NOTES FOLLOWING THE SYLLABUS STRUCTURE

1. THE NATURE OF CRIME

THE MEANING OF CRIME

Definition of crime:

A crime is “any act or omission committed against the community at large that is punishable by the criminal law”.

Crimes are created by moral and ethical judgements placed on a person’s behaviour by society.

Crimes are seen as the notion that all of society is the victim. Therefore, it is the responsibility of the whole of society to uphold moral and ethical expectations and punish the accused.

There is no wholly satisfactory definition of criminal law that distinguishes it from other areas of law.

The purposes of criminal law might be thought to include some or all of:

(a) Preventing people from harming other people.
(b) Preventing people from harming themselves.
(c) Preventing people from harming the existing social order.
(d) Preventing people from causing annoyance to others.
(e) Marking out the boundaries of socially acceptable behaviour.
(f) Giving advance warning of the likely consequences of certain behaviour.
(g) Describing clearly the forms of behaviour that may lead to public retribution.
(h) Formalising the retributive process to make private vengeance less likely.

TYPES OF CONDUCT REGARDED AS CRIMINAL

There are probably about 7500 criminal offences known to English law – no one has ever managed to count them accurately. These include:

- Offences involving physical harm to other people:
  Eg. murder, rape, assault

- Offences involving a risk of harm to other people:
  Eg. dangerous driving, possessing an offensive weapon, dealing in drugs

- Offences involving harm or a risk of harm to oneself:
  Eg. taking drugs, not wearing a seatbelt, drinking under age

- Offences involving loss or damage to other people’s property:
  Eg. theft, arson, fraud
• Offences involving the good order of society:
  Eg. riot, blasphemy, bigamy

• Offences involving loss or inconvenience to the government:
  Eg. tax evasion, failing to register a birth, revealing official secrets

• Offences involving the working of the legal system:
  Eg. perjury, failing to report an accident, obstructing a constable

There is disagreement as to whether the criminal law should prohibit and punish conduct that harms no one, except perhaps the offender himself. Such conduct might include homosexuality, drug taking, gluttony, sado-masochism, tattooing, body-piercing, foxhunting and prostitution.

A second point is whether the criminal law should prohibit conduct that is almost impossible to detect. The state of New York once famously passed a law making it a crime to smoke in bed: while the public safety motives were laudable, such an unenforceable law tends to bring the whole legal system into disrepute.

Similar arguments could be made against the former prohibition of homosexuality, which was enforced largely through police entrapment, the prohibition of alcohol in 1920s America, which was widely violated in private even among the "law-abiding" classes, and the prohibition of drugs such as marijuana and ecstasy.

A third issue is whether the criminal law should ever punish unintentional conduct, as in fact it does through numerous strict liability offences such as those relating to the condition of a motor vehicle.

**THE ELEMENTS OF CRIME: ACTUS REUS, MENS REA**

**Mens Rea:** The ‘guilty mind’ meaning an accused actually had intention to commit a crime.

Latin for guilty mind. This is an essential element of a crime which needs to be proven. There must have been a deliberate intent to commit the act on the behalf of the accused. There also exist ‘strict liability’ offences, eg. speeding.

Examples:

• Devising a plan to rob a bank.

• In the case of strict liability offences (eg. a traffic offence – see note below on causation/strict liability), a prosecution must prove that the accused was aware that their actions were likely to result in a crime being committed, eg. speeding or parking in a ‘no stopping’ zone.

**Actus Reus:** ‘act of committing a crime’ requires an accused to have actually committed the crime.

This is the criminal act or omission.
Examples:

- Being an ‘accessory to a robbery’ by actually committing the hold up and taking money.
- This may have been planned by someone else, but the offender actually committed the crime.

Causation/Strict Liability offences:

To find someone guilty of a criminal act it is necessary to prove that:

- The accused intended to commit the crime.
- The accused actually committed the crime.
- There is a causal link between the accused actions and the crime committed.

For example, driving an overloaded truck that exceeds the road weight limit holds elements of both Actus Reus and Mens Rea as the driver was driving the overloaded truck and allowed for it to be overloaded in the first place.

The prosecution must show a link between the actions of a person and the crime.

