



Strict Liability

By the end of this unit, you should be able to [AO1]:

- Clearly define what is meant by a strict liability offence, and explain why they exist.
- Understand how the courts have interpreted the scope of liability for a strict liability offence.
- Describe the impact of the case of **B v DPP** on the law of strict liability.
- Understand the difference between a strict and absolute liability offence.

You will also be able to evaluate [AO2]

- Whether D should really be liable for a strict liability offence and why.
- The justifications for imposing both strict and absolute liability on D.
- The potential reforms to the law on strict liability and consider whether a general defence of due diligence should exist.

Homework:

13C

1. Revise Elements of a criminal offence for a 60 mark DRAG test on 18th July 2013
2. Complete HS2 Worksheet.

Summer: Write up planned essay

13E

1. Revise Elements of a criminal offence for a 60 mark DRAG test on 18th July 2013
2. Complete HS2 Worksheet.

Summer: Write up planned essay

How will you be assessed?

You will complete a section C question in class, which is detailed at the back of your hand out. You will also complete and write up your response to the following Section A response over the summer holidays:

"Strict Liability offences are problematic, but necessary if the law is to regulate businesses and protect citizens successfully."

Discuss the extent to which this statement is accurate.

[50]

Key Terms:

Term	Means	Term	Means
Strict liability		Stigma	
Absolute liability		Gammon Rules	
Quasi-criminal			
Due diligence			

What is a Strict Liability Offence?

A strict liability offence is one which requires a voluntary actus reus, ... but requires **no** mens rea for liability to at least one element.

This means that the prosecution simply needs to prove that D did the acts or omissions, not that they intended, were reckless or even aware of the consequences. The act alone is enough. This means that it may not even matter if D has taken all reasonable steps or could not avoid the outcome!

An Example:

Facts: D is driving along the road in Swansea. He is driving under the speed limit, but without a licence or insurance. V steps onto the road in front of D with no warning, and D hits him with the car. V is thrown across the road and dies of his head injuries.

Charge: Causing death by driving whilst unlicensed, disqualified or uninsured under s.3ZB Road Safety Act 2006



1. Why was D liable for the offence?
2. Do you think it was fair to convict him? Why? Why not?
3. D was given 24 weeks imprisonment as his punishment, but this raises a problem. How can we sentence different DD to different sentences if all that is required is the same actus reus? How do you think the judges and magistrates approach this problem?

Another Example:

Callow v Tillstone

Facts:

Charge:

1. Why was D liable for the offence?
2. Do you think it was fair to convict him? Why? Why not?
3. The vet, who checked the meat, was found not guilty as his offence required a mens rea, which he did not have as he genuinely thought it was ok. Is this fair? What critical comment on the use of strict liability might you make?

Where do the offences come from?

The vast majority of strict liability offences are **statutory** in nature, which means they are created by [redacted]. Approximately 3,500 of the 7,000 statutes in operation impose some kind of strict liability (some of them create some 'normal' offences and some 'strict' ones.)

Bad News: These are the laws you are most likely to break... and they affect most of your day to day life, including food, transport and road traffic offences.

Statutory Examples: *Thinking back over the topics we have done so far, can you think of any **offences** which would fit the bill?*

The majority of these are low level offences. The courts call them quasi-criminal which means 'not really' criminal. This is because they don't carry a lot of stigma or punishment and so it's ok if we only ask for an actus reus.

What about the common law?

There are very few common law strict liability areas remaining. Below are four areas which have traditionally been thought of as imposing strict liability, but even they are reducing at a rapid rate!

	Public Nuisance	Outraging Public Decency	Blasphemous & criminal Libel	Criminal Contempt of Court
Means?				
Case:	R v Goldstein 2005	R v Laing 2007 (unreported)	Whitehouse v Gay News 1979	AG v MGN Ltd 2011
Still exists?				
Common or Statute?				

