



DEBATE PACK

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Reforming the Law on Homicide

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Backbench Business Debate 30 June 2016 at 1330hrs Westminster Hall

A debate on reforming the law on homicide in England and Wales has been scheduled by the [Backbench Business Committee](#) following a bid by Alex Chalk.

The Government allocates a certain number of days for debates scheduled by the Backbench Business Committee. It is up to the Committee to decide what subjects it will schedule for debate. The Committee meets every week on a Tuesday when Parliament is sitting to hear requests from any backbench Member of Parliament. Mr Chalk's request to the Committee may be viewed on [parliamentlive.tv](#)

In his bid to the Committee, Mr Chalk highlighted the following points of interest to this debate:

- Murder and intent: the "GBH murder rule"
- Mandatory sentencing and the punishment for murder
- "Joint Enterprise"
- Law Commission report on reforming murder
- "One-punch" manslaughter

The proceedings of this debate may also be watched on [parliamentlive.tv](#)

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

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1. Current Law: England & Wales

1.1 Offences

Murder and manslaughter are two of the offences that constitute homicide. There are other specific homicide offences, for example, infanticide.

The offence of murder is not set out in statute. Both murder and manslaughter are common law offences. The classic definition of murder was given by Lord Chief Justice Coke, in a book on criminal law in the early part of the seventeenth century. The Law Commission, in 2006, described the offence of murder as follows:

1.9 Murder, which carries a mandatory life sentence, is committed when someone unlawfully kills another person ('V') with an intention to kill V or an intention to do V serious harm.

See the Law Commission's 2006 report [Murder, Manslaughter and Infanticide](#) for a history of the offence of murder.

The [Crown Prosecution Service Legal Guidance on homicide](#) sets out that manslaughter can be committed in one of three ways:

1. killing with the intent for murder but where a partial defence applies, namely loss of control, diminished responsibility or killing pursuant to a suicide pact.
2. conduct that was grossly negligent given the risk of death, and did kill, is manslaughter ("gross negligence manslaughter"); and
3. conduct taking the form of an unlawful act involving a danger of some harm, that resulted in death, is manslaughter ("unlawful and dangerous act manslaughter").

The term "involuntary manslaughter" is commonly used to describe a manslaughter falling within (2) and (3) while (1) is referred to as "voluntary manslaughter".

Scots Law: Homicide

The law in Scotland relating to homicide is slightly different to that of England & Wales. In Scotland there are two common law crimes of homicide: murder and culpable homicide (which is roughly equivalent to manslaughter). There are also various statutory homicide offences such as causing death by dangerous driving (section 1, *Road Traffic Act 1988*).

Murder is a crime at common law and may be defined as when a person kills another without necessary cause and there is either an intention to kill or a wilful act so reckless as to show utter disregard for the consequences. Culpable Homicide is also a crime at common law and is where death is caused by improper conduct, but the guilt is less than murder due to a lack of intention to kill or factor of diminished responsibility.

In Scotland there exists the legal concept that a person who participates in the commission of a crime, irrespective of their role, is equally liable for the outcome of the act. This is known as **art and part** guilt.¹ Art and part guilt can vary greatly from aiding or abetting to being involved in the criminal act.

¹ For a brief summary of relevant case law with commentary see Hamilton & Harper, *A Fingertip Guide to Scots Criminal Law*, 6th Ed. 2013, [available from [Practical Law](#)]. Section 293, *Criminal Procedure (Scotland) Act 1995* codifies art and part guilt applying it to all statutory offences or other enactments.

1.2 Sentencing

Murder carries a mandatory life sentence. When sentencing an offender convicted of murder, the court will set a minimum term which must be served in custody before the offender can be considered for release on licence. This does not mean that the offender will be released automatically on expiry of the minimum term; instead the minimum term represents the earliest possible date at which the offender can be considered for parole. In the most serious cases a "whole life" minimum term may be set.

When setting the minimum term component of a mandatory life sentence, the court must select one of the "starting points" specified in *Criminal Justice Act 2003*. The appropriate starting point will depend on the seriousness of the offence and the age of the offender. For more detail see the Library Briefing, [Mandatory life sentences for murder](#).

