Law 12

**Elements of a Crime: Scenarios**

**Criminal Case Studies**

Look at the case studies below and answer the questions posed with respect to the key criminal elements covered above (e.g. mens rea, actus reus, party to an offence).

**Case 1**

Marion asked Sarah to take care of her infant boy for a few days. Marion also asked Sarah to give the infant a teaspoonful of “medicine” every night. In fact, the medicine was poison. Sarah did not think that the infant needed medicine so she did not give it to him. She put the medicine on a shelf in her living room. Later, Sarah’s five-year-old son gave the infant a large dose of the ‘medicine’ and the infant died. Marion was charged with murder.

Is Sarah or Marion guilty of murder? Explain.

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**Case 2**

Eva, Donna, and Claudia are walking through the park when they see their enemy Jim walking with a friend. They decide to “have some fun.” So Donna and Claudia hold back Jim’s friend while Eva punches and kicks him. Donna and Claudia laugh and yell their support to Eva. Meanwhile Mike, who is walking his dog, stops for a moment to see what is going on. Mike decides not to get involved and walks on. Eva is convicted of assault causing bodily harm.

Should Donna or Claudia be charged with an offence? Explain.

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What about Mike? Explain.

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**Case 3**

Murray, Josie (Murray’s wife) and Rosa agree to steal some money from Pete’s clothing store. They also agree that Pete will not be harmed and that no weapons will be used. Murray enters the store and gets Pete’s attention by asking him questions about an article of clothing. Then Josie enters the store and walks toward the cash register while Rosa acts as a look-out near the store entrance. Pete notices Josie reaching into the drawer of the cash register and yells loudly. Rosa panics, pulls a gun, and shoots Pete, severely wounding him. Murray, Josie, and Rosa run from the store and go to Russ’s apartment around the corner. Russ agrees to let them use his car and Murray, Josie, and Rosa drive to a hiding place. Pete later dies from the wound he received.

Explain the criminal acts of Murray, Josie, Rosa, and Russ.

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