Student Thinking: Why do you think that the courts are not fans of strict liability offences?



Why have strict liability?

Well, the short answer is to raise standards of care. This is really why the Victorians introduced so many of them! They are a way of imposing higher standards on people. After all, if you are going to be liable regardless of whether you meant to harm or not, you're going to take more care to avoid it (that's the theory at least).

The first case:

Woodrow 1845

Facts: D was charged of possessing unadulterated tobacco. However, he did not know it was unadulterated.

Ratio:

Harm protected from:

...and it takes off from there:

Cundy v Le Cocq 1884

Facts:

Ratio: As s.13 Licensing Act 1872 had no references to mens rea, but there were mens rea words elsewhere, the court decided that it was a strict liability offence



This meant that the owner's reasonable belief that the customer wasn't drunk was not a defence.

Harm protected from:

But it's not always as straightforward as that!

Sherras v De Rutzen 1895

Facts: D served a policeman alcohol whilst he was on duty. The policeman had removed the arm band they wore to indicate they were on duty.

Ratio: s.16(2) Licensing Act 1872

Harm protected from:

Student thinking: How do you think the divisional court distinguished between the two cases? Do you agree with the reasoning of the courts?



How do we tell a strict liability offence from a normal one?

As you have seen with the last two cases, sometimes the Courts decide the offence is strict and sometimes not. Because this whole section is about **interpreting** statutes, there are some rules to help the court in deciding what type of liability the section imposes.

The following case, although it is a Privy Council case, is the key one, and Lord Scarman's assumptions have been adopted time and again by the domestic courts.

Gammon v AG of Hong Kong 1985

Facts:



Ratio

In interpreting statutes, the court(s) will take the following approach

1. They will presume that every criminal offence requires a mens rea.
2. This presumption will be even stronger if the offence is 'truly criminal' in nature.
3. This presumption will only be rebutted if the statute either clearly says so, or the outcome of the section clearly implies it..
4. Even then, it will only be rebutted if it is a matter of social concern; **and**
5. By imposing strict liability it will lead to greater vigilance and prevent the prohibited outcome.

How do these rules reflect the general approach of the courts to strict liability?

Applying the rules...

Read the facts of the following case and use the Gammon guidelines to determine D's liability.

Pharmaceutical Society v Storkwain 1996

Facts: D fulfilled a series of prescriptions for X. They were Forged, but D did not know this, or have any way of knowing.

He was charged under s.58(2) Medicines Act 1968, which carries a maximum of 2 years imprisonment:

"no person shall sell by retail, or supply in circumstances corresponding to retail sale, a medicinal product of a description, or falling within a class, specified in an order under this section except in accordance with a prescription given by an appropriate practitioner"

He was convicted at first instance, as the trial judge held that it was a strict offence, however he appealed arguing that it was not a strict offence, and so he had a defence as he had no mens rea

I think that it is...

because...

Ratio:

Some other guidance on interpretation...

1. The words of the statute.

Some words when they appear in a statute **will** imply a mens rea, and some **won't**. This helps the courts to start their interpretation.

In the word search are **seven** words:

All of you should be able to locate the words, and identify at least one which imposes mens rea

Most of you should be able to divide the words into mens rea and no mens rea words

Some of you should be able to explain why some of the words **do not** impose a fault element.



E T F E O K T F R M Y M L P G
 G S X E D S H Y L L F Y R E F
 A K U Z P I K P S A K J L R S
 D Z L A P M R U B D S K E M W
 Z Q E F C O O L X P J C W I H
 Z V V S E I S K W L K S U T D
 U I Y P C T T S G L H Y L T N
 Y C D I S H O N E S T L Y I Y
 H T L J K S N S D S A G Z N C
 I A U H P C S G Y V S Y Z G V
 M Z D V P L B F E D B I N I M
 T O G W Y E Y L G N I W O N K
 O K C W R U A Z Y N M V W N J
 I T E O R Z Q C S A G C H D Y
 H A A A C V A D T G E R L L W

Words imposing mens rea:

Words not imposing mens rea:

Why?

