DIPLOMA IN LAW
DIPLOMA IN THE COMMON LAW
LLB

ALL SCHEMES AND ROUTES

BSc DEGREES WITH LAW

Criminal Law

Thursday 10 May 2012: 10.00 – 13.15

Candidates will have fifteen minutes during which they may read the paper and make rough notes ONLY in their answer books. They then have the remaining THREE HOURS in which to answer the questions.

Candidates should answer FOUR of the following EIGHT questions.

Candidates should answer all parts of a question unless otherwise stated.
1. Betts and Ridley, while in the process of stealing from Veronica's house, are disturbed by her. Betts produces a pocket knife which Ridley had known he was carrying. Ridley shouts at Betts, "What do you think you are doing? Put it away." He then runs out of the house. Betts fatally stabs Veronica.

Consider the extent of Ridley's complicity.

Would it make any difference if Betts killed Veronica in the course of a frenzied attack, punching and kicking her?

2. (a) To what extent is liability for theft negated by the owner consenting to the appropriation of property?

(b) John wants to buy a bar of chocolate from a chocolate vending machine. He discovers he has no change. He inserts, instead, a foreign coin into the slot and the machine delivers a bar of chocolate into the receptacle. Regretting his action, John leaves the chocolate in the receptacle and walks away. Sophie walks past, sees the chocolate in the receptacle and takes it and begins to eat it. Greta, the machine owner, sees her do this and demands payment. Sophie tells her she has no money, which is untrue, and walks away.

What criminal offence(s), if any, have been committed by John and Sophie?

3. Jim and Margaret are friends. They both work in the field of public relations. Dan, an associate of Jim, envies Jim's friendship with Margaret and malevolently spreads rumours alleging unethical professional behaviour on Margaret's part. As anticipated by Dan, a violent quarrel ensues when Jim calls on Margaret. During the quarrel Margaret hurls a large tin of beans at Jim. In attempting to avoid being struck by the tin, Jim strikes his head on an open door, suffering a fractured skull. Margaret immediately telephones for an ambulance. When Jim reaches hospital, his condition has deteriorated so much that he dies before any treatment can be administered.

Discuss the criminal liability, if any, arising from this incident.
4. Bill, a drug addict, asks Lena, his wife, to inject him with heroin. She protests but, knowing he will do it himself if she refuses, complies with his request. A few minutes later Bill falls unconscious. Lena feels his pulse, which is faint. She panics and runs out of the house. Although she knows Bill is very ill, she fails to call the emergency services, fearful that she will be held responsible for his condition. After two hours, she calls an ambulance. It takes a further hour for it to arrive because the ambulance workers decided to finish a game of cards. When they eventually arrive, they find Bill dead. If Bill had received medical attention within an hour of his collapse, his death would have been prevented.

Discuss.

5. Alison, Bertha, Charles and Desmond meet in a pub for a reunion. Alison does not drink alcohol but Bertha puts vodka in her lemonade as a joke. Later, Bertha suggests to Alison that Alison should drop her glass on the floor to see if it will bounce. Alison does so and the glass breaks. Later, Bertha, who has been drinking beer all evening, rides off on the landlord’s bicycle. When stopped by John, a police officer, Bertha says that she thought the bicycle had been abandoned. When John tries to arrest her, she aims a punch at him which misses and hits Phoebe, a bystander. Charles, who has also been drinking beer, thinks that Desmond, who is aiming a dart at a dartboard, is about to throw it at him. He therefore seizes a chair and hits Desmond with it, injuring him.

Advise Alison, Bertha and Charles.

6. Discuss the case for reforming the law of homicide.

7. (a) Graham suffers from delusions. Often they take the form of hearing voices which tell him to do things. One day the voices tell him to set fire to a van parked outside a block of flats. He does so. The fire spreads quickly to the block of flats. Karen, who lives in an upstairs flat, escapes uninjured at the last moment.

(b) Ian, while walking along the street, is attacked by a dog. While flailing his arms around to protect himself, he hits Dawn in the face, breaking her nose. Harry, a passer-by, bends over Dawn and asks if she needs help. Marian, another passer-by, assumes that Harry is attacking Dawn and strikes Harry on the head with a brick lying nearby, killing him instantly.

Discuss any criminal liability arising.
8. Romeo and Juliet are lovers. Romeo discovers he has AIDS (a potentially fatal disease capable of being transmitted by sexual intercourse). He decides to break off the relationship with Juliet out of love for her, not wishing to communicate the disease or admit to his condition. When he tells Juliet, first she becomes angry and then she despairs. She begs that they have sexual intercourse telling him that it will be a sign that he still loves her. Reluctantly he agrees, convincing himself that this will be the last time and that no harm will come of it. Six months later Juliet is found to have contracted the disease.

Discuss Romeo's possible liability under each of the following sections of the Offences Against the Person Act 1861.

(a) s.47

(b) s.20

(c) s.18

END OF PAPER