



**Law
Commission**
Reforming the law



Have your say on the law of homicide

Homicide is when a person kills another person.



Easy Read version

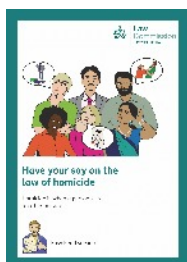
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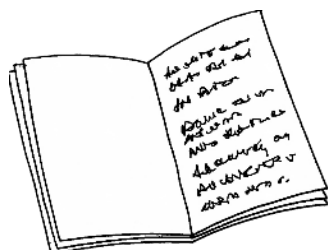
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About us



**Law
Commission**
Reforming the law

We are the Law Commission of England and Wales.



We look at the law and make **recommendations** to the Government.

Our **recommendations** suggest changes to make the law better.



It is up to the Government if they want to follow our recommendations.

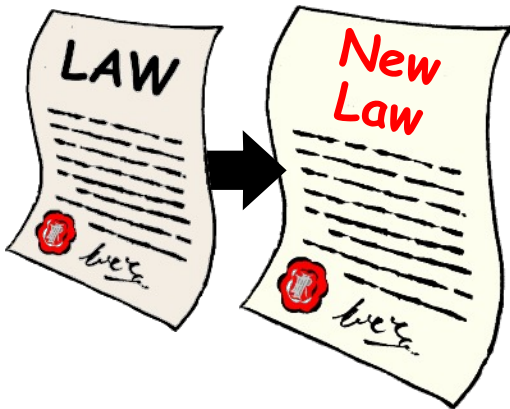
What this paper is about



The Government has asked us to look at the law about **homicide**.

Homicide is when a person kills another person.

Homicide includes two main crimes: **murder** and **manslaughter**.



This paper tells you about our ideas about changing homicide law.

We are not looking at:

- **euthanasia**
- assisted **suicide** or assisted dying
- **abortion**
- sentencing for manslaughter.





Later we will write a paper looking at defences and sentencing in homicide cases.



There will be a chance to answer our questions on these topics later once the paper is published.

What we want you to do



We want you to help us by telling us what you think.



Please read this paper and answer the questions that are in the green boxes.



There are 3 ways to send in your answers:

Online: **consult.justice.gov.uk/law-commission/consultation-on-homicide-offences-easy-read**



Or email to:
homicide@lawcommission.gov.uk



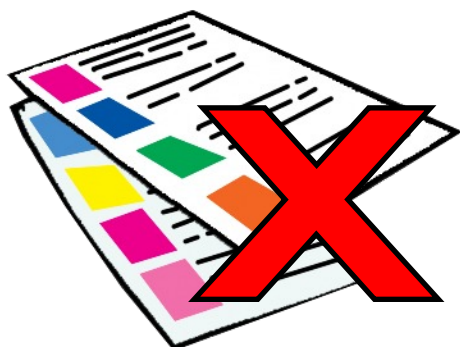
Or send by post to:
**Homicide project team,
Law Commission,
1st Floor, 52 Queen Anne's Gate,
London, SW1H 9AG.**



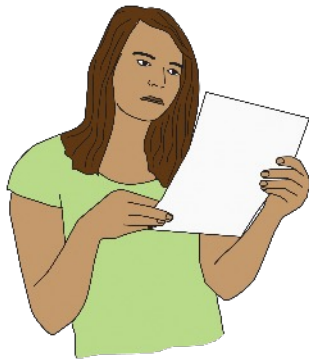
Please send your answers to us by
30 September 2026.



You can read our full consultation
paper and a shorter summary at:
lawcom.gov.uk/project/law-of-homicide/



The full consultation paper is not in
Easy Read.



Asking for help

We know reading about violence and killing can be upsetting.



If anything in this paper upsets you, you can ask for help from:

- Mind
www.mind.org.uk
- Victim Support – Homicide Service
www.victimsupport.org.uk/help-and-support/get-help/support-near-you/homicide-service/



Words we use in this paper

We use a lot of hard words in this paper. These are in **bold**.

Abortion: when someone decides to end a pregnancy.

Blameworthy: how much responsibility a person deserves for committing a crime.

Complicity: when a person helps or encourages someone else to commit a crime.

Defendant: the person in court who is accused of a crime.

Domestic abuse: when a person treats a family member or partner badly to control them or make them feel scared. It includes physical abuse, sexual abuse and controlling behaviour.

Euthanasia: killing someone to stop their pain, usually when the person is very ill and dying.

Homicide: when a person kills another person.

Life sentence: the person may have to stay in prison for the rest of their life unless they can show that it would be safe to release them.

Murder: killing a person on purpose or when trying to cause very serious injury.

Manslaughter: a crime of killing someone because of a dangerous criminal act, or being reckless or negligent.

