

Tech Level Unit 5 From 6 January 2020 - this qualification is no longer available to new learner registrations



<b>Title:</b>	<b>LAW OF CRIME</b>
<b>Level:</b>	<b>Level 3</b>
<b>Credit Value:</b>	<b>10</b>
<b>Guided Learning Hours</b>	<b>60</b>

<b>Learning outcomes</b>	<b>Assessment criteria</b>	<b>Knowledge, understanding and skills</b>
<b>The learner will:</b>	<b>The learner can:</b>	
1. Understand the principles of criminal liability	1.1 Define what is meant by a crime  1.2 Explain the purpose and objective of the criminal courts  1.3 Understand the essentials of a crime	1.1 Meaning of crime: conduct the state wishes to prohibit  1.2 Objective of criminal law as punishment. Purpose of sentencing including: deterrence, rehabilitation etc.  1.3 Actus reus: <ul style="list-style-type: none"> <li>• mens rea               <ul style="list-style-type: none"> <li>○ intention</li> <li>○ recklessness</li> <li>○ gross negligence</li> <li>○ Presumptions:                   <ul style="list-style-type: none"> <li>○ presumption of intention</li> <li>○ presumption of innocence</li> </ul> </li> </ul> </li> <li>• concept of continuing act</li> </ul> <i>Using relevant cases and statutes</i>
2. Understand liability for homicide	2.1 Define homicide	2.1 <ul style="list-style-type: none"> <li>• Lawful</li> </ul>

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	<p>2.2 Define murder</p> <p>2.3 Explain the actus reus of murder</p> <p>2.4 Explain the mens rea of murder</p> <p>2.5 Explain the statutory defences available under the Coroners and Justice Act 2009</p> <p>2.6 Explain the effect of the statutory defences on liability</p> <p>2.7 Define manslaughter</p>	<ul style="list-style-type: none"> <li>• Unlawful <ul style="list-style-type: none"> <li>○ murder</li> <li>○ manslaughter</li> <li>○ infanticide</li> </ul> </li> </ul> <p>2.2 Definition from Sir Edward Coke:</p> <ul style="list-style-type: none"> <li>• Of sound mind</li> <li>• Unlawfully kills</li> <li>• Any reasonable creature</li> <li>• In being</li> <li>• Under the Queen's Peace</li> <li>• With intent to kill or cause grievous bodily harm</li> </ul> <p>2.3 <i>Actus reus</i> of unlawful homicide (killing must be unlawful; 'human being', factual and legal causation - see above); effect of Law Reform (Year and a Day Rule) Act 1996</p> <p>2.4 'Malice aforethought' – intention to kill or cause serious harm: <u>R v Vickers</u> (1957). Meaning of intention – direct and oblique; relevant case law</p> <p>2.5 - Diminished responsibility - Loss of control</p> <p>2.6 Reduction of charge from murder to manslaughter; wider range of sentencing options; partial defences which only apply in cases of murder</p> <p>2.7 - Voluntary - Diminished responsibility (see above) - Loss of control (see above) - Involuntary - Gross negligence - Unlawful dangerous act</p> <p>2.8 Examples to include: causing death by dangerous or</p>
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	2.8 Identify statutory homicide offences	<p>careless driving (ss1, 3A Road Traffic Act 1988, as amended; ss20,21 Road Safety Act 2006), corporate manslaughter (Corporate Manslaughter and Corporate Homicide Act 2007), familial homicide (s5 Domestic Violence, Crime and Victims Act 2004)</p> <p><i>Using relevant cases and statutes</i></p>
3. Understand liability for non-fatal offences against the person	<p>3.1 Define key statutory non-fatal offences by reference to ss18,20 &amp; 47 of the Offences Against the Person Act 18 (OAPA).</p> <p>3.2 Explain the actus reus of:</p> <ul style="list-style-type: none"> <li>• GBH with intent (s18)</li> <li>• GBH (s20)</li> <li>• ABH (s47)</li> </ul> <p>3.3 Explain the mens rea of:</p> <ul style="list-style-type: none"> <li>• GBH with intent (s18)</li> <li>• GBH (s20)</li> <li>• ABH (s47)</li> </ul> <p>3.4 Explain the effect of successfully raising a self-defence claim against any non-fatal offences charges. (Cross-reference with 5.1 Defences)</p>	<p>3.1 Define: GBH: (Grievous bodily harm)with intent: s18 OAPA. GBH: s20 OAPA ABH: (Actual bodily harm): s47 OAPA.</p> <p>3.2 Knowledge of CPS Code to identify the differing types of injury required for each of the above offences.</p> <p>3.3 Appreciate the differing levels of mens rea required. Appreciate that the key difference between a s18 &amp; s20 charge is a higher level of mens rea is required for a successful prosecution under s18.</p> <p>3.4 Appreciate that self-defence can be a complete defence if successfully raised and can lead to acquittal.</p> <p>NB Self-defence can be a complete defence to fatal offences in some circumstances.</p> <p>Using relevant cases and statutes.</p>

4. Understand liability for theft	<p>4.1 Define what is meant by theft with reference to the Theft Act 1968</p> <p>4.2 Explain the actus reus of:</p> <ul style="list-style-type: none"> <li>• theft</li> <li>• robbery</li> <li>• burglary</li> </ul> <p>4.3 Explain the mens rea of theft</p>	<p>4.1 Definition of theft from s1 Theft Act 1968.</p> <p>4.2 Theft: meanings of: 'appropriation', 'property' &amp; 'belonging to another.'  Robbery: appreciate the need for force and that force must be used in order to steal.  Burglary: 'meanings of: 'entry', 'buildingin' &amp; 'trespaser'</p> <p>4.3 The test for dishonesty  Intention to permanently deprive</p> <p><i>Using relevant cases and statutes</i></p>
5. Understand the defences available in Criminal Law	<p>5.1 Explain the circumstances giving rise to, and the effect of, the following defences:</p> <ul style="list-style-type: none"> <li>• Diminished responsibility</li> <li>• Loss of control</li> <li>• Intoxication</li> <li>• Duress</li> <li>• Defence of: <ul style="list-style-type: none"> <li>○ Self</li> </ul> </li> </ul>	<p>5.1</p> <ul style="list-style-type: none"> <li>• Diminished responsibility</li> <li>• Loss of control</li> <li>• Intoxication</li> <li>• Duress</li> <li>• Defence of: <ul style="list-style-type: none"> <li>○ Self</li> </ul> </li> </ul> <p><i>Using relevant cases and statutes for each defence</i></p>
6. Understand how to apply Criminal Law	6.1 Apply Criminal Law to a given situation	6.1 Application of the law to a scenario

<b>Additional information about the unit</b>	
Unit aim(s)	The learner will understand key concepts, terms and

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	processes in the Law of Crime
Name of the organisation submitting the unit	CILEx (The Chartered Institute of Legal Executives)
Availability for use	Only available to owning awarding body
Availability for delivery	1 September 2016

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