# Answer guidance

## Question:

D is an anti-capitalist protestor. He telephones a television company and threatens to release a toxic gas into the underground rail system of a city within 30 minutes unless the government agrees to his demands. Twenty minutes later, D releases poisonous gas at a busy station. V dies within minutes. D later claims that he only wanted to make a political point.

A witnesses V’s death. She is 14 years old. In shock, she spends a night out and wanders into a neighbour’s shed. To keep warm, she pours paraffin on to old wood and ignites it. The fire burns down the shed. B, the neighbour, suffers burns whilst attempting to put out the fire.

Consider any offences that D and A might have committed, paying particular attention to MR.

## Key issues:

* Identify the offences (D: murder/manslaughter; A: criminal damage)
* Do the parties have the AR and MR of these offences?
* Note that the AR is straightforward to establish here: your answer should focus upon whether they have the relevant MR (intention for murder; recklessness for manslaughter and criminal damage).

## Key law

You will find relevant legal rules in:

* *Nedrick*/*Woollin* (oblique intention, section 3.1.5)
* *R v G* (recklessness, section 3.2.3)

## Hints:

* Do not be misled by the facts of A’s offence matching those of *Elliott v C*. The legal rule in that case (objective recklessness) is no longer good law.
* Where there is more than one offence or party to consider, deal with one at a time. Here, consider D’s liability and follow all the stages of IRAC. Then consider A’s liability, following all the stages of IRAC.