

Quelle:

## HOMICIDE ACT (MARCH 21ST 1957)<sup>1</sup>

Extract 1:

Liability to Death Penalty<sup>2</sup>

5th (1) Subject to subsection (2) of this section, the following murders shall be capital murders, that is to say,-

- (a) any murder done in the course or furtherance of theft;
- (b) any murder by shooting or by causing an explosion;
- (c) any murder done in the course or for the purpose of resisting or avoiding or preventing a lawful arrest, or of effecting or assisting an escape or rescue from legal custody,
- (d) any murder of a police officer acting in the execution of his duty or of a person assisting a police officer so acting;
- (e) in the case of a person who was a prisoner at the time when he did or was a party to the murder, any murder of a prison officer acting in the execution of his duty or of a person assisting a prison officer so acting.

(2) If, in the case of any murder falling within the foregoing subsection, two or more persons are guilty of the murder, it shall be capital murder in the case of any of them who by his own act caused the death of, or inflicted or attempted to inflict grievous bodily harm on, the person murdered, or who himself used force on that person in the course or furtherance of an attack on him; but the murder shall not be capital murder in the case of any other of the persons guilty of it.

(3) Where it is alleged that a person accused of murder is guilty of capital murder, the offence shall be charged as capital murder in the indictment, and if a person charged with capital murder is convicted thereof, he shall be liable to the same punishment for the murder as heretofore.

[...]

6th (1) A person convicted of murder shall be liable to the same punishment as heretofore, if before conviction of that murder he has, whether before or after the commencement of this Act, been convicted of another murder done on a different occasion (both murders having been done in Great Britain).

(2) Where a person is charged with the murder of two or more persons, no rule of practice shall prevent the murders being charged in the same indictment or (unless separate trials are desirable in the interests of justice) prevent them being tried together; and where a person is convicted of two murders tried together (but done on different occasions), subsection (1) of this section shall apply as if one conviction had preceded the other.

7th No person shall be liable to suffer death for murder in any case not falling within section five or six of this Act.

[...]

9th (1) Where a court (including a court-martial) is precluded by this Part of this Act from passing sentence of death, the not punishable sentence shall be one of imprisonment for life.

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<sup>1</sup> Homicide Act, 1957, in: UK Legislation, URL: <[http://www.legislation.gov.uk/ukpga/1957/11/pdfs/ukpga\\_19570011\\_en.pdf](http://www.legislation.gov.uk/ukpga/1957/11/pdfs/ukpga_19570011_en.pdf)> (07.07.2020); Quelle zum Essay Pavel Kolář, Nationalstaat, physische Gewalt und transnationale Geschichte Europas, in Themenportal Europäische Geschichte, 2022, URL <<https://www.europa.clio-online.de/essay/id-fdae-118330>>.

<sup>2</sup> Ibid. pp. 2–3, 4.

Extract 2:

Amendments as to Form and Execution of Death Sentence in England and Wales<sup>3</sup>

10th Where by virtue of section five or six of this Act a person is sentenced to death, the form of the sentence shall be to the effect only that he is to “suffer death in the manner authorised by law”.

11th (1) Sections seven and ten of the Capital Punishment Amendment Act, 1868, shall cease to have effect, in so far as they require provision to be made for the purpose of making known without the prison walls the fact that execution of sentence of death for murder is taking place, or require any document relating to such an execution to be exhibited on or near the prison.

(2) Where sentence of death for murder is to be executed in accordance with that Act, it shall be the duty of the Secretary of State, as early as he conveniently can, to publish in such manner as he thinks fit the time and place fixed for the execution.

(3) Where sentence of death for murder has been executed in accordance with that Act, it shall be the duty of the Secretary of State, as early as he conveniently can, to publish in such manner as he thinks fit the fact that the execution has taken place, and to cause to be published in the London Gazette a copy of the coroner’s inquisition required by the Act.

12th Where two or more persons sentenced to death for murder are confined in the same prison, the Secretary of State may, with a view to avoiding the execution of more than one such sentence in that prison on the same day, direct that any of those persons shall be removed to and confined in some other prison specified in the direction; and the sentence on that person may lawfully be executed in the prison so specified, and the sheriff charged with the execution shall for that purpose have the same jurisdiction in that prison and over the officers of it, and be subject to the same responsibilities and duties in it, as though the prison were that in which the sentence would have been executed but for the direction.

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Homocide Act (March 21st 1957), in: Themenportal Europäische Geschichte, 2022, URL: <https://www.europa.clio-online.de/quelle/id/q63-76350>.

Pavel Kolář, Nationalstaat, physische Gewalt und transnationale Geschichte Europas, in Themenportal Europäische Geschichte, 2022, URL <https://www.europa.clio-online.de/essay/id/fdae-118330>.

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<sup>3</sup> Ibid. pp. 5–6.