

BIBLIOGRAPHY

BOOKS

Africa, A (2005) "Psychological evaluations of mental state in criminal cases" *in* Tredoux, C *et al* (2005) "Psychology and Law"

Allan, A (2005) "The psychologist as expert witness" *in* Tredoux, C *et al* (2005) "Psychology and Law"

Allan, A and Meintjes-Van der Walt, L (2006) "Expert evidence" *in* Kaliski, S (ed.) (2006) "Psycho-legal assessment in South Africa"

Alsdurf, J and Alsdurf, P (1989) "Battered into submission – the tragedy of wife abuse in the Christian home"

American Psychiatric Association (1994) "Diagnostic and statistical manual of mental disorders – DSM-IV"

American Psychiatric Association (2000) "Diagnostic and statistical manual of mental disorders – DSM-IV-TR" (text revision)

Arrigo, BA and Shipley, SL (2005) "Introduction to Forensic Psychology: issues and controversies in law, law enforcement and corrections" 2nd ed.

Arrigo, CEA (2002) "Punishing the mentally ill: a critical analysis of law and psychiatry"

Barlow, DH and Durand, VM (1995) "Abnormal psychology: an integrative approach"

Barnett, OW and LaViolette, AD (1993) "It could happen to anyone – why battered women stay"



Bartol, CR (1991) "Criminal behavior – a psychosocial approach" 3rd ed.

Bartol, CR and Bartol, AM (2005) "Criminal behavior: a psychosocial approach" 7th ed.

Bean, P (2008) "Madness and crime"

Bekker,PM et al (2007) "Criminal procedure handbook" 8th ed.

Bentham, A (1925) "Treatise on judicial evidence" *in* Freckelton, I and Selby, H (2005) "Expert evidence"

Bergenthuin, JG (1985) "Provokasie as verweer in die Suid-Afrikaanse strafreg" (Unpublished LLD thesis University of Pretoria)

Berlin, FS et al (2009) "Mental illness and sex offending" in Saleh, FM et al (eds.)(2009) "Sex offenders"

Black, HC (1990) "Black's Law Dictionary" 6th ed.

Blau, T (1998) "The psychologist as expert witness"

Bleiberg, KL and Markowitz, JC (2008) "Interpersonal psychotherapy for depression" *in* Barlow, DH (2008) "Clinical handbook of psychological disorders"

Bluglas, R and Bowden, P (1990) "Principles and practice of forensic psychiatry"

Bond, C et al (2007) "The expert witness: a practical guide"

Bond, C et al (1999) "The expert witness in court – a practical guide"

Bondi, MW *et al* (1996) "The neuropsychology of dementia" *in* Grant, I and Adams, KM (1996) "Neuropsychological assessment of neuropsychiatric disorders"



Booysen, WH (chair)(1994) "Commission of Enquiry into the Continued Inclusion of Psychopathy and Other Violent Offenders – interim report"

Bradsky, SL *et al* (2002) "The mental health professional in court" *in* Van Dorsten, B (ed.)(2002) "Forensic psychology"

Brakel, SJ and Brooks, AD (2001) "Law and psychiatry in the criminal justice system"

Brodsky, SL (1999) "The expert expert witness – more maxims and guidelines for testifying in court"

Brodsky, SL and Poythress, NG (1985) "Expertise on the witness stand" *in* Ewing, CP (ed.)(1985) "Psychology, psychiatry and the law"

Brody, BA and Engelhardt, HT (1980) "Mental illness: law and public policy"

Bromberg, W (1969) "Psychiatrists in court – the psychiatrists' view"

Bronstein, DA (1999) "Law for the expert witness"

Brown, A (1987) "When battered women kill"

Bruyn, GW *et al* (1979) "Huntington's chorea: current neuropathological status" *in* Chase, T *et al* (1979) "Advances in neurology: Huntington's disease"

Burchell, EM and Hunt, PMA (1983) "South African criminal law and procedure – general principles of criminal law"

Burchell, EM and Hunt, PMA (1997) "South African criminal law and procedure – general principles of criminal law" vol 1, 3rd ed.

Burchell, J and Milton, J (2005) "Principles of criminal law" 3rd ed.



Burchell, J and Milton, J (2007) "Cases and materials on criminal law" 3rd ed.

Caine, ED and King, DA (1996) "Cognitive impairment and major depression" in Grant, I and Adams, KM (eds.)(1996) "Neuropsychological assessment of neuropsychiatric disorders"

Card, R (2004) "Criminal law" 3rd ed.

Carson, D et al (ed.)(2007) "Applying psychology to criminal justice"

Carstens, PA (1996) "Die strafregtelike en deliktuele aanspreeklikheid van die geneesheer op grond van nalatigheid" (Unpublished LLD thesis University of Pretoria)

Carstens, PA and Pearmain, D (2007) "Foundational principles of South African Medical Law"

Cavenar, JO and Brodie, HKH (1983) "Signs and symptoms in psychiatry"

Cheadle, MH et al (2002) "South African constitutional law: the bill of rights"

Chiswick, D (2001) "Forensic psychiatry" *in* Mason, JK (2001) "Forensic medicine for lawyers" 4th ed.

Cleckley, HM (1982) "The mask of sanity" 6th ed.

Comer, RJ (2008) "Fundamentals of abnormal psychology" 5th ed.

Committee on Psychiatry and Law (1991) "The mental health professional and the legal system"

Constantino, MJ *et al* (2006) "Adult depression" *in* Plante, TG (ed.)(2006) "Mental disorders of the new millennium: vol. 1: behavioral issues"



Cordozo, BN (1928) in Allen, RC et al (1968) "Readings in law and psychiatry"

Cox, M and Theilgaard, A (1994) "Shakespeare as prompter – the amending imagination and the therapeutic process"

Curran, WJ (1980) "Courtroom presentation of forensic scientific evidence" *in* Curran, WJ *et al* (eds.)(1980) "Modern legal medicine, psychiatry and forensic science"

Currie, I and De Waal, J (2005) "The Bill of Rights handbook" 5th ed.

Dahl, PR (1985) "Legal and psychiatric concepts and the use of psychiatric evidence in criminal trials"

Davies, G et al (2008) "Forensic Psychology"

Davis, D et al (1997) "Fundamental rights in the Constitution – commentary and cases"

De Villiers, DS (2007) "Evidence through the cases" 3rd ed.

De Waal, J et al (2001) "The Bill of Rights handbook" 4th ed.

De Waal, J et al (2005) "The Bill of Rights handbook" 5th ed.

De Wet, JC and Swanepoel, HL (1975) "Die Suid-Afrikaanse Strafreg"

De Wet, JC and Swanepoel, HL (1960) "Die Suid-Afrikaanse Strafreg" 2nd ed.

Delisle, R and Stuart, D (2001) "Evidence: principles and problems"

Dennis, I (2007) "The law of evidence" 3^{rd} ed.



Dennison, S (2007) "Criminal responsibility" *in* Carson, D (ed.) *et al* (2007) "Applying psychology to criminal law"

Dershowitz, AM (1994) "The abuse excuse – and other cop-outs, sob stories and evasions of responsibility"

Devenish, GE (1998) "A commentary on the South African Constitution"

Devenish, GE (2005) "The South African Constitution"

"Diagnostic and Statistical Manual of Mental Disorders" DSM-IV 4th ed.

Diamond, BL (1990) "The psychiatric expert witness" *in* Rosner, R and Weinstock, R (1990) "Ethical practice in psychiatry and the law"

Dobash, RE and Dobash, RP (1979) "Violence against wives"

Dobash, RE and Dobash, RP (1992) "Women, violence and social change"

Dressler, J (2001) "Understanding Criminal Law"

Du Toit, E et al (2007) "Commentary on the Criminal Procedure Act"

Dughard, CJR (1967) "Whither insane automatism?"

Dutton, DG (1998) "The abusive personality – violence and control in intimate relationships"

Dutton, DG (2007) "The abusive personality – violence and control in intimate relationships" 2nd ed.

Dziegielewski, SF (2002) "DSM-IV-RR in action"



Ewing, CP (1987) "Battered women who kill – psychological self-defence as legal justification"

Eysenok, HJ (1989) "Personality and criminality" in Laufer, WS and Adler, F (1989) "Advances in criminology theory"

Faigman, D (2003) "Expert evidence" *in* Carson, D and Bull, R (2003) "Handbook of psychology in legal contexts"

Faulk, M (1994) "Basic forensic psychiatry" 2nd ed.

Faurie, A (2000) "The admissibility and evaluation of scientific evidence in court" (Unpublished LLM thesis University of South Africa)

Fesch, EA (1980) "Psychology and psychiatry in courts and corrections: controversy and change"

Finkel, NJ (1988) "Insanity on trial"

First, MB et al (2002) "DSM-IV-TR: handbook of differential diagnosis"

Flemming, J (1979) "Stopping wife abuse"

Forward, S (2002) "Men who hate women and the women who love them"

Fradella, HF (2007) "From insanity to diminished capacity"

Freckelton, I and Selby, H (1999) "Expert evidence in criminal law"

Freckelton, I and Selby, H (2005) "Expert evidence – law, practice, procedure and advocacy"

Gelles, RJ and Strauss, MA (1988) "Intimate violence: the definitive study of causes and consequences of abuse in the American family"



Glueck, S (1962) "Law and Psychiatry – cold war or entente cordiale"

Gold, L (2004) "Evidence: a structural approach"

Golding, SL *et al* (1999) "The assessment of criminal responsibility" *in* Hess, K and Weiner, IB (eds.)(1999) "The handbook of forensic psychology"

Goodwin, DW and Guze, SB (1989) "Psychiatric diagnosis"

Gorman, WF (1983) "Are there impartial expert psychiatric witnesses?"

Graham, DLR et al (1994) "Loving to survive: sexual terror – men's violence and women's lives"

Graham, MH (1981) "Federal rules of evidence"

Graham, MH (1991) "Handbook of federal evidence"

Graycar, R and Morgan, J (1996) "Including gender issues in the Core Law Curriculum Project" *in* Stubbs, J (1996) "Self-defence and defence of others"

Greig, DN (2002) "Neither bad nor mad: the competing discourses of psychiatry, law and politics"

Group for the Advancement of Psychiatry (1991) "The mental health professional and the legal system"

Gudjonsson, GH and Howard, LRC (1998) "Forensic Psychology: a guide to practice"

Gunn, J and Taylor, PJ (1993) "Forensic Psychiatry – clinical, legal and ethical issues"



Gutheil, TG (2002) "Assessment of mental state at the time of the criminal offense" in Simon, RI and Shuman, DW (eds.)(2002) "Retrospective assessment of mental states in litigation"

Gutheil, TG (2006) "Psychiatric expert witnesses in the new millennium"

Gutheil, TG and Simon, RI (2002) "Mastering forensic psychiatric practice – advanced strategies for the expert witness"

Gutheil, TG and Appelbaum, PS (2000) "Clinical handbook of psychiatry and the law"

Gutheil, TG and Simon, RI (2002) "Mastering forensic psychiatric practice – advanced strategies for the expert witness"

Gutheil, TG et al (1991) "Decision making in psychiatry and law"

Guttmacher, MS (1968) "The role of psychiatry in law"

Guze, S (1976) "Criminality and psychiatric disorders"

Halleck, SL (1980) "Law in the practice of psychiatry – a handbook for clinicians"

Hammen, C and Watkins, E (2008) "Depression"

Harris, T (1989) "The silence of the lambs"

Hazelwood, R and Michaud, SG (2001) "Dark dreams"

Health Professions Council of South Africa (2006) "Ethical Rules of Conduct for Practitioners registered under the Health Professions Act, 1974 chapter 7" in Government Gazette no 29079, GNR 717, 4 August 2006, p. 24.