2. The presumption of mens rea.

Remember *Gammon* said the courts will assume that mens rea was intended even if it was not mentioned in the statute? Well this is probably the most important rule that exists!

Sweet v Parsley 1970

Facts:

Ratio:

"Parliament did not intend to make criminals of those persons who are in no way blameworthy. Whenever a section is silent as to mens rea, here's a presumption that ...we must read in words appropriate to require mens rea"

Student Thinking: is it easy to determine what is a 'truly criminal' and a 'quasi-criminal' offence? Why?

3. Other sections of the same Act

If other sections of the same Act of Parliament mention mens rea, but this one doesn't the Court may assume that this meant that Parliament wanted to create a strict offence here.

Example:

Remember *Cundy*? Well, one of the reasons for imposing strict liability there was that other sections of the Act used clear mens rea words, but s.13 did not.

What does this approach assume about the Act of Parliament?

This alone may not be enough, as we saw in *Sherras*, where although s.16(2) used 'knowingly' and s.16(1) was silent, the Court decided there was no strict liability.

"the fact that other sections of the act expressly require a mens rea.. is not in itself enough to justify a decision that a section which is silent as to mens reas creates a strict liability offence."

Sweet v Parsley

Putting it all together:

Warner v Metropolitan Police Commissioner 1969

Facts: My Lords, the appellant was tried at Inner London Quarter Sessions on 3 February 1967, on a charge that on 18 November 1966, he had in his possession a substance specified in the Schedule to the Drugs (Prevention of Misuse) Act 1964 namely twenty thousand tablets containing amphetamine sulphate. When stopped by the police he had in his car, inter alia, two packages. His defence was that he believed both packages contained scent. In fact when they were opened in his presence one was found to contain scent and the other to contain these tablets.

Charge: "it shall not be lawful for a person to have in his possession any of the specified substances unless in specified circumstances". s.1(1) Drugs (Prevention of Misuse) Act 1960

Task: Using a range of the rules you have met so far, produce your law report explaining whether or not s,1(1) imposes strict liability or not and what this means for the defendant's liability. Aim to support your conclusions with reference to at least two cases.



When has the court imposed strict liability?

Now we have looked at what strict liability is, and how the Court determines whether a statute imposes criminal liability or not, we simply need to look at when the court **has** imposed strict liability (and why!)

Area One: Protection of the Environment

Alphacell v Woodward 1972

Facts:

s.2 Rivers (Prevention of Pollution) Act 1951

Ratio:

"It is of the utmost public importance that rivers are not polluted" Lord Salmon

D's conviction was upheld despite the regular checks. The potential harm justified imposing liability

Kirkland v Robinson 1987

Facts:

s.1(2) Wildlife and Countryside Act 1981

D was charged with the possession and or control of wild birds (goshawks) which he claimed he thought were not wild at all.

Ratio:

"The Wildlife and Countryside Act 1981 is designed to protect the environment. That is an objective of outstanding social importance." Lord Brown

Area Two: Food Safety

Callow v Tillstone 1900

Smedleys v Breed 1974

Facts:

s.2 Food and Drugs Act 1955

Caterpillar was found in a can of processed peas.

Ratio:

D argued not liable as they had produced over 3.5m cans that week with no problems, and so had done all they could to make them safe. There was nothing more that could be reasonably asked of them.



Area Three: Road Traffic Offences

R v Williams 2010

Facts:

s.37B Road Safety Act 2006

Ratio:



please note that it is actually X we are interested in for this case, not DD!