**EXAMPLE**

**CASE LAW - R V BLAUE (1975) 3 ALL ER 446**

Blaue was charged with, and convicted of, murder after he had stabbed a woman who refused to have sex with him. After her refusal, Blaue stabbed the woman four times, penetrating her lung. The woman managed to get to the house of a neighbour who called an ambulance.

The hospital decided that an operation was necessary if the woman’s life was to be saved, and that part of the operation would require a blood transfusion. However, the woman was a Jehovah’s Witness and refused to give her consent for the transfusion.

As a result she died the following day. At the trial the prosecution admitted that the woman would have survived the attack had she had the operation.

Blaue was convicted of manslaughter by an unlawful act, namely wounding with intent. "But for" his actions, she would not have been faced with the choice about treatment and those who use violence on others must take their victims as they find them.
QUESTIONS: R V BLAUE (1975) ALL ER 446

QUESTION 1
Explain the grounds for Blaue’s appeal. (2 marks)
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________

QUESTION 2
Account for reasons why the judge dismissed the appeal. (3 marks)
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________

QUESTION 3
Justify whether you believe this appeal should have been dismissed. Explain your answer. (4 marks)
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
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_________________________________________________________________________
_________________________________________________________________________
### CATEGORIES OF CRIME

**Categories of crime:** Offences against persons, economic offences (property/white collar crime), offences against the State, drug offences, public order offences, traffic offences, ‘victimless’ crimes, preliminary crimes (attempts, conspiracy).

<table>
<thead>
<tr>
<th>Category of Crime</th>
<th>Explanation</th>
<th>Example/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offences against person</td>
<td>Involve some form of injury to an individual. Most are listed in the <em>Crimes Act 1900 (NSW)</em>.</td>
<td>Murder, manslaughter, assault and battery, sexual assault</td>
</tr>
<tr>
<td>Economic offences (property/white collar crime)</td>
<td>Damage to, or a loss of victim’s property.</td>
<td>Larceny/theft, breaking and entering, robbery, receiving stolen goods, vandalism, arson</td>
</tr>
<tr>
<td>Offences against the state</td>
<td>Crimes that threaten security and democracy. Raises issues of balancing individual freedom and national security.</td>
<td>Treason (inciting war, threat to harm monarchy). Sedition (hatred for a government and planning to overthrow it). Terrorism.</td>
</tr>
<tr>
<td>Drug offences</td>
<td>Any involvement with illegal drugs. Raises issues of whether drug use should be treated as a crime or a medical-condition.</td>
<td>Trafficking, use of illegal substances, production/manufacturing of illegal substances.</td>
</tr>
<tr>
<td>Public order offences</td>
<td>Conduct classifies as an offence as it breaches certain codes of behaviour that Australian society deems acceptable.</td>
<td>Offensive language, prostitution, riot, violent disorder, public nudity.</td>
</tr>
<tr>
<td>Traffic offences</td>
<td>Can be statutory &amp; strict liability. Mainly covered by <em>Crimes Act 1900 (NSW)</em>.</td>
<td>Negligent driving, traffic offences eg. parking in a ‘no stopping’ zone, parking fines, speeding, unregistered vehicles.</td>
</tr>
<tr>
<td>‘Victimless’ crimes</td>
<td>No crime against a person is committed.</td>
<td>Illegal gambling. Homosexual behaviour WAS considered in this category until its decriminalisation in 1984.</td>
</tr>
<tr>
<td>‘Preliminary crimes (attempts, conspiracy)</td>
<td>Crimes that have not yet been committed or fulfilled.</td>
<td>Attempts. Conspiracy.</td>
</tr>
<tr>
<td>International crimes</td>
<td>Crimes committed in other jurisdictions, crimes that are being committed in numerous jurisdictions and crimes against international law. Issue is they are hard to enforce and which country should the law follow?</td>
<td>Crimes outside jurisdiction Transnational crimes – drug trafficking. Often results in extradition. Crimes against International law – genocide and crimes against humanity.</td>
</tr>
</tbody>
</table>

*Extradition:* the official process whereby one nation or state surrenders a suspected or convicted criminal to another nation or state.
**CRIMINAL CASES**

Involves offences against the state, for example, theft, assault, tax avoidance, murder, etc.

Action is normally initiated by the police via investigation and collection of evidence, interrogation of suspects and formally charging the accused. (Private prosecutions by the victim are possible but are uncommon).

