This chapter considers the liability of someone who aids, abets, counsels or procures someone else to commit a criminal offence. The chapter examines the actus reus and the mens rea that must be present before someone will be guilty as a secondary party. The chapter examines the now discredited doctrine of joint enterprise and considers the implications of the Supreme Court’s judgment in Jogee. The chapter evaluates the merits of the Supreme Court’s judgment and also considers past efforts at statutory reform of secondary liability.
18. Secondary liability

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