

Sample interview problem

The following problem is an example of the sort of exercise that we use in Law interviews at Trinity. Candidates are given the text 20 minutes prior to the interview to prepare their thoughts, and discussion of the problem then forms the basis of the majority of the interview.

Although the problems often raise legal issues, or even involve use of legal tests, candidates are not expected to have any legal knowledge and so are not being tested on such knowledge – if any law is required to complete the exercise, we provide it. We are interested in assessing candidates' ability to analyse problems and issues, to construct and put an argument, to spot and evaluate counterarguments, etc..

MARY is 22 years old and in February 1996 she becomes pregnant by her boyfriend Tony. In early August she quarrels with Tony and the conflict escalates, ending when Tony stabs her three times with a kitchen knife, including once in the abdomen. Mary is taken to hospital where she is told that the baby has not been harmed by the attack.

Mary thinks she has made a full recovery but two weeks after the attack she goes into labour and her baby is born prematurely in mid-August. Mary's baby boy survives on a ventilator until November when he dies because of a lung condition associated with premature birth. In relation to the attack on Mary, Tony is charged with the offence of wounding with intent to cause grievous bodily harm. He pleads guilty and is sentenced to four years' imprisonment.

After the death of the baby, the Director of Public Prosecutions decides that further criminal proceedings must be brought against Tony. In September 1997 Tony is convicted at Cambridge Crown Court of the murder of the baby and is sentenced to life imprisonment. Tony now appeals against his conviction to the Court of Appeal (Criminal Division).

The definition of murder in English law requires that the defendant perform an act which causes the death of a human being and that the act was done with the intention of causing death or the intention of causing grievous bodily harm.

You are a research assistant to the Lord Chief Justice of England and Wales who is one of the judges who will have to decide Tony's appeal in the early new year. He has asked you to advise him of the arguments which are likely to be made by both the prosecution (supporting Tony's conviction) and the defence (seeking to have the conviction overturned).