



# Rook and Ward on Sexual Offences: Law and Practice (Criminal Law Library)

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# Rook And Ward On Sexual Offences

**Bernadette McSherry**



## **Rook And Ward On Sexual Offences:**

**ROOK AND WARD ON SEXUAL OFFENCES** HIS HONOUR JUDGE PETER. WARD ROOK (ROBERT.),2019 Rook & Ward on Sexual Offences Peter F. G. Rook,Robert Ward,2021 **Rook and Ward on Sexual Offences** Peter Francis Grosvenor Rook,Robert Ward,2014-03-24 Offering comprehensive coverage on the law and practice in connection with sexual offences this volume deals with all the statutory and Common Law offences evidential issues such as victims anonymity and taking children s evidence and sentencing issues The 1st supplement to the 4th edition brings the main work up to date with all the latest developments **Rook and Ward on Sexual Offences** Peter F. Rook,Robert Ward,2021 *Rook and Ward on Sexual Offences* Peter Rook,Robert Ward,2014-03-24 **Rook & Ward on Sexual Offences** ,1990 *Rook & Ward on Sexual Offences* Peter F. G. Rook,Robert Ward,1997 A comprehensive reference text on the subject of sexual offences this volume includes all statutory and Common Law offences all evidential issues video links for children s evidence and sentencing issues Two new chapters on DNA evidence are featured in this second edition of the text explaining the scientific background and how to present the statistical issues in court **Sentencing Rape** Graeme Brown,2020-05-14 This book presents an in depth comparative study of sentencing practice for rape in six common law jurisdictions England and Wales Scotland Ireland Canada New Zealand and South Africa It provides a thorough review of the medical literature on the physical and psychological effects of rape the legal and philosophical literature on the seriousness of the offence and the victim s role in sentencing Given the increasingly common practice of perpetrators using mobile and online technologies to film or photograph the commission of sexual offences the book examines recent socio legal research on technology facilitated sexual violence and considers the implications for sentencing By building on recent scholarship on judicial decision making in sentencing and case law comprising over 250 decisions of the relevant appellate courts the book explores and critically analyses judicial approaches to rape sentencing The analysis is undertaken with a view to suggesting possible reforms to rape sentencing in non guideline jurisdictions In so doing this book seeks to establish general principles for sentencing rape assisting in the imposition of proportionate sentences This book will be of interest to judges and practising lawyers to those researching criminal law criminal justice criminology and gender studies and to policy makers including sentencing councils and commissions in common law jurisdictions worldwide **Closing the Justice Gap for Adult and Child Sexual Assault** Anne Cossins,2020-10-21 This book examines the justice gap and trial process for sexual assault against both adults and children in two jurisdictions England and Wales and New South Wales Australia Drawing on decades of research it investigates the reality of the policing and prosecution of sexual assault offences often seen as one of the hardest crimes to prosecute across two similar jurisdictions Despite the introduction of the many reform options detailed in the book satisfactory outcomes for victims and the public are still difficult to obtain Cossins takes a new approach by examining the nature and effects of adversarialism on vulnerable witnesses jury decision making and the structures of power within the trial

process to show how and at what points that process is weighted against complainants of sexual assault in order to make evidence based suggestions for reform She argues that this justice gap is a result of a moralisticadversarial culture which fosters myths and misconceptions about rape and child sexual assault thus requiring the prosecution to prove a complainant s moral worthiness She argues this culture can only be eliminated by a radical replacement of the adversarial system with a trauma informed system By reviewing the relevant psychological literature this book documents the triggers for re traumatisation within an adversarial trial and discusses the reform measures that would be necessary to transform the sexual assault trial from one where the complainant s moral worthiness is on trial to a fully functioning trauma informed system It speaks to students and academics across subjects including law criminology gender studies and psychology and practitioners in law and victim services as well as policy makers

