

Devising from Stimulus

Derek Bentley trial, December 1952

Victim – Sidney Miles, policeman, shot during an attempted burglary

Accused

Christopher Craig

16 years old, fired the gun that killed the policeman.



Derek Bentley

18 years old, there when the murder took place but did not fire the gun, mental age of 10.

**Case for prosecution**

- Craig fired the gun. Bentley shouted "Let him have it." This makes him jointly responsible for the murder as he encouraged Craig.
- Bentley has a history of criminality – has been in youth detention.
- Bentley has a low level of intelligence but was not insane and was aware of and responsible for his actions.

**Case for defence**

- "Let him have it" could mean, "Let the policeman have the gun." There are questions about whether he really said it.
- Bentley didn't have a weapon. Handed himself over to police.
- Bentley has a learning disability and a mental age of 10.

**Jury**

Finds Craig and Bentley guilty, recommends mercy for Bentley.

**Judge's sentence**

Craig can't be hanged as under 18. Sentenced to long prison term.
Bentley is guilty of the murder under joint enterprise law.
Sentenced to death by hanging.

In 1953 Derek Bentley, aged 19, was convicted of the murder of PC Sidney Miles and sentenced to death. It is the most infamous example of the use of joint enterprise law. Bentley was found guilty despite neither possessing nor firing a gun and giving himself to the police without violence. His co-defendant Christopher Craig, who fired the gun, was too young to be executed and served only 10 years in prison. The police officer is said to have asked Craig to hand over the gun and the prosecution case rested on the ambiguous words he allegedly spoke – 'Let him have it, Chris' – interpreted by the court as an incitement to murder.

Bentley was one of the last men in Britain to be sentenced to the death penalty and the furore over the case contributed to its abolishment. His conviction was eventually quashed in 1998, after years of campaigning by his father and sister.

The terrible circumstances of this case were immortalised in film in a 1991 production taking its title from the famous words 'Let Him Have It'

<https://www.youtube.com/watch?v=VV2XJDs8FYc>



<https://www.youtube.com/watch?v=3YLtp845ifs>

This song By Elvis Costello captures the essence of the pain the case caused

Capital
Punishment
Interrogation
Trial
Miscarriage of
Justice
Pc Miles
PC Fairfax
Campaign
Legacy

Role play
Cross Cutting
Narration
Duologue
Expression
Tension
Non- Naturalism
Form and Style
Verbatim
Slow Motion
Thought Track