Partial defence to murder: the court convicts the defendant of manslaughter instead of murder because:

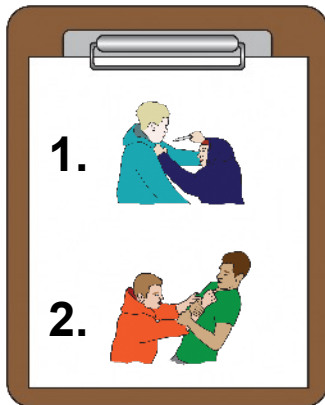
- they lost control
- they were not thinking clearly because they were mentally unwell
- or it was a suicide pact.

Sentence: the court's punishment of a defendant who is found guilty.

Suicide: where a person kills themselves.

Victim: in a homicide case, the victim is the person who the defendant killed.

What happens now in the law about homicide



There are two main homicide crimes: **murder** and **manslaughter**.

This is called the 2 level structure because there are 2 levels.

Level 1: Murder



Murder is the most serious homicide crime.

Murder is killing a person on purpose or when trying to cause very serious injury.

Level 2: Manslaughter

Manslaughter is a crime of killing a person without meaning to kill or seriously hurt them. This happens when the defendant was:

- Committing another dangerous crime which caused the death.





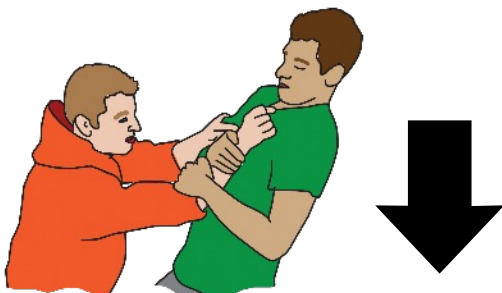
Or

- Very negligent, which means that the defendant had a duty to take care but was very careless.



It is also called manslaughter when a **partial defence** to murder applies.

Partial defences are explained on page 15.



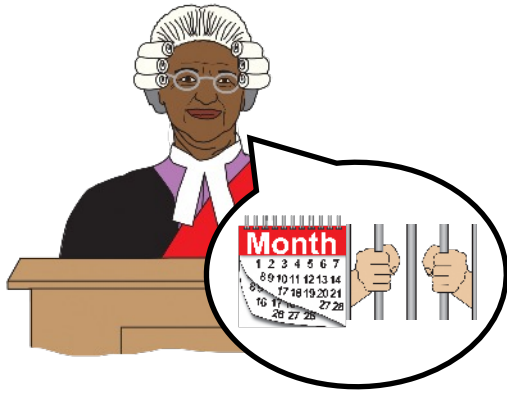
Manslaughter is generally less **blameworthy** than murder.

Blameworthy means how much responsibility a person deserves for committing a crime.



Many people think the current law is not fair or clear enough.

Sentencing



When a court finds a defendant guilty of a crime the judge must decide the defendant's **sentence**.

A **sentence** is the punishment for the crime.

Sentence for murder



When a person is convicted of murder, the judge must give them a **life sentence**.

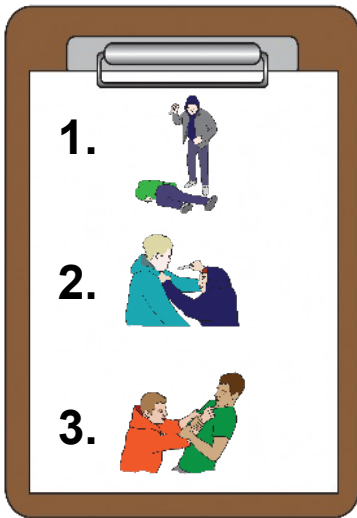
A **life sentence** means that the person may have to stay in prison for the rest of their life unless they can show that it would be safe to release them.



Sentence for manslaughter

When a person is convicted of manslaughter, the judge can choose to give them a life sentence but it can also be less than that.

Our ideas for a new structure for homicide law



We think a 3 level structure would be better.

This would mean that homicide cases where the defendant is very blameworthy would be treated as the most serious.



This is what we think should happen:

- Level 1 for first degree murder where the defendant meant to kill someone.
- Level 2 for:
 - Second-degree murder, which is where the defendant killed someone but only meant to seriously injure them.
 - Murder when the defendant has a partial defence.





- Level 3 for manslaughter where the defendant killed someone but did not mean to kill or seriously injure them.



Sentencing for each level

For first-degree murder the judge would have to give the defendant a life sentence.



For second-degree murder and manslaughter the judge could sentence the defendant to a life sentence or a shorter sentence.



Why we think these changes will work

The law would be clearer.



It would help label crimes more fairly.

It would help judges give fairer sentences.



