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FRAUD (s 192E)	
The prosecution must prove all elements BRD ( <i>Woolmington</i> )	
Actus Reus	
1. Deception	<ul style="list-style-type: none"> <li>Deception: by words or conduct including (s 192B):               <ol style="list-style-type: none"> <li>"a deception as to the intentions of the person using the deception or any other person, or</li> <li>conduct by a person that causes a computer, a machine or any electronic device to make a response that the person is not authorised to cause it to make."</li> </ol> </li> <li>Deception includes false promises etc.</li> <li>Deception includes for the past, present and the future (s 192B).</li> <li>Conduct without words can amount to deception (<i>R v Benli</i>).</li> </ul>
2. This deception caused an obtaining of property, financial advantage or disadvantage	<ul style="list-style-type: none"> <li>The prosecution must prove that the deception <b>caused</b>:               <ol style="list-style-type: none"> <li>Obtaining property from another (s 192C).</li> <li>Obtaining a financial advantage (s 192D).</li> <li>Causing a financial disadvantage (s 192D).</li> </ol> </li> <li>'Obtaining' = ownership, possession or control (s 192C).</li> <li>'Property' = where a person has possession, control, property right or interest in the property (s 4 and s 192C(3)).</li> <li>Evading debt is covered under 'causing a financial disadvantage' since it is detrimental to the creditor (s 192D(2)).</li> <li>D receives no financial advantage but aims only to harm V (s 192D).</li> </ul>
Mens Rea	
1. D's actions were intentionally or recklessly deceptive	<ul style="list-style-type: none"> <li>Intentionally or recklessly dishonest (s 192B).</li> <li>'... Dishonest according to the standards of ordinary people and known by the defendant to be dishonest according to the standards of ordinary people.' (s 4B).</li> <li>The prosecution must show that it was dishonest to cause that consequence → where D has a claim of right, they will not be considered 'dishonest'.</li> </ul>

## 2. Intention to permanently deprive

- This is only an element if D has obtained property.
- Intent to permanently deprive is required (s 192C(2)).
- Even if D didn't mean to permanently deprive the owner, they nevertheless have the intention of permanently depriving the other if D's intention is to treat the thing as his or her own, regardless of the original owner's rights (s 192C(4)).

### *Temporal Coincidence*

- The requirement for D to be intentionally or recklessly dishonest (s 192B) means that D must have the necessary mens rea at the time of the taking.