

## WILLING VICTIMS

This Tutorial is broken up into stages, which include learning blocks, case studies, and knowledge checkpoints. We recommend you complete this online session in chronological order.

By the end you will be able to:

- Advise whether consent will work as a defence to a charge under the Offences Against the Person Act 1861.
- Critically evaluate the development of the defence.

### Contents

Stage 1: Introduction.....	1
Stage 2: The Current Law.....	2
Stage 3: Knowledge Check.....	2
Stage 4: Arguing the Defence of Consent.....	5
Stage 5: Consent and Homicide.....	6
Stage 6: Knowledge Check.....	8
Stage 7: Criticisms of the Current Law.....	10
Stage 8: Knowledge Check.....	12
Stage 9: Conclusion.....	<b>Error! Bookmark not defined.</b>

### Stage 1: Introduction

Welcome to this Tutorial on willing victims. Criminal lawyers spend a lot of their time defending clients who are charged with various offences of assault.

In some cases, the defendant will dispute they committed the actus reus of an offence – they might argue, for example, that theirs is a case of mistaken identity. In others, a defendant might admit that they hit the victim – so the actus reus is established – but deny they had the relevant mens rea for the offence.

In many cases though, the prosecution has clear evidence that the defendant committed the assault and that they had the requisite mens rea. So what does the defendant do then? Often they will have no option but to plead guilty. But, sometimes, the accused will want to rely on the defence of consent.

# Willing Victims

**Ying Liu**



**Willing Victims:**

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## Table of Contents Willing Victims

1. Understanding the eBook Willing Victims
  - The Rise of Digital Reading Willing Victims
  - Advantages of eBooks Over Traditional Books
2. Identifying Willing Victims
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Willing Victims
  - User-Friendly Interface
4. Exploring eBook Recommendations from Willing Victims
  - Personalized Recommendations
  - Willing Victims User Reviews and Ratings
  - Willing Victims and Bestseller Lists
5. Accessing Willing Victims Free and Paid eBooks
  - Willing Victims Public Domain eBooks
  - Willing Victims eBook Subscription Services
  - Willing Victims Budget-Friendly Options
6. Navigating Willing Victims eBook Formats
  - ePub, PDF, MOBI, and More
  - Willing Victims Compatibility with Devices
  - Willing Victims Enhanced eBook Features
7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Willing Victims
  - Highlighting and Note-Taking Willing Victims
  - Interactive Elements Willing Victims
8. Staying Engaged with Willing Victims

- Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Willing Victims
9. Balancing eBooks and Physical Books Willing Victims
    - Benefits of a Digital Library
    - Creating a Diverse Reading Collection Willing Victims
  10. Overcoming Reading Challenges
    - Dealing with Digital Eye Strain
    - Minimizing Distractions
    - Managing Screen Time
  11. Cultivating a Reading Routine Willing Victims
    - Setting Reading Goals Willing Victims
    - Carving Out Dedicated Reading Time
  12. Sourcing Reliable Information of Willing Victims
    - Fact-Checking eBook Content of Willing Victims
    - Distinguishing Credible Sources
  13. Promoting Lifelong Learning
    - Utilizing eBooks for Skill Development
    - Exploring Educational eBooks
  14. Embracing eBook Trends
    - Integration of Multimedia Elements
    - Interactive and Gamified eBooks

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