

W201 The Individual and the State

Questions on accomplices and attempt

The order in which you deal with the issues is important here. Use the following guide:

- a) establish who are the principal offenders for any complete offence
- b) establish who are aiders and abettors of any complete offence
- c) if liability is not clear consider the principal offenders in any attempt
- d) then consider if there are any aiders and abettors of any attempt

1. After the referee has stopped play in a rugby match Jennings and Derbyshire (for a joke) both tackle Bunter simultaneously breaking his leg. Singh watches saying and doing nothing. Wharton blocks Bunter's escape so he can not avoid the tackle.

What is the criminal liability of Jennings Derbyshire Singh and Wharton?

If Jennings and Derbyshire are not prosecuted because Bunter refuses to complain would this affect the liability of Singh and Wharton?

2. Morecombe urges Wise to join him in a burglary and theft of cigarettes from a warehouse. Wise says he will think about it. On the night of the crime Morecombe changes his mind and phones Wise to say he is pulling out as he is indisposed. Wise goes ahead and burgles the warehouse but comes away empty handed as there never were any cigarettes in it.

What offence has each committed?

3. Three small boys Crouch, Rooney and Owen agree to break windows in a greenhouse with their footballs. Each places their football on the ground then Crouch runs up but slips over, Rooney runs up and kicks his wide and Owen runs up and kicks his football breaking a window.

What offence does each commit?