

GCE

LAW: OFFENCES AGAINST THE PERSON

DIMINISHED RESPONSIBILITY QUESTIONS FOR ARTICLE



Offences against the person

DIMINISHED RESPONSIBILITY

“MERCY FOR MOTHER WHO WAS DRIVEN TO KILL HER DOWN'S SYNDROME SON”

In small groups, read through the article and discuss answers to the questions below. You have 20 minutes to complete these questions and then you should be prepared to give feedback to the whole group.

1. Who has the burden of proof in this case and to what standard must they prove it?
2. How would the defence of diminished responsibility be applied and what factors would the courts consider?
3. Who decides whether the defence is available to Mrs Markcrow?
4. What was Mrs Markcrow convicted of and what maximum sentence could she have received?
5. Do you think that Mrs Markcrow should have had a defence in the circumstances? Give reasons for your answer.