The prosecution takes the accused to court and prosecutes. For example: R v Smith.

A preliminary hearing (or committal hearing) is held in order to decide whether there is a case (a prima facie case – on the face of it) to answer for a serious matter to go to trial. The magistrate needs to decide 'if a reasonable jury would not be likely not to convict'. This clumsy expression is used to avoid the perception that the magistrate is determining how a jury should respond to the evidence at the trial. Over 90% of committals lead to trial.

A criminal trial aims to:
1. Establish if the accused is guilty or not.
2. To punish the wrong doer.
3. To deter, reform, rehabilitate.

Standard of proof:
Guilt must be established ‘beyond reasonable doubt.’

Burden of proof normally rests with the Prosecution (the burden of proof can shift to the defendant, for example, if self defence or insanity is being used as a defence).

There will be a jury of 12. A jury is only used for indictable offences heard in the District or Supreme Courts and only if the accused pleads not guilty. The defendant can decide whether or not to have a jury trial unless charged with murder which would be heard in the Supreme Court before a judge and jury.

Majority verdicts are available in New South Wales. In a trial (other than a Commonwealth trial), where there is a jury of 12, if there is evidence from a juror after a reasonable time (at least 8 hours) having regard to the nature and complexity of the matter that it is unlikely that the jury will come to a unanimous verdict, an 11-1 or verdict can be returned: s. 55F Jury Act

Reserve jurors are now called in for cases that will be long in case a juror falls ill.

Possible decisions:
1. Guilty.
2. Not guilty.
3. A ‘no-decision’ could occur in a jury trial. Where there is a ‘hung jury’ eg. 10-2 or 9-3 etc, a re-trial will take place using a new jury.

Possible outcomes:
If guilty the judge passes sentence and determine sanction such as: Imprisonment, fine, etc.

**CIVIL CASES**

Involves wrongs against individuals - rights have been infringed. For Example: Torts.

Action is initiated by the person who has suffered an alleged wrong – the plaintiff (called a complainant in the Magistrates’ court) by issuing a legal document called a Writ of Summons, which is delivered to the defendant. The defendant must respond by entering an Appearance. The plaintiff/complainant and defendant are the civil litigants.

For example, Donoghue v. Stevenson.

No preliminary hearing. Before a trial, a number of legal documents are exchanged, such as, Statement of Claim and Statement of Defence, Exchange of Documents and Interrogatories. Parties are usually required to attend a pre-trial conference or directions hearing.

A civil trial aims to:
1. To decide whether or not the defendant is liable for the loss or injury by the plaintiff.
2. Compensate the injured party.
3. To enforce rights.

Standard of proof: (lower standard than criminal)
Liability must be established ‘On the balance of probabilities.’

Burden of proof normally rests with the plaintiff (the burden can shift to the defendant for example, if contributory negligence is being claimed).

A jury of 6 will be used, only if requested, and only in the District or Supreme Courts.

Possible decisions:
1. Find for the plaintiff, that is, defendant liable.
2. Find for the defendant – counter claim.
3. A ‘hung jury’ is possible but very rare – occurs judge will direct parties to negotiate.

Possible outcomes:
If liable determine the remedy or remedies: Declaration, Damages, Injunction and Specific Performance.
NSW BUREAU OF CRIME – STATISTICS AND RESEARCH

