***R v Malcherek* [1981] 2 ALL ER** (L)

Malcherek the defendant had stabbed his wife. The victim had been taken to hospital and placed on life support machine. The doctor in the case later switched off the life support machine as the victim was not showing any activity in her brain stem. The defendant sought to argue that the doctors' actions constituted a “*break in”* the chain of causation.

***R v Blaue* [1975] 1 WLR 1411** Court of Appeal (L)

The defendant stabbed an 18 year old girl four times when she refused to have sexual intercourse with him. She was a practising Jehovah's witness and refused to have a blood transfusion which would have saved her life. The defendant was convicted of manslaughter on the grounds of diminished responsibility and appealed arguing that the girl's refusal to accept the blood transfusion was a *novus actus interveniens* breaking the chain of causation, alternatively that Holland was no longer good law.

***R v Jordan* (1956) 40 Cr App E 152** (NL)

The defendant stabbed the victim. The victim was taken to hospital where he was given anti-biotics after showing an allergic reaction to them. He was also given excessive amounts of intravenous liquids. He died of pneumonia 8 days after admission to hospital. At the time of death his wounds were starting to heal.

***R v Roberts* [1971] EWCA Crim 4** Court of Appeal (L)

A young woman aged 21 accepted a lift from the defendant at a party to take her to another party. She had not met the man before and it was 3.00 am. The defendant drove in a different direction to where he told her he was taking her and then stopped in a remote place and started making sexual advances towards her. She refused his advances and he drove off at speed. He then started making further advances whilst driving and she jumped out of the moving car to escape him. She suffered from concussion and cuts and bruises. The defendant was convicted of actual bodily harm under s.47 of the Offences Against the Person Act 1861. He appealed contending that he did not intend or foresee a risk of her suffering actual bodily harm from his actions and that he did not foresee the possibility of her jumping out of the car and therefore her actions amounted to a *“break in the chain of causation”*

***R v Williams & Davis* [1992] Crim LR 198** (NL)

The defendants picked up a hitchhiker on the way to Glastonbury festival. The hitchhiker jumped out of the car when it was travelling at 30 mph, hit his head and died. The prosecution alleged that the defendants were in the course of robbing him when he jumped out and thus their actions amounted to constructive manslaughter. The trial judge directed the jury:

‘... what he was frightened of was robbery, that this was going to be taken from him by force, and the measure of the force can be taken from his reaction to it. The prosecution suggest that if he is prepared to get out of a moving car, then it was a very serious threat involving him in the risk of, as he saw it, serious injury.’

 The jury convicted and the defendant appealed.