In June 2015 the Ministry of Justice said, in answer to a PQ, that the average time spent in custody before release by offenders serving mandatory life sentences for murder has increased from 13 years in 2004 to 17 years in 2014. [Homicide: Sentencing: Written question 3576, 30 June 2015]

The maximum sentence for an offence of manslaughter is life imprisonment, but such a sentence is not mandatory.

1.3 'Joint Enterprise'

The law of murder has attracted attention recently because of the Supreme Court decision in the case of [R v Jogee \(Appellant\) \[2016\] UKSC 8](#), which considered the law of parasitic accessory liability, sometimes termed 'joint enterprise'. This concerns the liability of secondary parties who have been engaged with one or more others in a criminal venture to commit crime A, but in doing so the principal commits a second crime, crime B. As the Supreme Court [press summary of the case](#) explained, this principle does not only apply to murder, or indeed cases of violence. However, cases concerning parasitic accessory liability have highlighted the problem of the breadth of behaviour and culpability encompassed by the offence of murder, particularly in light of the mandatory life sentence.

2. Law Commission recommendations

2.1 Partial defences to murder

In 2003 the then Home Secretary referred two partial defences to murder, diminished responsibility and provocation, to the Law Commission. The Law Commission was asked to consider whether either or both should be reformed, and if so, how.

The Law Commission published a consultation paper in October 2003 and reported in August 2004: [Partial Defences to Murder: Final Report](#).

The Law Commission described the law of murder in England and Wales as a “mess”. The 2004 report recommended that the Law Commission be asked to conduct a wider review of the law of murder to include:

- 1) considering the definition of the offence, together with any specific complete or partial defences which may seem appropriate;
- 2) considering whether the offence of murder should be further categorised on grounds of aggravation and/or mitigation and if so what those categories should comprise;
- 3) in the light of (1) and (2), considering the application of a mandatory life sentence to the offence of murder or to any specific categories of murder;
- 4) examining how each of (1), (2) and (3) may differently be addressed where the offender is a child.

2.2 Murder, Manslaughter and Infanticide

In October 2004, the Home Office announced that a review of the law of murder would take place. In July 2005 the Government announced the [terms of reference of a review of the law of murder](#) in England and Wales.

The review’s terms of reference, set by the Government, required the Law Commission to proceed on the basis that murder would continue to attract a mandatory life sentence.

In December 2005 the Law Commission published a [consultation paper: A New Homicide Act for England and Wales?](#) This set out the existing law and its problems.

Of the existing law, it said:

The law governing homicide in England and Wales is a rickety structure set upon shaky foundations. Some of its rules have been unaltered since the seventeenth century, even though it has long been acknowledged that they are in dire need of reform.

The Law Commission noted that the inclusion within murder of cases in which the defendant killed, but intended only harm that the jury regards as serious, was highly controversial.

The consultation paper also commented on the breadth of manslaughter:

If murder can be too broad, so can manslaughter. It probably covers as large a range of forms of culpability as any crime in English law.

At the most serious end of the involuntary manslaughter spectrum, the law may be too generous to defendants who kill by reckless conduct. The worst kinds of reckless killer may deserve to be convicted of murder.

At the less serious end of the involuntary manslaughter spectrum, the law may be too harsh on defendants who kill as a result of an unlawful and dangerous act

On 29 November 2006 the Law Commission published its report [Murder, Manslaughter and Infanticide](#). The Law Commission made a number of proposals, including amending the defences of diminished responsibility and provocation, reforming the law on duress and complicity and improving procedures for dealing with infanticide.

The report's most radical proposal was to split the offence of murder into "first" and "second" degrees, with the partial defences of provocation, diminished responsibility, and failed suicide pact reducing first degree murder to second degree murder. It recommended that instead of the current two tier-structure of general homicide offences, namely murder and manslaughter, there should be a three-tier structure:

- first degree murder (mandatory life sentence)
- second degree murder (discretionary life sentence), and
- manslaughter (discretionary life sentence).

The Law Commission explained:

First degree murder would be confined to unlawful killings committed with an intention to kill and unlawful killings committed with an intent to cause serious injury where the killer was aware that his or her conduct involved a serious risk of causing death.

