

Criminal intent and psychiatric evidence – CORRIGENDUM

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The text in box 6 of this article contains some inaccuracies that the authors would like to amend to the following:

“Here, the defendant’s conviction for theft was quashed. At her trial, she denied *mens rea* on the basis of a “moment of absent-mindedness” caused by her depression, but the trial judge ruled this was tantamount to the insanity defence. She pleaded guilty to theft (to avoid the insanity defence), then appealed. The Court of Appeal explained that her mental disorder fell short of the insanity threshold and that the question whether she lacked mens rea should have been left to the jury to consider. In some jurisdictions, this situation has attracted the status of a separate defence, known as diminished capacity.”

The authors apologise for this error.

Reference

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