

RETHINKING LEGAL NEED

The Case of Criminal Justice

Paul Robertshaw

Rethinking Legal Need The Case Of Criminal Justice

Gary Slapper, David Kelly



Rethinking Legal Need The Case Of Criminal Justice:

Rethinking Legal Need Paul Robertshaw, 1991 This book re-examines legal need in the light of contemporary philosophy, social policy, analysis, medical economics and the trend towards evaluation of legal services. From this exploration a new perspective emerges testing for need by comparing the consequences of absence and presence of legal representation. The tests cover empirical research from five Common Law jurisdictions on five outcomes: the cure hypothesis, plea, venue, bail, verdict and sentence. From this it is concluded that the general case for legal need is not proven. In this place, as inverted need, the judge is re-imported as the key variable in legal decisions. Finally, the clinical analogy with legal need is discussed, legal aid as welfare or as subsidy, victim's needs and the mode of criminal justice. **The English Legal System**

Gary Slapper, David Kelly, 2004 This book assists students of the English legal system in the achievement of a good understanding of the law, its institutions and processes and sets the law and system in a social context, presenting a range of critical views. **The English Legal System** David Kelly, 2013-03-14 Slapper and Kelly's *The English Legal System* explains and critically assesses how our law is made and applied. Annually updated, this authoritative textbook clearly describes the legal rules of England and Wales and their collective influence as a sociocultural institution. This latest edition of *The English Legal System* presents and analyses changes made to the legal system and digests recent legislation and case law. The Protection of Freedoms Act 2012, the Defamation Bill, the Justice and Security Bill 2012, the Mental Health Discrimination Bill 2012 and the July 2012 vote on Parliamentary reform are all incorporated into the text and this edition also considers changes to the Crown Prosecution Service, Mediation and Judicial Diversity. The cases *Alvi v Secretary of State for the Home Department*, judicial review *AXA General Insurance Limited v The Lord Advocate*, Scotland devolution *R v J S M* and *R v KS*, jury tampering and *Rolf v De Guerin*, mediation are all digested in the text. The text also includes the latest government papers on antisocial behaviour and criminal justice reform, the Practice Direction on citing authorities in court and the Leveson Inquiry. Key learning features include a clear and logical structure with short, manageable, well-structured individual chapters, useful chapter summaries which act as a good check-point for students, food for thought sections help to deepen understanding of key issues in each chapter, sources for further reading and suggested websites at the end of each chapter to point students towards further learning pathways, an online skills network including how to do practical examples, tips, advice and interactive examples of English law in action. Relied upon by generations of students, Slapper and Kelly's *The English Legal System* is a permanent fixture in this ever-evolving subject. **Slapper and Kelly's The English Legal System**

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Law-making Policy on Confiscation of the Proceeds of Crime Ariadna H. Ochnio, 2025-05-30 The book provides a critical analysis of EU law making policy on the confiscation of the proceeds of crime using a minimalist restorative approach to justice focused on the rights of victims and communities and more proactive roles for all participants in confiscation procedures This book shows how the examined policy has been translated into the EU law standards adopted as its realisation and whether the gaps identified in these standards are reflected in the domestic law of the comparator EU jurisdictions Poland Germany and France The post conviction confiscation regime in England and Wales is also explored as an example of an alternative non EU model of value based confiscation Considering the complex juridical nature of confiscation which challenges the applicability of the civil criminal dichotomy this book recommends a twofold approach when shaping EU confiscation mechanisms focused on linking policy objectives with a restorative approach to justice and making the appropriate choice of criminal or civil routes for confiscation This book will be of key interest to scholars students and practitioners in EU policy and law criminal law EU and national law on confiscation EU criminal justice policy and more broadly to European studies criminology and international organisations **Ibss: Political Science: 1991** British Library

of Political and Economic Science, 1993 IBSS is the essential tool for librarians university departments research institutions and any public or private institution whose work requires access to up to date and comprehensive knowledge of the social sciences **Bowker's Law Books and Serials in Print**, 1995 *Rethinking Online Anti-Gender Hate Speech* Moa

