

## **W201 The Individual and the State**

### **Questions on actus reus mens rea omissions and causation**

1. Has the use of Latin been abolished in criminal courts?
2. What does actus reus mean?
3. What does mens rea mean?
4. Divide up the following definitions of crimes into mens rea and actus reus
  - a) dishonestly make off without payment
  - b) wilfully obstruct a constable in the execution of his duty
  - c) enter a building as a trespasser with intent to steal therein
  - d) maliciously wound with intent to do some grievous bodily harm
5. Can you think of any criminal offence which is not contrary to a statute but is contrary to common law? Are most offences contrary to statute or to common law?

### **Omissions**

6. In which of the following situations does Moriarty commit a crime?
  - a) after a fight with his enemy Sherlock Holmes at a waterfall he sees Holmes is drowning and walks away without helping him
  - b) he invites Dr Watson to stay for a week but fails to summon medical assistance when Watson contracts a terminal fever
  - c) he volunteers as an unpaid lift attendant at Holmes' Baker Street address but negligently leaves the lift gates open - Holmes is killed falling down the lift shaft
  - d) he has the care of his two infant children but neglects to feed or clothe them due to his obsession with his vendetta with Holmes - they die.

### **Causation**

7. Crippen places poison in his wife's soup. His wife noticing the taste consumes only one mouthful. She is afflicted with stomach pains (which are temporary and not life threatening). She cycles to the doctor's surgery but is run over by a bus. The maid consumes the rest of the soup and is rushed to the hospital. She refuses to have her stomach pumped (because of her religious beliefs) and dies next day.

In law has Crippen caused either death?