PRIFYSGOL ABERYSTWYTH UNIVERSITY

SEMESTER TWO EXAMINATIONS, 2025/26

DEPARTMENT OF LAW AND CRIMINOLOGY

LC30520 Criminal Law

Time allowed: **2 HOURS**

Answer ONE question

Candidates may take into the examination one A4 sheet of notes (both sides) AND an unmarked copy of *Blackstone's Criminal Law Statutes* (any edition). Unmarked material which is permitted to be taken into the examination must remain unmarked for the duration of the examination. Library books are NOT permitted. Blank Post-it notes can be used to bookmark pages of the statute book.

You should be aware that the relevance of your answer to the SPECIFIC question asked is something to which the examiners will attach particular importance. Therefore, no marks will be awarded for irrelevant material.

Whichever question you choose to answer, you *must* refer to relevant legislation and/or case law, as appropriate, to support your answer. (All questions are equally weighted.)

Please state clearly which question(s) you are answering.

STUDENTS MAY SUBMIT ANSWERS TO THIS PAPER IN EITHER WELSH OR ENGLISH

Once seated, students may complete the front cover of the answer book(s) and the attendance slip ONLY.

DO NOT TURN THE EXAMINATION QUESTION PAPER OVER UNTIL INSTRUCTED TO DO SO.

1. ‘Objective recklessness… subjective recklessness… they are basically the same thing and produce the same outcome in terms of determining a defendant’s *mens rea*.’

Critically evaluate the accuracy of this statement.

Should there be any role in criminal law today for objective recklessness? [100%]

2. Carl is a professional chef who has recently been diagnosed with a severe sleep disorder. His doctor warns him that this could lead to episodes of “sleep-walking violence”. One evening, after a stressful shift, he drinks four glasses of wine and forgets to take his prescribed medication.

While fast asleep in his apartment, Carl gets out of bed, walks into the kitchen, and picks up a carving knife. He believes he is back at work slicing vegetables. His flatmate enters the kitchen. Carl, still asleep, swings the knife and stabs his flatmate.

Critically discuss whether Carl could rely on the defence of automatism. [100%]

3. Alan and Bill are colleagues. Alan is working at his desk, wearing noise-cancelling headphones. Bill, wanting to scare Alan, sneaks up behind him and stands perfectly still, inches from his ear, holding a stapler over his head. He doesn’t say a word. Alan happens to see Bill’s reflection in the monitor, realises he is ready to strike, and freezes in terror, fearing he is about to be hit.

Alan decides to get revenge. He knows Bill is about to sit down. Just as Bill begins to lower himself into his chair, Alan quickly kicks the chair legs, causing the chair to collapse. Bill falls to the floor.

In retaliation, Bill spits in Alan’s face.

Critically discuss the potential criminal liability of Alan and Bill for assault and/or battery.

[100%]

END OF PAPER