Involuntary Manslaughter Revision Sheet

**Unlawful Act Manslaughter**

Unlawful act manslaughter is when D causes V’s death whilst carrying out a criminal act that is deemed to be dangerous.

The act must be:

- Unlawful
- Dangerous
- That causes death
- An act for which D has mens rea

**Actus reus**

**The unlawful act**

The unlawful act must be a criminal offence.

**Lamb 1967** – 2 men were playing with a gun that they thought would not fire, but it did and one was shot dead. There was no criminal offence involved and there was therefore no conviction of manslaughter.

**Dangerous act**

The objective test used to determine a dangerous act was stated by Edmund Davis in Church 1966.

**Church 1966** – established the test for a dangerous act:

1) It need not be the accused to foresee harm, but the sober and reasonable person
2) The risk need be some harm, not necessarily serious harm

**Mitchell 1983** – Scuffle in a post office queue resulted in an old lady dying after being knocked down. The defendant was guilty of manslaughter.

**Dawson 1985** – The act was not dangerous enough to warrant a manslaughter conviction; in this case, a petrol station attendant died from a heart attack brought about by the fear of 3 men attempting to rob the shop.

**Watson 1989** – in determining what is dangerous, the jury should consider what the D would have known about V at the time of the offence. In this case, the V was old and frail who then had a heart attack after a burglary.

**Substantial cause of death**

The normal rules of causation apply to manslaughter as they do to murder, including the thin skull rule.

**Corion-Auguste 2004** – an old lady died as a result in a panic rush after a firework was thrown at a bus stop. D was the direct cause of death.