Second degree murder would encompass unlawful killings committed with an intent to cause serious harm and unlawful killings intended to cause injury or fear or risk of injury where the killer was aware that his or her conduct involved a serious risk of causing death. In addition, second degree murder would encompass cases which would constitute first degree murder but for the fact that the accused successfully pleads provocation, diminished responsibility or that he or she had killed pursuant to a suicide pact.

Manslaughter would consist of unlawful killings caused by acts of gross negligence and unlawful killings caused by a criminal act that was intended to cause injury or by a criminal act foreseen as involving a serious risk of causing some injury.

The Law Commission proposed that only "the most serious kinds of killing", namely first degree murder, should attract a mandatory life sentence. Manslaughter should continue to attract a discretionary life sentence (as is currently the case), and second degree murder should also be subject to a discretionary life sentence.

For more information on reviewing the law of murder, see section 3 of the Library briefing: [Mandatory life sentences for murder](#)

3. Government responses

In December 2007, the Ministry of Justice announced the second stage of the review of the law of murder. The then Labour Government stated that, having considered the Law Commission's recommendations carefully, it had decided to proceed on a step-by-step basis. Rather than consulting on the Law Commission's proposed three tier offence structure, the Government would therefore look first at the recommendations relating to reformed partial defences to murder of provocation and diminished responsibility, reformed law on complicity in relation to homicide, and infanticide.

3.1 Consultation

In July 2008 the Government published a consultation paper: [Murder, manslaughter and infanticide: proposals for reform of the law](#). It set out how the Government proposed to take forward the recommendations from the Law Commission's 2006 report in relation to the partial defences to murder of provocation and diminished responsibility, the law on complicity in relation to homicide and the law on infanticide.

3.2 Coroners and Justice Act 2009

Section 52 changed the definition of the partial defence to murder of diminished responsibility. Sections 54 and 55 introduce a new partial defence to murder of loss of control, to replace the existing partial defence of provocation, which was repealed by section 56.

For details see: The Home Office Circular 2010/13 [Partial defences to murder: loss of control and diminished responsibility; and infanticide: Implementation of Sections 52, and 54 to 57 of the Coroners and Justice Act 2009](#)

Aside from the changes made by the *Coroners and Justice Act 2009*, the remaining recommendations from the Law Commission's report, including the restructuring into three tiers, have not been implemented.

The Coalition Government stated, in a [Report on the implementation of Law Commission proposals in 2011](#), that it had given the other proposals in the report careful consideration. However it had come to the conclusion that the time was not right to take forward such a substantial reform of the criminal law.

4. Parliamentary Business

The following is a small selection of Parliamentary business which may be of relevance to this debate.

4.1 Debates

[HL Deb 1 March 2007 689 c1692-725] [Law Reform: Murder](#)

On 1 March 2007, the House of Lords debated the Law Commission report on the reform of the law of murder. Responding on behalf of the Government, the Minister of State, Baroness Scotland of Asthal said:

Finally, in terms of the next steps for this review, we are considering whether to adopt the Law Commission's proposals. As I have said, we see a lot of merit in them, but because this is such a sensitive area, we also want to consult widely on how to reform the law. I am sure that the consensual way in which we have always worked in this House will greatly assist us in that regard.²

4.2 Statements

[HC Deb 21 July 2008 479 c80WS] Homicide

The Parliamentary Under-Secretary of State for Justice (Maria Eagle): I am today announcing that as part of the review of the law on homicide, on Monday 28 July we will be publishing a consultation paper setting out proposals for reforms on:

- partial defences to murder of diminished responsibility and provocation;
- the law on complicity in relation to homicide; and
- infanticide.

In December 2006 the Law Commission published its report on "Murder, Manslaughter and Infanticide" with wide-ranging recommendations for changes to the law. On 12 December 2007 I announced the second stage of the review of the law on homicide and emphasised the importance of conducting an open and transparent consultation on this important aspect of law.

Following discussions with key stakeholders both within and outside the criminal justice system we have now developed concrete proposals, including draft clauses, and we wish to put these for public consultation prior to introducing legislation.

Copies of the consultation document will be placed in the Libraries of both Houses on the date of publication. The consultation period will last 12 weeks—closing on 20 October.

² HL Deb 1 March 2007 c1724

[HC Deb 12 December 2007 c43WS] Homicide

The Parliamentary Under-Secretary of State for Justice (Maria Eagle): I am today announcing the next stage in the review of the law of homicide.