Bladini, Eva-Maria Svensson, 2025-05-19 Providing an innovative approach to understanding and addressing anti gender hate speech this book focuses on its effects on everyday life how it is handled within legal frameworks and how it challenges democratic principles Unlike previous research which is often limited to currently regulated forms of hate speech this book is focused on gender based hate speech demonstrating its broader social and ideological impacts By contextualising freedom of expression within democratic values it offers a new framework for addressing anti gender hate speech as a threat to both individual dignity and societal diversity Through this lens the authors highlight how anti gender hate speech represents not only a breach of individual rights but also a structural challenge to democracy requiring responses that reflect these dual dimensions The book provides a unique contribution to both legal scholarship and democratic theory by rethinking the balance between gender equality and freedom of expression as cooperative as well as inherently contextual and inclusive *Rethinking Online Anti Gender Hate Speech* will be of great interest to students and scholars of Criminology Law Media and

Communication Sociology and Women s and Gender Studies EU Criminal Law Valsamis Mitsilegas,2009-03-16 EU Criminal Law is perhaps the fastest growing area of EU law It is also one of the most contested fields of EU action covering measures which have a significant impact on the protection of fundamental rights and the relationship between the individual and the State while at the same time presenting a challenge to State sovereignty in the field and potentially reconfiguring significantly the relationship between Member States and the EU The book will examine in detail the main aspects of EU criminal law in the light of these constitutional challenges These include the history and institutions of EU criminal law including the evolution of the third pillar and its relationship with EC law harmonisation in criminal law and procedure with emphasis on competence questions mutual recognition in criminal matters including the operation of the European Arrest Warrant and accompanying measures action by EU bodies facilitating police and judicial co operation in criminal matters such as Europol Eurojust and OLAF the collection and exchange of personal data in particular via EU databases and co operation between law enforcement authorities and the external dimension of EU action in criminal matters including EU US counter terrorism co operation The analysis is forward looking taking into account the potential impact of the Lisbon Treaty on EU criminal law **Forthcoming Books** Rose Arny,1992 **The Sequential Intercept Model and Criminal Justice** Patricia A. Griffin,2015 Authored by academic policy and practice experts in this area Criminal Justice and Mental Illness offers an overview of the changes in correctional policy and practice during the last decade that reflect an increased focus on community based alternatives for offenders **Revisiting the Question of Imputation in Corporate Criminal Law** Constantine N. Nana,2010-02-19 It is now trite knowledge that corporate criminal liability is laced with a large number of contradictions that seriously threaten its legitimacy This book demonstrates that these contradictions may be avoided if courts consistently refer to an adequate mechanism of imputation It proposes parameters for evaluating mechanisms of imputation and shows how an adequate mechanism may be determined This distinctive book provides students and practitioners with an exposition of the current substantive and procedural corporate criminal law and considers other ways of regulating the activities of corporations than using the criminal law It also addresses the distinction between internal knowledge and external knowledge with reference to pedigreed and non pedigreed rules and shows how the concept of discursive dilemma may be employed to aggregate the acts and intents of agents for the purposes of imputing these acts and intents to accused corporations and holding them liable This book is highly recommended for students of criminology law and business It should also be of interest to defence counsels prosecutors and regulatory agencies that either represent and advise corporate defendants or seek to hold corporations accountable for the breach of criminal law standards

Redefining Organised Crime: A Challenge for the European Union? Stefania Carnevale,Serena Forlati,Orsetta Giolo,2017-12-28 The definition of organised crime has long been the object of lively debate at national and international level Sociological and legal analysis has not yet led to one definitive answer to the question of what exactly organised crime

means Nonetheless many instruments adopted both at international and national levels set forth special legal regimes designed to target criminal groups featuring a stable organisation which are perceived as particularly dangerous to society Therefore identifying the notion of organised crime is crucial to establishing the scope of any legal instrument specifically designed for combating it The aim of this book is to reassess the scope the effectiveness and the overall coherence of existing definitions of organised crime and to identify any need for a reconsideration of these definitions specifically with reference to the EU legal order It will be of interest to academics practitioners and legislators working in the sphere of EU criminal law and of organised crime more generally

