

Year 12 BTEC Extended Certificate in Applied Law

Summer Independent Learning 2024

- There are 4 units of study in the applied law course. Two are internal coursework units and two are external exam units.
- The summer work will focus on **Unit 2 Investigating Aspects of Criminal Law and the Legal System** which is the coursework based unit.
- For all tasks - Either you can complete this work on your **computer** or if you want to you can write it on **paper**.

Part 1 – Elements of a Crime and Non-fatal offences	Tasks 1-5
Part 2 – Criminal Terms	Tasks 5-7

Task 1 – Actus Reus and Mens Rea

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)

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 – Research on 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)







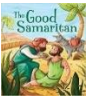
Use the following links to research the area of omissions and detail the case examples (next page) that you will use in exam questions: You can also use your own internet research.



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



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

Area of Omissions	Explanation (what does this duty mean?)	Case examples – Give brief facts of the case examples using google.
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 Liable by Omission under this Act:
Good Samaritan rule 	What is this? -	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 – Application of Omissions to scenarios

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

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

Task 4 – Causation Research

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-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 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 / not guilty verdict.

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

Area that can break the	Explanation (what is this category about?)	Case examples – research and give facts
Eggshell conditions / thin skull rule 		R v Blaue (1975)
Victims own act (escape) 		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 – Application of Causation to scenarios

Apply factual and legal cause to the scenarios below. Also decide if any of the intervening acts could be involved.

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.

Task 6 - Non Fatal Offences

One large area you will look at is the non fatal offences. This is where someone may be injured (physically or mental health) but does not die. Research the crimes below.

Crime	What do you think we need to prove?
Assault	
Battery	
ABH	
GBH	
Wounding	

Task 7 - Non Fatal Offences – Decide what crime you think has been committed

Look at the scenarios below and decide what type of crime it is (assault, battery, ABH, GBH or Wounding)

Issue	What type of non fatal offence do you think it is?
Punching someone	
Threatening someone	
Stabbing in the leg	
Internal bleeding	
Spitting on someone	
Knocking someone unconscious	
Broken arm	

Please bring to your first lesson in September 😊