Health Professions Council of South Africa (2007) "Confidentiality, protecting and providing information – ethical guidelines"

Herman, JL (1992) "Trauma and recovery"

Hess, AK and Weiner, IB (1999) "The handbook of forensic psychology" 2nd ed.

Hiemstra, VG (1986) "Suid-Afrikaanse Strafproses" 4th ed.

Hoffmann, LH (1963) "South African law of evidence"

Hoffmann, LH and Zeffertt, DT (1988) "The South African law of evidence"

Hogget, B (1976) "Mental health"

Horder, J (1992) "Provocation and responsibility"

Howitt, D (2005) "Introduction to forensic and criminal psychology" 2nd ed.

Hughes, MJ and Jones, L (2000) "Women, domestic violence, and posttraumatic stress disorder"

Imwinkelried, EJ (1983) "The standard for admitting scientific evidence"

International Association of Defence Counsel (2000) "Challenging expert witness testimony"

Johann, SL and Osanka, F (1989) "Representing...battered women who kill"

Jones, DW(2008) "Understanding criminal behaviour – psychosocial approaches to criminality"

Jorg, N et al (1995) "Criminal justice in Europe: a comparative study"



Joubert, WA and Faris, JA (2004) "The Law of South Africa" vol 6 2nd ed.

Kaliski, SZ (2006) "Psycholegal assessment in South Africa"

Kantor, M (1992) "Diagnosis and treatment of the personality disorders"

Karsten, C (2007) "Dodelike vroue: wanneer passie in bloed eindig"

Keane, A (2006) "The modern law of evidence"

Kelly, L and Radford, J (1998) "Sexual violence against women and girls" *in* Dobash, RE and Dobash, RP (1998) "Rethinking violence against women"

Kendall, PC and Hammen, C (1995) "Abnormal psychology"

Kermani, E (1989) "Handbook of psychiatry and the law"

Kisker, SW (1964) "The disorganised personality"

Kiely, T (2001) "Forensic evidence: science and the criminal law"

Kriegler, J and Kruger, A (2009) "Hiemstra's criminal procedure"

Kriegler, J and Kruger, A (2007) "Hiemstra – Suid-Afrikaanse strafprosesreg 6th ed.

Kruger, A (1980) "Mental health law in South Africa"

Kruger, A (2008) "Hiemstra's criminal procedure"

LaBruzza, AL and Mendez-Villarubia, JM (1994) "Using DSM-IV: a clinician's guide to psychiatric diagnosis"



Lambrechts, H (2005) "'n Ondersoek na nie-patologiese ontoerekeningsvatbaarheid en die regverdiging vir die voortbestaan van gesonde outomatisme en aanverwante verwere in die Suid-Afrikaanse strafreg" (Unpublished LLD thesis University of the Free State)

Lansdown, AV and Campbell, J (1982) "South African criminal law and procedure"

Lay, S (2006) in Kaliski, SZ "Psycholegal assessment in South Africa"

Le Roux, J (1994) "Geweldsmisdade binne huweliksverband" (Unpublished LLD thesis University of Pretoria)

Lerner, PM (2004) "Dissociative identity disorder" *in* Weiner, IB (ed.)(2004) "Adult psychopathology – case studies"

Louw, R (2006) "Principles of Criminal Law: pathological and non-pathological criminal incapacity" *in* Kaliski, SZ (2006) "Psychological assessments in South Africa"

Ludsin, H (2003) "Legal defences for battered women who kill their abusers: discussion document I [Research report written for the Centre for the Study of Violence and Reconciliation]

Ludsin, H (2003) "South African Criminal Law and battered women who kill: discussion document II" [Research report written for the Centre for the Study of Violence and Reconciliation]

Ludsin, H and Vetten, L (2005) "Spiral of entrapment"

MacDonald, JM (1976) "Psychiatry and the criminal" 3rd ed.

MacFarlane, JD (2003) "Criminal defence in cases of infanticide and neonaticide" in Spinelli, MG (ed.) (2003) "Infanticide – psychosocial and legal perspectives on mothers who kill"



Madalo, MJ (2000) "Towards a standard for the admissibility and evaluation of psychiatric evidence in war crimes prosecutions" (Unpublished LLM dissertation Georgetown University Law Centre)

Madikizela, PG and Foster, D (2005) "Psychology and human rights" *in* Tredoux, C *et al* (2005) "Psychology and Law"

Martin, D (1976) "Battered wives"

Marvasti, J (2004) "Psychiatric treatment of sexual offenders"

Mason, JK (2001) "Forensic medicine for lawyers" 4th ed.

McAuley, F (1993) "Insanity, psychiatry and criminal responsibility"

McHugh, PR and Folstein, MF (1975) "Psychiatric syndromes of Huntington's chorea" *in* Benson, DF and Blumer, D (1975) "Psychiatric aspects of neurologic disease"

Meerloo, JAM (1956) "The rape of the mind: the psychology of thought control, menticide, and brainwashing"

Meintjes-Van der Walt, L (2001) "Expert evidence in the criminal justice process"

Melton, GB *et al* (2007) "Psychological evaluations for the courts – a handbook for mental health professionals and lawyers" 3rd ed.

Memon, A et al (2003) "Psychology and law - truthfulness, accuracy and credibility"

Meyer, CL and Spinelli, MG (2003) "Medical and legal dilemmas of postpartum psychiatric disorders" *in* Spinelli, MG (ed.)(2003) "Infanticide – psychosocial and legal perspectives on mothers who kill"



Meyer, RG et al (1988) "Law for the psychotherapist"

Miller, F in Horder, J (1992) "Provocation and responsibility"

Moenssens, AA et al (1973) "Scientific evidence in criminal cases"

Monahan, J and Steadman, HJ (1983) "Crime and mental disorder" in Tonry, M and Morris, N (eds.)(1983) "Crime and Justice"

Monahan, J and Steadman, HJ (1983) "Mentally disordered offenders"

Monahan, J and Walker, L (1990) "Social Science and Law: cases and materials" 2^{nd} ed.

Monroe, RR (1966) "The psychiatric examination" *in* Slovenko, R (ed.)(1966) "Crime, law and corrections"

Moriarty, JC (ed.)(2001) "The rule of mental illness in criminal trials"

Moore, D (1979) "Battered women"

Morris, E (2003) "Technique in litigation"

Mueser, KT and Gingerich, S (1994) "Coping with schizophrenia"

Mullins, J and Da Silva, C (2010) "Morris technique in litigation" 6th ed.

Murphy, P (2008) "Murphy on evidence" 10th ed.

National Task Team on ICD-10 Implementation (2006) "ICD-10 implementation review: January 2004 – October 2006"



Nel, PW (2008) "Toerekeningsvatbaarheid in die Suid-Afrikaanse strafreg" (Unpublished LLM dissertation University of Pretoria)

O'Brien, K (1999) "Forensic psychiatry: criminal issues" *in* Freckelton, I and Selby, H (1999) "Expert evidence in criminal law"

O'Donohue, W et al (2007) "Personality disorders - toward the DSM-V"

Okun, L (1986) "Woman abuse: facts replacing myths"

Oosthuizen, H (1990) "'n Regsvergelykende ondersoek na verhoorbaarheid" (Unpublished LLD thesis University of the Free State)

Oxford Concise Medical Dictionary (1998) 5th ed.

Oxford Dictionary of Law (2006) 6th ed

Paciocco, DM (2005) "The law of evidence"

Patrick, CJ (2007) "Antisocial personality disorder and psychopathy" in O'Donohue, W et al (2007) "Personality disorders"

Patterson, D (2000) "Challenges to expert testimony pre- and post-Daubert" *in* Linder, RK *et al* (2000) "Challenging expert witness testimony"

Perlin, ML (1977) "The legal status of the psychologist in the courtroom"

Peskin, SG (ed.) (1978) "Macbeth – William Shakespeare"

Peter, LP (2006) "Domestic violence" in Kaliski, SZ (2006) "Psycholegal assessment in South Africa"

Pistorius, M (2004) "Fatal females – women who kill"



Power, DJ et al (1996) "Criminal law and forensic psychiatry"

Radford, L (1998) "Pleading for time: justice for battered women who kill" in Bridgeman, J and Millns, S (1998) "Feminist perspectives on law: laws engagement with the female body"

Ray, I (1962) "A treatise on the medical jurisprudence of insanity"

Reddi, M (2007) "Violence against women" *in* Hoctor, SV and Schwikkard, PJ (eds.)(2007) "The exemplary scholar: essays in honour of John Milton"

Redmayne, M (2001) "Expert evidence and criminal justice"

Resick, PA *et al* (2008) "Posttraumatic stress disorder" *in* Barlow, DH (ed.)(2008) "Clinical handbook of psychological disorders"

Roche, P (1958) "The Criminal mind...a study of communication between the criminal law and psychiatry"

Rosenhan, DL and Seligman, MEP (1995) "Abnormal psychology"

Rothstein, PF et al (2006) "Evidence: cases, materials and problems"

Rubin, JG (1968) "The psychiatric report" in Allan, RC et al (1968) "Readings in law and psychiatry"

Rubin, S (1965) Psychiatry and criminal law: illusions, fictions and myths"

"Rules of Conduct for Practitioners registered under the Health Professions Act, 1974" *in* GNR 717 of 4 August 2006

Rumpff Report (1967) "Report of the Commission of Inquiry into the responsibility of mentally deranged persons and related matters"

RP 69/1967



Ryan, C and Butters, N (1983) "Cognitive deficits in alcoholics" *in* Kissen, B and Begeiter, H (1983) "The pathogenesis of alcoholism" vol. 7

Sadock, BJ and Sadock, VA (2003) "Kaplan and Sadock's synopsis of psychiatry: behavioural sciences/clinical psychiatry" 9th ed.

Sales, BD and Elwork, A (1980) "Issues in training forensic psychologists" in Cooke, G (ed.)(1980) "The role of the forensic psychologist"

Sales, BD and Shuman, DW (2005) "Experts in court: reconciling law, science and professional knowledge"

Sales, BD and Shuman, DW (2007) "Science, experts, and law: reflections on the past and the future" *in* Costanzo, M *et al* (eds.) (2007) "Expert psychological testimony for the courts"

Schapp, RF (1991) "Automatism, insanity and the psychology of criminal responsibility: a philosophical enquiry"

Schechter, H (2003) "The serial killer files – the who, what, where, how and why of the world's most terrifying murders"

Scheflin, AW and Opton, EM (1978) "The mind manipulators: a non-fiction account"

Schiffer, ME (1978) "Mental disorder and the criminal trial process"

Schmalleger, F (1996) 'Criminology today"

Schmidt, CWH (1998) "Bewysreg"

Schmidt, CWH and Rademeyer, H (2000) "Bewysreg" 4th ed.



Schneider, EM (1986) "Describing and changing: women's self-defence and the problem of expert testimony on battering" *in* Weisberg, K (1996) "Applications of feminist legal theory to women's lives"

Schopenhauer, A (1955) "The world as will and idea" *in* Barlow, DH and Durand, VM (1995) "Abnormal psychology: an integrative approach"

Schopp, RF (1991) "Automatism, insanity, and the psychology of criminal responsibility"

Schulte-Markwort, M *et al* (2003) "Cross-walks ICD-10-DSM-IV-TR – a synopsis of classifications of mental disorders"

Schwikkard, PJ "Insanity: the tenacious reverse onus, *in* Hoctor, S and Schwikkard, PJ (eds.)(2007) "The exemplary scholar: essays in honour of John Milton" 80

Schwikkard, PJ and Van der Merwe, SE (2002) "Principles of evidence"

Schwikkard, PJ and Van der Merwe, SE (2006) "Beginsels van die Bewysreg"

Schwikkard, PJ and Van der Merwe, SE (2009) "Principles of evidence" 3rd ed.

