

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

### **Questions on manslaughter and insanity**

1. Minnie the Minx lets the air out of one of the tyres on her neighbour's car not realising it might endanger life or limb. The neighbour is killed when the car overturns going round a bend.

Has Minnie committed the offence of murder or manslaughter?

2. Dennis the Menace leaves a piece of concrete on a railway line intending to derail a train and realising that someone might be hurt. A locomotive is derailed and damaged and the driver (who unknown to Dennis has a weak heart) dies after the accident from shock.

Has Dennis committed the offence of murder or manslaughter?

3. Soames Forsythe whose family have a history of sleepwalking strangles his wife Irene one night while sleepwalking after drinking to excess the previous evening.

Now charged with murder he seeks your advice on which defences are available to him.

- a) absence of mens rea
- b) automatism
- c) insanity
- d) diminished responsibility

If acquitted of murder could Soames be liable for involuntary manslaughter?

4. Austin and Morris (the only two directors of the Oxford Motor Company Limited) market a new car. Austin designs the chassis and Morris the engine. Both chassis and engine have minor faults which in combination are serious. Three fatal accidents occur within a year but neither director is informed as a junior manager Leyland deals with customer relations. A public outcry follows a fourth fatal accident and the Company is prosecuted for corporate manslaughter.

What principles of liability will apply?