

## **W201 The Individual and the State**

### **Questions on murder and special defences**

1. Flashman (a bully) deliberately broke the arm of Derbyshire (a swot) behind the bike sheds. Following surgery to reset the broken bones Derbyshire died as a result of an unexpected thrombosis.

What offence has Flashman committed?

2. Long John Silver plays a practical joke on Ben Gunn an alcoholic sailor of foul temper who has suffered from mental instability ever since a musket ball lodged in his brain. In a sudden outburst Gunn kills Silver by running him through with his cutlass.

Gunn is charged with murder. Does he have a defence?

3. Tarzan who is in a long term relationship with Jane has physically abused her for five years. Jane who has only the jungle creatures to confide in becomes depressed and feels she can no longer control her feelings. One evening Tarzan comes home angry and beats her. Jane falls asleep but wakes in the middle of the night and smothers Tarzan as he sleeps.

Jane is charged with murder. Has she a defence?

4. What are the arguments for and against retaining a mandatory life sentence for murder?