- 2) natural consequence test
- 3) reasonable foresight of the consequences test and
- 4) novus actus interveniens test

Jemelita (1995)

- Suicide pact where Doctor husband injected anaesthetic after wife took lethal dose of oxycodone
- **Question of fact based on the evidence**

1. **The legal test**

Intention

Hyam (1975)

- Accused set fire to houses by pushing flammable material through letterboxes
- Wanted to frighten a love rival and get her to leave the area
- Killed her rival's two daughters – convicted of murder
- Death was such a high probability that morally indistinguishable from intending same result

Nedrick (1986)

- Similar situation and killed a 12 year old boy
- Didn't want anyone to die – aim was to frighten home owner
- Infer intention when result was virtual certainty
- Approved in Woollin

Peters (1998)

- If result is virtually certain then accused intends it to occur
- Fraud case where conspiracy to defraud required proof on intent to defraud

Medical Treatment

Availability of medical treatment (274)

A person who causes **grievous bodily harm** which results in death is held to have caused that death even if proper medical treatment could have prevented it (s 274, *Blaue* (1975)). Applied only where immediate cause of death was surgical or medical treatment (*Cook*).

Medical Treatment (275)

A person who causes grievous bodily harm which results in death due to medical treatment is held to have caused that death (s 275), if treatment was **reasonably proper and applied in good faith**.

Levy (1949)

- Admitted with stab wounds and was treated with drugs which due to infection caused liver to break down causing death
- Conviction for murder upheld as medical treatment may be reasonably proper even if unsuccessful