

# Wyke Preparation Work

Lesson 2

Paper 1

Criminal Law

Non-Fatal Offences Against the Person

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# Non-Fatal Offences Against the Person



Welcome to Lesson 2

This lesson is on a topic in Criminal law called non-fatal offences against the person.

We will be looking at the law on non-fatal offences.

We will then look at an exam style question and attempt to answer it as you will be doing in the real exam.

# Non-Fatal Offences Against the Person



There are different types of Non-Fatal Offences Against the Person

1. Battery
2. Assault occasioning Actual Bodily Harm (ABH)
3. Grievous Bodily Harm (GBH)

Task –

Write out how you think these three crimes are different from each other

# Battery

The law for battery is found in cases. To be guilty of a battery you must complete the definition in the case below

**R v Ireland** - A person must inflict unlawful personal force on another

The case below helps judge the seriousness of the attack

**Collins v Wilcock** - Does not need to be a serious attack.

Below are some examples of what a battery can be  
grazes; scratches; abrasions; minor bruising



Task –

Research online the case in the bold below and write down the facts. Write down why you think the person was guilty of battery.

**Fagan v Metropolitan Police Commissioner**

# 2 Assault occasioning Actual Bodily Harm (ABH)

The law for ABH is found in the case below. To be guilty of ABH you must complete the definition in the case below

**Miller** – a person does a battery on another which leads to harm which interferes with health of the other person

Splitting up the definition in Miller we see

1. Must be a battery
2. Battery cause the victim harm which affects their health

Below are some examples of what ABH can be

loss of teeth; extensive or multiple bruising; broken nose; minor fractures; cuts requiring medical treatment.

Task –

Research online the case in the bold below and write down the facts. Write down why you think the person was guilty of ABH.

**DPP v Smith (2006)**

# 3 Grievous Bodily Harm (GBH)

The law for GBH is found in the case below. To be guilty of a GBH you must complete the definition in the case below

**Eisenhower** A person must wound another. The wound must break all the layers of the victim's skin or cause really serious harm to the victim.



Below are some examples of what GBH can be

Making the victim bleed seriously, breaking an arm, repeated blows to the head.

Task –

Research online the case in the bold below and write down the facts. Write down why you think the person was guilty of GBH.

**R v Morrison 1989**

# Exam Style Scenario Question

Below is an example of an exam question. Your answer to this needs to be handed in when you enrol in September or in your first law lesson

Tom and James were drinking in a pub. As they were leaving James got into an argument with Steve.

James picked up a glass bottle and threw it at Steve, causing Steve's head to seriously bleed.

In retaliation Steve pushed James into Tom.

Tom was furious and hit Steve across the face causing Steve to break a tooth.

- **Advise whether Tom, James and Steve are criminally liable for any non-fatal offences**

See the next powerpoint slide for a guide as to how you set out the question



# Scenario Answer

Split the scenario up – so you are dealing with one person at a time

1. James (defendant) v Steve (victim)
2. Steve (defendant) v Tom (victim)
3. Tom v Steve (defendant) (victim)

Identify what each defendant has done

1. James (defendant) v Steve (victim) – what did James do
2. Steve (defendant) v Tom (victim) – what did Steve do
3. Tom v Steve (defendant) (victim) – what did Tom do

Advise each person separately

3. Tom v Steve – write down what crime you want to charge Tom under

Using the facts explain why Tom is guilty of the crime

Advise each person separately

2. Steve v Tom – write down what crime you want to charge Steve under

Using the facts explain why Steve is guilty of the crime

Advise each person separately

1. James v Steve – write down what crime you want to charge James under

Using the facts explain why James is guilty of the crime