



Topic Tests for BTEC Level 3 Nationals in Applied Law

Unit 3: Applying the Law

zigzageducation.co.uk

POD
11777

Publish your own work... Write to a brief...
Register at publishmenow.co.uk

 Follow us on Twitter @ZigZagLaw

Contents

Product Support from ZigZag Education	ii
Terms and Conditions of Use	iii
Teacher's Introduction.....	1
Write-on Tests.....	2
A. The laws relating to homicide: murder, voluntary manslaughter and involuntary manslaughter.....	2
<i>Topic Test A1: Murder.....</i>	2
<i>Topic Test A2: Voluntary manslaughter.....</i>	5
<i>Topic Test A3: Involuntary manslaughter.....</i>	9
B. The laws relating to corporate manslaughter.....	12
<i>Topic Test B1: Corporate manslaughter</i>	12
C. An introduction to offences against property: theft, robbery, burglary, fraud and criminal damage	15
<i>Topic Test C1: Theft: Section 1–6 of the Theft Act 1968</i>	15
<i>Topic Test C2: Robbery: Section 8 of the Theft Act 1968</i>	18
<i>Topic Test C3: Burglary: Section 9 of the Theft Act 1968.....</i>	20
<i>Topic Test C4: Fraud by false representation.....</i>	22
<i>Topic Test C5: Criminal damage</i>	24
D. Introduction to general defences in criminal law.....	27
<i>Topic Test D1: Duress.....</i>	27
<i>Topic Test D2: Intoxication.....</i>	30
<i>Topic Test D3: Self-defence</i>	32
<i>Topic Test D4: Insanity and automatism</i>	34
E. An overview of police powers.....	37
<i>Topic Test E1: Stop and search</i>	37
<i>Topic Test E2: Arrest</i>	39
<i>Topic Test E3: Detention, interviews, searches and samples.....</i>	41
Non-write-on Tests.....	44
A. The laws relating to homicide: murder, voluntary manslaughter and involuntary manslaughter.....	44
<i>Topic Test A1: Murder.....</i>	44
<i>Topic Test A2: Voluntary manslaughter.....</i>	45
<i>Topic Test A3: Involuntary manslaughter.....</i>	46
B. The laws relating to corporate manslaughter.....	47
<i>Topic Test B1: Corporate manslaughter</i>	47
C. An introduction to offences against property: theft, robbery, burglary, fraud and criminal damage	48
<i>Topic Test C1: Theft: Section 1–6 of the Theft Act 1968</i>	48
<i>Topic Test C2: Robbery: Section 8 of the Theft Act 1968</i>	49
<i>Topic Test C3: Burglary: Section 9 of the Theft Act 1968.....</i>	50
<i>Topic Test C4: Fraud by false representation.....</i>	51
<i>Topic Test C5: Criminal damage</i>	52
D. Introduction to general defences in criminal law.....	53
<i>Topic Test D1: Duress.....</i>	53
<i>Topic Test D2: Intoxication.....</i>	54
<i>Topic Test D3: Self-defence</i>	55
<i>Topic Test D4: Insanity and automatism</i>	56
E. An overview of police powers.....	57
<i>Topic Test E1: Stop and search</i>	57
<i>Topic Test E2: Arrest</i>	58
<i>Topic Test E3: Detention, interviews, searches and samples.....</i>	59
Mark Scheme	60

Teacher's Introduction

This set of questions is to complement the teaching of **Unit 3: Applying the Law** of the BTEC Level 3 Diploma in Applied Law specification. Closely following the specification, there are a variety of questions on each topic, ranging from those which test basic recall of key knowledge (Section A) to those applying the law in scenarios (Section B) and then evaluative questions (Section C). Understanding of the issues must be embedded before this can then be applied to exam-style scenarios. Finally, as the highest grades in the exam will be reserved for the students who can critically evaluate the law, draw perhaps any conclusions. Finally, the last question in each section draws on something students typically find challenging, being the higher-order skill of up from study at Level 2 to Level 3. Each topic test is designed to take 30–60 minutes independent activity, such as homework, to test knowledge.

These tasks, while they can be used in a classroom, can also be set as homework to the end of this resource, these can be self-marked by students. The tasks can also abilities, as some may need to answer all the questions, while higher-ability students to looking at the scenario and evaluative questions. The resources provide flexibility assessing students' comprehension of the entirety of this unit.

INSPECTION COPY

COPYRIGHT
PROTECTED



A. The laws relating to homicide: murder, manslaughter and involuntary manslaughter

Topic Test A1: Murder

SECTION A

1. What is the definition of murder, and where does it come from?



.....

.....

.....

2. Label the parts of your definition above to show the *mens rea* and the *actus reus*.
3. Fill the gaps in this passage on causation:

Causation must be proven by the use of two tests: _____ causation and _____ causation. _____ causation is proven by the use of the _____ case of _____, where the defendant's mother did not die due to _____ rather she had suffered a fatal heart attack.

_____ causation is proven by looking at whether the defendant _____ caused the victim's death. This is displayed in the case of _____, the defendant was convicted of murder as the wound he inflicted on the _____ and _____ cause of death.

4. Complete the chart with case principles.

Name of case	Legal principle
<i>R v Malcherek & Steel (1981)</i>	
<i>A-G's Ref (No. 3 of 1994)</i>	
<i>R v Page (1954)</i>	
<i>R v Blaue (1975)</i>	
<i>R v Cheshire (1991)</i>	
<i>R v Woollin (1999)</i>	

**COPYRIGHT
PROTECTED**



5. Outline and explain the two types of *mens rea* for murder.

.....
.....
.....
.....

