

# 1014CCJ Homicide

**Week 1: Homicide: Introduction to the Crime Event**

**Week 2: Domestic Homicide**

**Week 3: Child Homicide**

**Week 4: Multiple Homicide**

**Week 5: Detection of Homicide Offences**

**Week 6: Police Intelligence**

Week 7: Reading Week

**Week 8: Forensics & Evidence Gathering at Crime Scenes**

**Week 9: Prosecution of Offenders**

**Week 10: Victim's Perspective on Homicide**

**Week 11: Prison Experience and Convicted Offenders**

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## PHASE 1: INTRO TO THE CRIME TYPE, THE CRIME EVENT & ACTORS INVOLVED

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### Course Delivery

- Introduction to the Weekly Topic
- Weekly Guest Lectures (except for this week and the revision week)
  - Field or Academic Experts
    - Types of Homicide / Police Investigative Procedures / Legal & Historical Experts
- Debrief Lectures
  - Discussion about key points in weekly required reading material
  - Link between weekly topic and readings

<b>Assessment 1: Homicide</b> The Simon Gittany/ Lisa Harnum Murder Case: Due Date: Wk. 5 Mon 31 July 8.55am Length: 1000 – 1500 words Weighting: 30% Task: This assessment requires students to research the Simon Gittany/Lisa Harnum Case using the link provided and <b>answer the 7 short answer</b> questions provided.	<b>Assessment 2: Homicide Investigative Review</b> Choose one of three cases: Due Date: Wk. 8 Friday 25 August 5pm Length: 1500 - 2000 words Weighting: 40% Task: Key elements of the investigative process, Major flaws which affected the outcome of the case, suggestions, & how they could be prevented in future, Role of the media influencing
<b>Assessment 3: End of Semester Exam</b> Choose one of three cases: Due Date: Wk. 15 & 16 (Exam Period) Weighting: 30% Task: Exam on required readings covered throughout the course <ul style="list-style-type: none"><li>• Test students' knowledge of core course reading material. The exam will cover material covered in weeks 1 – 12. The exam for online students will be organised by Off Campus &amp; Assignment Handling Services. Exams will be held during the exam period (weeks 15 &amp; 16).</li><li>• Revision Session – Week 13</li></ul>	

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## MODULE 1: HOMICIDE: INTRODUCTION TO THE CRIME EVENT

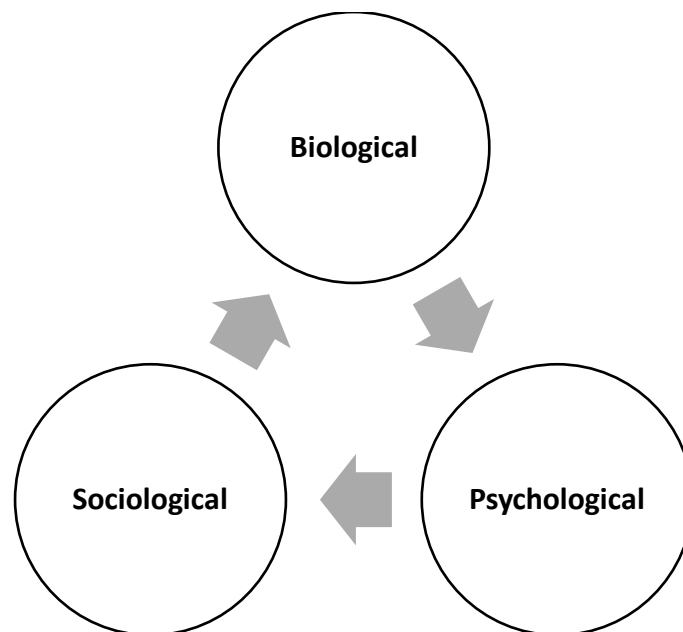
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### Topic 1.1 Understanding Homicide

Type of Homicide	Public Opinion/ View Point
Intimate partner homicide	Common
Child homicide	Shocking and Sensational
Multiple homicide	Fascinating: Rare
Police homicide	Sometimes blurry line between lawful and unlawful

### Explanations of Homicide

Perspectives: Add to the offender and victim info with the perspectives of various experts

