## Contents

Pre	efi	ace			xiii
Aci	k1	now	ledgements		$\mathbf{X}\mathbf{V}$
Tal	bl	le of	Statutes		xvii
Table of Cases				xxix	
Abbreviations					lxxxv
			Part I General principles		
1	(	Crim	ne and sentence		3
		1	Crime and punishment		4
2		The	definition of a crime		9
		1	Sources of criminal law		10
	4	2	Characteristics of a crime		11
		3	Criminal proceedings		16
	7	4	The practical test		17
		5	The Human Rights Act 1998		19
2		Tho	classification of offences		28
		1116	Indictable and summary offences		28
	,	2	Treasons, felonies and misdemeanours: arrestable offences		31
		_	reasons, reformes and inforcincultours. arrestable offences		
4	•	The	elements of a crime: actus reus		34
		1	Introduction		34
		2	Analysis of an actus reus		44
		3	Causation		52
	4	4	A 'state of affairs' as an actus reus		73
	•	5	Omissions		75
5	•	The	elements of a crime: mens rea		90
		1	Introduction		90
		2	Forms of mens rea		93
		3	Further principles of mens rea		110

6	Crir	nes of negligence	129
	1	Negligence as failure to comply with an objective standard	129
	2	Negligence as the basis of liability	131
	3	Degrees of negligence	132
	4	Should negligence be a ground of liability?	133
7	Crir	nes of strict liability	137
	1	The nature of strict liability	137
	2	The presumption of mens rea	141
	3	Recognizing offences of strict liability	144
	4	Arguments for and against strict liability	157
8	Par	ties to crime	164
	1	Basis of liability	164
	2	The principal	166
	3	Secondary participation	169
9	Ass	istance after the offence	215
	1	Impeding the apprehension or prosecution of arrestable offenders	215
	2	Compounding an arrestable offence	220
	3	Refusal to aid a constable	223
10	Vica	arious liability and liability of associations	224
	1	Vicarious liability	224
	2	Liability of corporations	234
11	Def	ences	247
	1	Introduction	247
	SEC	CTION A Capacity and mental conditions	210
	1	Introduction	249
	2	Incapity	250
	3	Non-insane automatism	271
			271
	5	Intoxication  Combined, consecutive and concurrent causes of loss of capacity	2/3
	6	Mistake	290
	7	Infancy	295
		111141101	

SEC	CTION B General defences	296
1	Duress	296
100	Necessity	315
3	Marital coercion	325
4	Superior orders	327
5	Public and private defence	329
6	Entrapment	345
7	Impossibility	346
8	Non-compliance with EU law	347
	tement, conspiracy and attempt	349
1	Introduction	349
2	Incitement	350
3	Conspiracy	359
4	Attempt	400
5	Inchoate crime and impossibility	419
\$831		
	Part II Particular crimes	
13 Mui	rder	429
	Definition	429
2	The sentence for murder	439
3	Proposals for reform	440
14 Mar	nslaughter	442
0801	Voluntary manslaughter	442
0102	Involuntary manslaughter	471
	ences related to homicide	489
	Offences ancillary to murder	489
	Complicity in suicide and suicide pacts	493
	Infanticide	497
	Domestic Violence, Crimes and Victims Act 2004	500
	Child destruction and abortion	502
	Genocide, crimes against humanity and war crimes	514
	War Crimes Act 1991	
	THE CLIPTIC LICE LAND	

16	Non-	fatal offences against the person	516
	1	Assault and battery	516
	2	Defences to assault and battery	524
	3	Aggravated assaults	540
	4	Assault occasioning actual bodily harm	551
	5	Wounding and grievous bodily harm	553
	6	Racially or religiously aggravated assaults	557
	7	Section 18 of the Offences Against the Person Act 1861	559
	8	Reform	562
	9	Administering poison	563
	10	False imprisonment	567
	11	Kidnapping	575
	12	Other abduction offences	579
	13	Offensive weapons	582
	14	Hoax offences	590
17	Sexu	ial offences	592
	1	Introduction	592
	2	Recurring fundamental concepts in the 2003 Act	598
	3	Non-consensual offences	614
	4	Offences against children under 13	626
	5	Sexual offences against children aged 13–16	630
	6	Offences of abuse of trust	637
	7	Family offences	637
	8	Offences involving mental disorder	639
	9	Other sexual offences	640
18	Thef	t and related offences	645
	1	Interpreting the Theft Acts	645
	2	Theft	647
	3	Robbery	710
	4	Offences of temporary deprivation	715
	5	Abstracting electricity	729
	6	Making off without payment	731
	7	Stealing by spouses and corporations	736

	740
19 Offences involving deception and fraud	740
	742
Introduction  The common elements in offences of obtaining by deception	758
Obtaining property by deception	764
Obtaining a money transfer by deception  Obtaining a money transfer by deception	765
Obtaining a pecuniary advantage by deception  5 Obtaining a pecuniary advantage by deception	768
6 Procuring the execution of a valuable security	771
7 Obtaining services by deception	776
8 Evasion of liability by deception	783
9 False accounting	791
10 False statements by company directors	792
Suppression of documents	793
12 Cheating	795
13 Fraud reform proposals	
" and rolated offences	800
20 Blackmail and related offences	800
Blackmail Unlawful harassment of debtors	809
2 Unlawful Harassineric 3 Other offences based on threats	809
3 Other offences based of	811
21 Burglary and related offences	811
1 Burglary	825
2 Burglary in respect of a dwelling	826
3 Aggravated burglary	829
Trespass with intent to commit a sexual offence	829
Going equipped	
0101 and rolated offences	834
22 Handling and related offences	834
<ul> <li>Handling stolen goods</li> <li>Dishonestly retaining a wrongful credit</li> </ul>	858
2 Dishonestry retaining as 3  Advertising for the return of stolen goods	860
	861
4 Money laundering	864
23 Forgery	865
The subject matter of forgery	883
2 The offences	

	890
	890
and to property	912
4 Offences of damage to property  1 Destroying or damaging property of another  2 Destroying or damaging property with intent to endanger life	916
Destroying or damaging property with In-	917
2 Destroying  1 minual damage	918
Arson  Racially or religiously aggravated criminal damage  property	920
Racially or religious,  Threats to destroy or damage property	921
5 Threats to do  6 Possession offences	922
Possession of Kindred offences  7 Kindred offences	
7 Kindred Offers 8 Mode of trial and sentence	924
	925
25 Computer misuse offences  25 Computer misuse offences to computer material	her offences 929
I Inauthorized actions to commit of	930
Unauthorized access With med to the Unauthorized access with the Unauthorized	934
Unauthorized access with intent to Unauthorized modification of computer material	935
A Reform	
26 Criminal libels and related offences	940
26 Criminal libers and	944
1 Blasphemy 1 ibel	
Defamatory libel  Obscene publications	970
	970
27 Offences against public order  27 Offences against public Order Act 1986	991
27 Offences against public Order Act 1986  1 Offences under the Public Order Act 1986	996
2 Public nuisance 2 Harassment Act 1997	1004
<ul> <li>Public nuisance</li> <li>The Protection from Harassment Act 1997</li> </ul>	
	1010
28 Road traffic offences  1 Careless driving	1016
Careless driving Dangerous driving Causing death by dangerous or careless driving	1018
2 Dangerous or careless are death by dangerous or careless are	
	1021
4 Reform	1021
	1055
Bibliography	
Index	