

GCE

LAW:
General elements of liability
MENS REA 1: INTENTION

SUGGESTED IDEAS FOR
TEACHING/LEARNING



SUGGESTED IDEAS FOR TEACHING AND LEARNING

Teacher /Lecturer:	
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Course:	A Level LAW
Topic:	General elements of liability
Session:	MENS REA 1: INTENTION

Unit:	A Level Units 3 and 4
Ref. to specification:	Criminal Law
Suggested time allocation:	2-4 hours

<p><u>Aims & Objectives:</u> At the end of these sessions the student will be able to:</p> <ul style="list-style-type: none"> • UNDERSTAND that there are three different forms of mens rea and that intention is the highest form. • EXPLAIN that there are two different types of intention and give examples of each. • CLEARLY ILLUSTRATE the law relating to oblique intention with reference to appropriate case law.
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Main Teaching and Learning Activities

Teacher/Lecturer Activities:

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| <ul style="list-style-type: none"> • Introduce the session with reference to the above aims and objectives • Remind students that for someone to be convicted of an offence the actus reus and mens rea must be present simultaneously (except with strict liability offences) and explain that there are three types of mens rea: intention, recklessness and negligence. • Ask the students to think about the word intention and have a short discussion about what it means. • Using the power point presentation, explain how intention has been defined by the courts in Mohan (1975) and that there are two different types of intention: direct and indirect/oblique. Ask and answer questions throughout to monitor students' understanding. • Ask the students to look through their textbooks, or any other available resources, and find out the details of the following cases (tell them not to concentrate on the outcomes at this stage): Moloney (1985), Hancock and Shankland (1986), Nedrick (1986), Woollin (1998) and Matthews & Alleyne (2003). Ask and answer questions throughout. • Explain the case law progression in relation to indirect/oblique intention, concentrating specifically on the above cases to tie them in to the details that the students found out in the previous activity. • Divide students into small groups. Ask the students to put together a diagram of the development of the law on indirect/oblique intention to place in their files as a revision tool. • Set homework for students to revise this particular area of law for short test in the next session. |
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Student Activities:

- Take comprehensive notes throughout the session.
- Participate in whole group discussion regarding the meaning of the word intention and try to relate it to criminal offences.
- Ask and answer questions where necessary to clarify understanding throughout the session.
- Participate in whole group activity to find details of the cases required.
- Participate in small group activity to supplement students' revision tools and consolidate their learning on the subject area.

Suggested links / resources:

- IWB/Whiteboard
- Power point presentation
- Any good A Level criminal law textbooks
- Flipchart paper and pens

Assessment

During the lesson	Students will be continually assessed throughout the session to ensure that they have understood the concepts covered through questions and answers, participation in whole group discussions and small group tasks. Students will also be assessed on comprehensive note taking throughout.
Subsequent to lesson	Students will be set a revision task to answer short answer test in the following session to consolidate their learning.

TOPIC: INTENTION

Questions:		Expected answers:
1.	How would you describe the meaning of the word 'intention'?	Discussion point. Suggested answers could include that someone means to do something and goes ahead and does it.
2.	What does the word 'motive' mean?	Discussion point. Students may state that this is the reason for committing an action, e.g. jealousy.
3.	Should a person's motive for committing a crime be important?	Discussion point which will lead to a variety of answers from students. They may suggest that things like jealousy or revenge should not be considered but discuss this in detail if there is time.
4.	What is the difference between direct or indirect/oblique intention?	Direct intention – where a person sets out deliberately to do something and does it; indirect/oblique intention – where a person follows a course of action, despite realizing the consequences of that action.
5.	Explain what the current law is on indirect/oblique intention.	Students should refer to the cases of Nedrick and Woollin. Students should also try and explain the virtual certainty test.