R v Blakey & Sutton 1991

Facts:

S was having an affair with X, and X said he was leaving her to return to his wife, so B suggested spiking the tonic water so X wouldn't drive and he would stay. X drove off and was stopped and breathalysed and charge with driving whilst over the limit

Outcome:

s.5 Road Traffic Act 1985

Area Four: Social Concern

Harrow LBC v Shah and Shah 1969



Facts:

DD owned a newsagent's which sold lottery tickets. They had trained and reminded their staff to check ID of those believed to be under 16. One of their employees sold a ticket to a boy under 16.

Ratio:

Warner v MPC 1969

Barnfather v Islington Council 2003

Facts:

s.444 Education Act 1996

Ratio:

D's conviction was upheld, with the court holding that school absenteeism was a legitimate social issue and the low punishment (fine) justified the imposition of strict liability.

The court also held that strict liability offences were not incompatible with s.6 ECHR.

Area Five: Public Safety

Atkinson v McAlpine 1974

Facts:

Asbestos Act 1969

D was charged with not informing his workers that they were exposed to blue asbestos in their working environment.

Ratio:



**Caution
Asbestos**

R v Blake 1997

Facts:

Wireless Communication Act 1949

Ratio:

The broadcast had the potential to interfere with emergency services, so it was in the interests of public safety to find him liable.

R v Howells 1977

Facts:

s.1(1)(a) Firearms Act 1968

D bought what he thought was an antique gun, and so did not obtain a licence for it.

Ratio

R v Deyemi 2007

Facts:

s.5(1)(b) Firearms Act 1968

DD were stopped and searched, and the police found a stun gun on them. DD claimed their thought it was a torch.

Ratio:

Consolidating your knowledge:



Using everything you have learnt about when the Courts will impose liability, complete the table below.

Area	Why is it justified to impose SL here?	Supporting case (explained)	Why might it not be justified?	Supporting case (explained)
Social Concern				
Environment				
Public Welfare				
Food Safety				
Road Traffic Offences				

Age and Strict Liability:

The situation we are going to look at here is where D reasonably believes V to be older than they are.

Does D then have a defence if he has sex with V and they turn out to be much younger?

This is quite a complicated area of the law, as there are a number of statutes which come into play and Parliament's drafting in this area is quite frankly awful. However, before we look at the current law, let's look at a couple of historical cases which are still underpinning some of this area today.



Historical Approach:

s.55 Offences Against the Person Act 1861

Whosoever shall unlawfully take ... any unmarried girl, being under the age of sixteen years, out of the possession and against the will of her father or mother, or of any other person having the lawful care or charge of her, shall be guilty of a misdemeanour

R v Prince 1875

Facts:

Henry met Annie and fell in love. She told him that she was 18 and he knew that she lived with her father.

They ran off to get married, and Henry was arrested as Annie was 14.

Ratio:

R v Hibbert 1869

Facts

Ratio

Got it?

1. Can you explain how the courts distinguished between these two cases?
2. Do you think that the application of the law led to a fair outcome in each case? Why?



Modern Approach: V under 16, but over 12

The problem here is that V can consent in **fact**, if not in **law**, which is a fancy way of saying that the law is a bit more flexible here. However, as you have just seen, *Prince* seems to say that doesn't matter, and even if D reasonably believes that V is older, it is of no consequence... Let's start by clearing that one up.

B v DPP 2000

s.1 Indecency with Children Act 1960

Facts:

Questions:

1. What was the problem with s.1 of the act, under which D was charged?
2. Which "presumption" was central to the appeal?
3. Which case do they follow and approve of?
4. What reasons do they give for deciding that s.1(1) is a truly criminal, or serious offence?
5. How does their decision affect D's conviction and why?
6. Which case do they disapprove of and why? Do you agree?
7. According to Lord Steyn, which section of the act **does** impose strict liability and why do you think that is?
8. Do you agree with the outcome of the case and why?



B v DPP 2000

LORD NICHOLLS OF BIRKENHEAD

My Lords,

...Parliament enacted the Indecency with Children Act 1960. Section 1(1) of this Act makes it a criminal offence to commit an act of gross indecency with or towards a child under the age of fourteen, or to incite a child under that age to such an act. The question raised by the appeal concerns the mental element in this offence so far as the age ingredient is concerned.

