

Strict Liability

Produced by Dr Peter Jepson

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Read & précis requirements ...

- Prior to the delivery of these PowerPoint slides you should read and précis Chapter Four of 'Criminal Law for A2' by Jacqueline Martin and/or Chapter 2 (p40-49) of 'Criminal Law' Diana Roe.
- **Your précis notes will be checked.** If one single student has failed to complete their précis work - the lecture will not proceed.
- **You need a copy of these slides in class.**

Behaviour in class ...

- Do NOT chat while the teacher or another student is addressing the class - *take notes while listening*.
- Raise your hand if you have a question.
- If a case is listed in these slides - you need a case note. Produce case notes BEFORE the lesson/lecture.
- Turn off your mobile.

Strict liability?

- If Storkwain [1986] is a classic example of Strict Liability - why are the cases of Larsonneur [1933] and Winzar [1983] examples of Absolute Liability?

Produce case notes ...

Show case notes and explain to class the following cases ...

- Prince [1875] and Hibbert [1869]
- Callow v Tillstone [1900]
- Smedley Peas case [1974].

What is a due diligence defence?

- Why was D unable to plead a due diligence defence in Shah and Shah [1999] ?
- Should/could he have pleaded a defence of mistake?

Write down a summary ...

- Write down a summary of the Law on strict liability (see page 35 of 'Criminal Law for A2').

Is the following statement true?

- All strict liability offences are established by statute? Discuss this issue openly in class.

Give examples of ...

- Give examples of quasi-criminal offences ...
- What should the courts do if Parliament fails to include words in a statute that indicate a need for mens rea - see cases of Sweet v Parsley [1969] and B v DPP [2000] - ?

Break into Law Firms ...

- Produce a list of important strict liability cases (in order of importance).
- Present arguments 'For' and 'Against' strict liability (note the importance of policy issues).
- Present to class ...

Plan answers to exam questions ...

- Plan answers to the examination questions shown on pages 49 of 'Criminal Law'.