Coercive Control and the Criminal Law Cassandra Wiener,2022-12-30 This book considers how a phenomenon as complex as coercive control can be criminalised The recognition and ensuing criminalisation of coercive control in the UK and Ireland has been the focus of considerable international attention It has generated complex questions about the best way to criminalise domestic abuse This work reviews recent domestic abuse criminal law reform in the UK and Ireland In particular it defines coercive control and explains why using traditional criminal law approaches to prosecute it does not work Laws passed in England and Wales versus Scotland represent two different approaches to translating coercive control into a criminal offence This volume explains how and why the jurisdictions have taken different approaches and examines the advantages and disadvantages of each As jurisdictions around the world review what steps need to be taken to improve national criminal justice responses to domestic abuse the question of what works and why at the intersection of domestic abuse and the criminal law has never been more important As such the book will be a vital resource for lawyers policy makers and activists with an interest in domestic abuse law reform

**A Physician's Guide to Clinical Forensic Medicine** Margaret M. Stark,2000-01-31 Margaret Stark and a team of authoritative experts offer a timely survey of the fundamental principles and latest developments in clinical forensic medicine Topics range from sexual assault examination to injury interpretation from nonaccidental injury in children to crowd control agents Also included are extensive discussions of the care of detainees the management of substance abuse detainees in custody the causes and prevention of deaths in custody and the fundamentals of traffic medicine In the absence of international standards of training the authors also address the basic issues of consent confidentiality note keeping court reporting and attendance in court Comprehensive and authoritative A Physicians Guide to Clinical Forensic Medicine offers forensic specialists and allied professionals a reliable up to date guide to proven practices and procedures for a every variety of police inquiry requiring clinical forensic investigation

Sex and the contract Vincenzo Zeno-Zencovich,2015-10-01 DOI 10 13134 978 88 97524 45 8

**Criminal Sentencing as Practical Wisdom** Graeme Brown,2017-06-01 How do judges sentence In particular how important is judicial discretion in sentencing Sentencing guidelines are often said to promote consistency but is consistency

in sentencing achievable or even desirable Whilst the passing of a sentence is arguably the most public stage of the criminal justice process there have been few attempts to examine judicial perceptions of and attitudes towards the sentencing process Through interviews with Scottish judges and by presenting a comprehensive review and analysis of recent scholarship on sentencing including a comparative study of UK Irish and Commonwealth sentencing jurisprudence this book explores these issues to present a systematic theory of sentencing Through an integration of the concept of equity as particularised justice the Aristotelian concept of phronesis or practical wisdom the concept of value pluralism and the focus of appellate courts throughout the Commonwealth on sentencing by way of instinctive synthesis it is argued that judicial sentencing methodology is best viewed in terms of a phronetic synthesis of the relevant facts and circumstances of the particular case The author concludes that sentencing is best conceptualised as a form of case orientated concrete and intuitive decision making one that seeks individualisation through judicial recognition of the profoundly contextualised nature of the process

*The New Philosophy of Criminal Law* Chad Flanders, Zachary Hoskins, 2015-12-16 There is no more vivid example of a state's power over its citizens than the criminal law By criminalizing various behaviours the state sets boundaries on what we can and cannot do And the criminal law is in many ways unique in the harshness of its sanctions But traditional criminal law theory has for too long focussed on the questions what is a crime and what is the justification of punishment The significance of the criminal law extends beyond these questions indeed critical philosophical questions underlie all aspects of the criminal justice system The criminal law engages us not just as offenders or potential offenders but also as victims suspects judges and jurors prosecutors and defenders and as citizens The authors in this volume go beyond traditional questions to challenge our conventional understandings of the criminal law In doing so they draw from a number of disciplines including philosophy history and social science **Smith, Hogan, and Ormerod's Criminal Law** David|Laird Ormerod (Karl|Gibson, Matthew), 2024

