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Caroline E. Foster



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Global Regulatory Standards in Environmental and Health Disputes Caroline E. Foster, 2021 This book explores the role played by international courts and tribunals in the development of global regulatory standards Focusing on regulatory coherence due regard for the rights of others and due diligence in the prevention of harm the book considers how such standards represent a new relationship between domestic and international law

Reconstructing Judicial Review Sarah Nason, 2016-12-01 This book offers a new interpretation of judicial review in England and Wales as being concerned with the advancement of justice and good governance as opposed to being concerned primarily with ultra vires or common law constitutionalism It is developed both from examining the functions and values that ought to be served by judicial review and from analysis of empirical social facts about judicial review primarily as experienced in the Administrative Court Based on ground up case law analysis it constructs a new taxonomy on the grounds of judicial review mistake procedural impropriety ordinary common law statutory interpretation discretionary impropriety relevant irrelevant considerations breach of an ECHR protected right or equality duty and constitutional allocation of powers constitutional rights or other complex constitutional principles It explains each of these grounds what academic and judicial support there might be for them outside case law analysis and their similarities and differences when viewed against popular existing taxonomies It concludes that Administrative Court judges are engaged in ordinary common law statutory interpretation in approximately half of all cases and that where discretionary judgement is involved on the part of the initial decision maker judges do indeed consider their task to be one of determining whether the challenged decision was justified by reasoning of adequate quality It finds that judges apply ordinary common law principles of statutory interpretation with historical pedigrees including assessing the initial decision maker's reasoning with reference to statutory purpose and sifting relevant from irrelevant considerations including moral considerations The result is a ground breaking reassessment of the grounds of judicial review in England and Wales and the practice of the Administrative Court

The Autonomy of Labour Law Alan Bogg, Cathryn Costello, ACL Davies, Jeremias Adams-Prassl, 2015-03-26 To what extent is labour law an autonomous field of study This book is based upon the papers written by a group of leading international scholars on this theme delivered at a conference to mark Professor Mark Freedland's retirement from his teaching fellowship in Oxford The chapters explore the boundaries and connections between labour law and other legal disciplines such as company law competition law contract law and public law labour law and legal methodologies such as reflexive governance and comparative law and labour law and other disciplines such as ethics economics and political philosophy In so doing it represents a cross section of the most sophisticated current work at

the cutting edge of labour law theory UK Public Law and European Law Gordon Anthony,2002-05-11 This book examines the dynamics of the process whereby UK courts borrow principle and practice from European law **Critical Debates on Counter-Terrorism Judicial Review** Fergal F. Davis,Fiona de Londras,2014-10-02 An examination of the debates regarding whether judicial review is an effective and appropriate way to regulate counter terrorism measures New Directions in Private Law Theory Fabiana Bettini ,Martin Fischer ,Charles Mitchell,Prince Saprai ,2023-10-16 New Directions in Private Law Theory brings together some of the best new work on private law theory reflecting the breadth of this increasingly important field The contributions interrogate a wide range of topics including aspects of private law doctrine its development ordering and application The authors adopt a variety of different approaches and contribute to ongoing and important debates about the moral foundations of private law the individuation of areas of private law and the connections between private law and everyday moral experience Questions addressed include Does the diversity identified amongst claims in unjust enrichment mean that the category is incoherent Are claims in tort law always about compensating for wrongs How should we understand parties agreement in contract The contributions shed new light on these and other topics and the ways in which they intersect and open up new lines of scholarly enquiry The book will be of interest to researchers working in private law and legal theory but it will also appeal to those outside of law most notably researchers with an interest in moral and political philosophy economics and history **Part I: The Business of Judging ;The Judge as Juror: The Judicial Determination of Factual Issues ;The Judge as Lawmaker: An English Perspective ;The Discretion of the Judge ;Part II: Judges in Society ;Judicial Independence ;Judicial Ethics ;Part III: The Wider World ;`There is a World Elsewhere': The Changing Perspectives of English Law ;Law in a Pluralist Society ;Speech on the Jubilee of the Supreme Court of India ;Part IV: Human Rights ;The European Convention on Human Rights: Time to Incorporate ;Opinion: Should there be a Law to Protect Rights of Personal Privacy? ;The Way We Live Now: Human Rights in the New Millennium ;Tort and Human Rights ;Part V: Public Law ;Should Public Law Remedies be Discretionary? ;The Old Despotism ;Mr Perlzweig, Mr Liversidge, and Lord Atkin ;Part VI: The Constitution ;The Courts and the Constitution ;Anglo-American Reflections ;Part VII: The English Criminal Trial ;The English Criminal Trial: The Credits and the Debits ;Justice and Injustice ;Silence is Golden - or is it? ;A Criminal Code: Must We Wait for Ever? ;Part VIII: Crime and Punishment ;The Sentence of the Court ;Justice for the Young ;The Mandatory Life Sentence for Murder ;Speech on the Second Reading of the Crime (Sentences) Bill ;Part IX: Miscellaneous ;Address to the Centenary Conference of the Bar ;Who Then in Law is my Neighbour? ;The Future of the Common Law ;Lecture at Toynbee Hall on the Centenary of its Legal Advice Centre ;Address at the Service of Thanksgiving for Rt Hon Lord Denning OM** The late Tom Bingham,Thomas Henry Bingham,2011 Collecting the most important writings of Tom Bingham during his time in judicial office before the House of Lords The Business of Judging is