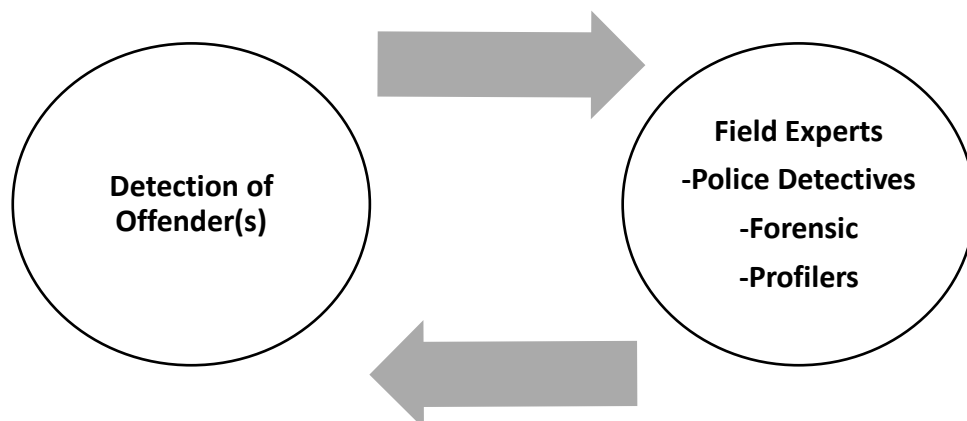


### Topic 1.2 Investigating Homicide

Police detectives

Forensic Evidence Gathering

Offender Profiling



### Topic 1.3 Prosecution & the Murder Trial Process

- Homicide: The Trial Process
- Prison Experience - the offender's perspective
- Reflection: historical context of homicide
- Public Perceptions of homicide – news media
- Preventing homicide
  - Identifying Risk Factors
    - Warning signs
    - Failures of Guardianship
      - Who failed to act and why?
- Formal Guardians: Police
- Formal Guardians: Child Protective Services
- Informal Guardians: Relatives
- Informal Guardians: Neighbours
- Homicide: The Course
  - What's cool and interesting about this course
    - Understanding the unique types of homicide
    - Different perspectives on the crime event
      - Offender(s) / Victim(s)
    - Viewpoints from experts
      - Detectives / Scientists / Psychologists / Lawyers
    - International perspective

### Topic 1.4 An Introduction to Homicide

Homicide Definition: "THE KILLING OF HUMAN BEING"

Lawful/ Non-criminal Homicide = Justifiable by law

Unlawful/ Criminal Homicide = Unjustifiable by law

#### Unlawful Homicide

Intent = Mens Rea

- Premeditation – *to what extent was the act. Its consequences intended*

Culpability = Responsibility

- Mental Capacity – *As intent varies, so too do levels of responsibility of perpetrators*

Unlawful Homicide examples

- Murder
  - Causing a person's death, through action or omission, either with intent to kill or intent to cause grievous bodily harm.
    - Premeditation (intent to kill)
    - Culpability (Full responsibility)
- Infanticide
  - Mother's killed of her infant because of side-effects of child birth (including post-partum psychoses)
    - A woman guilty of killing her infant (under 1 yrs. of age) (guilty of murder, treated as guilty of voluntary manslaughter)
- Manslaughter (Voluntary and Involuntary)

- Voluntary - Killing stems from provocation, diminished responsibility or suicide act;
  - Intent to kill
  - Diminished responsibility
- Involuntary - Recklessness and gross negligence, OR Unlawful and dangerous acts
  - Accidental (absence of intent)
  - Some responsibility

### Trends: Characteristics of offenders, victims and homicide events

Global Homicide Trends	
Male Offenders (>80%)	Over-Representation of ethnic minorities (victims & offenders)
Male Victims (80%)	Lower socio-economic bracket (victims & offenders) – unemployment trend
Male on Male Homicide	Victims & Offenders who know each other (non-strangers)

Characteristic	AUSTRALIA	UK
OFFENDER AGE	33 years	
OFFENDER GENDER	Male – 88%	Male – 90%
VICTIM AGE		*21-35 years *< 1 year old (OR>4)
VICTIM GENDER	Male – 70%	Male – 68%
OFFENDER ETHNICITY		
VICTIM ETHNICITY		