Shapiro, DL (1999) "Criminal responsibility evaluations"

Shapiro, DL (1991) "Forensic psychological assessment – an integrative approach"

Shorter Oxford English Dictionary (1992)

Simon, RI (1987) "Clinical psychiatry and the law"

Slovenko, R (1966) "Crime, law and corrections"



Slovenko, R (1995) "Psychiatry and criminal culpability"

Slovenko, R (2005) "Psychiatry and criminal culpability"

Slovenko, R (1973) "Psychiatry and law"

Slovenko, R (2002) "Psychiatry in law – law in psychiatry"

Slovenko, R (1998) "Psychotherapy and confidentiality"

Slovenko, R (1966) "Psychotherapy, confidentiality and privileged communication"

Slovenko, R (1990) "The role of the (psychiatric) expert in the judicial process" *in* Rosner, R and Weinstock, R (1990) "Ethical practice in psychiatry and the law"

Smith, JC (2002) "Smith and Hogan Criminal Law" 10th ed.

Smith, JC (2005) "Smith and Hogan Criminal Law" 11th ed.

Snyman, CR (1995) "Criminal Law" 3rd ed.

Snyman, CR (2002) "Criminal Law" 4th ed.

Snyman, CR (2008) "Criminal Law" 5th ed.

Snyman, CR (2003) "Criminal Law casebook" 3rd ed.

Snyman, CR (2006) "Strafreg" 5th ed.

Snyman, JL (1981) "Die siviele opneming van geestesongesteldes: regte en regsbeskerming van die betrokkene" (Unpublished LLD thesis University of South Africa)



South African Law Commission (1995) "The declaration and detention of persons as state patients under the Criminal Procedure Act 51 of 1977, and the discharge of such persons under the Mental Health Act 18 of 1973, including the burden of proof with regard to the mental state of an accused or convicted person" Project 89.

Sperry, L (2006) "Cognitive behavior therapy at DSM-IV-TR personality disorders"

Spitzer, RL et al (2002) "DSM-IV-TR; case book" (text revision) 4th ed.

Stark, E (2007) "Coercive control – how men entrap women in personal life"

Steyl, GC (1971) "Regters aan die woord"

Steytler, N (1998) "Constitutional criminal procedure – a commentary on the Constitution of the Republic of South Africa, 1996"

Stone, A (1976) "Mental health law: a system in transition"

Stone, MH (1998) "Healing the mind"

Strauss, A (1977) "A sociological perspective on the prevention and treatment of wifebeating" *in* Roy, M (1977) "Battered women: a psychological study of domestic violence"

Strauss, M et al (1980) "Behind closed doors: violence in the American family"

Strauss, SA (1991) "Doctor, patient and the law" 3rd ed.

Strauss, SA (1971) "Regsaspekte van geestesversteurdheid – legal aspect of mental disorder"

Strentz, T (1979) "The Stockholm syndrome: law, enforcement policy and ego defences of the hostage"



Styron, W (1990) "Darkness visible" in Hammen, C and Watkins, E (2008) "Depression"

Tapper, C (2007) "Cross and Tapper on evidence"

Tarrier, N (2008) "Schizophrenia and other psychotic disorders" *in* Barlow, DH (ed) (2008) "Clinical handbook of psychological disorders" 4th ed.

Taska, RJ and Sullivan, JL (1983) "Depression" *in* Cavenar, JO and Brodie, HKH (1983) "Signs and symptoms in psychiatry"

Taylor, K (2004) "Brainwashing: the science of thought control"

Taylor, PJ (1982) "Schizophrenia and violence" *in* Gunn, J and Farrington, DP (eds.)(1982) "Abnormal offenders, delinquency and the criminal justice system"

Tredoux, C et al (2005) "Psychology and law"

Van der Merwe, FW (1996) "Nie-patologiese ontoerekeningsvatbaarheid as verweer in die Suid-Afrikaanse strafreg" (Unpublished LLM dissertation University of South Africa)

Van der Schyff, G (2005) "Limitation of rights – a study of the European Convention and the South African Bill of Rights"

Van Kampen, PTC (1998) "Expert evidence compared"

Van Kraft-Ebing, R (1933) "Psychopathia sexualis: with especial reference to the antipathic sexual instinct: a medico-forensic study"

Visser, PJ and Mare, MC (1990) "Visser & Vorster's general principles of criminal law through the cases" 3rd ed.



Volow, MR (1983) "Delirium, dementia and other organic mental disorders" *in* Cavenar, JO and Brodie, HKH (1983) "Signs and symptoms in psychiatry"

Vorster, M (2002) "An analysis of the amnesias with specific reference to 'non-pathological sane automatism" (Unpublished PhD thesis University of Witwatersrand)

Walker, LE (1994) "Abused women and survivor therapy: a practical guide for the psychotherapist"

Walker, LE (1979) "The battered woman"

Walker, LE (1984) "The battered woman syndrome"

Walker, LE (1989) "Terrifying love – why battered women kill and how society responds"

Walker, LE (1984) "Women and mental health policy"

Wallace, D (1985) "The syndrome syndrome: problems concerning the admissibility of expert testimony on psychological profiles"

Weiner, IB (2004) "Adult psychopathology – case studies"

Weinstein, HC (1990) "The impartial expert" *in* Rosner, R and Weinstock, R (1990) "Ethical practice in psychiatry and the law"

Weisstub, DN (1980) "Law and psychiatry in the Canadian context"

Whitlock, FA (1963) "Criminal responsibility and mental illness"

Whitty, CWM and Zongwill, OL (1977) "Amnesia – clinical, psychological and medicolegal aspects" 2nd ed.



Widiger, TA *et al* (2006) "Dimensional models of personality disorders – refining research agenda for DSM-IV"

Wigmore, JH (1978) "Evidence in trials at common law"

Winstone, J and Pakes, F (2007) "The mentally disordered offender: disenablers for the delivery of justice" in Carson, D et al (ed.)(2007) "Applying psychology to criminal justice"

Wisner, KC *et al* (2003) "Postpartum disorders" *in* Spinelli, MG (ed.)(2003) "Infanticide – psychosocial and legal perspectives and mothers who kill"

Wolmarans, A (1986) "Die sielkundige as deskundige getuie in strafsake" (Unpublished masters dissertation in Clinical Psychology, University of Johannesburg)

Woo, SM and Keatinge, C (2008) "Diagnosis and treatment of mental disorders across the lifespan"

"World Book Medical Encyclopedia (1997) 7th ed.

Wright, F et al (1980) "Forensic psychology and psychiatry"

Zabow, T (2001) "Forensic psychiatry" *in* Dada, M and McQuoid-Mason, DJ (2001) "Introduction to medico-legal practice"

Zabow, T and Kaliski, SZ (2006) "Ethical considerations" *in* Kaliski, SZ "Psycholegal assessment in South Africa"

Zeffert, DT et al (2003) "The South African law of evidence"

Zeffert, DT and Paizes, AP (2009) "The South African law of evidence" 2nd ed.

Ziskin, J (1988) "Coping with psychiatric and psychological testimony"



Zuckerman, M (1999) "Vulnerability to psychopathology: a biosocial model"

JOURNALS

American Psychology Law Society "Specialty Guidelines for Forensic Psychologists" 1991 Law and Human Behavior 655

Appelbaum, PS "The parable of the forensic psychiatrist: ethics and the problem of doing harm" 1990 *International Journal of Law and Psychiatry* 249

Astin, MC et al "Post-traumatic stress disorder among battered women: risk and resiliency factors" 1993 Violence and Victims 17

Baker, BM "Provocation as a defence for abused women who kill" 1998 Canadian Journal of Law and Jurisprudence 193

Banks, NK "Trials and tribulations: social science evidence, expert witnesses, the voice of authority and the discourse of ideology in the courts" 1999 *Murdoch University Electronic Journal of Law* 1

Bargai, N *et al* "Posttraumatic stress disorder and depression in battered women: the mediating role of learned helplessness" 2007 *Journal of Family Violence* 267

Barlow, TB "Medical negligence resulting in death" 1948 *Journal for Contemporary Roman Dutch Law* 173

Bennett, G "A guided tour through selected ABA standards relating to incompetency to stand trial" 1985 *George Washington Law Review* 375

Bergenthuin, JG "Die algemene toerekeningsvatbaarheidsmaatstaf" 1985 De Jure 273

Bergenthuin, JG "Provokasie in die Suid-Afrikaanse strafreg" 1986 De Jure 98



Black, B *et al* "Science and the law in the wake of Daubert" 1994 *Texas Law Review* 715

Blackman, J "Potential uses for expert testimony: ideas toward the representation of battered women who kill" 1986 *Women's Rights Law Reporter* 227

Bloom, JD and Rogers, JL "The legal basis of forensic psychiatry" 1987 *American Journal of Psychiatry* 847

Bloom, JD *et al* "The forensic psychiatric system in the United States" 2000 International Journal of Law and Psychiatry 605

Bohan, TL and Heels, EJ "The case against Daubert" 1995 *Journal of Forensic Science* 1030

Boister, N "General principles of liability" 1995 South African Journal of Criminal Justice 367

Boister, N "General principles of liability" 1996 South African Journal of Criminal Justice 371

Boister, N "General principles of liability" 1997 South African Journal of Criminal Justice 315

Bonnie, R "The competence of criminal defendants: a theoretical reformulation" 1992 *Behavioral Sciences and the Law* 291

Bonta, J *et al* "The prediction of criminal and violent recidivism among mentally disordered offenders" 1998 *Psychological Bulletin* 125

Bromberg, W "Psychiatrists in court: the psychiatrist's view" 1969 *American Journal of Psychiatry* 1343



Buchanan, A "Psychiatric evidence on the ultimate issue" 2006 *The Journal of the American Academy of Psychiatry and the Law* 14

Burchell, J "Criminal justice at the crossroads" 2002 South African Law Journal 579

Burchell, J "Non-pathological incapacity: evaluation of psychiatric testimony" 1995 South African Journal of Criminal Justice 837

Burchell, J "A provocative response to subjectivity in the criminal law" 2003 *Acta Juridica* 23

Burchell, JM "Intoxication and the criminal law" 1981 South African Journal of Criminal Justice 177

Burke, AS "Rational actors, self-defence, and duress: making sense, not syndromes, out of battered woman" 2002 North Carolina Law Review 211

Calitz, FJW *et al* "Die ontwikkeling en problematiek van die verhoorbaarheidsbegrip" 1992 *Tydskrif vir Regswetenskap* 29

Campbell, TW "Psychotherapy with children of divorce" 1992 Psychotherapy 646

Camper, PM and Lottis, EF "The role of psychologists as expert witnesses in the courtroom" 1985 *Law and Psychology Review* 1

Carmen, EH *et al* "Victims of violence and psychiatric illness" 1984 *American Journal of Psychiatry* 378

Carstens, PA "Nalatigheid en verskillende gedagte rigtings ("schools of opinion") binne die mediese praktyk" 1991 *Journal for Contemporary Roman Dutch Law* 673



Carstens, PA "Paraphilia in South African criminal case law" 2002 South African Law Journal 603

Carstens, PA "Setting the boundaries for expert evidence in support or defence of medical negligence" 2002 *Journal for Contemporary Roman Dutch Law* 430