Question 1:

Do you think there should be 3 levels of homicide offences instead of 2?



Question 2:

Should first-degree murder mean killing someone on purpose?



Question 3:

Should second-degree murder mean killing someone when the defendant only wanted to seriously injure them?

Partial defences to murder



Partial defence to murder is when the court convicts the defendant of manslaughter instead of murder because:



1. They lost control

This is when a defendant loses control and kills someone because they:



- fear serious violence from the person who was killed or



- feel badly wronged by the person who was killed.



2. They had diminished responsibility

This is when a defendant was not thinking clearly because they were mentally unwell and their mental condition caused them to do the act that killed another person.



3. It was a suicide pact

This is when two people agree to die together, but only one died and the person who lived was involved in the other person's death.



Reason for using partial defences

The main reason for partial defences is to avoid a life sentence which may be too harsh for defendants in these cases.



Partial defences only apply to murder.

This is because murder has a life sentence.



Judges have more choice in sentencing for other crimes.

Why using partial defences is unfair



Some people think that the current law is unclear or unfair because defendants with partial defences still wanted to kill or seriously injure someone.



Some people are worried that calling this crime manslaughter is wrong.



What we suggest

We think partial defences should apply to first-degree murder where the defendant meant to kill the victim.



This would be a separate category in level 2 of homicide law that is considered more serious than manslaughter.



There would be a maximum punishment of a life sentence, but the judge can decide whether to give a life sentence or a shorter sentence.

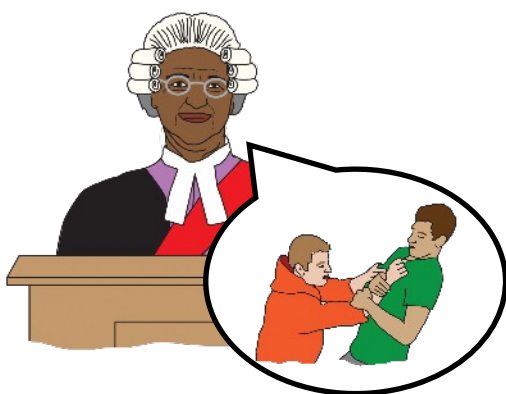
Where partial defences would not apply



Partial defences would not apply to second-degree murder. This is when a defendant meant to cause serious injury to someone but killed someone.



In this case the judge could look at whether the person lost control or had diminished responsibility when sentencing the defendant.



Question 4:

Do you think a defendant with a partial defence to first-degree murder should be convicted of a less serious form of murder?

Manslaughter



Many people say the current law on manslaughter is unclear and too broad because it covers very different kinds of killing under one crime.

What we think

We suggest 3 clear types of manslaughter:



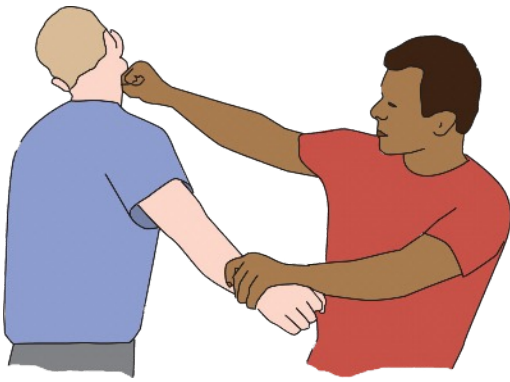
1. Reckless manslaughter

This would be where a person knowingly takes a dangerous risk, without a good reason, and causes another person to die.



2. Gross negligence manslaughter

This is when someone is responsible for keeping another person safe, but they fail to do so and that person dies.



3. Unlawful dangerous act manslaughter

This is when someone does not mean to kill or seriously injure anyone, but they do something dangerous that causes someone to die. The act must be criminal and dangerous.



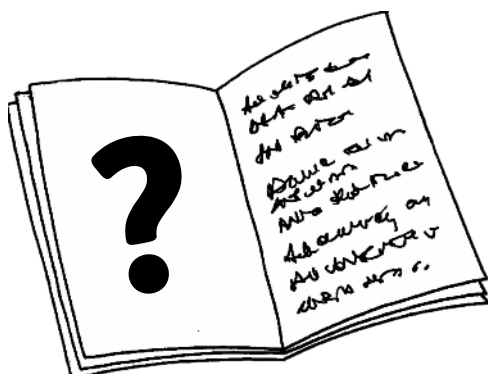
Question 5:

Should manslaughter be split into these 3 types?



