

Murder

Task: Murder

- Scan the QR code and read the TeachLaw blog on the law of murder
- Use your knowledge to answer the challenge questions below.
- Then use your knowledge to apply the law of murder to the mini scenarios, you should identify and explain why each defendant is not guilty of murder.



Challenge Questions

1. What is the common law definition for murder and who defined this.

2. Explain what the phrase unlawful killing means and explain when a killing might be considered lawful.

3. What does reasonable creature in being mean, and what are the rules relating to foetuses?

4. What is meant by the phrase under the King's peace?

5. Explain why the defendant in R v Blackman (2017) was found guilty of murder.

6. Explain the difference between express malice aforethought and implied malice aforethought.

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TEACH LAW
EMPOWERING LEGAL MINDS

Mini Scenarios

- Read each mini scenario and use your knowledge to explain why the defendant is not guilty or murder. You should identify the exact element of murder that would not be satisfied in each scenario

Scenario 1:

Ethan is driving his car carefully within the speed limit on a residential road. He is paying full attention to the road and is not speeding or driving recklessly. Suddenly, a young child named Noah runs out into the road without warning from between parked cars. Ethan immediately brakes but has no time to stop or avoid the collision. Noah suffers fatal injuries as a result.

The defendant is not guilty of murder because...	
The element of murder that has not been satisfied is...	

Scenario 2:

Daniel is a trained soldier deployed in an active war zone as part of a military operation. While on patrol with his unit, the group comes under sudden enemy fire. A fight breaks out between Daniel's team and opposing forces. During the exchange, Daniel sees an enemy soldier aiming a weapon directly at his unit. Believing there is an immediate threat, Daniel fires his weapon in response. The enemy soldier is killed instantly.

The defendant is not guilty of murder because...	
The element of murder that has not been satisfied is...	

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Scenario 3:

Amaya is walking home late at night through a quiet residential street when she is approached by Leo. Leo behaves aggressively, demands her belongings, and then begins punching her repeatedly. During the attack, Leo threatens to stab her and reaches into his pocket as if he is about to produce a weapon. Amaya believes she is in serious danger and may be killed or seriously injured. In response, she picks up a metal bar from the ground and strikes Leo several times in order to stop the attack. Leo collapses and later dies from his injuries.

The defendant is not guilty of murder because...	
The element of murder that has not been satisfied is...	

Scenario 4:

Sofia is eight months pregnant when she becomes involved in a heated argument with Jade. During the argument, Jade punches Sofia in the stomach before leaving the scene. Sofia is taken to hospital, where doctors attempt to treat her injuries and monitor the baby. Despite medical intervention, the baby is not born alive and is stillborn.

The defendant is not guilty of murder because...	
The element of murder that has not been satisfied is...	