NSW RECORDED CRIME STATISTICS, MARCH QUARTER 2009

SUMMARY OF RECORDED CRIME TRENDS IN NEW SOUTH WALES

<table>
<thead>
<tr>
<th>Offence category</th>
<th>Annual percentage change over the last 24 months</th>
<th>Average annual percentage change over the last 60 months</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder*</td>
<td>Stable</td>
<td>Stable</td>
</tr>
<tr>
<td>Assault - domestic violence related</td>
<td>Stable</td>
<td>Stable</td>
</tr>
<tr>
<td>Assault - non-domestic violence related</td>
<td>Stable</td>
<td>Stable</td>
</tr>
<tr>
<td>Sexual assault</td>
<td>Stable</td>
<td>Stable</td>
</tr>
<tr>
<td>Indecent assault, act of indecency and other sexual offences</td>
<td>Stable</td>
<td>Stable</td>
</tr>
<tr>
<td>Robbery without a weapon</td>
<td>Down by 15.3%</td>
<td>Down by 3.4%</td>
</tr>
<tr>
<td>Robbery with a firearm</td>
<td>Down by 32.8%</td>
<td>Down by 11.1%</td>
</tr>
<tr>
<td>Robbery with a weapon not a firearm</td>
<td>Down by 19.9%</td>
<td>Down by 9.2%</td>
</tr>
<tr>
<td>Break and enter - dwelling</td>
<td>Down by 4.8%</td>
<td>Down by 4.5%</td>
</tr>
<tr>
<td>Break and enter - non-dwelling</td>
<td>Down by 6.6%</td>
<td>Down by 7.1%</td>
</tr>
<tr>
<td>Motor vehicle theft</td>
<td>Down by 11.1%</td>
<td>Down by 7.2%</td>
</tr>
<tr>
<td>Steal from motor vehicle</td>
<td>Down by 13.4%</td>
<td>Stable</td>
</tr>
<tr>
<td>Steal from retail store</td>
<td>Stable</td>
<td>Stable</td>
</tr>
<tr>
<td>Steal from dwelling</td>
<td>Stable</td>
<td>Down by 4.5%</td>
</tr>
<tr>
<td>Steal from person</td>
<td>Down by 8.7%</td>
<td>Down by 5.8%</td>
</tr>
<tr>
<td>Fraud</td>
<td>Up by 10.1%</td>
<td>Up by 3.7%</td>
</tr>
<tr>
<td>Malicious damage to property</td>
<td>Stable</td>
<td>Up by 2.6%</td>
</tr>
</tbody>
</table>

Note that statistics for the March 2010 quarter were released on 7 June 2010. Just Google ‘Bureau of Crime Statistics and Research’ and the statistics are easily locatable.

Considering these statistics, where are the headlines that say, “Crime levels stable or dropping”, “Police doing a fine job”, “Streets are far safer today than 5 years ago” – Criminal Laws are often made ‘tougher’ by NSW politicians wanting to look tough even though all the evidence suggests there is no need to get tougher.

The media is trying to sell their product (papers, TV ratings) using fear and outrage eg. “Youth Gone Wild”. This sells more papers than the boring reality of crime statistics even though they are full of good news and would actually make people feel more secure. Rare instances of serious crime are reported in such a frenzied way that the population starts to believe they are living in the midst of a crime wave.

Judges and their sentencing decisions are often called ‘soft’ by the media who call for revenge – so instead of backing up the professional and experienced judges, politicians pass laws to tie the hands of judges with ‘minimum sentencing’ or in some cases ‘mandatory sentencing’.
CRIMES AGAINST PERSONS

These protect people's safety. There are three broad categories including:

A. HOMICIDE

- The unlawful killing of a person. Some exceptions apply including self-defence and killing the enemy in combat in wartime.
- Judges must determine a causal relationship between the acts or omissions of the accused and the death of the victim.
- The sentencing procedure will take into account whether the actions were considered deliberate or negligent.

There are four situations whereby homicide may be classified:

1. MURDER

Section 18 of the Crimes Act defines murder in the following way:

(a) Murder shall be taken to have been committed where the act of the accused, or thing by him or her omitted to be done, causing the death charged, was done or omitted with reckless indifference to human life, or with intent to kill or inflict grievous bodily harm upon some person, or done in an attempt to commit, or during or immediately after the commission, by the accused, or some accomplice with him or her, of a crime punishable by imprisonment for life or for 25 years.

Every other punishable homicide is classified as manslaughter.

CHRISTOPHER BROWN – R V O’GRADY – TEENAGE MURDER

On 14 May 1999, Matthew O’Grady and Christopher Brown were at a party where they consumed drugs. They were aged (approximately) 16 years and 15 years. Sometime around 11pm, they and others left, walking in the direction of the Wentworth Falls train station. O’Grady persuaded Brown to go into the bush on the pretence of stealing some marijuana. He had access to a gun that belonged to his father. O’Grady shot Brown several times and then left him.

At about 11am the following morning, O’Grady arrived at the Katoomba police station. He informed the police officer at the desk that he had something to tell him. He was taken to an interview room, where he announced that he had killed someone.

Court Decisions:

R v O’Grady [2001] NSWSC 1256, 6 December 2000

2. MANSLAUGHTER

This is the unintentional killing of another for which one may be charged, if proof exists that a murder was committed without malice aforethought.