The word manslaughter

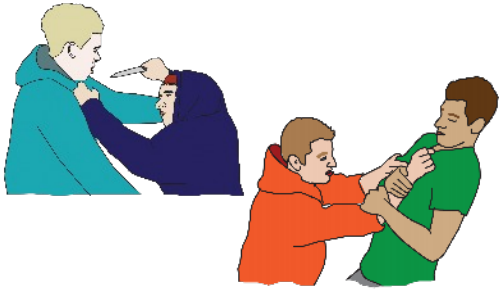
Some people think the word manslaughter is old-fashioned but we do not have a better word yet.



Question 6:

Should we keep using the word manslaughter or should we find a different word?

Other types of homicide crimes



Murder and manslaughter are the main homicide crimes.

There are other types of crimes in England and Wales where a person causes another person's death such as:



- by dangerous driving



- not protecting a child or a vulnerable adult



- encouraging suicide



- not controlling a dangerous dog.

We call these the **specific homicide crimes**.



We think that these crimes should be kept separate from the main homicide crimes of murder and manslaughter. This will help keep the law simple and clear.



New crime for supplying drugs

Some people have suggested a new crime for people who supply drugs to another person who then dies.



This is because the current law makes it hard to prove that the person who supplied the drugs caused the other person's death.



Question 7:

Should there be a new crime for supplying drugs that cause death?



New crime for not helping a person in danger

Some people have suggested a new crime for people who do not help or call for help from others when someone is dying.



Question 8:

Should there be a new crime for not helping or rescuing someone who is dying?

When more than 1 person helps in killing



This is called the **law of complicity**.

The law of complicity is also sometimes called **joint enterprise**.

Complicity is when a person helps or encourages someone else to commit a crime.



For example, one person shoots and kills someone while another person drives the car so that they can do it.



The second person can be convicted of the same crime as the first person even though they did not actually kill anyone.



The law of complicity is very complicated and changed in 2016 after a decision by the UK Supreme Court.



Some people say that the law of complicity is sometimes not fair, especially in homicide cases.

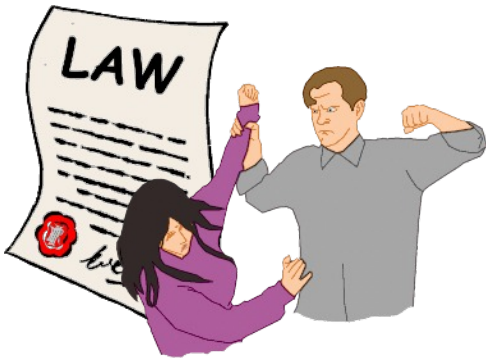


The law of complicity applies to other crimes as well as homicide so we do not make any suggestions about it in this paper.



But we think our ideas for a new structure for homicide law may make the law of complicity in homicide fairer.

When someone dies because of domestic abuse



We looked at the laws about death because of **domestic abuse**.



Domestic abuse is when a person treats a family member or partner badly to control them or make them feel scared.

It includes physical abuse, sexual abuse and controlling behaviour.



Some victims of domestic abuse die by **suicide** because of the abuse they are experiencing.

Suicide is where a person kills themselves.



An abuser of someone who dies by suicide can be charged with:

- manslaughter



- murder



- encouraging or helping with suicide.



Some people are worried that abusers are not always held responsible when victims die by suicide.



They say the police do not look into these cases properly.



It is difficult to prove that the abuse led to the suicide. Because of this, some guilty people might not be convicted.

New crime for domestic abuse leading to suicide



Some people think there should be a new crime for domestic abuse that leads to suicide.



This crime could help juries decide if the abuse and suicide are linked.



This could lead to more abusers being held responsible where the abuse causes the death of their victim.



Increase prison time

Another idea is to give longer sentences for crimes that already apply when an abuser is convicted of abuse.

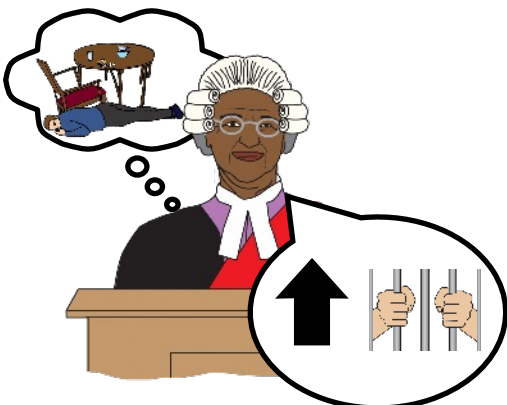


If that abuse leads to suicide, the judge could give the abuser a longer sentence.



Question 9:

Should there be a new crime for abusers when the person they are abusing dies by suicide because of the domestic abuse?



Question 10:

Should the judge give the abuser a longer sentence because the domestic abuse caused the suicide?

Other thoughts



Question 11:

Is there anything else that you think about homicide offences which you would like to tell us?

What happens next



After looking at what people say we will write a report to Government.



Then the Government decides whether to follow our recommendations.



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