Carstens, PA & Le Roux, J "The defence of non-pathological incapacity with reference to the battered wife who kills her abusive husband" 2000 *South African Journal of Criminal Justice* 180

Carstens, PA "Criminal liability and sentencing for murder committed with diminished criminal capacity due to provocation-S v Mnisi 2009 (2) SACR 227 (SCA)" (2010) De Jure 388

Casey, P "Expert testimony in court" 2003 Advances in Psychiatric Treatment 177

Chaplow, DG *et al* "The expert witness in forensic psychiatry" 1992 *Australia/New Zealand Journal of Psychiatry* 624

Cochrane, G "Psychology, expert testimony and the law" 2001 Washington State Bar Review 24

Coetzee, LC "Criminal capacity – sane automatism – evidence of prolonged sexual abuse of accused by his mother" 1996 *Codicillus* 96

Cohen, D "Punishing the insane" 1988 University of Florida Law Review 541

Conley, WM "Restricting the admission of psychiatric testimony on a defendant's mental state" 1981 *Wisconsin's Law Review* 733

Cook, CM and Missouri, C "The role and rights of the expert witness" 1964 *Journal* of Forensic Sciences 456



Crocker, PL "The meaning of equality for battered women who kill men in self-defence" 1985 *Harvard Women's Law Journal* 121

Crous, AJ "Die beslegtingsproblematiek in gevalle van mediese wanpraktykgeskille" 1996 *Journal for Contemporary Roman Dutch Law* 22

Dahl, P "Legal and psychiatric concepts and the use of psychiatric evidence in criminal trials" 1985 *California Law Review* 411

Davies, W and Feldman, P "The diagnosis of psychopathy by forensic specialists" 1981 *British Journal of Psychiatry* 329

Davis, DM "Are psychopaths for real – or just another ideological obfuscation" 1982 South African Journal of Criminal Law and Criminology 143

Davis, DM "The psychopath and criminal justice – a critical review" 1983 South African Journal of Criminal Law and Criminology 259

Davoli, JI "Psychiatric evidence on trial" 2003 Southern Methodist University Law Review 2191

De Vos, P "S v Moses 1996 (1) SACR 701 (C) – criminal capacity, provocation and HIV" 1996 South African Journal of Criminal Justice 354

Derschowitz, A "Abolishing the insanity defence" 1975 Criminal Law Bulletin 434

Diamond, B "Reasonable medical certainty, diagnostic thresholds, and definitions of mental illness in the legal context" 1985 *Bulletin of the American Academy for Psychiatry and the Law* 121

Diamond, BL "The psychiatric prediction of dangerousness" 1974 *University of Pennsylvania Law Review* 439



Diamond, BL "The psychiatrist as advocate" 1973 *The Journal of Psychiatry and Law* 5

Dietz, PA and Evans, B "Pornographic imagery and prevalence of paraphilia" (1982) *The American Journal of Psychiatry* 1493

Dix, GE "Criminal law: psychological abnormality as a factor in grading criminal liability" 1971 *The Journal of Criminal Law, Criminology and Police Science* 313

Dolin, G "A healer or an executioner? The proper role of a psychiatrist in a criminal justice system" 2002/2003 *Journal of Law and Health* 169

Du Plessis, JR "The extention of the ambit of ontoerekeningsvatbaarheid to the defence of provocation – a strafregwetenskaplike development of doubtful practical value" 1987 South African Law Journal 539

Dutton, D and Painter, S "Emotional attachments in abusive relationships: a test of traumatic bonding theory" 1993 *Violence and Victims* 105

Dutton, MA "Pathways linking intimate partner violence and post-traumatic stress disorder" 2009 *Trauma, Violence and Abuse* 211

Dutton, MA "Understanding women's responses to domestic violence: a redefinition of battered women's syndrome" 1993 *Hofstra Law Review* 1191

Dwares, RE "Due process concerns with delayed psychiatry evaluations and the insanity defence" 1984 *Boston University Law Review* 861

Ellis, J "Emotional Stress" – 'n nuwe handelingsuitsluitingsgrond?" 1986 *De Jure* 340

Engelbrecht, J "The art of cross-examination" 1975 The Magistrate 54

Engelbrecht, J "Cross-examining expert witnesses" 1982 De Rebus 556



Ennis, B and Litwack, T "Psychiatry and the presumption of expertise: flipping coins in the courtroom" 1974 *California Law Review* 693

Faust, D and Ziskin, J "The expert witness in psychology and psychiatry" 1988 Science 31

Fenwick, P "Brain, mind and behaviour" 1993 British Journal of Psychiatry 163

Fingarette, H "The concept of mental illness in criminal law insanity tests" 1965-1966 *University of Chicago Law Review* 229

First, MB and Halon, RL "Use of DSM paraphilia diagnoses in sexually violent predator commitment cases" 2008 *The Journal of the American Academy of Psychiatry and the Law* 443

First, MB and Pincus, HA "Classification in psychiatry" 1999 *British Journal of Psychiatry* 175

First, MB and Pincus, HA "The DSM-I text revision" 2002 Psychiatric Services 288

Foa, E and Meadows, E "Psychosocial treatment for post-traumatic stress disorder" 1997 *Annual Review of Psychology: a critical review* 449

Frase, RS "Comparative criminal justice as a guide to American law reform: how do the French do it; how can we find out; and why should we care" 1990 *California Law Review* 539

Fraser, IS "Psychiatry and law" 1992 SALUS 18

Gelles, RJ and Harrop, JW "Violence, battering and psychological distress among women" 1989 *Journal of Interpersonal Violence* 400



Gerard, JB "The medical model of mental illness" 1999 *International Journal of Law and Psychiatry* 65

Gerard, JB "The usefulness of the medical model to the legal system" 1987 Rutgers Law Review 377

Gilmer, BT et al "Forensic expertise" 1995 South African Journal of Criminal Justice 259

Gilmer, BT *et al* "Law and psychology: an exploration of the conceptual interface" 1997 *South African Journal of Criminal Justice* 19

Goldstein, RL and Stone, M "When doctors disagree: differing views on competency" 1977 Bulletin of the American Academy for Psychiatry 90

Graham, ES and Kabacy, RE "Expert testimony by psychologists" 1990 *Law and Psychology Review* 71

Greenberg, JS "Criminal law and evidence using psychiatric testimony to negate mens rea under the Insanity Defense Reform Act" 1988 *Template Law Review* 953

Greenfield, DP "Organic approaches to the treatment of paraphilics and sex offenders" 2006 *Journal of Psychiatry and Law* 437

Greenspan, EL "The role of the psychiatrist in the criminal justice system" 1978 American Psychiatric Association Journal 137

Grisso, T "The differences between forensic psychiatry and forensic psychology" 1993 Bulletin of the American Academy of Psychiatry and Law 133

Gutheil, TG "Psychiatric expert witnesses in the new millennium" 2006 *Psychiatric Clinic North America* 829



Gutheil, TG "Psychiatrists as expert witnesses" 2004 American Journal of Psychiatry 2141

Haque, Q and Cumming, I "Intoxication and legal defences" 2003 *The Royal College of Psychiatrists – Advances in Psychiatric Treatment* 144

Harris, DA "Ake revisited: expert psychiatric witnesses remain beyond reach for the indigent" 1990 *North Carolina Law Review* 763

Haysom, N *et al* The mad Mrs Rochester revisited" 1990 *South African Journal of Human Rights* 341

Hazelwood, R *et al* "Compliant victims of the sexual sadist" 1993 *Australian Family Physician* 474

Henderson, A "An independent product: the role of expert evidence in the preparation and presentation of High Court cases involving allegations of (professional) negligence" 1997 *De Rebus* 63

Henning, PH "Beleid ten opsigte van die ontslag van Presidents-pasiënte" 1983 *Tydskrif vir Regswetenskap* 132

Hoctor, S "Amnesia and criminal responsibility" 2000 South African Journal of Criminal Justice 273

Hoctor, S "Road rage and reasoning about responsibility" 2001 South African Journal of Criminal Justice 195

Hudsmith, R "The admissibility of expert testimony on battered woman syndrome in battered women's self-defence cases in Louisiana" 1987 *Louisiana Law Review* 979

Humphreys, J et al "Psychological and physical distress of sheltered battered women" 2001 Health Care for Women International 401



Jackson, JD "The ultimate issue rule: one rule too many" 1984 *Criminal Law Review* 75

James, FE "Psyche" 1991 Psychiatric Bulletin 429

Jeffries, JC and Stephan, PB "Defences, presumptions, and burden of proof in criminal law" 1979 *Yale Law Review* 1325

Jonck, JW and Verschoor, T "Noodsaaklikheid van toestemming deur 'n beskuldigde by 'n ondersoek kragtens artikel 79 van die Strafproseswet" 1997 *Tydskrif vir Regswetenskap* 196

Jones, L *et al* "Post-traumatic stress disorder (PTSD) in victims of domestic violence" 2001 *Trauma, Violence and Abuse* 99

Jones, TH "Insanity, automatism, and the burden of proof on the accused" 1995 Law Quarterly Review 475

Jonker, GJ "A treatment programme for certified psychopathic offenders" 1983 South African Journal of Criminal Law and Criminology 271

Junginger, J "Command hallucinations and the prediction of dangerousness" Psychiatric Service 911

Kaliski, SZ "My brain made me do it" 2009 South African Journal of Psychiatry 4

Kastenberg, MJE "A three-dimensional model for the use of expert psychiatric and psychological evidence in the false confession defences before the trier of fact" 2003 Seattle University Law Review 785

Kemp, A *et al* "Post-traumatic stress disorder in battered women: a shelter sample" 1991 *Journal of Traumatic Stress* 137



Kendall, RE "The distinction between personality disorder and mental illness" 2002 British Journal of Psychiatry 110

Kenny, A "The psychiatric expert in court" 1984 Psychological Medicine 291

Kleinplatz, PJ and Moser. C "Politics versus science: an addendum and response to Drs Spitzer and Fink" 2005 *Journal of Psychology and Human Sexuality* 135

Kreiling, KR "Scientific evidence" 1990 Arizona Law Review 929

Kruger, A "Tekortkominge in wetgewing oor geestesongesteldheid" 1983 *Tydskrif vir Regswetenskap* 182

Kruger, HB "Addressing domestic violence: to what extent does the law provide effective measures" 2004 *Tydskrif vir Regswetenskap* 152

Kutchins, H and Kirk, SA "The business of diagnosis" 1988 Social Work 215

Labuschagne, JMT "Die mishandelde vrou sindroom, die redelike persoonstandaard en die grense van noodweer – R v Malott (1998) 121 CCC (3d) 456 (SCC)" 1998 Journal for Contemporary Roman Dutch Law of 538

Lacoursiere, RB "Forensic psychiatry" 1990 Washburn Law Journal 29

Lafond, M "Disorder in the court" 2005 Dalhousie Journal of Legal Studies 1

Lawton, LJ "The limitations of expert scientific evidence" 1980 *Journal of Forensic Science* 237

Le Roux, J "Strafregtelike aanspreeklikheid en die verweer van tydelike niepatologiese ontoerekeningsvatbaarheid – verlies van konatiewe geestesfunksie onderskei van blote verlies van humeur" 2002 *Journal for Contemporary Roman Dutch Law* 478



Le Roux, J "Strafregtelike aanspreeklikheid en die verweer van nie-patologiese oftewel gesonde outomatisme – ware amnesie onderskei van psigogene amnesie – blote verlies van humeur onderskei van nie-patologiese verlies van kognitiewe bewussyn" 2000 *De Jure* 190

