

GCE

LAW: PRELIMINARY OFFENCES OF ATTEMPT

SUGGESTED IDEAS FOR TEACHING AND LEARNING



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Teacher /Lecturer:	
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Course:	A Level Law
Topic:	Preliminary offences of attempt
Session:	

Component:	A Level Component 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 actus reus and mens rea of attempts
- **DISCUSS** whether the law on attempts is satisfactory

Main Teaching and Learning Activities

Teacher/Lecturer Activities:

- Introduce the topic with reference to the aims and objectives above.
- Using the PowerPoint presentation, explain the definition of attempt.
- Organise the class into small groups, some groups look at cases for the actus reus and some for the mens rea and feedback to the class– research the following cases on attempts (actus reus and mens rea) : **actus reus cases** - White (1910); Attorney-General's Reference (No 1 of 1992) (1993); Gullefer (1987); Geddes (1996); Campbell (1990); Tosti (1997); Jones (1990); **mens rea cases** - Easom (1971); Hussey (1977); Millard and Vernon (1987); Attorney-General's Reference (No 3 of 1992) (1994); Anderton v Ryan (1985) Shivpuri (1986).
- Divide the students into small groups. Apply your knowledge of attempts to the following scenarios to determine whether there has been an attempt to commit an offence:
Scenario 1 -Chris puts some poison into Mary's drink, intending to kill her, however he hasn't put enough in and Mary survives. **Scenario 2** -Tom and Darci are discovered in the back garden of a house with masks on and screwdrivers in their pockets, they admit that they intended to break into the house. **Scenario 3** - Gemma sees a handbag unattended in the ladies toilet of her local restaurant, hoping there is money in it, she opens it and looks inside, but there is only some makeup and sweets, Gemma closes the bag and puts it back. Groups can be given a scenario each to look at or they can look at all three, then feedback their conclusions to the class.
- Explain the need for reform in this area of law - **Class discussion / debate**- Should the law on attempts be reformed? What is wrong with the current law?

Student Activities:

- Make notes throughout presentations, asking and answering questions.
- Participate in group discussions.
- Small group work on scenarios.
- Small group task working through past paper question with feedback to the whole group.

Suggested links / resources:

- PowerPoint presentations
- Handout of scenarios
- Any good A Level law textbooks

Assessment

During the lesson	Students will be continually be assessed on note taking, contribution to class discussions, asking and answering questions, participation in small group work.
Subsequent to lesson	Students will be set a question to consolidate their learning and demonstrate their knowledge of this area of law.

TOPIC: Attempt

Questions:		Expected answers:
1.	What do you understand by the term 'attempt in criminal law'?	Learners may suggest that it is when someone tries to commit an offence but for some reason fails to complete it.
2.	What do you understand the term 'more than merely preparatory' to mean?	Possible answers here may include that people have to go further than just preparing for the crime, sometimes it will be clear what is more than preparation, but sometimes it will not be.
3.	Can a defendant attempt to commit the impossible?	If learners have researched the cases of <i>Anderton v Ryan</i> and <i>Shivpuri</i> they will be able to answer this question, drawing on what happened in these cases.
4.	Should intention alone make a defendant guilty?	Learners will have their own opinions on this, again based on cases like <i>Shivpuri</i> .
5.	Is the law on attempts satisfactory?	Learners should be able to discuss the issues like – the courts have not been very clear deciding the dividing line between what is merely preparatory and what an attempt is. Attempt cannot be committed by omission. Should someone be guilty because of their intentions, where it is impossible for them to commit the full offence?