### Variations in Homicide Trends

	America's	Australia	Europe
<b>Weapon Use</b>	Firearms	Knives	Knives/ Other Objects
<b>Location</b>	Public & Unknown Places	At Home	At Home
<b>Type of Homicide</b>	Gang and Drug Related	Domestic (Intimate Partner and Family-Related)	Domestic (Intimate Partner and Family-Related)
<b>Motive</b>	Organized Crime, Drug and Gang Related	Domestic Disputes	Scotland – Domestic Disputes
<b>% Female Victims</b>	Lower percentage	More than twice as high (rates are similar)	More than twice as high (rates are similar)

### Topic 1.5 Lawful Homicide

- Lawful/ Justifiable/ Non-criminal
- War time killing
- Issues related to the definition of homicide and classification of its various forms
- Murder vs (Voluntary Manslaughter)
- Broad categorisation of Manslaughter
- How 'lawful' is 'lawful homicide'?
- Issues related to measuring homicide and comparing homicide rates internationally
- The Dark Figure of Homicide
- Differences in what is defined and counted as homicide differs in different jurisdictions
- Clear trends in the characteristics of offenders, victims and homicide events

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### **REVISION QUESTION (MODULE 1)**

- 1. What distinguishes voluntary and involuntary manslaughter?**
  - 2. Using examples drawn from the media coverage in Australia over the last four years, list two examples of each type of manslaughter.**
  - 3. What evidence exists to illustrate the unlawful homicide is a social construct?**
  - 4. How can researchers try to assess the 'dark figure' of homicide and what difficulties would they face?**
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#### **Readings Notes:**

- Homicide is the most serious form of violent crime
- The term homicide refers to the killing of another human being, whether the killing is lawful or unlawful
- Voluntary manslaughter describes cases where the accused intended to cause death or severe injury (that is, kills with malice aforethought), but under circumstances which the law regards as mitigating the gravity of the offence. There are three categories of mitigating circumstance, namely that the accused was:
  - provoked to kill; or
  - was suffering from an 'abnormality of mind' such that his/her mental responsibility for his/her behaviour was substantially impaired ('diminished responsibility' commonly referred to as Section 2 manslaughter); or
  - he/she killed in pursuance of a suicide pact (where the killer is a survivor of the pact) (Homicide Act, 1957: ss 2–4).
- Involuntary Manslaughter
  - covers cases where there was no intention to kill or to cause severe injury, but where the law considers that the person who caused death was blameworthy in some (other) way. In recent years, it has generally been accepted that someone may be convicted of involuntary manslaughter by one of two routes – constructive (or unlawful act) manslaughter or reckless/gross negligence manslaughter. Constructive manslaughter is said to occur where the defendant commits an unlawful and dangerous act likely to cause physical harm such that death is the accidental result of an unlawful act. Reckless/gross negligent manslaughter occurs where a person causes death through extreme carelessness or incompetence. The Law Commission note that 'frequently the defendants in such cases are people carrying out jobs that require specific skills or

care such as doctors, ships' captains or electricians, who fail to meet the standards which could be expected of them and cause death' (1996: para. 2.8).

- What distinguishes voluntary and involuntary manslaughter? Using examples drawn from the media coverage over the last four years, list two examples of each type of manslaughter.
- What evidence exists to illustrate that unlawful homicide is a social construct?
- How can researchers try to assess the 'dark figure' of homicide and what difficulties would they face?
- On 7 May 2003, the Home Secretary (David Blunkett) announced his plans to introduce tougher sentencing 'principles' for the minimum periods that certain life sentence prisoners should serve. Among the kinds of murders singled out for increased minimum sentences are the abduction and murder of a child, terrorist-related murders and killings involving the death of a police or prison officer during their duty (Travis, 2003). Access archived news articles and review the proposals along with criticisms from human rights commentators and legal experts. What are the major objections to these proposals?