Lenkevich, MH "Admitting expert testimony on battered woman syndrome in Virginia courts: how Peeples changed Virginia self-defence law" 1998 William and Mary Journal of Women and the Law 297

Lipkin, RJ "Free will, responsibility and the promise of forensic psychiatry" 1990 International Journal of Law and Psychiatry 331

Louw, PF "Die algemene toerekeningsvatbaarheidsmaatstaf" 1987 South African Journal of Criminal Justice 368

Louw, R "Recent cases – Criminal Law Amendment Act 1 of 1988" 1997 South

African Journal of Criminal Justice 104

Louw, R "S v Eadie: road rage, incapacity and legal confusion" 2001 *South African Journal of Criminal Justice* 206

Louw, R "S v Eadie: the end of the road for the defence of provocation?" 2003 South African Journal of Criminal Justice 200

Ludsin, H "Ferreira v The State: a victory for women who kill their abusers in non-confrontational situations" 2004 *South African Journal of Human Rights* 642

Lunde, DT and Wilson, TE "Brainwashing as a defense to criminal liability: Patty Hearst revisited" 1977 *Criminal Law Bulletin* 314

Mackay, RD "Fact and fiction about the insanity defence" 1990 *The Criminal Law Review* 247



Maguire, JB *et al* "Battered women who kill: variables affecting simulated jurors' verdicts" 2005 *Journal of Family Violence* 403

Maroney, T "Law and emotion: a proposed taxonomy of an emerging field" 2006

Law and Human Behavior 119

Martens, WHJ "The problem with Robert Hare's psychopathy checklist, incorrect conclusions, high risk of misuse, and lack of reliability" 2008 *Medicine and Law* 449

Marwick, C "What constitutes an expert witness?" 1995 *Journal of the American Medical Association* 2057

Mather, VM "The skeleton in the closet: the battered woman syndrome, self-defence, and expert testimony" 1988 *Mercer Law Review* 545

McKay, IM "Scientific reliability of psychiatric expert witness testimony involving the use of classifications from the diagnostic and statistical manual of mental disorders" 1992 *Criminal Justice Journal* 345

McSherry, B "Criminal responsibility, fleeting states of mental impairment, and the power of self-control" 2004 *International Journal of Law and Psychiatry* 449

Mega, LT et al "Brainwashing and battering fatigue: psychological abuse in domestic violence" 2000 North Carolina Medical Journal 260

Meintjes-Van der Walt, L "A few plain rules? A comparative perspective on exclusionary rules of expert evidence in South Africa" 2001 *Journal for Contemporary Roman Dutch Law* 236

Meintjes-Van der Walt, L "Cross-examination of expert witnesses" 2001 *De Rebus* 22



Meintjes-Van der Walt, L "Decision-makers dilemma: evaluating expert evidence" 2000 South African Journal of Criminal Justice 319

Meintjes-Van der Walt, L "Expert odyssey: thoughts on the presentation and evaluation of scientific evidence" 2003 South African Law Journal 352

Meintjes-Van der Walt, L "Eyewitness evidence and eyewitness science" 2009 South African Journal of Criminal Justice 305

Meintjes-Van der Walt, L "Making a muddle into a mess?: The amendment of s78 of the Criminal Procedure Act" 2002 South African Journal of Criminal Justice 242

Meintjes-Van der Walt, L "Many a slip...The need for strengthening the chain of expert evidence" 2000 *Comparative and International Law Journal of South Africa* 348

Meintjes-Van der Walt, L "The presentation of expert evidence at trials in South Africa, the Netherlands and England and Wales" 2001 *Stellenbosch Law Review* 283

Meintjes-Van der Walt, L "The proof of the pudding: the presentation and proof of expert evidence in South Africa" 2003 *Journal of African Law* 88

Meintjes-Van der Walt, L "S v Huma (1) 1995 (2) SACR 407 (W) – shooting at science: expert evidence and equality of arms" 1996 South African Journal of Criminal Justice 361

Meintjes-Van der Walt, L "Science friction: the nature of expert evidence in general and scientific evidence in particular" 2000 *South African Law Journal* 771

Menzies, RJ *et al* "Legal and medical issues in forensic psychiatric assessments" 1981 *Queens Law Journal* 3



Mezzich, JE "International surveys on the use of ICD-10 and related diagnostic systems" 2002 *Psychopathology* 72

Mihalik, J "Legal aspects of forensic psychiatry in South Africa" 1992 *Medicine and Law* 239

Mills, LG "Killing her softly: intimate abuse and the violence of state intervention" 1999 Harvard Law Review 550

Milton, J "Law reform: the Criminal Matters Amendment Act 1998 brings some sanity (but only some) to the defence of sanity" 1999 South African Journal of Criminal Justice 46

Moas, EB "Domestic violence: competing conceptions of equality in the law of evidence" 2001 *Loyola Law Review* 81

Monahan, J "Violence risk assessment" 2000 Washington and Lee Law Review 901

Monohan, J and Loftus, EF "The psychology of law" 1982 *Annual Review of Psychology* 441

Morse, S "Speciality guidelines for forensic psychologists" 1991 *Law and Human Behavior* 655

Morse, S "Why amnesia and the law is not a useful topic" 1986 *Behavioral Science* and the Law 99

Mose, SJ "Failed explanations and criminal responsibility" 1982 Virginia Law Review 1016

Mueser, KJ *et al* "Trauma and posttraumatic stress disorder in severe mental illness" 1998 *Journal of Consulting and Clinical Psychology* 493



Murphy, JP "Expert witnesses at trial" 2000 Georgetown Journal of Ethics 217

Norrie, A "Crime, reason and history" (1993) *in* Tadros, V "Insanity and the capacity for criminal responsibility" 2001 *Edinburgh Law Review* 325

O'Donovan, K "Defences for battered women who kill" 1991 Journal of Law and Society 219

Oosthuizen, H and Verschoor, T "Faktore wat 'n invloed op die verhoorbaarheid van 'n beskuldigde kan hê" 1991 *Tydskrif vir Regswetenskap* 138

Oosthuizen, H and Verschoor, T "Herstel van verhoorbaarheid deur psigotropiese middels" 1990 *Tydskrif vir Regswetenskap* 74

Oosthuizen, H and Verschoor, T "Verlof en ontslag van staatspasiënte" 1994 South African Journal of Criminal Justice 358

Oosthuizen, H and Verschoor, T "Verwysing van onverhoorbare beskuldigdes en die daarstelling van 'n verhoorbaarheid-vasstellingseenheid" 1993 *South African Journal of Criminal Justice* 155

Paizes, A "Intoxication through the looking glass" 1988 South African Journal of Criminal Justice 776

Pattenden, R "Expert opinion evidence based on hearsay" 1982 *The Criminal Law Review* 85

Perlin, M "The legal status of the psychologist in the courtroom" 1977 *Journal of Psychiatry* 41

Perlin, ML "Unpacking the myths: the symbolism mythology of insanity defence jurisprudence" 1989/1990 Western Reserve Law Review 599

Pipkin, W "Expert opinion testimony" 1989 Law and Psychology Review 105



Platt, A and Diamond, BL "The origins of the 'Right and Wrong' test of criminal responsibility" 1966 *California Law Review* 1227

Plomp, J "Die psigiater en die vasstelling van toerekeningsvatbaarheid" 1983 *Tydskrif vir Regswetenskap* 154

Pope, KS and Garcia-Peltoniemi, RE "Responding to victims of torture: clinical issues, professional responsibilities, and useful resources" 1991 *Professional Psychology: research and practice* 221

Rappeport, JR "Differences between forensic and general psychiatrists" 1982

American Journal of Psychiatry 331

Reddi, M "Battered woman syndrome: some reflections on the utility of this 'syndrome' to South African women who kill their abusers" 2005 South African Journal of Criminal Justice 259

Reddi, M "General principles – non-pathological incapacity" 2001 South African Journal of Criminal Justice 241

Reddi, M "General principles – non-pathological incapacity" 2002 *South African Journal of Criminal Justice* 250

Reddi, M "General principles of liability" 1999 South African Journal of Criminal Justice 87

Reddi, M "General principles – private defence" 2005 South African Journal of Criminal Justice 335

Redding, R "Psychology and the law: how common-sense Psychology can inform Law and psychologal research" 1998 *University of Chicago Law School Roundtable* 107



Redmayne, M "Expert evidence and scientific disagreement" 1997 *University*College of Davis Law Review 1027

Reid, J "Criminal insanity and psychiatric evidence" 1962 Howard Law Journal 1

Reid, W "Law and psychiatry – the insanity defence" 2000 *Journal of Psychiatric Practice* 169

Reid, WH "The insanity defence: bad or mad or both" 2000 *Journal of Psychiatric Practice* 169

Reily, A "The heart of the matter: emotion in criminal defences" 1997 *Ottawa Law Review* 117

Rix, KJ "Psychiatry and the Law: uneasy bedfellows" 2006 *Medico-legal Journal* 148

Roberts, JW "Between the heat of passion and cold blood: battered woman's syndrome as an excuse for self-defence in non-confrontational homicides" 2003 Law and Psychology Review 135

Roberts, P "Science in the criminal process" 1994 Oxford Journal of Legal Studies 469

Robinson, PH "Criminal law defences: a systematic analysis" 1982 *Columbia Law Review* 199

Rogers, A "Prosecutorial use of expert testimony in domestic violence cases: from recantation to refusal to testify" 1998 *Columbia Journal of Gender and Law* 67

Rogers, R and Cavanaugh, J "Amnesia" 1986 Behavioral Science and the Law Introductory note



Rogers, R and Ewing, CP "Ultimate opinion proscriptions" 1989 Law and Human Behavior 357

Rogers, R and Lynett, E "The role of Canadian psychiatry in dangerous offender testimony" 1991 *Canadian Journal of psychiatry* 79

Rogers, R *et al* "The clinical presentation of command hallucinations in a forensic population" 1990 *American Journal of Psychiatry* 1304

Rogers, R *et al* "Psychiatrists and the parameters of expert testimony" 1992 International Journal of Law and Psychiatry 387

Rogers, T "Diagnostic validity and psychiatry expert testimony" 2004 *International Journal of Law and Psychiatry* 281

Rubinsky, EW and Brandt, J "Amnesia and criminal law: a clinical overview" 1986 Behavioral Science and the Law 27

Rumpff, F "Feite of woorde" 1990 Consultus 19

Ryan, C and Smith, ME "When insanity is convenient" 2005 Without Prejudice 7

Sales, MJ and Wissler, RL "Legal and psychological bases of expert testimony" Behavioral Sciences and the Law 435

Samuels, A "Mental condition as a defence in criminal law: a lawyer addresses medical men" 1988 *Medicine, Science and the Law* 21

Saunders, DG "Posttraumatic stress symptom profiles of battered women" 1994 *Violence and Victims* 31

Schacter, DL "On the relation between genuine and simulated amnesia" 1986

Behavioral Science and the Law 47



Schmidt, CWH "Laying the foundation for a defence of sane automatism" 1973 South African Law Journal 329

Schneider, E and Jordan, S "Representation of women who defend themselves in response to physical or sexual assault" 1978 *Women's Rights Law Reporter* 148

Schneider, EM "Describing and changing women's self-defense work and the problem of expert testimony on battering" 1986 *Women's Rights Law Reporter* 195

Schuller, RA and Cripps, A "Expert evidence pertaining to battered women: the impact of gender of expert and timing of testimony" 1998 *Law and Human Behavior* 17

Schuller, RA and Rzepa, S "Expert testimony pertaining to battered woman syndrome: its impact on juror's decisions" 2002 *Law and Human Behavior* 655

