

Essay questions- Smith and Hogan's Essentials of Criminal law

I'll talk to you just give you a brief overview and some advice about essay questions so essay questions as opposed to problem question so I've got a couple of examples behind me which we'll look at in a moment but first of all just a couple of broad kind of do's and don'ts when it comes to essay questions the first one is in terms of a don't is it's very common for students to think about essay questions in terms of how can I fit in everything I know about the topic to an answer so because essay questions tend to be slightly more open-ended than problem questions then students will often revise for essay questions in terms of I've read these articles on this particular topic or I've read and understood these cases and so when it comes to answering the question naturally the essay answer becomes how can I find a way of including this information that I've learned within my answer to this question now that's quite normal but it's something that you need to avoid and quite simply because in doing so you don't answer the question you end up simply discussing the topic writing a textbook like we have but you don't want to do that of course within York essay question because the essay is always more specific than that also another thing to avoid which a number of students do is the temptation to write a kind of a model plan in relation to various essays so that you hope when the exam comes are poor when the coursework comes up that you'll be able to recreate the essay using your model plan again all of these techniques take you away from being responsive to exactly what the questions aren't asking you to do and it's that that I really want to impress upon you within this short video so when you're looking at essay questions there are two things that are quite normal that you should be looking to do the first one is to identify the topic so if for example you have the coursework question that had one of these questions or an essay question in the exam which had one of these questions it's quite normal to look for the topic first so you basically skim read the question you see the words intention recklessness okay so this essay question is broadly about the finding mens rea you might then look at the second question and think okay we're looking here at the law of rape so the topic is in terms of sexual offenses and particularly the offensive rape so again you identify an essay by the topic that's outlined now this is normal but the point is it should only be a first step if you're writing a coursework question it's a first step to identify the area of law so you can then go away and do your research in relation to an area of law it helps you identify the relevant articles the relevant case law etc in order to build your background knowledge in relation to an exam question the topic will of course help you there are certain topics which you'll be more comfortable with or less comfortable with and so you'll be looking to identify the questions in those areas that you're most comfortable with and you want to ask answer questions on now the thing to remember there is identifying the topic is fine but it's only the first step the second step and the most important one is then to identify the debate and it's the debate within an essay question which is your focus and provides your structure for actually answering that essay question so let's look at that in relation to these two so the first question is the only truly effective and just way to distinguish intention from recklessness is to define intention so as to mean aim purpose or desire and nothing more discuss now this structure of an essay question is quite common basically we have a relatively controversial quote and then we have discuss at the end now what that means is not tell me everything you know about intention and recklessness but rather engage with that question itself imagine yourself sometimes not so much as a law student but there's a normal person someone asks you in the street why is there why is there a difference between intention and recklessness why do you have these two different terms and why is it that some kind the intention isn't defined in the way that we would in normal sense understand it a simply aimed purpose or desire that's the debate that you need to engage with that's the controversial part of that statement that your essay needs to deal with and there are many ways in which you can do that so you can free then proof okay is it true to say the intention isn't defined simply in terms of aim purpose or desire well yes it is direct intention is defined in these terms but oblique intention as defined within the case of woman is defined as something as a virtual certainty it's foreseen by the defendant as a virtual certainty and then the court may choose or a jury may choose to find an intention so essentially that's our debate the debate here is why do we need a Bleak intention wouldn't it be simple as simply to separate

intention defined as direct intention from recklessness covering everything else so we have that debate and I'll talk to you just give you a brief overview and some advice about essay questions so essay questions as opposed to problem question so I've got a couple of examples behind me which we'll look at in a moment but first of all just a couple of broad kind of do's and don'ts when it comes to essay questions the first one is in terms of a don't is it's very common for students to think about essay questions in terms of how can I fit in everything I know about the topic to an answer so because essay questions tend to be slightly more open-ended than problem questions then students will often revise for essay questions in terms of I've read these articles on this particular topic or I've read and understood these cases and so when it comes to answering the question naturally the essay answer becomes how can I find a way of including this information that I've learned within my answer to this question now that's quite normal but it's something that you need to avoid and quite simply because in doing so you don't answer the question you end up simply discussing the [essay on criminal justice](#) like we have but you don't want to do that of course within York essay question because the essay is always more specific than that also another thing to avoid which a number of students do is the temptation to write a kind of a model plan in relation to various essays so that you hope when the exam comes are poor when the coursework comes up that you'll be able to recreate the essay using your model plan again all of these techniques take you away from being responsive to exactly what the questions aren't asking you to do and it's that that I really want to impress upon you within this short video so when you're looking at essay questions there are two things that are quite normal that you should be looking to do the first one is to identify the topic so if for example you 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