The following situations are sufficient to establish manslaughter:

- Manslaughter by criminal negligence.
- Manslaughter by unlawful and dangerous act.
- Manslaughter by excessive self-defence.
- Manslaughter by omission.
- **Involuntary**: The outcome was not to kill by the accused but their actions amount to gross negligence.
- **Voluntary**: Whereby there was an intention to cause death but the accused was aggravated by mitigating circumstances (eg. provocation, diminished responsibility).

**BAG SNATCH CASE – R V CLARKE & R V MARSH – MANSLAUGHTER OF LANH NGOC BUI**

On the evening of 3 August 2000, Marsh and Clarke stole a motor vehicle and decided to plan a robbery. They stopped the vehicle approximately 50 metres from their intended victim, who was waiting for her boyfriend on the footpath/driveway area outside his Lidcombe apartment. Clarke got out of the vehicle, approached Ms Bui and grabbed her handbag.

Meanwhile, Marsh drove the vehicle alongside Clarke. Clarke opened the door of the vehicle and got into the front passenger seat. Ms Bui pursued Clarke and attempted to retrieve her bag. After a struggle, Ms Bui fell from the vehicle and the rear wheel struck her head. She died early the next day in hospital.

Clarke and Marsh both pleaded guilty to manslaughter of Lanh Ngoc Bui.

**Court Decisions:**


R v Marsh [2001] NSWSC 1109, 29 November 2001
3. INFANTICIDE

Involves a mother causing death to a child in the first 12 months of life. The Crimes Act 1900 (NSW) requires the court to consider the mental state of the mother.

4. DEATH BY RECKLESS DRIVING

A special category created by an alarming increase in deaths as a result of car accidents and the reluctance of juries to convict for manslaughter by gross negligence.

B. ASSAULT

Defined as the threat (real or perceived) of and/or actual physical harm caused by one person(s) to another. It is both a criminal offence and a tort.

May include: Aggravated assault, assault occasioning actual bodily harm, wounding and causing grievous bodily harm.

SEXUAL ASSAULT

Involving sexual contact with another without consent – can also be applied to spouses. Reforms have been many owing to public pressure in recent times, particularly in relation to preventing alleged offenders from cross examining their alleged victims in court.

GANG RAPE CASE NO 2

— R V BILAL SKAF, R V MOHAMMED SKAF

WARNING: Material on this case contains details that are explicit and disturbing in nature.

Bilal Skaf and his brother, Mohammed, were part of a gang that raped several young women in Sydney during 2000. They took the girls to remote locations and sexually assaulted them. The Skaf case was heard in the District Court by Judge Finnane in July 2002. Bilal as ringleader was sentenced to 55 years. Skaf appealed and his sentence was reduced by several years.

In one of the Skaf appeal cases the judge ordered a retrial because two jury members visited the scene of the crime to look at the lighting in the park at night. The victim refused to testify at yet another trial. As a result the government amended the Criminal Procedure Act 1986 with the Criminal Procedure Amendment (Evidence) Act 2005. This legislation allows transcript evidence to be used in certain types of trials. The latest trial in 2006 again found Bilal and Mohammed Skaf guilty. For this case, there are at least two different issues that you can explore. Firstly, the sentence given for this crime and secondly, the behaviour of jurors.

Court Decisions:

Note: The decision of Judge Finnane in the Skaf District Court case is not available.
Regina v Bilal Skaf; Regina v Mohammed Skaf [2006] NSWSC 394, 28 July 2006
On appeal the sentences were reduced but Bilal Skaf will not be released until at least 2031.
C. ECONOMIC CRIMES

This is a general term used to describe the range of crimes which damage, or result in the loss of, another person’s property. It includes crimes against property and white collar crime and is considered the most common type of crime.

1. CRIMES AGAINST PROPERTY

- **Larceny (Theft):** Removal of another’s property without consent. Borrowing even without consent is not considered larceny.

- **Break and Enter:** The illegal entry of another’s property in order to commit an offence.

- **Robbery:** When property taken directly from the victim or their vicinity with the threat of violence.

This charge may be escalated to armed robbery if the violence involves the use of weapons.

2. WHITE COLLAR CRIMES

Tend to be committed by professionals in the context of business.