Schuller, R and Vidmar, N "Battered woman syndrome evidence in the courtroom – a review at the literature" 1992 *Law and Human Behavior* 273

Schulze, H "Criminal law - S v Eadie 2002 (3) SA 719 (SCA)" 2002 De Rebus 38

Scott, CL "Commentary: a road map for research in restoration of competency to stand trial" 2003 *Journal of the American Academy of Psychiatry and Law* 36

Seymour, ML "Isn't it a crime: feminist perspectives on spousal immunity and spousal violence" 1996 *Northwestern University Law Review* 1032

Shaffer, M "The battered woman syndrome revisited: some complicating thoughts five years after R v Lavallee" 1997 *University of Toronto Law Journal* 1

Sheehy, E *et al* "Defending battered women on trial, the battered women's syndrome and its limitations" 1992 *Criminal Law Journal* 369

Sheldon, DH "From normative to positive data" 1991 Criminal Law Review 811



Shieber, A *et al* "The psychiatric diagnosis: is it an instrument of help or one of doom" 1987 *Medicine and Law* 165

Shuman, DW "Expertise in law, medicine, and health care" 2001 *Journal of Health Politics, Policy and Law* 267

Slobogin, C "Psychiatric evidence in criminal trials: to Junk or not to Junk?" 1998 *William and Mary Law Review* 1

Slovenko, R "A history of the intermix of psychiatry and law" 2004 *The Journal of Psychiatry and Law* 561

Slovenko, R "Commentary: deceptions to the rule on ultimate issue testimony" 2006 *Journal of American Academy of Psychiatry and the Law* 22

Slovenko, R "The developing law on competency to stand trial" 1977 *Journal of Psychiatry and Law* 165

Slovenko, R "Expert testimony: use and abuse" 1993 Medicine and Law 627

Slovenko, R "The lawyer and the forensic expert" 1987 *Behavioral Science and Law* 119

Slovenko, R "The meaning of mental illness in criminal responsibility" 1984 *The Journal of Legal Medicine* 1

Slovenko, R "The mental disability requirement in the insanity defense" 1999 Behavioral Science and the Law 165

Slovenko, R "The multiple personality and the criminal law" 1993 *Medicine and Law* 329



Slovenko, R "Multiple personality: perplexities about the law" 1995 *Medicine and Law* 623

Slovenko, R "On a therapist serving as expert witness" 2002 *Journal of American Academy Psychiatry* 10

Slovenko, R "Psychiatric expert testimony: are the criticisms justified? (Part 1) 1991 *Medicine and Law* 1

Slovenko, R "Psychiatric expert testimony: are the criticisms justified? (Part 2) 1991 *Medicine and Law* 107

Slovenko, R "Responsibility of the psychopath" 1999 *Philosophy, Psychiatry and Psychology* 53

Smith, KT "The psychiatry expert in the criminal trial" 1987 *Marquette Law Review* 493

Snyman, CR "Is there such a defence in our Criminal Law as 'emotional stress'? 1985 South African Law Journal 240

Snyman, CR "n Koel ontvangs vir 'Statutere Dronkenskap'" 1990 *Tydskrif vir die* Suid-Afrikaanse Reg 504

Snyman, CR "The tension between legal theory and policy considerations in the general principles of Criminal Law" 2003 *Acta Juridica* 1

Snyman, CR "Die verweer van nie-patologiese ontoerekeningsvatbaarheid in die strafreg" 1989 *Tydskrif vir Regswetenskap* 1

Snyman, J "The declaration of a person as a President's patient" 1988 Acta Juridica 128



Sparks, J "Admissibility of expert psychological evidence in the Federal Courts" 1995 Arizona State Law Journal 1315

Spitzer, RL and Wakefield, JC "DSM-IV diagnostic criterion for clinical significance" 1999 *American Journal of Psychiatry* 1856

Stark, E "Re-presenting woman battering: from battered woman syndrome to coercive control" 1995 *Albany Law Review* 973

Steinmetz, SK "Wife-beating: a critique and reformulation of existing theory" 1978 Bulletin of the American Academy of Psychiatry and the Law 322

Stone, A "The insanity defence on trial" 1982 Hospital and Community Psychiatry 636

Stone, AA "Revisiting the parable: truth without consequences" 1994 *International Journal of Law and Psychiatry* 79

Strassburger, LH *et al* "On wearing two hats: role conflict in serving as both psychotherapist and expert witness" 1997 *American Journal of Psychiatry* 448

Strauss, SA "Geestesongesteldheid en die strafreg: die voorgestelde nuwe reeling in die strafproseswetsontwerp" 1974 *Journal for Contemporary Roman Dutch Law* 219

Strauss, SA "Nie-patologiese ontoerekeningsvatbaarheid as verweer in die Strafreg: 'n nuwe uitdaging vir deskundige, mediese getuienis" 1995 South African Practice Management 14

Strauss, SA "Opmerkings oor toorn as faktor by die vasstelling van strafregtelike aanspreeklikheid" 1959 *Journal for Contemporary Roman Dutch Law* 14

Strauss, SA "Regsaspekte van geestesversteurdheid – legal aspects of mental disorder" 1971 *Journal for Contemporary Roman Dutch Law* 1



Strauss, SA "The person with schizophrenia and criminal justce" 1996 Comparative and International Law Journal of South Africa 282

Street, AE and Arias, I "Psychological abuse and posttraumatic stress disorder in battered women: examining the roles of shame and guilt" 2001 *Violence and Victims* 65

Tadros, V "Insanity and the capacity for criminal responsibility" 2001 *The Edinburgh Law Review* 325

Taylor, PJ and Kopelman, MD "Amnesia for criminal offences" 1984 *Psychological Medicine* 581

Trowbridge, BC "The admissibility of expert testimony in Washington on post traumatic stress disorder and related trauma syndromes" 2003 *Seattle University Law Review* 453

Van der Merwe, DP "Die begrip verminderde toerekeningsvatbaarheid en die implementering daarvan" 1983 *Tydskrif vir Regswetenskap* 172

Van der Merwe, DP "Toerekeningsvatbaarheid v 'Specific Intent' – die Chretienbeslissings" 1981 *Obiter* 142

Van der Merwe, RP "Sielkundige perspektiewe op tydelike nie-patologiese ontoerekeningsvatbaarheid" 1997 *Obiter* 138

Van Niekerk, B "A witch's brew from Natal – some thoughts on provocation" 1972 South African Law Journal 169

Van Oosten, FFW "The insanity defence: it's place and role in the criminal law" 1990 South African Journal of Criminal Justice 1



Van Oosten, FFW "Non-pathological criminal incapacity versus pathological criminal incapacity" 1993 *South African Journal of Criminal Justice* 127

Van Oosten, FFW "Psychopathic violent and sex offenders: a legal appraisal" 1992 De Jure 1

Van Rensburg, PHJ *et al* "Psigiatiese en juridiese aspekte van die begrip geestesongesteldheid" 1983 *Tydskrif vir Regswetenskap* 162

Van Rensburg, PHJ and Verschoor, T "Medies-geregtelike aspekte van amnesia" 1989 *Tydskrif vir Regswetenskap* 40

Veinsrerderis, ME "The prospective effects of modifying existing laws to accommodate preemptive self-defence by battered women" 2000 *University of Pennsylvania Law Review* 613

Verschoor, T et al "Deskundige getuienis" 1994 Geneeskunde 5

Vetten, L "Addressing gender bias in the sentencing of men and women convicted of killing their intimate partners" Oct 2002 *Gender Bulletin* 4

Viljoen, G "Toerekeningsvatbaarheid: wrywingspunte en raakvlakke tussen reg en psigiatrie" 1983 *Tydskrif vir Regswetenskap* 121

Warburton, IG "The commandeering of free will: brainwashing as a legitimate defense" 2003 Capital Defense Journal 73

Warren, JI and Hazelwood, RR "Relational patterns associated with sexual sadism: a study of 20 wives and girlfriends" 2002 *Journal of Family Violence* 75

Weihofen, H "The definition of mental illness" 1960 Ohio State Law Journal 1

Wells, G "Expert psychological testimony" 1986 Law and Human Behavior 83

UNIVERSITEIT VAN PRETORIA UNIVERSITY OF PRETORIA YUNIBESITHI YA PRETORIA

Wolhuter, L "Excuse them though they know what they do – the distinction between justification and excuse in the context of battered women who kill" 1996 *South African Journal of Criminal Justice* 151

Yeo, S "The insanity defence in the criminal laws of the Commonwealth of Nations" 2008 Singapore Journal of Legal Studies 241

Zabow, T "Psychiatric evidence in extenuation: assessment and testimony in homicide defendants" 1989 *Medicine and Law* 631

CONFERENCE PAPER

Chapman, FE (2008) "The compliant victim of the sexual sadist and the proposed Canadian defence of coercive persuasion". Paper submitted at the International Society for the Reform of Criminal Law -22^{nd} International Conference Dublin, Ireland.

DAILY NEWSPAPERS

Beeld 27 February 2009

Beeld 11 March 2009

Pretoria News 27 February 2009

Pretoria News 10 March 2009

Pretoria News 11 March 2009

Pretoria News 14 March 2009

Rapport 5 April 2009

LEGAL OPINION

901



Pillay, K "Battered women who kill: avenues for legal/political recourse (2005) Legal opinion commissioned by the Centre for the Study of Violence and Reconciliation

ELECTRONIC RESOURCES

AAPL Ethics Guidelines:

http://www.mentalhelp-net/poc/view-doc.php?type=cloc8id
[accessed on 2010/03/09]

Abusive brainwashing techniques: (anonymous)
http://www.heart-2-heart.ca/men/page3.html [accessed on 2009/04/07]

Britannica Concise Encyclopedia (2007): http://www.encyclopedia.com/doc/1_B1-35_6756.html [accessed on 2008/07/16]

Bursztajn, HJ et al "Kumbo for clinicians":

http://www.forensic-psych.com/articles/artKumboClinicians.php [accessed on 2007/05/03]

Cocozzo, JJ and Steadman, HJ:

http://www.jstor.org/view/00377791/apo30107/05a00040/0 [accessed on 2007/08/15]

Dental Dictionary:

http://www.answers.com/topic/mental-illness [accessed on 2009/06/11]

Diagnostic classification:

http://www.icd10.ch/ebook/FRetENetGe-Omset
DMDI-FR/vzpzzi [accessed on 2009/07/07]

http://en.wikipedia.org/wiki/ICD [accessed on 2009/07/07]

DSM-V future publication:



http://en.wikipedia.org/wiki/Diagnostic-and-Statistical-Manual-of-Mental-Disorders [accessed on 2009/07/27]

"Expertise in Law":

http://www.ahrq.gov/clinic/jhppl/shuman2.htm [accessed on 2007/05/03]

Forensic psychologist definition:

http://www.geocities.com/Athens/7429/forensicpsychprep.html [accessed on 2008/07/15]

Gutheil, TG and Bursztajn, H "Avoiding Ipse Dixit mislabelling":

http://www.forensic-psych.com/articles/artAvoidlpsedixit.hph [accessed on 2007/03/28]

Hinckley Trial:

http://www.law.umke.edu/faculty/projects/ftrials/hinckley/jfostercommun.htm [accessed on 2010/03/09]

http://www.law.umko.edu/faculty/projects/ftrials/hinckley.mono.htm [2010/03/09]

International statistical classification:

http://en.wikipedia.org/wiki/ICD [accessed on 2009/06/11]