In July 2005, the Law Commission was asked by the Government to review the law of murder in England and Wales. In December 2006, it published its report on "Murder, Manslaughter and Infanticide" with wide-ranging recommendations for changes to the law. That report was intended as the first stage in the review of the law, with the Government undertaking the second stage.

It is that second stage which begins today. The Government have considered the Law Commission's recommendations carefully and have decided to proceed on a step-by-step basis, looking first at the recommendations for:

- reformed partial defences to murder of diminished responsibility and provocation (including the use of excessive force in self-defence);
- reformed offences of complicity in relation to homicide; and
- improved procedures for dealing with infanticide.

The Government believe it is right to deal with these crucial elements of the existing law before moving on to consider the wider structural proposals from the Law Commission.

We want the review to be open and transparent. Over the next few months we will be talking to key stakeholders, both inside and outside the criminal justice system, to seek their views on the Law Commission's recommendations in these areas. We will publish draft clauses for consultation next summer prior to introducing any necessary legislation.

4.3 Questions

[HC Deb 19 June 2013 c711-2W] [Homicide](#)

Adam Afriyie: To ask the Secretary of State for Justice:

- 1 what assessment he has made of public confidence in the rule of law of the present test of materiality used in partial defences to murder; [158841]
- 2 what assessment he has made of the adequacy of the test of materiality used in partial defences to murder; and what steps he has taken to ensure that that test is sufficiently robust; [158902]
- 3 what assessment he has made of whether the law relating to the defence of diminished responsibility to murder is sufficiently clear; [158903]
- 4 if he will take steps to ensure that the defence of diminished responsibility to murder may only be used in cases where the associated medical condition has a clear and significant effect on the accused; [158904]
- 5 what research his Department has conducted into the possibility of making diminished responsibility pleas the subject of the length of sentencing rather than conviction. [159094]

Damian Green: The partial defence of diminished responsibility was reformed in the Coroners and Justice Act 2009 to accommodate more modern ideas of psychiatry and abnormality of mental functioning which reduces the capacity to understand situations and control actions. The revised defence is based on the concept of a 'recognised medical condition'. The Law Commission, who recommended the reforms, and the then Government conducted extensive public consultation to inform these changes to the law, which were then subject to the full scrutiny of Parliament. There are no plans to review the law in this area.

[HL Deb 24 Jan 2011 c674] [Crime: Murder](#)

Asked by Lord Lloyd of Berwick:

To ask Her Majesty's Government whether they plan to reconsider their decision, announced in the Ministry of Justice Green Paper Breaking the Cycle: Effective Punishment, Rehabilitation and the Sentencing of Offenders, not to abolish the mandatory life sentence for murder.

The Minister of State, Ministry of Justice (Lord McNally): My Lords, the Government have no plans to abolish the mandatory life sentence for murder.

Lord Lloyd of Berwick: I thank the noble Lord for that Answer. Is he aware of recent research that shows that the public are not in favour of a life sentence in every case of murder, as is so often thought, especially not in cases where the conviction has been of a mercy killing? Seventy-nine per cent of those consulted in face-to-face interviews last May said that they thought that nine years or less would be sufficient in such cases, which corresponds almost exactly with a recent decision in the Court of Appeal that reduced the minimum term from nine years to five years. Against that background, why do the Government continue to think that a life sentence is necessary in every case of murder? Why not leave it to the judge to decide on the facts of the particular case? Why not at least consult the public on this in the consultation exercise that is currently taking place?

Lord McNally: My Lords, the noble and learned Lord is referring to the Nuffield Foundation report Public Opinion and Sentencing for Murder. I know that because he was generous enough to send me the report, which, in my reading, shows that there is a good deal of public confusion about the law of murder. Perhaps there is a need for greater education and explanation. The blunt fact is that the Government considered these and other proposals in the recent, or not so recent, Law Commission report on the matter. However, they came to the conclusion that the time was not right to take forward such a substantial reform of our criminal law.

Lord Thomas of Gresford: The noble Lord has referred to public confusion about the law of murder. Does he accept that a thoroughgoing review and reform of the law of murder, including the abolition of the compulsory, mandatory life sentence, would be a jewel in the crown of the coalition Government if it could be achieved in the next five years?

