LAW104: Criminal Law

Seminar Four

(Weeks 9 and 10)

1. Omar has called around to Gavin’s house. When he arrives, Gavin is on the telephone and Gavin waves Omar in, he points to the living room. Omar walks into the room and sits down. As Gavin’s telephone call seems to be going on for ever, he gets up and walks about a bit. The living room moves into the dining room and into the kitchen. As he is walking, he sees Gavin’s ‘Peppa Pig’ Zippo lighter. Omar picks it up, intending to keep it.

The next day Omar goes to the library. He sees a bicycle owned by Barbara, one of the librarians, outside the library. Omar is late getting home to watch his favourite TV show so he takes the bicycle, intending to bring it back the next day.

Omar attends university. He needs a book and contacts his lecturer. He receives an email that says:

I am currently in the library. The book you want is in the desk in my office. The door is unlocked, just enter and get it.

Omar goes to the office and walks in. He sees the book but he also notices that the lecturer has a sherry set. He pours himself a sherry, drinks it and then leaves with the book he is borrowing.

Discuss the criminal liability of Omar.

2. Edith was caught shoplifting from a ‘Cheap as Chips’, a supermarket chain. After her conviction, the Head Office of Cheap as Chips wrote to her and said, ‘Following your conviction for shoplifting, you are hereby placed on notice that you are not allowed to enter any of our shops again’. Four weeks later, Edith picks up a bottle of wine from a Cheap as Chips store in a town she is on holiday. She places it in her bag and walks out without paying. She was seen by a security guard and is detained outside of the store.

What is Edith guilty of?

Would it make any difference to your answer if Edith always intended to steal the bottle of wine and that was the reason she entered the store in the first reason?

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3. Consider the liability of Faye in the following situations:

(a) Tom sells a statue of a porcelain figure on eBay. He describes it as a ‘genuine 18th century figurine’ when he knows it is a copy from the 1950s.

(b) Tom advertises a watch as follows: “Genuine Rolex Watch – only £25 ☺”.

(c) Tom wants to sell his watch for a lot of money. He realises that one user – Grabbit7 – seems keen but the bid is not going as well as he hopes for. He asks a friend, Ben, to bid on the watch so that the price rises. Ben never intends to buy the watch. The watch sells for £75, £5 below the maximum price Grabbit7 was prepared to pay. Before Ben started to bid, the maximum bid for the watch was £13.