Free Hands and Minds Susan Bartie, 2019-09-19 Peter Brett 1918 1975 Alice Erh Soon Tay 1934 2004 and Geoffrey Sawyer 1910 1996 are key yet largely overlooked members of Australia's first community of legal scholars This book is a critical study of how their ideas and endeavours contributed to Australia's discipline of law and the first Australian legal theories It examines how three marginal figures a Jewish man Brett a Chinese woman Tay and a war orphan Sawyer rose to prominence during a transformative period for Australian legal education and scholarship Drawing on in depth interviews with former colleagues and students extensive archival research and an appraisal of their contributions to scholarship and teaching this book explores the three professors international networks and broader social and historical milieux Their pivotal leadership roles in law departments at the University of Melbourne University of Sydney and the Australian National University are also critically assessed Ranging from local experiences and the concerns of a nascent Australian legal academy to the complex transnational phenomena of legal scholarship and theory *Free Hands and Minds* makes a compelling case for contextualising law and legal culture within society At a time of renewed crisis in legal education and research in the common law world it also offers a vivid nuanced and critical account of the enduring liberal foundations of Australia's discipline of law

Global Financial Crime Donato Masciandaro, 2017-07-05 The scope for financial crime has widened with the expansion and increased integration of financial markets Money laundering terrorism financing and tax crime have all changed in both nature and dimension As new technologies reduce the importance of physical proximity to major onshore financial centres so a new generation of Offshore Financial Centres OFCs have emerged This accessible volume provides a deeper analysis of the economic institutional and political features of the OFCs in order to design the optimal international regulatory policy Using a multidisciplinary approach with an international level of expertise the book evaluates international policies regarding offshore countries on the basis of a systematic analysis of their characteristics

Thinking Critically About Law Amy R Codling, 2025-06-02 You arrive at university to embark upon your journey to think like a lawyer but is simply knowing the law enough to gain you the best marks What do you need to do exactly to achieve a first class law degree and promising professional career For top marks what do your lecturers mean when they say you need to deepen your critical analysis to answer assessment questions When should you put your own viewpoints forward When and how should you draw upon the work of others What do your examiners mean when they give

you feedback saying that your work is too descriptive This book explores what it means to think critically and offers practical tips and advice for students to develop the process skill and ability of thinking critically while studying law as well as beyond that in the workplace The second edition of Thinking Critically About Law utilises art music poetry and prose to explore essential questions about studying law and what it means to think critically offering practical tips and advice for students looking to develop critical thinking skills in relation to law Updates reflect seismic changes that have taken place both in law teaching and in society more generally These include the Covid 19 pandemic social movements sparked by the murders of murders of Sarah Everard and George Floyd moves to decolonise the law curriculum and the introduction of the SQE qualification There is also an innovative foreword by Professor Russell Sandberg a new chapter on the topic of how to think critically during discussions a new section on Thinking Critically About Law in the Future as well as a renewed emphasis on the health and well being of students Other student focused resources will be available as support materials Thinking Critically about Law is a crucial companion for those studying law at A Level and undergraduate level as well as being relevant to postgraduate students newly qualified lawyers and tutors of law

Revisiting the Vietnam War and International Law Stefan Andersson, 2017-12-28 This collection of scholarly and critical essays about the legal aspects of the Vietnam War explores various crimes committed by the United States against North Vietnam war of aggression war crimes in bombing civilian targets such as schools and hospitals and using napalm cluster bombs and Agent Orange crimes against humanity in moving large parts of the population to so called strategic hamlets and alleged genocide and ecocide International lawyer Richard Falk who observed these acts personally in North Vietnam in 1968 uses international law to show how they came about This book brings together essays that he has written on the Vietnam War and on its relationship to international law American foreign policy and the global world order Falk argues that only a stronger adherence to international law can save the world from such future tragedies and create a sustainable world order