Levinson, RM and York, MZ:

http://www.jstor.org/view/00221465/di976050/97po938./o [accessed on 2007/08/15]

Levy, M "Shrink in the courtroom: forensic psychiatry and law""

http://www.fpamed.com/forensic_psychiatry/2008/05/shrink-in-the-c.html

[accessed 2009/02/23]

Linder, D "The trial of John Hinckley":

http://www.law.umke.edu/faculty/projects/_Ftrials/hinckleytrial.html [accessed on 2010/03/09]



Love and Stockholm syndrome:

http://counsellingresource.com/quizze's/stockholm/index.html [accessed on 2009/02/23]

Malin, HM and Saleh, FM (2007) "Paraphilias" at:

http://www.psychiatrictins.com/display/article/10168/55266 [accessed on 2009/08/04]

Medical dictionary: http://www.answers.com/topic/battered-womansyndrome?cat=health [accessed on 2008/07/16]

Merriam-Webster Online Dictionary: http://www.merriam/webster.com/dictionary/provocation [accessed on 2008/07/21]

"Mouthful of glass" in

http://findarticles.com/p/articles/mimOJOP/is-330/ai-30443224 [accessed on 2009/05/09]

National Alliance definition for mental illness:

http://karisable.com/crmh.htm [accessed on 2009/04/01]

Paraphilias:

http://en.wikipedia.org/wiki/list-of-paraphilias [accessed on 2009/08/04]

Prevent and remedy coercive persuasion, brainwashing and mind control: http://www.systemiccoaching.com/coercion.html [accessed on 2009/04/07]

Ramsland, K "Andrea Yates: ill or evil" at http://www.trutr.com/library/crime/notorious_murders/women/andrea_yates/index.h tml [accessed on 2009/09/23]

Reid psychiatry:

http://www.reidpsychiatry.com/reidfaq.html [accessed on 2008/07/15]



Schuller, RA "Expert evidence and its impact on juror's decisions in homicide trials involving battered women" *in* http://www.duke.edu/journals/djglp.articles/gen10p225.htm [accessed on 2006/05/19]

Statistics:

http://www.powa/co/za/Display.asp>.ID-12 [accessed on 2009/03/16]
http://www.settlement.org/downloads/woman-Abuse-factsheet.pdf [accessed on 2009/03/16]

Stark, E "Coercive control" at

http://www.justiceformothers.com/Documents/coercivecontrol.pdf [accessed on 2009/03/23]

Stress definition:

http://en.wikipedia.org/wiki/stress-medicine [accessed on 2009/03/23]

Tsafendas: the tapeworm assassin:

http://diatribe-column.blogspot.com/2009/02/tsafendas-tapeworm-assasin.html [accessed on 2009/05/09]

Wikipedia encyclopedia:

http://en/wikipedia.org/wiki/Amnesia [accessed on 2009/02/04]

Wikipedia encyclopedia:

http://en.wikipedia.org.wiki/Clinical-psychology [accessed on 2008/09/05]

Wikipedia encyclopedia:

http://en.wikipedia.org/wiki/provocation [accessed on 2008/07/21]

Wikipedia encyclopedia:

http://en.wikipedia.org/wiki/Forensic-psychiatry [accessed on 2008/07/15]

Wikipedia encyclopedia:



http://en.wikipedia.org/wiki/Forensic/psychology [accessed on 2008/07/15]

Wikipedia encyclopedia:

http://en.wikipedia.org/wiki/Mental_illness [accessed on 2009/06/11]

Wikipedia encyclopedia:

http://en.wikipedia.org/wiki/psychiatry [accessed on 2008/08/26]

Wikipedia encyclopedia:

http://en.wikipedia.org/wiki/stockholm-syndrome [accessed on 2009/02/23]

Wolff, N "Interactions between mental health and law enforcement systems: problems and prospects for cooperation" Journal of Health Politics, Policy and Law (1998) 133: http://jhppl.dukejournals.org/cg./content/abstract/23/1/133 [accessed on 2008/07/03]

Woman Abuse Fact Sheet:

http://www.settlement.org/downloads/woman-abuse-factsheet.pdf [accessed on 2009/03/16]

Women's Rural Advocacy Programs:

http://www.letswrap.com/dvinfo/myths.htm [accessed on 2006/03/27]
http://www.letswrap.com/dvinfo/whystay.htm [accessed on 2006/03/27]



STATUTES

Arms and Ammunition Act 75 of 1969 Canadian Charter of Rights and Freedoms Civil Proceedings Evidence Act 25 of 1965 Constitution of the Republic of South Africa, 1996 Constitution of the Republic of South Africa Act 200 of 1993 Criminal Code of Canada Criminal Law (Sentencing and Related Matters) Amendment Act 32 of 2007 Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 Criminal Law Amendment Act 1 of 1988 Criminal Law Amendment Act 105 of 1997 Criminal Matters Amendment Act 68 of 1998 Criminal Procedure Act 51 of 1977 Domestic Violence Act 116 of 1998 Health Professions Act 56 of 1974 Immorality Act 23 of 1957

Insanity Defence Reform Act of 1984 (USA)



Law of Evidence Amendment Act 85 of 1988

Legal Aid Amendment Act 20 of 1996

Mental Disorders Act 38 of 1916

Mental Health Act 18 of 1973

Mental Health Care Act 17 of 2002

Promotion of Access to Information Act 2 of 2000

Rents Amendment Act 51 of 1972

Trial of Lunatics Act 1883

Transkei Penal Code

Wet op Geestesgebrekken 38 of 1916



LAW REPORTS

Afrox Healthcare v Strydom 2002 (6) SA 21 (SCA)

Amod v Multilateral Motor Vehicle Accidents Fund 1998 (4) SA 753 (CC)

Attorney-General v Dow 1994 (6) BCLR 1 (Bot)

Bernstein v Bester 1996 (2) SA 751 (CC)

Bernstein v Bester 1996 (4) BCLR 449 (CC)

Bolitho v City and Hackney Health Authority 1998 AC 232 (HL)

Botha v Minister of Transport 1956 (4) SA 375 (W)

Bratty v Attorney-General for Northern Ireland (1961) 3 All E.R. 523 (H.L.)

Carmichele v Minister of Safety and Security 2001 (10) BCLR 995 (CC), 2002 (1) SACR 79 (CC)

Carmichele v Minister of Safety and Security 2001 (4) SA 938 (CC), 2001 (1) SA 481 (SCA)

Carter v United States 252 F. 2d 608 (1957)

Christian Education South Africa v Minister of Education 1999 (2) SA 83 (CC)

Coopers v Deutsche Gesellschaft fur Schadlingsbekampfung MBH 1976 (3) SA 352 (A)

Coppen v Impey 1916 CPD 309



Curtis v Minister of Safety and Security 1996 (5) BCLR (CC), 1996 (3) SA 617 (CC), 1996 (1) SACR 587 (CC)

Daubert v Merrell Dow Pharmaceuticals 509 US 579 (1993)

De Lange v Smuts 1998 (7) BCLR 658 (CC)

De Lille v Speaker of the National Assembly 1998 (3) SA 420 (C)

Dean v Commonwealth 777 S.W. 2d. (1989) 900

Deutchmann and Another; Shelton v Commissioner for the South African Revenue Service 2000 (6) BCLR 571 (E)

Dingley v The Chief Constable, Strathclyde Police 2000 SC 77 (HL)

Director of Public Prosecutions v Venter 2009 (1) SACR 165 (SCA)

DPP v A and BC Chewing Gum 1968 AC 159

DPP v Kilbourne 1973 AC 729

Du Plessis v De Klerk 1996 (3) SA 850 (CC)

Du Plessis v De Klerk 1996 (5) BCLR 658 (CC)

Durham v Unites States 214 F2d 862 (1954)

Dusky v United States 362 US 402 (1960)

Ex parte Haney 603 So.2d 412 (1992)

Ex parte Minister of Safety and Security: In re S v Walters 2002 (4) SA 613 (CC)



Ferreira v Levine and Vryenhoek v Powell 1996 (1) BCLR 1 (CC)

Frye v United States 293 F. 1013 (1923)

General Electric v Joiner 522 US 136 (1997)

Gentiruco AG v Firestone SA 1972 (1) SA 589 (A)

Govender v Minister of Safety and Security 2001 (4) SA 273 (SCA)

Holtzhauzen v Roodt 1997 (4) SA 766 (W)

Hudson v Commonwealth 979 S.W. 2d. (1998) 106

Kramer v United States 579 F.Supp. 314 (1984)

Kumho Tire v Carmichael 526 US 137 (1999), 119 S.Ct 1167 (1999)

Lavallee v The Queen (1990) SCR 85 (55 CCC)(3d) 97 (SCC)

Louwrens v Oldwage 2006 (2) SA 161 (SCA)

Mandela v Falati 1994 (4) BCLR 1 (W)

Master of the High Court v Deedat 1999 (1) BCLR 1285 (W)

McClellan v Commonwealth 715 S.W. 2d (1986) 464

McDonald v United States 312 F. 2d 847 (1962)

Menday v Protea Assurance 1976 (1) SA 565 (E)

Michael v Linksfield Park Clinic 2001 (3) SA 1188 (SCA)



National Coalition for Gay and Lesbian Equality v Minister of Home Affairs 2000 (2) SA 1 (CC)

National Coalition for Gay and Lesbian Equality v Minister of Justice 1998 (12) BCLR 1517 (CC)

National Justice Compania Naviera SA v Prudential Assurance, ("The Ikarian Reefer") (1993) 2 Lloyd's Rep 68 (QB)

Omar v Government of the Republic of South Africa 2006 (1) SACR 359 (CC)

Pennington v Minister of Justice 1995 (3) BCLR 270 (C)

Pharmaceutical Manufacturers Association of SA, In re Ex parte President of Republic of South Africa 2000 (2) SA 674 (CC)

Pringle v Administrator, Transvaal 1990 (2) SA 379 (WLD)

R v Abadom (1983) 1 WLR 126

R v Anderson 1928 CPD 195

R v Arnold (1724) 16 Howell's State Trials 695

R v Biyana 1938 (EDLD) 310

R v Bourke 1916 (TPD) 303

R v Burgess (1991) 2 All ER 769 (CA)

R v Byrne (1960) 3 AER 1

R v Chaulk 1991 CRR (2d) 1 (SCC)



R v Dhlamini 1955 (1) SA 120 (T)

R v H 1962 (1) SA 197 (A)

R v Harris 1965 (2) SA 340 (A)

R v Hay (1899) 16 SC 290

R v Holiday 1924 (AD) 250

R v Hughes 1987 (3) SA 97 (A)

R v Hugo 1940 (WLD) 285

R v Ivory 1916 WLD 17

R v Jacobs 1940 TPD 142

R v Johnson 1970 (2) SA 405 (R)

R v Katz 1946 AD 781

R v Kemp (1956) 3 All ER 249; 1957 (1) QB 339

R v Kruger 1958 (2) SA 320 (T)

R v Malott 1998 SCR 123

R v Matthews 1960 (1) SA 752 (A)

R v M'Naghten 1843 8 ER 718

R v Mofokeng 1928 (AD) 132



R v Morela 1947 (3) SA 147 (A)

R v Noll (1999) 3 VR 704

R v Orsmond 1936 EDL 142

R v Quick 1973 QB 910

R v Roberts 1957 (4) SA 265 (A)

R v Senekal 1969 (4) SA 478 (RA)

R v Smit 1906 TS 783

R v Steyn 1954 (1) SA 324 (AD)

R v Sullivan 1984 AC 156, (1983) 2 All ER 673

R v Taylor 1949 (4) SA 702 (A)

