thestudentlawyer.com/2014/01/02/liability-for-omissions/>

Area of Omissions	Explanation	Case examples
Contractual Duty 		R v Adomako (1994)
Public Duties 		Dytham (1979)
Acceptance of Care 		Stone and Dobinson (1977)
Duty Via Relationship 		Gibbins and Proctor (1918)
Creation of a danger 		Miller (1983)
Omission under Statute (Parliament) 		Road Traffic Act (1988) – Give examples of when you will be LBO:
Good samaritan rule 		We don't 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.
Doctors terminating care 	Doctors can terminate care and not be liable by omission as long as it is in the best interests of the patient.	E.g. Switching off a life support Bland (1993)

Task 3

Go through each scenario below and decide if they can be liable by omission or not and why, linking it to the relevant category/categories above.

Make your notes around each scenario.

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 from Pontefract to Xscape when they saw someone drowning in Pontefract park lake. Because they were rushing to watch a film at Xscape they walked past. The victim died.

Task 4

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). Use the following link to research the two part test for causation:

<http://www.e-lawresources.co.uk/Causation-incriminal-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 you can try to break the chain of causation so that you are not fully responsible.

Complete the table below to show ways to break the chain so you could get a lesser charge / NG verdict.

<https://www.lawteacher.net/free-law-essays/tort-law/omission-means-a-failure-to-act.php>

<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)
Self treatment and refusal of treatment 	Refusal – Self-treatment -	R v Holland (1841)
Third Parties 		R v Jordan (1956)
Life support machines 		Malcherek and Steel (1981)
Other intervening events .e.g natural disasters		Examples of natural disasters –

Task 5

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

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.

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.

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 6

You have now looked at the first two areas of criminal law (omissions and causation). Please create some revision resources to show your teacher that you will use to revise from for assessments.

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



These tasks are compulsory. You must complete them for the first lesson. Please bring them in with you.



Year 12 Summer Independent Learning – Law

Part 2: Strongly Recommended Content

The tasks in Part 2 are not compulsory but we strongly recommend that you complete these tasks to support your development of subject knowledge. These tasks explore some of the areas that we will cover during the first year of your law A-level.

1. Introduction to Law

Watch this video from the Open University introducing law.

<https://mediaplayer.open.ac.uk/popup/pod/3908/9b9dfcb1c0#t=00m12s&play=1>

How would you define a law?

What role does law play in society?

2. Thinking about sentencing criminals

Read this article about how convicted criminals are sentenced in English courts.

<https://www.open.edu/openlearn/society-politics-law/law/how-does-court-decide-sentence>

Note five interesting points from your reading.

- 1.
- 2.
- 3.
- 4.
- 5.

3. The legal profession

Google **the Lawyer Portal** and find their free guide called: ***Difference between solicitor and barrister***
Read the guide and answer the following questions in **full sentences** (A full sentence answer means that your answer should make sense even if you cannot see the question):

- 1 What is the MAIN difference between a barrister and a solicitor?
- 2 What does a solicitor have to get in order to represent clients in court?
- 3 Give 3 examples of solicitor 'behind-the-scenes' type work.
- 4 TRAINING: What does the training common to both solicitor and barrister entail?
- 5 After getting a degree, what 2 stages of training are required in order to qualify as a solicitor?
- 6 And what stages of training are required in order to qualify as a barrister?
- 7 **Work patterns:** How are solicitors employed and how are barristers employed?
- 8 **Access to the public:** Could you go directly to a solicitor?
- 9 Could you go directly to a barrister?
- 10 **Workwear:** What would a barrister normally wear in court and what would a solicitor normally wear in court?
- 11 **Work experience:** What work experience would you look at getting if you wanted to be a) a solicitor; b) a barrister?

Now click on the back arrow (top ribbon) and go back to the Free Guide home page. Take the 2 minute Barrister v Solicitor quiz <https://www.thelawyerportal.com/quizzes/barrister-vs-solicitor-quiz-one/>.

(I know you won't all be wanting to go down this career path but it's an interesting quiz to take).

Which one are you more suited to? Do you agree?

4. Research Project: The Hatton Garden 'Heist'



Research this crime using the resources below and others you find from your own research, making sure that your resources are from **reliable sources** – e.g. national news networks, academic articles, **not** personal blogs or Facebook pages.

Create a dossier about this crime, making sure that your research project answers the questions below.

<https://www.theguardian.com/uk-news/2016/jan/23/one-last-job-inside-story-of-the-hatton-garden-heist>

<https://www.bbc.co.uk/news/uk-england-london-35126667>

'One last job' Sky One documentary: <https://www.youtube.com/watch?v=rlqZCNzt00A>

- What type of crime was it?
- What was unusual about the offenders?
- What prison sentence did the offenders receive?
- Do you think they should have received this sentence? Why?
- Do you think that there were any factors that the judge should have taken into account before sentencing them?