Revisiting Juvenile Justice in India Atul Jaybhaye, 2023-11-17 Revisiting Juvenile Justice in India analyzes the challenges and issues involved in the study of juvenile justice in India The book compares the juvenile justice systems of the United States the United Kingdom and China with India to identify causes of juvenile delinquency and the measures to curb it It traces the origin of juvenile justice in India and its evolution through landmark judgments The book critically analyzes the Nirbhaya Rape Case of 2012 analyzing the age of criminal responsibility for juveniles and the need for new juvenile justice laws which led to the passing of the Juvenile Justice Care of Protection of Children Act 2015 The book studies international conventions upholding the rights of children i e United Nations Convention on the Rights of the Child UNCRC Beijing Rules Riyadh Guidelines etc and the legal framework for child protection in India and its relevance to juvenile justice This book will be useful for undergraduate and post graduate law students advocates criminal law practitioners officers staff of the correction homes Judges of the Juvenile Justice Board and research scholars

Methodologies of Legal Research Mark Van Hoecke, 2011-02-28 Until quite recently questions

about methodology in legal research have been largely confined to understanding the role of doctrinal research as a scholarly discipline. In turn this has involved asking questions not only about coverage but fundamentally questions about the identity of the discipline. Is it mainly descriptive, hermeneutical or normative? Should it also be explanatory? Legal scholarship has been torn between on the one hand grasping the expanding reality of law and its context and on the other reducing this complex whole to manageable proportions. The purely internal analysis of a legal system isolated from any societal context remains an option and is still seen in the approach of the French academy but as law aims at ordering society and influencing human behaviour this approach is felt by many scholars to be insufficient. Consequently many attempts have been made to conceive legal research differently. Social scientific and comparative approaches have proven fruitful. However does the introduction of other approaches leave merely a residue of legal doctrine to which pockets of social sciences can be added or should legal doctrine be merged with the social sciences? What would such a broad interdisciplinary field look like and what would its methods be? This book is an attempt to answer some of these questions. Whitaker's Books in Print, 1998

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Table of Contents Rethinking Legal Need The Case Of Criminal Justice

1. Understanding the eBook Rethinking Legal Need The Case Of Criminal Justice
 - The Rise of Digital Reading Rethinking Legal Need The Case Of Criminal Justice
 - Advantages of eBooks Over Traditional Books
2. Identifying Rethinking Legal Need The Case Of Criminal Justice
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Rethinking Legal Need The Case Of Criminal Justice
 - User-Friendly Interface
4. Exploring eBook Recommendations from Rethinking Legal Need The Case Of Criminal Justice
 - Personalized Recommendations
 - Rethinking Legal Need The Case Of Criminal Justice User Reviews and Ratings
 - Rethinking Legal Need The Case Of Criminal Justice and Bestseller Lists
5. Accessing Rethinking Legal Need The Case Of Criminal Justice Free and Paid eBooks
 - Rethinking Legal Need The Case Of Criminal Justice Public Domain eBooks
 - Rethinking Legal Need The Case Of Criminal Justice eBook Subscription Services
 - Rethinking Legal Need The Case Of Criminal Justice Budget-Friendly Options

6. Navigating Rethinking Legal Need The Case Of Criminal Justice eBook Formats
 - ePub, PDF, MOBI, and More
 - Rethinking Legal Need The Case Of Criminal Justice Compatibility with Devices
 - Rethinking Legal Need The Case Of Criminal Justice Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Rethinking Legal Need The Case Of Criminal Justice
 - Highlighting and Note-Taking Rethinking Legal Need The Case Of Criminal Justice
 - Interactive Elements Rethinking Legal Need The Case Of Criminal Justice
8. Staying Engaged with Rethinking Legal Need The Case Of Criminal Justice
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Rethinking Legal Need The Case Of Criminal Justice
9. Balancing eBooks and Physical Books Rethinking Legal Need The Case Of Criminal Justice
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Rethinking Legal Need The Case Of Criminal Justice
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Rethinking Legal Need The Case Of Criminal Justice
 - Setting Reading Goals Rethinking Legal Need The Case Of Criminal Justice
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Rethinking Legal Need The Case Of Criminal Justice
 - Fact-Checking eBook Content of Rethinking Legal Need The Case Of Criminal Justice
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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