...*The common law presumption*

As habitually happens with statutory offences, when enacting this offence Parliament defined the prohibited conduct solely in terms of the proscribed physical acts. Section 1(1) says nothing about the mental element. In particular, the section says nothing about what shall be the position if the person who commits or incites the act of gross indecency honestly but mistakenly believed that the child was fourteen or over.

In these circumstances the starting point for a court is the established common law presumption that a mental element, traditionally labelled mens rea, is an essential ingredient unless Parliament has indicated a contrary intention either expressly or by necessary implication. The common law presumes that, unless Parliament indicated otherwise, the appropriate mental element is an unexpressed ingredient of every statutory offence. On this I need do no more than refer to Lord Reid's magisterial statement in the leading case of *Sweet v. Parsley* [1970] A.C. 132,

... I add one further general observation. In principle, an age-related ingredient of a statutory offence stands on no different footing from any other ingredient. If a man genuinely believes that the girl with whom he is committing a grossly indecent act is over fourteen, he is not intending to commit such an act with a girl under fourteen. Whether such an intention is an essential ingredient of the offence depends upon a proper construction of section 1 of the 1960 Act. I turn next to that question.

The construction of section 1 of the Indecency with Children Act 1960

I venture to think that... there is no great difficulty in this case. The section created an entirely new criminal offence, in simple unadorned language. The offence so created is a serious offence. The more serious the offence, the greater is the weight to be attached to the presumption, because the more severe is the punishment and the graver the stigma which accompany a conviction. Under section 1 conviction originally attracted a punishment of up to two years' imprisonment. This has since been increased to a maximum of ten years' imprisonment. The notification requirements under Part I of the Sex Offenders Act 1997 now apply, no matter what the age of the offender: ... Further, in addition to being a serious offence, the offence is drawn broadly ('an act of gross indecency'). It can embrace conduct ranging from predatory approaches by a much older paedophile to consensual sexual experimentation between precocious teenagers of whom the offender may be the younger of the two. The conduct may be depraved by any acceptable standard, or it may be relatively innocuous behaviour in private between two young people. These factors reinforce, rather than negative, the application of the presumption in this case.

... Is there here a compellingly clear implication that Parliament should be taken to have intended that the ordinary common law requirement of a mental element should be excluded in respect of the age ingredient of this new offence? Thus far, having regard especially to the breadth of the offence and the gravity of the stigma and penal consequences which a conviction brings, I see no sufficient ground for so concluding.

... Accordingly. In my view the necessary mental element regarding the age ingredient in section 1 of the Act of 1960 is the absence of a genuine belief by the accused that the victim was fourteen years of age or above... I would allow this appeal.

I add a final observation. As just mentioned, in reaching my conclusion I have left on one side the criticisms made of *Prince's* case. Those cases concerned different offences and different statutory provisions. The correctness of the decisions in those cases does not call for decision on the present appeal. But, without expressing a view on the correctness of the actual decisions in those cases, I must observe that some of the reasoning in *Prince's* case is at variance with the common law presumption regarding mens rea as discussed above. To that extent, the reasoning must be regarded as unsound.

LORD STEYN

My Lords,

... Section 1(1) creates an age-based offence. It is of the essence of the offence that the child is under the age of 14 years. The offence is an exception to the general law which does not make it an offence to commit or to incite another to commit an act of indecency or gross indecency.

For present ... three matters need to be mentioned. First, sections 5 and 6 create a "pair" of offences, namely offences of having sexual intercourse with girls under 13 (section 5) and with girls under 16 (section 6). Under section 6(3) there is a so called "young man's defence." That is a defence available to men under the age of 24, who have not previously been charged with a like offence, who act in the belief that the girl is of the age of 16 or over and has reasonable cause for such a view. This defence is not available upon a charge under section 5 which plainly creates an offence of strict liability.

