

Diploma in Law (Malta): Intake October 2021

Assessment Task: Written assignment based on chosen questions	
Module: <i>Award in Criminal Law</i>	Tuition Centre: 21 Academy Licence Number: 2018-017
Level: Award MQF Level 5	Student Name:
Date:	ID Number: <same no. submitted in student profile>
Assignment Deadline: 28 January 2022	
<p>Task The purpose of this unit is to develop an understanding of a particular topic you will write about which forms part of Criminal Law.</p> <p>Note This assessment provides students with an opportunity to put into practice the relevant provisions of the law in relation to the topic they choose to write about forming part of Criminal Law.</p> <p>Note <i>You should plan to spend approximately 20 hours researching the assignment question, preparing for and writing the assignment for assessment. The nominal word count for each assignment is 1,700 words.</i></p>	
<p>Choose and answer 2 questions from the following:</p> <p>Question 1: Carefully read the following case-study and answer ALL the questions which follow :</p> <p>From investigation it transpired that on the 9th of January 2020 at 20:00 in Sliema, A, was in a bar drinking. He had fought with his partner and had taken painkillers for an injury he had previously sustained. He drank heavily during the night.</p> <p>A got into an argument with B. Things soon go out of hand. An altercation ensued. During the argument A broke a glass beer bottle and struck B with the broken glass bottle and struck B with the broken glass bottle in B's neck. B was pronounced dead on the scene.</p> <p>When interviewed A declared that he could not remember anything of the incident. He did remember that he drank a lot that night and also that he was on heavy pain killers.</p> <p>Eyewitnesses on the scene released statements to the effect that A was drunk and was acting irrationally. He was very aggressive but also very uncoordinated in his movements. They also testified that during the altercation a third person, C gave an empty bottle to A and was shouting at A to strike B with the bottle.</p> <p>Answer ALL the following questions:</p> <ol style="list-style-type: none"> 1) Is A responsible for the killing? 2) Can A bring any legal defence forward to a charge of wilful homicide and explain why? 3) Can A plead insanity at the time, given that he cannot recall any part of the incident? 4) Is C responsible in any way for this crime, Explain how and why? <p>Question 2: Answer the following:</p> <ol style="list-style-type: none"> 1) Discuss the different forms that the material element of a criminal offence may take and explain the meaning and relevance of causation in this context. 2) Distinguish briefly the notion of justification from the notion of excuse under our law. 	

Question 3:

Examine:

- 1) The difference between instantaneous offences, continuous offences, and continuing offences
- 2) The difference between Formal and Material Offences
- 3) The difference between Crimes and Contraventions
- 4) Direct intent and Positive indirect intent

Question 4:

- 1) In what circumstances can intoxication be successfully pleaded as a defence to a criminal charge under our law?
- 2) Write short notes on:
 - a) the elements of Mens Rea and Actus Rea
 - b) the defence of young age

Pass Mark - 50%**Total Assignments Weighting - 100%****By submitting I confirm that this assessment is my own work****Mark:****Signature:** <main assessor>**Date****Signature:** <quality assurance>