“The fourth edition of Bronitt and McSherry’s *Principles of Criminal Law* has now been completed, and not before time. ... It has enormous social relevance. It would live happily in any ‘progressive’ lawyer’s library. It should equally find a home in the library of even the most formalistic of black letter lawyers, who would benefit from opening their minds to its insights. It is a work of pure scholarship and of unqualified excellence.”
### Table of Contents

**Part I Theory and Principles**

Chapter 1 – Theory and the Criminal Law  
Chapter 2 – General Principles  
Chapter 3 – Principles of Criminal Responsibility  

**Part II Justifications and Excuses**

Chapter 4 – Mental State Defences  
Chapter 5 – Partial Defences  
Chapter 6 – Self-Help Defences  

**Part III Extending Criminal Responsibility**

Chapter 7 – Complicity  
Chapter 8 – Inchoate Offences  

**Part IV Specific Crimes**

Chapter 9 – Unlawful Killing  
Chapter 10 – Offences Against the Person  
Chapter 11 – Sexual Offences  
Chapter 12 – Property Offences  
Chapter 13 – Public Order  
Chapter 14 – Drug Offences  
Chapter 15 – International and Transnational Crimes
Summary of new and updated content

New content: Below is a chapter summary of the substantial new content contained within this new edition

Chapter 1

- Promoting the public interest and community welfare – [1.240]
- Gauging the public interest – [1.241]
- Gauging the welfare of the community – [1.245]
- Regulatory theories of criminal justice

Chapter 2 General principles

- Historical perspectives – Codification and Bentham's Pannomion
- The Promise of Codification: Overstated and Still Unrealised?
- The growth of the federal jurisdiction and cooperative federalism – [2.60]
- Procedural perspectives – Law and order politics: the reform of double jeopardy
- Indigenous perspectives on crime and punishment - Munda v Western Australia [2013] HCA 38

Chapter 3 Principles of Criminal Responsibility

- The overrepresentation of Indigenous young people in detention

Chapter 7 Complicity

- The doctrine of extended common purpose - Miller v R; Smith v R; Presley v DPP (SA) (2016) 334 ALR 1

Chapter 8 Inchoate Offences

- Conspiracy to Commit Money Laundering Offences Under the Criminal Code

Chapter 9 Unlawful killing

- Corporate Manslaughter in the United Kingdom: A Precedent for Australia?
- Voluntary euthanasia - [9.55] expanded content on human rights based arguments
Unlawful and dangerous act manslaughter - *Burns v The Queen* (2012) 246 CLR 334

Unlawful assault causing death: "One Punch" Laws

Medical Manslaughter by Gross Negligence: The Case of Javant Patel

Procuring Abortion through the use of Drugs: The First Case

**Chapter 10 - Offences against the person**

- Consent to the Risk of Infection with HIV: The Case of Michael Neal - *Neal v The Queen* (2011) 32 VR 454

**Chapter 11 Sexual Offences**

- Sexual violence in same sex relationships
- Discussion of the emerging legal discourse of human dignity
- Sexual consent, privacy and Human Rights – [11.35]
- Negating consent by mistake as to identity: gender and sexuality
- Procedural perspectives – Unintended adverse effects of mandatory jury directions – [11.100]
- Reform and public policy perspectives – A new offence of institutional child sexual abuse; lessons from a Royal Commission
- Technological Perspectives – Revenge Porn and the Distribution of Intimate or Invasive Images
- Case study – Jury directions on sexual and violence: Rougher than usual handling?

**Chapter 12 Property Offences**

- Criminological perspectives - White Collar Dis-honesty: normalising deviant cultures of the market?
- Rejecting Ghosh: *Peters v R* and an Emerging General Dishonesty Test in Australia
- Procedural perspectives – Dishonesty tests and summary (in)justice
- Dishonesty and the relevance of motive
- Technology perspectives – Identity theft and credit card “skimming”
- Intention to permanently deprive (*R v Stevens* [2014] QCA 286)
➢ Reforming Fraud: Passing Bad Cheques to Cyber-Scamming
➢ Domestic and Transnational Bribery Offences
➢ Corruption Without Borders: Bribery at Home and Abroad
➢ Perceptions of Corruption in Australia: Corruption Free or Corruption Free-For-All?
➢ Foreign Bribery Offences: Extraterritorial Corruption

Chapter 13 Public Order

➢ Reconstructing privacy: protecting family life and personhood - [13.40]
➢ Policing violence against women and children: “Just another domestic”? - [13.45]
➢ Preventative perspectives on family violence - The use of protection orders - [13.50]
➢ Fault element: deliberate or accidental offensive behaviour - [13.170]
➢ *Bugmy v The Queen* (2013) 249 CLR 571 re aboriginality and sentencing

Chapter 14 Drug Offences

➢ The criminalisation of drugs: the logic and costs of prohibition
➢ The case for free availability of drugs – statistics relating to the costs of illicit and licit drugs have been updated
➢ Deeming Provisions: Thresholds for Possession and Trafficking of Drugs
➢ Legitimate deductions on illicit profits: who says crime doesn’t pay?
➢ Confiscation of the proceeds of crime: Civil Forfeiture Schemes - discussion of *Proceeds of Crime Act 1987* (Cth) (POCA I) and *Proceeds of Crime Act 2002* (Cth)(POCA II)
➢ Revival and expansion of forfeiture powers
Chapter 15 International and Transnational Crimes

- Jurisdiction under the Criminal Code (Cth)
- Enforcement perspectives – Australia: a haven for the next generation of war criminals?
- Trafficking in persons for slavery and sexual servitude
- Enforcement perspectives – [15.120]
- The war on terror: reshaping priorities for criminal law – [15.125]
- Balancing national security and human rights
- Defining “terrorist act” under the Criminal Code (Cth) – regarding legal definitions of terrorism.
- Historical perspectives – ‘Guilt by association’: Bushrangers, habitual Crooks and Organised Crime Gangs. “contemporary anti-terrorism laws should be understood, not merely through the lens of criminal law and criminal justice, but as part of a longer term genealogy of governmental approaches to security”
- Fighters – re Counter-Terrorism Legislation Amendment (Foreign Fighters) Act 2014 (Cth)
About the authors

Simon Bronitt
LLB (Bristol), LLM (Cambridge)
Deputy Dean (Research) and Deputy Head of School
TC Beirne School of Law, The University of Queensland

Bernadette McSherry
BA (Hons), LLB (Hons), LLM (Melb), PhD (York, Can), Grad Dip Psych (Mon)
Foundation Director, Melbourne Social equity Institute, University of Melbourne
Adjunct Professor at Law, Melbourne Law School and Faculty of Law, Monash University.