

GCE

LAW: NECESSITY DEFENCES OF SELF DEFENCE, DURESS AND DURESS OF CIRCUMSTANCES

CONSENT SUGGESTED IDEAS FOR TEACHING/LEARNING



SUGGESTED IDEAS FOR TEACHING AND LEARNING

Teacher /Lecturer:	
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Course:	A Level Law
Topic:	Necessity defences of self defence, duress and duress of circumstances
Session:	CONSENT

Component:	A Level Components 2 and 3
Ref. to specification:	Criminal Law
Suggested time allocation:	4 – 6 hours

Aims & Objectives: At the end of these sessions the student will be able to:

- **Explain** the definition of consent with reference to appropriate authority
- **Explain** where the defence is allowed
- **Compare** the cases of Brown (1993) and Wilson (1996)
- **Evaluate** the arguments for restricting the use of consent, especially in relation to euthanasia
- **Evaluate** the case of Jones (1986)

Main Teaching and Learning Activities

Teacher/Lecturer Activities:

- Explain the definition of consent and how it can be used as a defence using reference to cases: Donovan (1934), Slingsby (1995), Clarence (1888), Dica (2004), Konzani (2005) with discussion and questions and answers throughout – stress the issue of informed consent.
- Divide the group into two teams and ask them to come up with opposing arguments on the question of whether it should be possible to consent to euthanasia and then facilitate a debate between the two sides.
- Explain implied consent using the case of Wilson -v- Pringle (1987)
- Explain, with reference to Attorney General's Reference (No 6 of 1980) (1981), when the defence may be available and discuss these exceptions getting the students to consider various situations where they may arise.
- Continue the previous point and explain about consent to minor injuries with reference to the cases of Brown (1993) and Wilson (1996).
- Divide the students into small groups and ask them to compare and contrast the cases of Brown (1993) and Wilson (1996) and answer questions on the handout.
- Explain mistaken belief in consent with reference to the case of Jones (1986).
- Facilitate open group discussion on the Jones (1986) case as to whether students regard it is an acceptable decision – ask the question: when does rough horseplay become bullying?
- Discuss the problems with the defence of consent reviewing the points made during the session
- Set homework – past paper question on consent – students to complete by supplying bullet point answer.

Student Activities:

- Take notes on definition of consent and the various cases and participate fully in discussion and question and answer.
- Team work to prepare debate on consent to euthanasia.
- Take notes relating to implied consent, where the defence is allowed and exceptions.
- Small group work to compare Brown (1993) and Wilson (1996).
- Take notes, ask and answer questions on mistaken belief.
- Participate in whole group discussion on Jones (1986).
- Participate in discussion to review defence overall.

Suggested links / resources:

- PowerPoint/IWB/whiteboard for aims and objectives
- PowerPoint presentations
- Whiteboard to write up review points
- A Level Law textbooks

Assessment

During the lesson	Students will be assessed throughout the session with note taking, asking and answering questions. Questions will be addressed to students individually to consolidate learning and clarify understanding. Students will also be assessed on contribution to small and whole group activities.
Subsequent to lesson	Students will be set a homework question dealing with the issue of consent.