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## MODULE 2: DOMESTIC HOMICIDE

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### **READINGS:**

- Chapter 6, 7 & 11 Understanding Homicide – Fiona Brookman
- Killing the beloved: Homicide between Adult sexual intimates – P Eastel
- The implementation of domestic violence death reviews in Australia – p353-374
- The relevance of long-term antecedents in assessing risk of familicide-suicide following separation – p130-141
- Homicide between intimate's partners in Australia – p1-6

### **2.1 - IPH, Domestic Homicide and Domestic Violence**

Intimate Partner Homicide (IPH)

"An incident involving the death of a family member or other person in a domestic relationship (NHMP, 2013)

Includes:

- Intimate partner homicide – death of a partner
- Filicide – parent killing a child
- Parricide – child killing a parent
- Siblicide – sibling killing a sibling
- Other family homicide – killing a relative (cousin etc.)

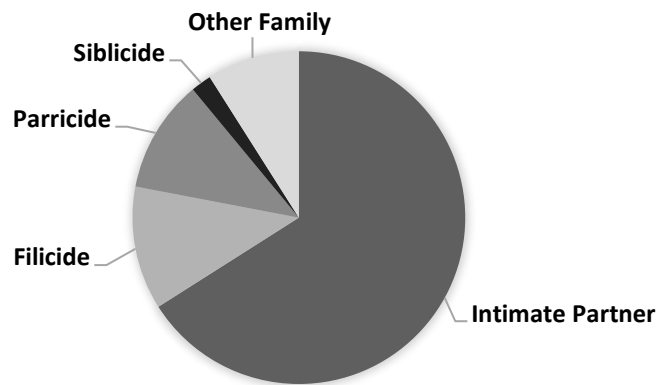
IPH (DFV Act, 2012, QLD)

- A spousal relationship
- An engagement relationship
- A couple relationship

96.5% of female victims had a history of being a victim of Domestic Homicide and Family violence of the male victims – 75% had previously been perpetrators of DFV

## 2.2 – Intimate partner homicide (IPH) trends

### DOMESTIC HOMICIDE INCIDENTS BY SUB-CLASSIFICATION, 2008-2010

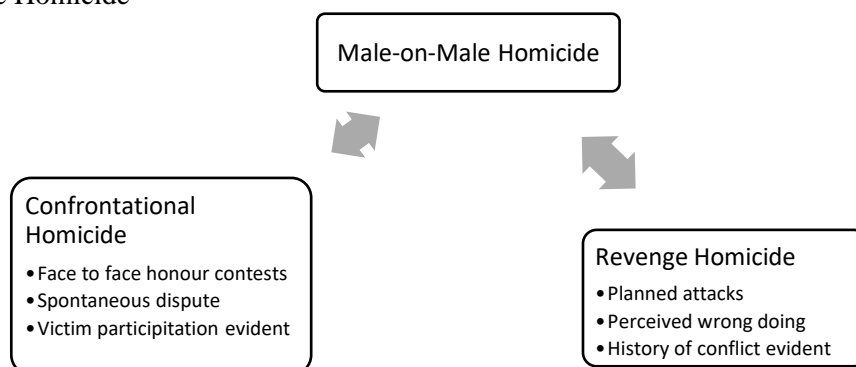


- Domestic violence occurrence has increased
- Australia: average of 77 IPH each year (1989-2002) 75% male killing female partners
- Aboriginal/ Torres strait island woman 10x more likely to be a victim of homicide than another Aust. woman (75% IPH) (Mouzous, 1999)
- High proportion of homicides of women internationally
- 40%-70% of female murder victims, depending on the country, were killed by their partner/ former partners, comparable figure for men 4-8% (Krug et al. 2002)

## 2.5 – Explaining Male and Female Perpetrated Homicide

Data from 2006-2007 percent recorded relationships - AIC		
	Who do <b>men</b> kill?	Who do <b>women</b> kill?
Intimates	18%	38%
Family	14%	29%
Friends/ acquaintances	33%	22%
Strangers	23%	5%
Other	12%	5%

### Masculine Homicide



### Masculine Homicide: Confrontational

- Spontaneous Provocation
  - Challenges to Honour/ Dignity
  - (Verbal) Abuse