Includes:

- Tax Evasion
- Computer Crime
- Insider Trading
- Embezzlement

**R V RIVKIN – WHITE COLLAR CRIME**

There are two decisions that can be discussed. The first is the sentencing decision in which Rivkin is sentenced to 9 months imprisonment to be served by way of periodic detention and imposing a fine of $30,000. Rivkin was convicted of insider trading with respect to a small parcel of shares he owned.

**Court Decision:**


The second R v Rivkin was an appeal against the conviction and sentence on charges of insider trading contrary to provisions of the Corporations Act 2001 (Cth), section 1002G(2).

Commentary and Media Report:

Full text of newspaper articles available on Proquest ANZ Newsstand, is available remotely to registered clients of the State Library of NSW.

- Type in Rivkin and insider trading.
- If you get too many hits limit date to the trial dates.

CRIMES AGAINST THE STATE

The fairness and justness of laws is often a contentious point. Situations sometimes arise when individuals feel the law is against their principles. At times this may cause some to break laws and commit crimes against the state. Such crimes include treason and sedition.

- **Sedition** is the act of encouraging hatred or contempt of the monarch, government or constitution or urging force of violence against a group in the community. The group could, for instance, be an ethnic or religious group.

- **Treason** may result in harm to the monarch or may involve an attempt to bring down the monarch or government.

In 2005 the Anti Terrorism Act (No. 2) 2005 (Commonwealth) was enacted as a reaction to heightened terrorism acts globally.

R V FAHEEM KHALID LODHI – TERRORISM

On 19 June 2006 Lodhi was found guilty by a jury in respect of three charges. First, that he collected documents, namely two maps of the Australian electricity supply system, which were connected with preparation for a terrorist act, namely bombing part of the system. Second, that Lodhi intentionally did an act in preparation for a terrorist act, namely he sought information concerning the availability of materials capable of being used for the manufacture of explosives in incendiary devices. Third, that he possessed a document containing information concerning the ingredients for and the method of manufacture of poisons, explosives, detonators and incendiary devices connected with the preparation for a terrorist act.

There are numerous decisions concerning this case, however, it is the sentencing decision that outlines the offences that Lodhi was charged with that provides the most useful information. This case demonstrated that the new laws introduced by the Federal Government have criminalised both the committing or attempting a terrorist act, as well as preparing for one. Lodhi was sentenced to 20 years jail for collecting documents in preparation for a terrorist act, even though he had no specific plan to carry this out.

Court Decision:

R v Lodhi [2006] NSWSC 691, 23 August 2006

A number of terrorism cases have been held since this time including conspiracies in Melbourne and Sydney. The latest involving Mohammed Cheiko and several other men. Cheiko was sentenced to 28 years imprisonment for planning a terrorist act.
PUBLIC ORDER OFFENCES

This disrupts communities and societies. There is a multitude of offences under this banner including; indecent behaviour, offensive language, disorderly conduct and prostitution.

TRAFFIC OFFENCES

These affect the majority of people. The Crimes Act 1900 and the Traffic Offences act 1909 outline the range of offences relating to using a motor vehicle. Examples of such offences include; driving under the influence, negligent driving, and reckless driving, negligent driving, causing death.

PRELIMINARY OFFENCES

Two broad categories:

1. Attempts: It is an offence to attempt to commit a criminal act. The Crimes Act identifies attempt the same as the action.

2. Conspiracy: Arises in common law when 2 or more people agree jointly to commit a criminal act. This charge can be used even if the act does not occur.

Both are difficult for DPP to gain convictions.

CASE LAW  R V MOHAN [1976] QB 1 (CA)

In this case Mohan was charged with attempting to cause grievous bodily harm. Mohan had been stopped by a police officer in relation to a traffic offence. He slowed his car down as though to stop but accelerated and steered straight for the police officer, who fortunately was able to jump, clear. Mohan then continued on his journey. Evidence was provided that the officer would have been struck by the accelerating car had he not jumped clear. Mohan was convicted and sentenced to twelve months imprisonment.

VICTIMLESS CRIMES

This is a crime which seemingly has no victim aside from the perpetrator. Society in many instances deems these crimes to be against the norm of moral standards. Examples include drug possession for personal use and illegal gambling.

- Dealing with international crime (international criminal court, sanctions).
- Extradition (dealing with fugitive domestic criminals).