



# Topic Tests for BTEC Level 3 Nationals in Applied Law

## Unit 3: Applying the Law

[zigzageducation.co.uk](http://zigzageducation.co.uk)

POD  
11777

Publish your own work... Write to a brief...  
Register at [publishmenow.co.uk](http://publishmenow.co.uk)

 Follow us on Twitter [@ZigZagLaw](https://twitter.com/ZigZagLaw)

# Contents

<b>Product Support from ZigZag Education .....</b>	<b>ii</b>
<b>Terms and Conditions of Use .....</b>	<b>iii</b>
<b>Teacher's Introduction.....</b>	<b>1</b>
<b>Write-on Tests.....</b>	<b>2</b>
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
<b>Non-write-on Tests.....</b>	<b>44</b>
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
<b>Mark Scheme .....</b>	<b>60</b>

# 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, to change this, the last question in each section draws on something students typically find challenging, being the higher-order skill of up from student Level 2 to Level 3. Each topic test is designed to take 30–60 minutes of independent activity, such as homework, to test knowledge.

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

INSPECTION COPY

 INSPECTION COPY

**COPYRIGHT  
PROTECTED**

 INSPECTION COPY



# 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

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

\_\_\_\_\_ the victim's death. This is displayed in the case of

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

INSPECTION COPY

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 get 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. He told Bruce to 'Pay up now or get what's coming to you'. Bruce laughed at Chester so Bruce stabbed Chester 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, 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?

.....

.....

.....

.....

.....

.....

.....

**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

- What is the definition of murder and where does it come from?
- Label the parts of your definition to show the ***mens rea*** and the ***actus reus***.

- Copy and complete the gaps in this passage on causation:

Causation must be proven by the use of two tests: \_\_\_\_\_ causation. \_\_\_\_\_ causation is proven by the use of the \_\_\_\_\_ the case of \_\_\_\_\_, where the defendant's mother did not die due to the given her, but rather she had suffered a fatal heart attack. \_\_\_\_\_ causation is proven by looking at whether the defendant \_\_\_\_\_ cause of the victim's death. This is displayed in the case of \_\_\_\_\_ this case, the defendant was convicted of murder as the wound he inflicted on \_\_\_\_\_ and \_\_\_\_\_ cause of death.

- Copy and complete the chart with case principles.

Name of case	Legal principle
<i>R v Malcherek &amp; 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 Williams (1957)</i>	

- 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. As no payments, he wanted to show that he would not stand for this. He purchased a large gun in the middle of the night. He broke into Bruce's house and found Bruce asleep. Bruce said to 'Pay up now or get what's coming to you'. Bruce laughed at Chester so Bruce stabbed Chester 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, the next day, he died on the scene and died.

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

#### SECTION C

- Stating six points, evaluate the law on murder, looking at its criticisms and possible reforms.

INSPECTION COPY

**COPYRIGHT  
PROTECTED**



## **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.



**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 exceptionally gross (1)
2. There must be a **mens rea** (1) which is unlawful (1) and dangerous (1) and causes death (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 and 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 Angela had a duty of 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 children 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 vulnerable 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 Lydia it was battery. (1) This unlawful act of throwing a glass bottle (1) was dangerous as seen in *Lawrence v Akins*. (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 criticised (1)
  - The objective test was criticised by the Law Commission (1) who recommended a three degree murder mirroring the US system (1)
  - It can seem to be just bad luck if someone dies and then what could be a minor offence 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 subjective (1)
  - The word 'gross' is old and outdated (1)
  - The objective test was criticised by the Law Commission who recommended a three degree murder mirroring the US system (1)
  - This seems to blur the distinction between civil and criminal law in the duty of care (1)

INSPECTION COPY

**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.