The correct approach

...

Lord Reid drew a distinction between "a truly criminal act" and acts which are not truly criminal in any real sense, but are "acts which in the public interest are prohibited under a penalty": at 149F. ...In *Sweet v. Parsley* he said that in cases of truly criminal acts it is wrong to take into account "no more than the wording of the Act and the character and seriousness of the mischief which constitutes the offence": at 150A.

...The subsection is apt to cover acts of paedophilia and all responsible citizens will welcome effective legislation in respect of such a great social evil. But it also covers any heterosexual or homosexual contact between teenagers if one of them is under 14. ... The subsection therefore extends to any verbal sexual overtures between teenagers if one of them is under 14...For the law to criminalise such conduct of teenagers by offences of strict liability would be far reaching and controversial. The second factor is that section 1(1) creates an offence of a truly criminal character. It was initially punishable on indictment by a custodial term of up to two years and by subsequent amendment the maximum term has been increased to ten years' imprisonment. Moreover, as Lord Reid observed in *Sweet v. Parsley* (at 146H) "a stigma still attaches to any person convicted of a truly criminal offence, and the more serious or more disgraceful the offence the greater the stigma." Taking into account the cumulative effect of these two factors, I am persuaded that, if one concentrates on the language of section 1(1), the presumption is applicable.

... In any event, I would reject the contention that there is a special rule of construction in respect of age- based sexual offences which is untouched by the presumption as explained in *Sweet v. Parsley*. Moreover, *Prince's* case is out of line with the modern trend in criminal law which is that a defendant should be judged on the facts as he believes them to be. It is a relic from an age dead and gone. It is no longer possible to extract from *Prince's* case a special principle of construction applicable only to age-based sexual offences.

Conclusion

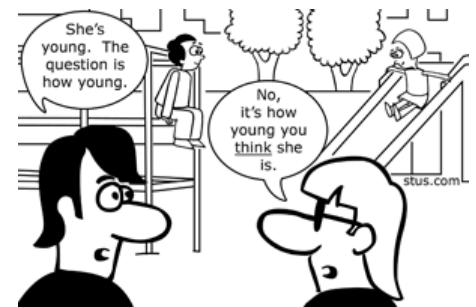
My Lords, for these reasons..., I would answer the principal certified question in the affirmative.

...application of B v DPP**R v K 2001****Facts:**

s.14 Sexual Offences Act 1956

D charged with sexual assault on a girl aged under 16.

D was 26, V 14 and said she was over 16.

Ratio:**R v Kumar 2004****Facts:**

s.12 Sexual Offences Act 1956

D, a doctor had consensual sex with a boy aged 14 believing him to be over 16, they had met in an over 18's club.

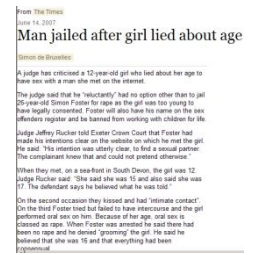
Ratio:**R v S 2005****Facts:**

s.12 Sexual Offences Act 1956

Ratio:

Modern Approach: V under 13

Generally speaking this is quite straightforward, where the statute refers only to those under the age of 13. These offences are strict. This means that regardless of whether D thought V was older, or V told them etc. etc. there is no defence. The sexual contact is sufficient. There is no 'reasonable belief' defence.



R v G 2009

Facts:

s.5 Sexual Offences Act 2003

Rape of V aged under 13

Ratio:

D aged 15, had sexual intercourse with V, aged 12.
D believed her to be 15 and consenting.
V said she did not consent, but had told D she was 15.

The court also held that by analogy, the following two sections s.6 (assault of V under 13 by penetration) and s.7 (sexual assault of V aged under 13) must also be strict as s.5 was.

A problem?