R v Theunissen 1946 (2) PH H 242 (N)

R v Thibani 1949 (4) SA 720 (A)

R v Trupedo 1920 AD 58

R v Turner (1975) 1 QB 834

R v Van der Veen 1909 TS 853

R v Vilbro 1957 (3) SA 223 (A)

R v Von Zell 1953 (3) SA 301 (A)



R v Westrich 1927 CPD 466

R v Zulch 1937 (TPD) 400

Reed v State 391 A.2d 364 (1978)

Ruto Flour Mills v Adelson (1) 1958 (4) SA 235 (T)

S v Adams 1986 (4) SA 882 (A)

S v April 1985 (1) SA 639 (NC)

S v Arnold 1985 (3) SA 256 (CPD)

S v Azov 1974 (1) SA 808 (T)

S v Bailey 1982 (3) SA 772 (A)

S v Baloyi 2000 (1) SACR 81 (CC), 2000 (2) SA 425 (CC), 2000 (1) BCLR 86 (CC)

S v Bezuidenhout 1964 (2) SA 651 (A)

S v Bhulwana; S v Gwadiso 1995 (12) BCLR 1579 (CC)

S v Blaauw 1980 (1) SA 536 (C)

S v Boyce 1990 (1) SACR 13 (T)

S v Calitz 1990 (1) SACR 119 (A)

S v Campher 1987 (1) SA 940 (A)

S v Chretien 1981 (1) SA 1097 (A)



- S v Coetzee 1997 (4) BCLR 437 (CC)
- S v Collop 1981 (1) SA 150 (A)
- S v Cunningham 1996 (1) SACR 631 (A)
- S v D 1995 (2) SACR 502 (C)
- S v De Beer 1995 (1) SACR 128 (SE)
- S v Di Blasi 1996 (1) SACR 1 (A)
- S v Dobson 1993 (2) SACR 86 (E)
- S v Dobson 1993 (4) SA 55 (E)
- S v Dodo 2001 (3) SA 382 (CC)
- S v Dyani 2004 (2) SACR 365 (E)
- S v Eadie (1) 2001 (1) SACR 172 (CPD)
- S v Eadie 2001 (2) (1) SACR 185 (CPD)
- S v Eadie 2002 (1) SACR 663 (SCA)
- S v Eadie 2002 (3) SA 719 (SCA)
- S v Ebrahim 1973 (1) SA 868 (A)
- S v Edley 1970 (2) SA 223 (NPD)
- S v Edward 1992 (2) SACR 429 (ZH)



- S v Els 1993 (1) SACR 723 (O)
- S v Engelbrecht 2005 (2) SACR 41 (WLD)
- S v Eyden 1982 (4) SA 141 (T)
- S v Ferreira 2004 (2) SACR 454 (SCA)
- S v Flanagan 2003 (2) SACR 98 (ECD)
- S v Forbes 1970 (2) SA 594 (C)
- S v Francis 1999 (1) SACR 650 (SCA)
- S v Gakool 1965 (3) SA 461 (N)
- S v Gesualdo 1997 (2) SACR 68 (W)
- S v Gouws 1967 (4) SA 527 (E)
- S v Griessel 1993 (1) SACR 178 (O)
- S v Gxako 1965 (4) SA 12 (E)
- S v Harman 1978 (3) SA 767 (A)
- S v Harris 1965 (2) SA 340 (A)
- S v Henry 1999 (1) SACR 13 (SCA)
- S v Huma (1) 1995 (2) SACR 407 (W)
- S v Ingram 1995 (1) SACR 1 (A)



S v Ingram 1999 (2) SACR 127 (WLD)

S v J 1975 (3) SA 146 (EPD)

S v Johnson 1969 (1) SA 201 (A)

S v Jones 2004 (1) SACR 420 (CPD)

S v Jordan 2002 (6) SA 642 (CC)

S v Kahita 1983 (4) SA 618 (C)

S v Kalogoropoulos 1993 (1)SACR 12 (A)

S v Kamimbi 1963 (3) SA 250 (CPD)

S v Kavin 1978 (2) SA 731 (W)

S v Kensley 1995 (1) SACR 646 (A)

S v Kleynhans 2005 (2) SACR 582 (WLD)

S v Kok 1998 (1) SACR 532 (NPD)

S v Kok 2001 (2) SACR 106 (SCA)

S v Kosztur 1988 (3) SA 926 (A)

S v Kruv 1959 (3) SA 392 (A)

S v Kubeka 1982 (1) SA 534 (W)

S v Lange 1989 (1) SACR 199 (W)



- S v Larsen 1994 (2) SACR 149 (A)
- S v Laubscher 1979 (3) SA 47 (A)
- S v Laubscher 1988 (1) SA 163 (A)
- S v Lawrence 1991 (2) PH (H) 74
- S v Lawrence 1991 (2) SACR 57 (A)
- S v Leaner 1996 (2) SACR 347 (C)
- S v Leeuw 1980 (3) SA 815 (A)
- S v Leeuw 1987 (3) SA 97 (A)
- S v Lehnberg 1975 (4) SA 553 (A)
- S v Lesch 1983 (1) SA 814 (EPD)
- S v Loubscher 1979 (3) SA 47 (A)
- S v M 1985 (1) SA 1 (A)
- S v M 1989 (3) SA 887 (W)
- S v Mabena 2007 (1) SACR 482 (SCA)
- S v Mahlinza 1967 (1) SA 408 (A)
- S v Majola 2001 (1) SACR 337 (NPD)
- S v Makaula 1964 (2) SA 575 (E)



- S v Maki 1994 (2) SACR 414 (E)
- S v Makwanyane 1995 (3) SA 391 (CC); 1995 (6) BCLR 665 (CC)
- S v Malgas 2001 (2) SA 1222 (SCA)
- S v Malindi 1983 (4) SA 99 (TPD)
- S v Marais 2010 (2) SACR 606 (CC)
- S v Mashimbi 1958 (1) SA 390 (T)
- S v Matlabane 1995 (8) BCLR 951 (B)
- S v Mbatha 1996 (2) SA 464 (CC)
- S v Mbele 1991 (1) SA 307 (WPD)
- S v McBride 1979 (4) SA 313 (W)
- S v McDonald 2000 (2) SACR 493 (N)
- S v Meyer 1981 (3) SA 11 (A)
- S v Mhetoa 1968 (2) SA 773 (O)
- S v Mhlungu 1995 (3) SA 867 (CC)
- S v Mkhize 1999 (1) SACR 256 (WLD)
- S v Mkohle 1990 (1) SACR 95 (A)
- S v Mngomezulu 1972 (1) SA 797 (A)



- S v Mnisi 2009 (2) SACR 227 (SCA0
- S v Mnyanda 1976 (2) SA 751 (A)
- S v Mogorosi 1979 (2) SA 938 (A)
- S v Mokonto 1971 (2) SA 319 (A)
- S v Morake 1979 (1) SA 121 (B)
- S v Moses 1996 (1) SACR 701 (C)
- S v Motshekga 1993 (2) SACR 247 (A)
- S v Mphungatje 1989 (4) SA 139 (O)
- S v Nangatuuala 1997 (4) SA 766 (SWA)
- S v Nell 1968 (2) SA 577 (A)
- S v Nursingh 1995 (2) SACR 331 (D)
- S v Olivier 2007 (2) SACR 596 (CPD)
- S v Olivier (2007) 4 All SA 1029 (T)
- S v Oliphant 1989 (4) SA 169 (EPD)
- S v Pederson 1998 (2) SACR 383 (NPD)
- S v Phillips 1985 (2) SA 727 (NPD)
- S v Piccione 1967 (2) SA 334 (N)



- S v Pieterse 1982 (3) SA 678 (A)
- S v Pietersen 1994 (2) SACR 434 (C)
- S v Pineiro 1993 (2) SACR 412 (Nm)
- S v Potgieter 1994 (1) SACR 61 (A)
- S v Ramgobin 1986 (4) SA 117 (NPD)
- S v Ramokoka 2006 (2) SACR57 (WLD)
- S v Rittman 1992 (2) SACR 110 (Nm)
- S v Scholtz 2006 (1) SACR 442 (EPD)
- S v September 1996 (1) SACR 235 (A)
- S v Shapiro 1994 (1) SACR 112 (A)
- S v Shivute 1991 (1) SACR 656 (Nm)
- S v Sibiya 1984 (1) SA 73 (A)
- S v Simxadi 1997 (1) SACR 169 (C)
- S v Sindane 1992 (2) SACR 223 (A)
- S v Sishi 2000 (2) All SA 56 (N)
- S v Sithole 2005 (1) SACR 311 (W)
- S v Smit 1906 TS 783



S v Smith 1990 (1) SACR 130 (A)

S v Stellmacher 1983 (2) SA 181 (SWA)

S v Steyn 1963 (1) SA 797 (W)

S v Swart 1978 (1) SA 503 (C)

S v T 1986 (2) SA 112 (O)

S v Thebus 2003 (6) SA 505 (CC); 2003 (2) SACR 319 (CC)

S v Tom 1991 (2) SACR 249 (B)

S v Trickett 1973 (3) SA 526 (TPD)

S v V 1984 (1) SA 33 (T)

S v V 1996 (2) SACR 290 (C)

S v Van As 1989 (3) SA 881 (W)

S v Van As 1991 (2) SACR 74 (W)

S v Van der Sandt 1998 (2) SACR 627 (W)

S v Van Lill 1969 (2) PH H 219 (T)

S v Van Niekerk 1992 (1) SACR 1 (A)

S v Van Vuuren 1983 (1) SA 12 (A)

S v Van Zyl 1964 (2) SA 113 (A)



S v Van Zyl 1996 (2) SACR 22 (A)

S v Veldthuizen 1982 (3) SA 413 (A)

S v Viljoen 1992 (1) SACR 601 (T)

S v Visser unreported case number CC 545/09

S v Volkman 2004 (4) All SA 697 (C)

S v Volkman 2005 (2) SACR 402 (C)

S v Walters 2002 (4) SA 613 (CC)

S v Webb (1) 1971 (2) SA 340 (T)

S v Wiid 1990 (1) SACR 561 (A)

S v Williams 1985 (1) SA 750 (C)

S v Williams 1995 (7) BCLR 861 (CC)

Sell v United States 539 US 166 (2003)

Shabalala v Attorney-General of Transvaal 1996 (1) SA 725 (CC), 1995 (2) SACR (CC), 1995 (12) BCLR 1593 (CC), 1994 (6) BCLR 85 (T)

Speaker of the National Assembly v De Lille 1999 (11) BCLR 1339 (SCA)

State v Kelly 478 A.2d 364 (1984)

State of Louisiana v Heads 370 So.2d 564 (1979)

Stock v Stock 1981 (3) SA 1280 (A)



Strydom v Minister of Correctional Services 1999 (3) BCLR 342 (W)

Swanepoel v Transnet 2000 (2) SA 191 (T)

United States v Addison 498 F.2d 741 (1974)

United States v Alexander 805 F.2d (1986)

United States v Downing 753 F.2d 1224 (1985)

United States v Jacobetz 747 F.Supp 250 (1990)

United States v Lawson 653 F.2d 299 (1981)

United States v Williams 431 F.2d 1168 (1970)

United States v Williams 583 F.2d 1194 (1978)

Van Wyk v Lewis 1924 AD 438

Watkins v People 158 Col. 485, 408 P.2d 425 (1965)

Webb v Isaacs 1915 EDL 273

Youtsey v United States 97 F 937 (1899)

Zantsi v Council of State, Ciskei 1995 (4) SA 615 (CC)