

تعداد سوالات: تستی: ۲۰ تشریحی: ۳
زمان آزمون (دقیقه): تستی: ۴۰ تشریحی: ۴۰

نام درس: متون حقوقی (۲) - زبان خارجی تخصصی
رشته تحصیلی / کد درس: حقوق (۱۲۱۲۱۷۸)

مجاز است.

استفاده از: --

کد سری سؤال: یک (۱)

امام خمینی^(ره): این محرم و صفر است که اسلام را زنده نگه داشته است.

Choose the best answer and then mark it on your answer sheet

- Crime can be defined as that is sufficiently serious to require state intervention and punishment.
 - anti-social conduct
 - social conduct
 - legal capacity
 - illegal capacity
- The.....is the physical element of a crime. It can include conduct, circumstance and consequence.
 - causation
 - actus reus
 - mens rea
 - recklessness
- The idea of fault is present in the principal maxim of the criminal law: actus non facit reum nisi mens sit rea. What does the underlined part mean?
 - The act is guilty when the mind is also guilty.
 - Not every act that is a sine qua non of the consequence will attract criminal liability.
 - The act is not guilty unless the mind is also guilty.
 - The existence of a second cause will only break the causal link.
- For most crimes, it is not sufficient to prove only that the defendant committed the unlawful act. It must also be shown they had a particular state of mind. The need to show a criminal state of mind emphasizes the of criminal liability and highlights the central role of fault.
 - objective nature
 - discretion
 - purpose
 - subjective nature
- Money and all other things, real or personal, including , things in action and other intangible things* is called
 - property
 - intention
 - legal services
 - offers

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6. The defendant must show that, at the time of committing the offence, he was suffering from a defect of reason. What does the underlined part mean?
- The defendant must have been totally deprived of the power to reason.
 - Because of some mental infirmity, the defendant should be held responsible.
 - A person may intend a particular consequence without either desiring it or it being the motive for their actions.
 - The defendant will be held to have caused all the reasonable consequences of his conduct.
7. A person may have a defence where they can show they were forced to commit the crime because of threats made to them by another person. This is known as acting under.....
- necessity
 - self-defence
 - insanity
 - duress
8. The actus reus of negligence manslaughter is all of the following items EXCEPT:
- a duty of care owed by the defendant to the victim
 - a breach of that duty by the defendant
 - causes for the death of the victim
 - the jury justifies a criminal conviction
9. Placing another in fear of immediate and unlawful personal violence is called.....
- Assault
 - harm
 - wounding
 - infection
10. is dishonest appropriation of property belonging to another with an intention to permanently deprive the other of it.
- Offence
 - Deception
 - Theft
 - Burglary
11. According to your text book, property belongs to
- money and all other property, real or personal.
 - any person having possession or control of it, or having in it any proprietary right or interest.
 - defendant.
 - a person initially who borrows a book from another

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12. Theft with violence or the threat of violence is a definition for
- a. rape b. damage c. robbery d. harm
13. The maximum sentence for Theft is.....
- a. life imprisonment b. seven years imprisonment
- c. no imprisonment d. five years imprisonment
14. The maximum sentence for robbery is.....
- a. five years imprisonment b. no imprisonment
- c. seven years imprisonment d. life imprisonment
15. A(n) is an agreement between two or more persons to pursue a course of conduct that, if carried out in accordance with their intentions, would result in the commission of an offence by one of the parties to the agreement.
- a. conspiracy b. incitement
- c. participation d. aiding
16. *It is an offence at common law. It means to instigate the commission of a crime through advice, encouragement, persuasion or compulsion.* It refers to.....
- a. Mens rea b. Incitement c. Punishment d. Deterrence
17. Those who commit the actus reus of an offence are referred to as the
- a. abet b. procures
- c. principal offenders d. joint enterprise
18. *Informing people (through the education system and by other means) about the criminal justice system and the consequences of crime* is called.....
- a. Publicity b. Promptness
- c. Certainty d. Punishment

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19. One of the main reasons for having a criminal justice system is the belief that
- omissions do not attract criminal liability.
 - problems are the requirement of causation.
 - not every act that is a sine qua non of the consequence will attract criminal liability.
 - those who engage in anti-social conduct should be held responsible for their actions and punished.
20. is always a sufficient condition of criminal liability. For some offences, such as murder, it is also a necessary condition.
- Proof of intention
 - The mens rea
 - The crime mental element
 - Non-insane automatism

Translate the following texts to Persian. (6 points)

- It is also important to distinguish between intention/purpose and motive/desire. A person may intend a particular consequence without either desiring it or it being the motive for their actions. (e.g. "mercy killings", where a person gives an overdose of medication to a terminally-ill relative. Here, while they do not desire the death of their loved one, and their motive is to relieve suffering, they nevertheless intend to kill). (2 points)
- Insanity, in this context, is a legal, not medical concept. It is designed to cover those situations where, because of some mental infirmity, the defendant should not be held responsible for their actions. Where raised successfully, it results not in an acquittal, but in a special verdict of "not guilty by reason of insanity". This allows the court considerable discretion in dealing with the defendant, ranging from an absolute discharge to detention in hospital. (2 points)
- The two main criticism of the present law are that:
 - the test for gross negligence manslaughter is circular, in that the jury is directed to convict the defendant if they think his conduct was criminal;
 - the scope of constructive manslaughter is too broad, encompassing both conduct which is little short of murder and that which is little more than an accident. (2 points)