



Coroners and Justice Act 2009

2009 CHAPTER 25

PART 2

CRIMINAL OFFENCES

CHAPTER 1

MURDER, INFANTICIDE AND SUICIDE

Partial defence to murder: loss of control

56 Abolition of common law defence of provocation

- (1) The common law defence of provocation is abolished and replaced by sections 54 and 55.
- (2) Accordingly, the following provisions cease to have effect—
 - (a) section 3 of the Homicide Act 1957 (c. 11) (questions of provocation to be left to the jury);
 - (b) section 7 of the Criminal Justice Act (Northern Ireland) 1966 (c. 20) (questions of provocation to be left to the jury).

Commencement Information

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|-----------|--------------------------------------------------------------------------|
| I1 | S. 56(1) in force at 4.10.2010 for E.W. by S.I. 2010/816, art. 6(b) |
| I2 | S. 56(1)(2)(b) in force at 1.6.2011 for N.I. by S.R. 2011/182, art. 3(c) |
| I3 | S. 56(2)(a) in force at 4.10.2010 by S.I. 2010/816, art. 5(b) |

Changes to legislation:

Coroners and Justice Act 2009, Section 56 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A and cross-heading inserted by [2023 c. 41 Sch. 11 para. 1\(1\)](#)
- Sch. 1A inserted by [2023 c. 41 Sch. 11 para. 1\(2\)](#)