Lord McNally: I hear what my noble friend says and I am sure that many in the Government will concur with that assessment. Proposals to act now were given consideration, but we came to the conclusion that the time was not right to take forward such a substantial reform of our criminal law.

Lord Borrie: My Lords, was the statement that the Minister made today approved by the right honourable Kenneth Clarke, who said, in the same week as the publication of the Green Paper indicating the view that the Minister has just given, that he did not think that mandatory life sentences were suitable except in the most serious cases and that they were quite inappropriate for mercy killings by a husband or wife of the other?

Lord McNally: My Lords, over the past few months when these matters have been discussed, a number of views have been given-I have given some views myself-but the fact is that the collective view of the Government is that the time is not right to take forward such a substantial reform of our criminal law.

Lord Walton of Detchant: My Lords-

Lord Hamilton of Epsom: My Lords-

Noble Lords: Cross Bench!

Baroness Anelay of St Johns: My Lords, there is considerable time. I am aware that the noble Lord, Lord Walton of Detchant, has been magnanimous in giving way twice. Perhaps we can hear him first and then from my noble friend.

Lord Walton of Detchant: Is the Minister aware that the House of Lords Select Committee on Medical Ethics, which I was privileged to chair, reported in 1993 that in its opinion the mandatory life sentence for murder should be abolished to allow flexibility in sentencing? The Home Office reported to that committee 23 cases in which a positive act by a family member had resulted in the death of a loved one suffering from terminal cancer. In every case, a charge of murder was considered. However, because the conviction of the individual would have given rise to a mandatory life sentence, the charge in all but one case was amended to attempted murder, as it was recognised that no jury would be likely to convict. Was that not therefore a case in which the law was being manipulated?

Lord McNally: My Lords, I do not try to mislead the House in any way in acknowledging that some of these issues have been before successive Governments for a very long time. On some of the issues, such as when the plea is on grounds of a mercy killing or a related defence, successive Governments have taken the view that this is a matter for Parliament rather than the Government of the day. Within their broad decision not to attempt a major reform of the law at the moment, the Government are trying to look at the guidance so that it may be simplified and to trust the judgment of judges in these matters.

Lord Hamilton of Epsom: Can my noble friend tell us how many convicted murderers who have been given life sentences have actually

died in prison? Surely the reality of a mandatory life sentence is that it does not actually amount to that at the end of the day.

Lord McNally: My Lords, I do not have that specific figure to hand, but I shall write to the noble Lord on it. The point that he makes is perhaps the one that causes the public confusion—that a life sentence does not mean inevitably that the person convicted is going to die in prison, although sometimes they do.

[HL Deb 12 July 2010 c512] [Law Reform: Murder](#)

Asked By Lord Lloyd of Berwick:

To ask Her Majesty's Government whether they will bring forward proposals for reforming the law of murder.

The Minister of State, Ministry of Justice (Lord McNally): My Lords, we are mindful of the recommendations of the Law Commission's report, *Murder, Manslaughter and Infanticide*. This is one of the issues at which the Government will be looking in their review of sentencing policy in general.

Lord Lloyd of Berwick: My Lords, I thank the noble Lord for that Answer. Does he accept, as I think he does, that reform of the law of murder is now long overdue? If so, I have two questions for him. First, is he aware of any other country, whether in Europe or the Commonwealth, that has a mandatory sentence of life imprisonment in all cases of murder, including, for example, cases of mercy killing? Secondly, does he agree that it is the mandatory sentence which distorts this branch of the law and stands in the way of much needed reform?

Lord McNally: My Lords, I would not presume to give my own judgment on that, but I suspect that the noble and learned Lord is right that there are few precedents for that very broad sweep of our law. He is also right to say that the Law Commission's report puts forward a variety of alternatives which would give a degree of flexibility to the judiciary when dealing with this matter. I know that the Lord Chancellor is sympathetic to the line taken by the Law Commission. It is a matter of consulting and then finding time to bring forward proposals on the second part of the commission's report. As the noble and learned Lord knows, the previous Administration brought forward partial proposals, and we are now looking at the matter with a sense of urgency.