This split in the approach to the different ages may arguably lead to the same section of the Act being interpreted as both with mens rea, and strictly, depending on the age of V, and this seems unfair.

What do I mean by this? Well s.9 of the Act creates the offence of "sexual activity with a child under 16". Look at the two statements below. Using what you know of the law, can you spot the problem?

- a. D holds an honest and reasonable belief that V is aged over 16 and she is 14
- b. D holds an honest and reasonable belief that V is aged over 16 and she is 12

The problem is...

Developing your AO2:

Do you agree with the approach of the courts to the problem of sexual offences and age of the victim? Why? Why not? Should there be a defence of honest, reasonable belief to all? Reason your answer using appropriate cases below.

Defences to Strict Liability Offences

Because they focus on the **physical** element of the crime, defendants can struggle to use the general defences. For example, insanity and intoxication are out, as they generally work to negate D's mens rea – even duress might prove a problem! Because of this, we have a number of defendants who instead try to argue that because they had done everything _____ to avoid the harm, they should not be liable. In the law this is known as a **due diligence** defence.

What do you think? Should you have a defence if you have tried to stop the harm and failed?

Should it matter whether your offence is truly criminal or just quasi-criminal?

General Rule:

No general defence of due diligence exists in the law – it doesn't matter how careful you are... you're still responsible!

R v Shah and Shah 1999

Facts:



Ratio:

Why was the defence not open to them?

Any exceptions?

Actually, yes there are. They are all specific and statutory (in Acts of Parliament). However, they are not consistent and are sort of put in as they go along. The only general rule is that the more serious the offence, the more likely that the court will read in (or presume) that such a defence exists.

Example:	Means?
Reasonable belief as to age for V ages 13-15, where D assumes they are older	
s.28 <u>Misuse of Drugs Act 1971</u>	
s.6 <u>Sexual Offences Act 1959</u>	

Evaluating the Law

Working in pairs, you are going to be given a whole set of evaluative points regarding the current use of Strict Liability in the law. These cover both sides, and you are going to complete a short evaluative task on this.

All of you need to have a clear list of positive and negative points about the current use of Strict liability

Most of you should be able to support the points with references to appropriate supporting cases or statutes

Some of you should be able to link up the arguments to create a more discursive summary of the law.

Positive Comments on SL:

Negative Comments on SL:

How could we improve the law?

There are three suggestions you need to be aware of:

1. Law Commission's Draft Criminal Code 1977

All offences will presume a mens rea unless it is clearly and expressly stated in the statute itself. This should reduce the number of 'accidental' strict liability offences and make the law a lot clearer for the courts.

2. Australia, NZ and Canada

We introduce a general due diligence defence – all three of these countries have one! There seems to be no real drop in standards as a result of this, and it might be fairer to those defendants who try to prevent the outcome (Callow & Tillstone)

3. Lady Wootton

This is the radical one! She suggests that all offences become strict liability, and then mens rea simply becomes a matter for the judge in sentencing, so all that would have to be proven to convict D is that they did the act. That's all!

Your response: which do you think England and Wales should adopt and why?

Section C assessment:

Jerome owns a riverside hotel. Simon, the barman, is told not to serve intoxicated customers. Simon sells lager to Tony who is clearly very drunk. Part of Simon's job is to clean the drains weekly but he often fails to do this. As a result, toxic chemicals build up in the drains and leak into the river, killing fish. Jerome buys meat which a vet has checked. The meat makes the hotel customers ill. Jerome lets a house a mile away to students. The police raid the house and find that the students are growing cannabis plants.

Evaluate the accuracy of each statement below:

Statement A: Jerome commits a strict liability offence when Simon sells lager to Tony.

Statement B: Jerome does not commit a strict liability offence when the fish die.

Statement C: Jerome commits a strict liability offence as the house where the students are growing cannabis plants belongs to him.

Statement D: Jerome does not commit a strict liability offence when customers are ill after eating meat in his hotel.