SECTION B



Chester, a drug dealer, was owed a considerable amount of money by Bruce. In order to make his payments, he wanted to show that he would not stand for this. He purchased a large house in the middle of the night. He broke into Bruce's house and found Bruce asleep. Chester then told Bruce to 'Pay up now or get what's coming to you'. Bruce laughed at Chester so Chester stabbed him in the arm. It was a deep wound which produced a large amount of blood. Bruce suffered from a rare condition which meant that his blood did not clot, and, therefore, he died at the scene and died.

6. Examine whether Chester has the *mens rea* to kill Bruce.

.....
.....
.....
.....

7. Examine whether Chester has the *actus reus* to kill Bruce.



.....
.....
.....
.....
.....
.....
.....

8. What would be the relevance of Bruce's rare blood condition?

.....
.....
.....
.....
.....
.....
.....

INSPECTION COPY

**COPYRIGHT
PROTECTED**



SECTION C

9. Stating six points, evaluate the law on murder, looking at its criticisms and po



INSPECTION COPY



INSPECTION COPY



INSPECTION COPY

INSPECTION COPY

**COPYRIGHT
PROTECTED**



A. The laws relating to homicide: murder, manslaughter and involuntary manslaughter

Topic Test A1: Murder

SECTION A

1. What is the definition of murder and where does it come from?
2. Label the parts of your diagram to show the *mens rea* and the *actus reus*.
3. Copy and complete the gaps in this passage on causation:
Causation must be proven by the use of two tests: _____ causation and _____ causation. _____ causation is proven by the use of the _____ in the case of _____, where the defendant's mother did not die due to the defendant's actions, but rather she had suffered a fatal heart attack. _____ causation is proven by looking at whether the defendant's actions were a substantial cause of the victim's death. This is displayed in the case of _____, where the defendant was convicted of murder as the wound he inflicted on the victim was a substantial cause of death.
4. Copy and complete the chart with case principles.

Name of case	Legal principle
<i>R v Malcherek & Steel (1981)</i>	
<i>A-G's Ref (No. 3 of 1994)</i>	
<i>R v Page (1954)</i>	
<i>R v Blaue (1975)</i>	
<i>R v Cheshire (1990)</i>	
<i>R v Williams (1999)</i>	

5. Outline and explain the two types of *mens rea* for murder.

SECTION B

Chester, a known drug dealer, was owed a considerable amount of money by Bruce. In order to pay his debts, he wanted to show that he would not stand for this. He purchased a large house in the middle of the night. He broke into Bruce's house and found Bruce asleep. Chester then woke Bruce up and said to Bruce to 'Pay up now or get what's coming to you'. Bruce laughed at Chester so Chester stabbed Bruce in the arm. It was a deep wound which produced a large amount of blood. Bruce suffered from a rare condition which meant that his blood did not clot, and, therefore, he bled to death at the scene and died.

**COPYRIGHT
PROTECTED**

6. Examine whether Chester has the *mens rea* to kill Bruce.
7. Examine whether Chester has the *actus reus* to kill Bruce.
8. What would be the relevance of Bruce's rare blood condition?

SECTION C

9. Stating six points, evaluate the law on murder, looking at its criticisms and problems.

Preview of Questions Ends Here

This is a limited inspection copy. Sample of questions ends here to avoid students previewing questions before they are set. See contents page for details of the rest of the resource.

Topic Test A3: Involuntary manslaughter

SECTION A

1. The six factors are as follows:
 1. Duty of care (1)
 2. Breach of duty (1)
 3. Serious and obvious risk of death (1)
 4. Reasonably foreseeable that at the time of the breach of duty this gave rise to a serious and obvious risk of death (1)
 5. The breach of duty caused or made a significant contribution to the death of V (1)
 6. The jury decided that the circumstances of the breach were truly exceptional in that these amount to gross negligence (1)
2. There must be a lawful act (1) which is unlawful (1) and dangerous (1) and causes the death of V (1)
3. The *mens rea* for the unlawful act itself (1)
4. The jury must then decide that the circumstances of the breach were truly exceptional in that these amount to gross negligence (1)
5. Yes (1)

SECTION B

6. There must be a duty of care as seen in *Donoghue v Stevenson* (1) and this occurred as there was a failure to take reasonable care responsibilities for Lydia. (1)
7. There is a serious and obvious risk of death at the time of the breach, as Angela simply left the bottle on the floor until she had tidied away as she thought she was just napping. (1) It was reasonably foreseeable that at the time of the breach of duty this gave rise to a serious and obvious risk of death as young children are more likely to swallow small objects as there is a choking hazard for them. (1)
The breach of duty caused or made a significant contribution to the death of V. (1)
8. There was an unlawful positive act as seen in *Lowe*. (1) When Angela threw the bottle at the window it was battery. (1) This unlawful positive act of throwing a glass bottle (1) was dangerous as seen in *Lowe*. (1)

SECTION C

9. Responses could include the following, as well as any other relevant response:
 - Unlawful act manslaughter could include such a wide range of conduct that this is a very broad offence (1)
 - The objective test was criticised by the Law Commission (1) who recommended a new test of 'gross negligence amounting to murder' (1)
 - It can seem to be just bad luck if someone dies and then what could be a minor mistake is then charged as unlawful act manslaughter (1)
10. Responses could include the following as well as any other relevant response:
 - The jury decide on whether D's conduct is so bad as to amount to criminal, which is a very broad offence (1)
 - The word 'gross' is old and outdated (1)
 - The objective test was criticised by the Law Commission who recommended a new test of 'gross negligence amounting to murder' (1)
 - This seems to blur the distinction between civil and criminal law in the duty of care (1)

**COPYRIGHT
PROTECTED**



Preview of Answers Ends Here

This is a limited inspection copy. Sample of answers ends here to stop students looking up answers to their assessments. See contents page for details of the rest of the resource.