

LAW COMMISSION PROJECT LAUNCH EVENT

DEFENCES FOR VICTIMS OF DOMESTIC ABUSE WHO KILL THEIR ABUSERS



|| 21st–22nd May 2024 || CCE1 4TH FLOOR ||



Law
Commission
Reforming the law

Day one: Current defences and new solutions

- 9:00-9:30 Registration
9:30-9:40 **Welcome**
Professor Louise Bracken Pro-Vice Chancellor (Research and Knowledge Exchange)
9:40-9:50 **Terms of Reference**
Professor Penney Lewis (Law Commissioner for Criminal Law)

Panel (1) the full defence of self-defence including the householder defence (section 76 of the Criminal Justice and Immigration Act 2008)

- 9:50-10:00 Chair/discussant
Professor Vanessa Bettinson (Northumbria University)
10:00-10:20 How self-defence doesn't work for victims of domestic abuse who kill their perpetrators and proposals for reform
Harriet Wistrich (Solicitor and Director for Centre for Women's Justice)
10:20-10:40 Women and Self-Defence: Lessons from Scotland
10:40-11:00 The mis-match between the defence of self-defence and intimate partner violence entrapment: Can the issue be rectified by law reform?
Professor Julia Tolmie (Auckland University, New Zealand) (online)
11:00-11:30 Roundtable
11:30-11:45 **Break**

Panel (2) the partial defence of loss of control (sections 54 to 56 of the Coroners and Justice Act 2009)

- 11:45-11:55 Chair/Discussant
Professor Alan Reed (Northumbria University)
11:55-12:15 What is the Loss of Control Defence For?
Professor John Child (Birmingham University)
12:15-12:35 Fear Loss of Control
Professor Susan Edwards (Northumbria University, Red Lion Chambers, London)
12:35-12:55 Sexual Infidelity and a Justifiable Sense of Being Seriously Wronged: What Next for the Loss of Control Defence?
Dr Amanda Clough-Ricci (Northumbria University)
12:55-13:25 Roundtable
13:25-14:00 **Lunch**

Panel (3) the partial defence of diminished responsibility (section 2 of the Homicide Act 1957)

- 14:00-14:15 Chair/discussant
Professor Susan Edwards (Northumbria University; Red Lion Chambers, London)
- 14:15-14:40 Diminished Responsibility: contriving to treat the abused who kill as suffering an 'abnormality of mental functioning'
Professor Rudi Fortson KC (Queen Mary, University of London/25 Bedford Row Chambers, London)
- 14:40-15:05 The Intersection of Neuroscience, Psychology, and Law in Addressing Diminished Responsibility and Abuse
Professor Hans Crombag (University of Sussex)
- 15:05-15:35 Roundtable
- 15:35-15:50 **Break**

Panel (4) Comparative Perspective/solutions

- 15:50-16:00 Chair/discussant
Professor Thomas Crofts (City University of Hong Kong) (online) and Associate Professor Danielle Tyson (Deakin University, Australia)
- 16:00-16:20 Reforming Self-defence in Australia
Professor Arlie Loughnan (University of Sydney, Australia) (online)
- 16:20-16:40 The law of self-defence against ongoing domestic abuse in the Western Australian Criminal Code and Evidence Act
Professor Stella Tarrant (University of Western Australia) (online)
- 16:40-17:00 Roundtable
- 17:00-17:20 **Video interview**
Pragna Patel (formerly Director Southall Black Sisters)

Centre and research network memberships

- 17:20-17:30 *Professor Tony Ward (Northumbria University)*
Associate Professor Kayliegh Richardson (Northumbria University)
Dr Cassandra Weiner (City University of London)
- 17:30-17:40 **Close**
Pro-Vice Chancellor for the Faculty of Business and Law
Professor Robert MacIntosh

Day Two: Evidence and procedure

9:00-9:30 Registration

9:30-9:40

Welcome

Professor Alan Reed (Deputy Faculty Pro-Vice Chancellor, Faculty of Business and Law, Northumbria University)

Panel (1) Police Investigation, Charging, and Decisions to Prosecute

9:40-9:50 Chair/discussant

Molly Doyle (PhD student, Northumbria University)

9:50-10:10 No Safe Space: reforms needed to the police response to victims of domestic abuse accused of offending

Katy Swaine Williams (Research and Policy Consultant-Criminal Justice) (Online)

10:10-10:30 How well is coercive control reflected in police data?

Andy Myhill (College of Policing)

10:30-10:50

Title tbc

Vicky Atkinson (District Crown Prosecutor, Crown Court Team, CPS North East)

10:50-11:20 Roundtable

11:20-11:35 **Break**

Panel (2) The Trial - his bad character, her experience of coercive control and social entrapment -expert evidence

11:35-11:40 Chair/Discussant

Professor Tony Ward (Northumbria University)

11:40-12:00 The true dynamics of domestic abuse and coercive control in criminal trials - looking at key issues of bad character and expert evidence.

Paramjit Ahluwalia (Barrister, One Pump Court)

12:00-12:20 Coercive Control - navigating the barriers to providing expert evidence

Professor Jane Monckton-Smith (University of Gloucestershire)

12:20-12:50 Roundtable

12:50-13:20 **Lunch**

Panel (3) Lived Experience

13:20-13:30 Chair/discussant

Professor Nicola Wake (Northumbria University)

13:20-13:40 Theory of coercive control: developing narratives in the criminal law

Dr Cassandra Wiener (Reader, City University of London)

13:40-14:00 How can we better support and learn from domestic abuse victim-survivor experiences in court?

Dr Rima Hussein (Northumbria University)

14:00-14:20 APPEAL: how to overturn wrongful convictions in Domestic homicide cases

Emma Torr (Co-Director, APPEAL) and Tara Casey (Women's Justice Lawyer, APPEAL)

14:20-14:50 Roundtable

Panel (4) Failing survivors and families?

- 14:50-15:00 Chair discussant
Associate Professor Kayliegh Richardson (Northumbria University)
- 15:00-15:20 DAPOs and DAPNs
Associate Professor Claire Bessant (Northumbria University)
- 15:20-15:40 Two steps forward, one step back ... Why Can't the Police Respond Effectively to Domestic Abuse?
Professor Mike Rowe (Northumbria University)
- 15:40-16:00 Reframing "why don't they just leave?" to "why can't we make it safe for them to remain?"
Associate Professor Kayliegh Richardson (Northumbria University)
- 16:00-16:30 Roundtable
- 16:30-16:45 **Break**
- 16:45-17:30 **A discussion with the author, Harriet Wistrich, *Fighting for Justice in a System Designed by Men: Sister in Law***
Discussant
Professor Susan Edwards (Northumbria University; Red Lion Chambers, London)
- 17:30-17:45 **Close:**
Professor Michael Stockdale (Head of Law, Northumbria University)