VCE Legal Studies 2018–2023

Appendix 4 – The distinction between summary offences and indictable offences

Unit 1 Area of Study 2

| Read through the following case studies and identify if it is a summary offence, indictable offence or an indictable offence heard summarily. | Identify the type or category of criminal law | Purpose of criminal law | The elements of a crime: actus reus and mens rea  Strict liability | Summary, Indictable or in Indictable heard summarily |
| --- | --- | --- | --- | --- |
| 1. Ella is convicted of a burglary in the Magistrates’ Court and is sentenced to six months imprisonment. | *Crime against property* | *Protect property and punish Ella* | *In order to be found guilty Ella would have had a guilty mind and also committed the guilty act.* | *Indictable offence heard summarily* |
| 1. Christina has failed to pay her traffic infringements fines. This amounts to $200.00. |  |  |  |  |
| 1. Catherine who is 11 years old has been charged with manslaughter. |  |  |  |  |
| 1. Louisa who has P Plates has been caught speeding in a 50 zone. |  |  |  |  |
| 1. Isabella has been convicted of Terrorism in Victoria. She wishes to lodge an appeal. |  |  |  |  |
| 1. Annalise 25 years old has been charged with theft of a mars bar. |  |  |  |  |
| 1. Rachel was found guilty of speeding and the magistrate issued her with a 10 Year license cancellation. |  |  |  |  |
| 1. Elana is appealing against a conviction for Arson in the county court. The basis Elana’s appeal is that the judge misdirected the jury. |  |  |  |  |
| 1. Jimima, 65 years old with a drug addiction is charged with prostitution. |  |  |  |  |
| 1. Stephanie has been caught with selling a large amount of drugs to support her family. |  |  |  |  |
| 1. A Magistrate, Annabelle, is hearing about a Homicide at Shenley Reserve. |  |  |  |  |