Lord Walton of Detchant: My Lords, the Select Committee of your Lordships' House on Medical Ethics, which I was privileged to chair, strongly recommended that the mandatory life sentence for murder should be abolished and that judges should be given some degree of flexibility, because we had reported to us 23 cases where family members had ended the life of a loved one suffering from a painful terminal illness. In every case, a charge of murder was originally proposed, but in all but one of them, the charge was amended either to attempted murder or to manslaughter because it was felt that no jury would be likely to convict. Is it not time, therefore, for the position to be revised?

Lord McNally: My Lords, the short answer is yes. Such strong recommendations from a Select Committee carry weight, but we must be careful to ensure that in addressing the issue of the mandatory sentence for murder, we do not slip into other issues which have caused problems, such as mercy killing and euthanasia, which I think need to be considered separately as a matter of law.

Lord Hamilton of Epsom: My Lords, in the light of the coalition's new enthusiasm for referenda and its desire to consult the people about changes in the law, will the Government be holding a referendum on the restoration of the death penalty?

Lord McNally: No sir.

The Earl of Listowel: Does the Minister recall that the recommendations from the Law Commission on the disposals for child homicides found that an adult with a mental age of 10 was treated more leniently than a child aged 10? Will he look carefully at that matter in his considerations?

Lord McNally: I can assure the noble Earl that we will. It is a broad issue where the groundwork has been done by the Law Commission. I know that the Lord Chancellor is taking a close personal interest in the matter. We will be bringing forward precise proposals to Parliament in the near future.

Lord Clinton-Davis: When does the Minister think that he can come forward with definitive proposals? We cannot kick this into the long grass; we must have a definite date. Is the Minister inclined to venture an opinion as to when it is appropriate?

Lord McNally: My Lords, I am looking across at some very distinguished former members of the team at the Ministry of Justice, and I am sure that not one of them would have given the kind of precise date that the noble Lord asks for. As for kicking it into the long grass, that is simply not our intention.

Lord Campbell of Alloway: I was a member of the committee on murder set up more than 20 years ago in this House. Our recommendations were not implemented. Without going into the details of any case, will the Government now take it as an urgent priority to amend the law on murder?

Lord McNally: It is an urgent priority.

Lord Thomas of Gresford: The Minister will recall that the piecemeal reform of the law of provocation carried out by the previous Government was described by the Law Commission as "bizarre". Will he assure us that if there is a reform of the law of murder, it will be done as a whole?

5. Further Reading

5.1 Library Briefings

The House of Commons Library publishes briefings on a range of subjects. The following is a selection of briefings related to this debate and which may be of interest:

Commons Library, [Mandatory life sentences for murder](#), SN03626

Commons Library, [Sentences of Imprisonment for Public Protection](#), SN06086

Commons Library, [Comparative Prison Sentences in the EU](#), CBP7218

POST, [Trends in Crime and Criminal Justice](#), PN0507

Lords In Focus, [Murder \(Abolition of Death Penalty\) Act 1965: 50 Years](#), 2015/44

5.2 Reports & Articles

Law Commission, [Reform of Offences Against the Person](#), 3 November 2015

Scottish Law Commission, [Art and Part Guilt of Statutory Offences: Consultation Paper](#), 1984 (pp 2-4 give a good background to the common law concept of art and part guilt and its relation to *actus reus*).

5.3 Press & Media

The following is a small selection of recent press and media articles which may be relevant to this debate. Please note: the Library is not responsible for the views expressed in, nor the accuracy of, external content.

BBC News, [Joint enterprise law wrongly interpreted for 30 years. Supreme Court rules](#), 18 February 2016

The Telegraph, [One punch killers 'receive average sentences of less than four years'](#), 26 February 2014

BBC News, [Is joint enterprise a 'lazy law'?](#), 24 April 2013

BBC News, [Murder: Life sentence unjust say lawyers' group](#), 6 December 2011

Guardian, [The law on murder is most foul, Kenneth Clarke should reform it](#), 6 December 2011

Telegraph, [Murder law should be reformed, says Lord Judge](#), 6 December 2011

1 Crown Office Row, [Calls for murder reform may be ignored](#), *UK Human Rights Blog*, 14 September 2010

BBC News, [Murder sentence changes supported by top prosecutor](#), 8 September 2010

BBC News, [Tidying up the murder law 'mess'](#), 29 July 2008

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