

### **Going equipped to cheat**

In relation to Count \*, the prosecution need to make you sure of three things

- not being at their place of abode – i.e. not at home. That is not in dispute.
- had with him articles, namely a \*\*. Again, that is not in dispute.
- for use in the course of or in connection with cheat This is the key issue.

“Cheat” is an ordinary word which has no special legal definition. The prosecution say that that D\*\*’s intention was to persuade someone - it doesn't matter who - to hand over \*\*\*\*cash for the case containing \*\*virtually worthless bottles of water, when thinking that he or she was getting a valuable laptop. If you are sure that that is why D\*\* had those items, he is guilty.

If it is possible that there was an innocent explanation for possession of the \*\*lap top case containing bottles of water then he not guilty.

What was D\*\* intending to do? What was his general intention? This is something that you can infer from the surrounding circumstances.

So, the key question for you to answer, having regard to all the evidence and the directions which I give you, is

Did D\*\* intend to cheat someone?

If you are sure the answer is “yes”, he is guilty.

If the answer may be “no”, he is not guilty.