

Year 13 BTEC Extended Certificate in Applied Law

Summer Independent Learning (SIL)

Your SIL will focus on Unit 3 – Applying the Law, which is an externally assessed unit.

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| Part 1 – Homicide and Police Powers (compulsory) | Tasks 1-3 |
| Part 2 – Property Offences (strongly recommended) | Tasks 4 |

Task 1 – Homicide Mini Scenarios

For each of the mini scenarios below, you must identify which is the relevant homicide. You must then explain each step of the law and apply each step of the law to the scenario and conclude whether the D will be guilty or not.

Fiona

Suzie, aged three, is at the beach with her childminder, Fiona. Suzie cannot swim but she paddles whilst Fiona is sunbathing. Sue paddles until she is out of her depth but Fiona does not notice. Suzie is washed ashore and Fiona finds her gasping for breath. Fiona takes Suzie to hospital, but doctors are unable to resuscitate her.

Advise whether Fiona will be liable using the laws of homicide.

Kareem

Kareem is a drug dealer who is owed a lot of money by Eve. Eve refuses to pay him back and so he decides to kill her. When Kareem sees Eve in the supermarket car park, he drives his car straight at her killing her instantly.

Advise whether Kareem will be liable using the laws of homicide.

Jack

Jack has recently been diagnosed with alcohol dependency syndrome (ADS) and depression. After drinking all day, he accuses his girlfriend Sarah of deliberately smashing a framed photograph of his parents. Sarah denies this, but Jack lashes out in a violent rage and hits Sarah over the head with an ashtray killing her instantly.

Advise whether Jack will be liable using the laws of homicide.

Hamish

Hamish is in the local pub being very rowdy with his friend. The bar supervisor Jack comes over to tell them to quieten down. Hamish pushes Jack hard and tells him to stop being a spoil sport. Jack stumbles over and hits his head on the corner of the bar. He is taken to hospital and is put on life support machine due to injuries on his brain. A few weeks later, doctors switch off Gregor's life support machine due to no brain activity and a severed brain stem.

Advise whether Hamish will be liable using the laws of homicide.

Cerys

Cerys is 15 and works in a pizza takeaway. One of the chefs raped her a month ago, but she was too scared to report it. When she is taking an order, the chef starts to taunt her about the rape and laughs at her. Shaking with anger, she turns around and repeatedly hits him over the head with the phone. He is pronounced dead at the scene when the police arrive and charge her.

Advise whether Cerys will be liable using the laws of homicide

Northern Gas

Northern Gas Ltd, have just hired Jake, a gas fitter, who will be responsible for maintaining and relaying gas pipes. After only one day of training, Jake is sent out to repair a gas pipe near a college, because they are short staffed. Jake has a cigarette on his break and doesn't stub it out properly, a few moments later there is an explosion, which kills several students.

Advise whether Northern Gas will be liable using the laws of homicide

Task 2 – Evaluation of the Different Fatal Offences

| Area | Advantage | Disadvantage |
|---------------------------|------------------------|------------------------|
| Murder | P: E: D: | P: E: D: |
| Diminished Responsibility | P: E: D: | P: E: D: |
| Loss of Control | P: E: D: | P: E: D: |
| Unlawful Act Manslaughter | P: E: D: | P: E: D: |

| | | |
|-------------------------------|------------------------|------------------------|
| Gross Negligence Manslaughter | P: E: D: | P: E: D: |
| Corporate Manslaughter | P: E: D: | P: E: D: |

Task 3 – Police Powers Research

Stop and Search - <https://www.youtube.com/watch?v=A3iSbN4nqag>

Watch the above clip and make a note of what GO WISELY stands for:

| | |
|----------|--|
| G | |
| O | |
| W | |
| I | |
| S | |
| E | |
| L | |
| Y | |

There are several different laws that permit the police to stop and search someone:

| Law | Reason |
|--|--------|
| s.1 Police and Criminal Evidence Act 1984 (PACE) | |
| s.60 Criminal Justice and Public Order Act 1994 | |
| s.23 Misuse of Drugs Act 1971 | |
| s.43 Terrorism Act 2000 | |

Cases examples:

| Case | Facts/Outcome |
|------------------------|---------------|
| Tomlinson v DPP (1992) | |
| Osman v DPP (1999) | |
| Rice v Connolly (1966) | |

Arrest - <https://www.youtube.com/watch?v=DOCjID0S8Zk>

Watch the above clip and make a note of when a police officer can make an arrest without a warrant:

Case examples:

| Case | Facts/Outcome |
|--|---------------|
| <i>Castorina v CC of Surrey</i> (1988) | |
| <i>Richardson v CC of West Midlands</i> (2011) | |
| <i>R v Iqbal</i> (2011) | |

Detention – Pre-charge detention at the police station

What is the role of a Police Custody Officer?

Research and make a note of the following sections of PACE and case examples:

s.56 PACE –

s.57 PACE –

R v Aspinall (1999)

s.58 PACE –

R v Samuel (1988)

Task 4 – Property Offences (strongly recommended)

| Offence | Act of Parliament | Description and Sentence |
|--|-------------------|--------------------------|
| Theft | | |
| Robbery | | |
| Burglary | | |
| Fraud by False Representation | | |
| Basic Criminal Damage Aggravated Criminal Damage Arson | | |