written for anyone with an interest in public affairs It offers an absorbing account of the law and the courts in public life presenting Bingham s reflections on the judicial role and the common law

The Separation of Powers in the Contemporary Constitution Roger Masterman,2010-12-02 In this 2010 book Roger Masterman examines the dividing lines between the powers of the judicial branch of government and those of the executive and legislative branches in the light of two of the most significant constitutional reforms of recent years the Human Rights Act 1998 and Constitutional Reform Act 2005 Both statutes have implications for the separation of powers within the United Kingdom constitution The Human Rights Act brings the judges into much closer proximity with the decisions of political actors than previously permitted by the Wednesbury standard of review and the doctrine of parliamentary sovereignty while the Constitutional Reform Act marks the emergence of an institutionally independent judicial branch Taken together the two legislative schemes form the backbone of a more comprehensive system of constitutional checks and balances policed by a judicial branch underpinned by the legitimacy of institutional independence

New Directions in Sexual Violence Scholarship Kate Gleeson,Yvette Russell,2023-05-30 This edited collection brings together leading and emerging scholars in the important field of sexual violence scholarship The last ten years have witnessed an international reckoning on sexual violence typified in the mainstream imagination by the MeToo movement acknowledgement of the violence of university campus life and the overdue recognition of the enduring harms of child sexual abuse While the state has been forced to respond through law and other political processes at times revealing its agility and at other times its archaic investment in the past much of the real work responding to sexual violence and abuse has taken place within communities and in the personal responses of the individuals writing the scripts of their experiences This volume explores the nuances of these individual experiences and considers how they are shaped and reflected by intersecting axes of power including gender race class age and able bodied status It reflects on law and law reform in the area and suggests new modes and frames through which to explain and understand sexual violence and institutional responses to it Debates within this contested personal and political arena do not map onto longstanding binaries of liberal and radical feminism nor conservative and progressive politics This interdisciplinary volume traces that murky terrain and features some of the leading international scholars writing on sexual violence in English today This book will appeal to scholars and students across the broad disciplines of law and legal studies criminology gender studies political science and sociology

New Directions In Judicial Review Current Legal Problems Current Legal Problems: Bestsellers in 2023 The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous compelling novels enthralling the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the captivating narratives that have enthralled audiences this year. New Directions In Judicial Review Current Legal Problems Current Legal Problems : Colleen Hoover's "It Ends with Us" This poignant tale of love, loss, and resilience has gripped readers with its raw and emotional exploration of domestic abuse. Hoover skillfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can succeed. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This captivating historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids captivating storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Discover the Magic : Delia Owens "Where the Crawdads Sing" This evocative coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens crafts a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These top-selling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of captivating stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a brilliant and thrilling novel that will keep you speculating until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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