

GCE

LAW: OFFENCES AGAINST THE PERSON

INVOLUNTARY MANSLAUGHTER SUGGESTED IDEAS FOR TEACHING AND LEARNING



SUGGESTED IDEAS FOR TEACHING AND LEARNING

Teacher /Lecturer:	
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Course:	A Level Law
Topic:	Offences against the person
Session:	INVOLUNTARY MANSLAUGHTER

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

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

- **Explain** the two different forms of involuntary manslaughter and their component parts
- **Explain** reckless manslaughter
- **Evaluate** the reform proposals for involuntary manslaughter
- **Apply** the principals learnt during the session to given scenarios

Main Teaching and Learning Activities

Teacher/Lecturer Activities:

- Introduce the subject with reference to the aims and objectives set out above and explain that involuntary manslaughter can be committed in two ways
- Using the PowerPoint presentation, give students information regarding unlawful act manslaughter with reference to Lamb (1967), Larkin (1943), Mitchell (1983), Dawson (1985), Watson (1989), Dalby (1982), Dias (2002) and Rogers (2003) – questions and answers throughout.
- Divide students into small groups and facilitate group work to produce a mind map of unlawful and dangerous act manslaughter – questions students’ understanding throughout.
- Using PowerPoint presentation, explain gross negligence manslaughter with reference to Adomako (1994), Donoghue –v- Stevenson (1934), Singh (1999), Litchfield (1998), Khan and Khan (1998), Wacker (2002) and Bateman (1925) – questions and answers throughout.
- Divide students into small groups and facilitate group work to produce a mind map of gross negligence manslaughter - question students’ understanding throughout.
- Explain to the students the issue of reckless manslaughter with reference to Lidar (2000).
- Explain to the group the problems with this area of law and suggestions for reform. In a whole group exercise, ask students to evaluate whether these reforms will make this area of law more straightforward or not.
- Give the whole group a handout with a past exam question and facilitate full group discussion in answering the question. Ensure that all students participate and consolidate their learning.
- Set homework – ask students to write up their answer to the question the group has gone through together.

Student Activities:

- Make notes, ask and answer questions throughout presentations
- Small group work to produce mind map for unlawful and dangerous act manslaughter
- Small group work to produce mind map of gross negligence manslaughter
- Participation in whole group exercise to evaluate reform proposals
- Participation in whole group exercise to answer past paper question

Suggested links / resources:

- PowerPoint/IWB/whiteboard for aims and objectives
- PowerPoint presentations
- Handout with past paper questions
- Any good A Level Law textbooks

Assessment of Learning

During the lesson	Students will be continually assessed on their note taking, asking and answering questions throughout the session. Students will be questioned individually to assess their learning.
Subsequent to lesson	Write up answer to past paper question covered during the session.

TOPIC: INVOLUNTARY MANSLAUGHTER

Questions:		Expected answers:
1.	Manslaughter by unlawful and dangerous act must be committed by an act. Can you remember what an omission is?	Students may be able to recall that this involves a failure to act. They may be able to recall certain instances where a failure to act may amount to an offence, e.g. Miller, Stone & Dobinson.
2.	What type of act does the name of the offence say must have caused the death?	A dangerous act that is also unlawful.
3.	What is an unlawful act?	Student should be able to work out that it is any criminal offence – an act that is against the law.
4.	What are the rules of causation?	Students should be able to recall that causation needs to be proved both in fact and in law. They may be able to go on to explain some of the tests that apply to each so this is good for revision.
5.	What problems arise with causation in cases which involve the use and supply of drugs? Look at Dalby, Kennedy, Dias and Rogers.	Students should read through the details of the cases and be able to discuss the issues surrounding causation when someone has supplied the drugs which is obviously an unlawful act but that the victim has self injected. This should lead to a lively discussion.
6.	The mens rea for the offence is intention or subjective recklessness. Can you remember any of the principles of these two forms of mens rea?	Students may be able to recall that there are two different forms of intention – direct and indirect/oblique. They may be able to provide cases such as Nedrick or Woollin and refer to the virtual certainty test. They may be able to recall that there are also two forms of recklessness – subjective and objective but that objective has now been abolished. They may be able to refer to Cunningham or even R –v- G & Another.
7.	What do you understand by the word ‘negligence’?	Students may suggest that this relates to a situation when someone does not take enough care.
8.	Why was Adomako convicted of gross negligence manslaughter?	Students should be able to get details of the case from their textbook to see how Adomako’s patient had died

		following his negligence in not noticing that his oxygen supply tube had been dislodged.
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