

GCE

LAW: OFFENCES AGAINST THE PERSON

MURDER HOMEWORK QUESTIONS



Offences against the person

MURDER

HOMEWORK TASK



Your homework task is now to choose one of the questions that you did not cover in the small group work and write the full essay. You should aim for around 1,500 words.

Deadline for submission:-

GROUP ONE

Adrian was driving home one night when he saw his neighbour, Bob, out jogging. He offered Bob a lift and he refused. Adrian was offended so kicked Bob in the stomach causing internal bleeding. Adrian got back into his car and drove away, leaving Bob doubled up in pain.

A little while later, Cathy drove along the road and saw Bob lying unconscious in a ditch. Rather than waste time fetching help, she decided to take him to hospital in her own car. With much effort she managed to haul Bob into the car, but in doing so she made the internal bleeding considerably worse.

At the hospital, Bob was examined by David, an inexperienced young doctor who mistook Bob's symptoms for a heart attack. David administered an anti-coagulant drug which would have been appropriate treatment for a heart attack but was dangerous to anyone with Bob's injuries. The drug further increased the internal bleeding, and shortly afterwards Bob died.

Discuss the potential criminal liability of Adrian, Cathy and David for the death of Bob.

GROUP TWO

Sarah was delighted when her noisy next-door neighbours left for a fortnight's holiday. However, her peace was soon shattered when her neighbour's gardener, Derek, arrived and began to lop trees with a chainsaw while listening to his portable CD player at full volume. Unable to bear the noise any longer, Sarah loaded her husband's old service revolver and fired at the CD player from an upstairs window, blasting it into fragments. Derek fainted from the shock, dropping the chainsaw and wounding himself severely in the foot. Some time later, Sarah glanced over the fence and saw Derek lying unconscious and bleeding profusely. She put Derek in the back of his van and drove off towards the local hospital. The lock on the back door of the van was broken, and Derek fell out into the road, where he was trampled by a horse carelessly ridden by Fiona. Although suffering from multiple injuries, Derek was still alive and might have been saved by proper medical treatment. He was taken by ambulance to the hospital, where he was treated by Tim, an inexperienced young doctor who failed to recognise the full extent of his injuries. Derek died without regaining consciousness.

Discuss the potential criminal liability of Sarah, Fiona and Tim for the death of Derek.

GROUP THREE

Miles and Jonas were partners in an antique shop. When Miles found out that Jonas was stealing from the shop to pay his gambling debts, he told his wife Bella that he was going to kill Jonas and burn down the shop to claim the insurance money. Miles lured Jonas to the shop and struck him on the head with a brass candlestick. Jonas collapsed, and thinking that he was dead, Miles set fire to the shop and drove home. However, the shop's automatic sprinkler system went off and doused the fire. When Miles returned an hour later with Bella, they found the shop flooded and Jonas lying on the floor, apparently dead. In an attempt to dispose of the body, Miles and Bella hauled Jonas to the top of a cliff and pushed him over the edge. The tide was out, and Jonas was found by the coastguard and taken to hospital, still alive but seriously injured by the fall. The Consultant Surgeon, Judy, decided to operate immediately without waiting for all of Jonas's test results to come back from the lab. During the operation Judy injected Jonas with a drug to which he was allergic, and Jonas died.

Consider whether Miles, Bella or Judy may be criminally liable for Jonas's death.