

## Faculti Summary

<https://faculti.net/the-insanity-defence-conflict-and-reform-in-new-zealand/>

This video discusses the historical and legal framework of the insanity defense, particularly focusing on its origins in English common law and its evolution through notable cases. The defense has deep roots, with early notions of mental impairment in criminal law dating back to the 13th century. Key historical cases, such as those of James Hadfield and Daniel McNaughton, shaped the standards known as the McNaughton rules, which define legal insanity based on the understanding of the nature and moral wrongness of an act.

This video critiques the current state of the insanity defense, highlighting its limitations and criticisms, such as its failure to align with contemporary psychiatric understandings of mental disorders and the stigma it carries. It describes the specific legal standards in New Zealand based on the McNaughton rules, particularly around assessing the defendant's capacity to understand the nature and quality of their actions or to recognize their moral wrongness.

The discussion extends to practical challenges in cases involving methamphetamine-induced psychosis, where offenders often present complex psychological issues that complicate the application of the insanity defense. It suggests that existing legal frameworks may inadequately account for the nuances of mental impairments related to substance abuse, leading to varied legal outcomes based on differing professional opinions.

Finally, the text touches upon international human rights considerations, particularly in relation to the Convention on the Rights of Persons with Disabilities (CRPD). It notes that while current New Zealand law does not prioritize international treaties over local statutes, there may be future reforms necessary to align the insanity defense with the CRPD's emphasis on equal rights for persons with disabilities.