

Criminal Law - Problem Questions

Jo and Rob are footballers. One day, outside the football club, they were involved in a fierce argument. Jo said to Rob, "You are a real bastard". Rob raised his fist at Jo and said, "Come any closer and I'll punch you." Would your answer be different if Rob had said, "If we weren't outside the club house I would punch you on the nose"?

Introduction

Rob could be charged with common assault.

Common law offence s61 Crimes Act (NSW) 1900 → liable for 2 yrs imprisonment

Common assault can be divided into two categories: battery assault and psychic assault. In this instance, the assault is psychic; therefore the elements of psychic assault need to be considered.

Deal with the 2 scenarios separately:

1. "Come any closer and I'll punch you"
2. "If we weren't outside the club house I would punch you on the nose"

Scenario 1: "Come any closer and I'll punch you"

Actus Reus (Psychic Assault)

D acts so as to induce fear in V that V is about to be physically harmed by D or by another who is to act under D's orders.

- Positive Act
 - Omissions can't be regarded as a positive act: *Fagan* [1969]
 - The courts have a broad definition of what constitutes a positive act and the use of words has been held to constitute a positive act: *Barton v Armstrong* [1969], *Tout* (1987) and *Knight* (1988)

Rob said, "Come any closer and I'll punch you". This would constitute a positive act as this threat can be said to be sufficient to ground fear of imminent violence in Jo's mind (*Barton v Armstrong*)

- State of mind of the victim
 - V must actually have been put in fear of imminent unlawful contact: *Barton v Armstrong* [1969] and *MacPherson v Brown* (1975)
 - V must be aware of the threat of imminent unlawful contact: *Ryan v Kuhl* [1979]

Sample Law Questions And Answers

WJ Hussar



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the lesson plans include handouts for student activities and some include primary documents such as the Constitution of Virginia The appendix includes a copy of the United States Constitution Jd LSAT For Dummies Scott A. Hatch,Lisa Zimmer Hatch,2021-01-07 Get on the right side of your Law School Admission Test It s an unbreakable rule that to get into the majority of law schools or practice state law anywhere in the U S you must pass the dreaded LSAT Designed to be the most objective measure of student ability available unlike a much more subjective GPA it s the ultimate standardized test This makes it relatively straightforward to prep for and prep you must This revised and totally updated new edition of LSAT For Dummies has everything you need to get ready to take and take down the LSAT With it you ll make an irrefutable case why you should be admitted to the school of your dreams In a friendly logical style expert authors Scott and Lisa Hatch who have coached thousands of students for LSAT success cover the core concepts smart strategies and mental approaches you need to succeed You ll also find plenty of opportunities to apply your enhanced argumentative muscle analytical reasoning and essay writing and reading comprehension skills in full length practice tests all recalibrated in this new edition to account for the new computer based exam format Take 3 full length practice tests one online plus additional practice questions Consolidate your knowledge in content review sections Compare your answers to sample answers and explanations Get 1 year access to an online test bank for further practice With up to forty percent of students failing the LSAT each year you need a solid study plan to conquer it This book with companion practice tests online has you covered Self-Help to ICSE Sample Question Papers Class 10 Physics (For 2021 Examinations) Panel of Authors, Preparing for any Examination calls for a lot of discipline and perseverance on the part of a student We at Arundeepp s Self Help Books have always strived to be a student s closest companion his guiding light and his trusted friend by helping them to sail through this important phase with utmost ease and confidence and emerge a winner In order to excel a student not only has to be updated with the latest CISCE Board curriculum but also stay focused and use necessary exam tools to his advantage CISCE has released an updated curriculum for Academic Year 2018 2021 on which Arundeepp s Self Help Books has based all its Exam Preparatory Material We have always been proactive to follow the changes proposed by the Board and implement the same as soon as possible to put the students parents and teachers at ease The ICSE Sample Question Papers have been developed as per the latest Board guidelines in order to support the students during the crucial exam preparatory phase They provide the most formidable combination of Questions along with top notch Learning Tools to empower the students to conquer every examination they face Each Sample Question Paper has been designed with a lot of care and precision Our panel of experts have tried their best to arrange each Sample Question Paper in such a way that it gives the students an exact feel of the Final Examination Special care has been taken to keep all the solutions simple and precise Finding the Answers to Legal Questions Virginia M. Tucker,Marc Lampson,2018-01-12 This book will help librarians connect users to the most accurate up to date legal information LSAT Prep For Dummies Lisa Zimmer Hatch,Scott A. Hatch,2024-06-12 Impress law school admissions

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Security in the Americas Georges Fauriol, 2008 The U S A bordered by vast oceans friendly nations has long taken its security in the Western hemisphere for granted Now challenges not deterred by geographical barriers challenges of drug trafficking refugees terrorism mounting national debt even religion are rapidly developing compel us to take a fresh look at the character of conflict in the Americas This anthology reassesses security in the Americas in 1989 Sometimes controversial these wide ranging essays examine the past present security relationship between the U S Latin America The underlying theme is that the nature of that relationship beset by new problems such as severe financial instability as well as traditional ones such as guerrilla insurgencies may be changing

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Table of Contents Sample Law Questions And Answers

1. Understanding the eBook Sample Law Questions And Answers
 - The Rise of Digital Reading Sample Law Questions And Answers
 - Advantages of eBooks Over Traditional Books
2. Identifying Sample Law Questions And Answers
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Sample Law Questions And Answers
 - User-Friendly Interface
4. Exploring eBook Recommendations from Sample Law Questions And Answers
 - Personalized Recommendations
 - Sample Law Questions And Answers User Reviews and Ratings
 - Sample Law Questions And Answers and Bestseller Lists
5. Accessing Sample Law Questions And Answers Free and Paid eBooks

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- Sample Law Questions And Answers eBook Subscription Services
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 - Sample Law Questions And Answers Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Sample Law Questions And Answers
 - Highlighting and Note-Taking Sample Law Questions And Answers
 - Interactive Elements Sample Law Questions And Answers
- 8. Staying Engaged with Sample Law Questions And Answers
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Sample Law Questions And Answers
- 9. Balancing eBooks and Physical Books Sample Law Questions And Answers
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Sample Law Questions And Answers
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Sample Law Questions And Answers
 - Setting Reading Goals Sample Law Questions And Answers
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Sample Law Questions And Answers
 - Fact-Checking eBook Content of Sample Law Questions And Answers
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development

- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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