*Criminalizing Sex* Stuart P. Green, 2020-04-15 Starting in the latter part of the 20th century the law of sexual offenses especially in the West began to reflect a striking divergence On the one hand the law became significantly more punitive in its approach to sexual conduct that is nonconsensual as evidenced by a major expansion in the definition of rape and sexual assault and the creation of new offenses like sex trafficking child grooming and revenge porn On the other hand it became markedly more permissive in how it dealt with conduct that is consensual a trend that can be seen for example in the legalization or decriminalization of sodomy adultery and adult pornography This book explores the conceptual and normative implications of this divergence At the heart of the book is a consideration of a deeply contested question How should a liberal system of criminal law adequately protect individuals in their right not to be subjected to sexual contact against their will while also safeguarding their right to engage in private consensual sexual conduct in which they do wish to participate The book develops a framework for harmonizing these goals in the context of a wide range of nonconsensual consensual and aconsensual sexual offenses hence the unified nature of the theory including rape and sexual assault in a

variety of forms sexual harassment voyeurism indecent exposure incest sadomasochistic assault prostitution bestiality and necrophilia Intellectually rigorous fair minded and deeply humane Criminalizing Sex offers a fascinating discussion of a wide range of moral and legal puzzles arising out of real world cases of alleged sexual misconduct a discussion that is all the more urgent in the age of MeToo Smith, Hogan, and Ormerod's Criminal Law David C. Ormerod, David Ormerod, Karl Laird, 2021 Rightly regarded as the leading doctrinal textbook on criminal law in England and Wales this resource owes its consistent popularity to its accessible style depth of analysis and breadth of coverage Over 50 years since the publication of the first edition Professor David Ormerod and Karl Laird continue the tradition set down by Professors Sir John Smith and Brian Hogan by producing a textbook of unrivalled quality **Managing Fear** Bernadette McSherry, 2013-10-23 Managing Fear examines the growing use of risk assessment as it relates to preventive detention and supervision schemes for offenders perceived to be at a high risk of re offending individuals with severe mental illness and suspected terrorists It outlines a number of legislative regimes in common law countries that have broadened civil as opposed to criminal powers of detention and supervision Drawing on the disciplines of criminology and social psychology it explores how and why such schemes reflect a move towards curtailing liberty before harm results rather than after a crime has occurred Human rights and ethical issues concerning the role of mental health practitioners in assessing risk for the purposes of preventive detention and supervision are explored and regimes that require evidence from mental health practitioners are compared with those that rely on decision makers notions of reasonable belief concerning the risk of harm Case studies are used to exemplify some of the issues relating to how governments have attempted to manage the fear of future harm This book aims to educate mental health practitioners in the law relating to preventive detention and supervision schemes and how the legal requirements differ from clinical assessment practices examine the reasons why there has been a recent renewal of preventive detention and supervision schemes in common law countries provide a comparative overview of existing preventive detention and supervision schemes and analyse the human rights implications and the ethics of using forensic risk assessment techniques for preventive detention and supervision schemes **Landmark Cases in Criminal Law** Philip Handler, Henry Mares, Ian Williams, 2017-05-04 Criminal cases raise difficult normative and legal questions and are often a consequence of compelling human drama In this collection expert authors place leading cases in criminal law in their historical and legal contexts highlighting their significance both in the past and for the present The cases in this volume range from the fifteenth to the twenty first century Many of them are well known to modern criminal lawyers and students others are overlooked landmarks that deserve reconsideration The essays often based on extensive and original archival research range over a wide spectrum of criminal law covering procedure and doctrine statute and common law individual offences and general principles Together the essays explore common themes including the scope of criminal law and criminalisation the role of the jury and the causes of change in criminal law **Feminist Perspectives on Criminal Law** Lois Bibbings, Donald Nicolson, 2013-03-04 Criminal

law has traditionally been taught and analysed as if the gender of criminals and their victims is irrelevant It has also been taught and analysed as if criminal law doctrine has no connection with questions of criminalisation crime detection decisions to charge and prosecute lawyers trial tactics decisions as to guilt and sentencing policy and practice all of which are significantly affected by gender This book seeks to fill these gaps by looking at the major areas in which gender affects the way that suspected criminals and their victims are treated by the criminal justice system However this book is not just a supplement to traditional criminal law discourse It is a dangerous supplement in that the focus on gender challenges laws claim to neutrality and even handed justice The essays in this book establish that not only does the law frequently fail to offer women the sort of protection from male violence and sexual invasion that they need but it continues to discriminate on grounds of gender Even when discriminating in favour of women it does so in ways that reinforce dangerous gender stereotypes More specifically both criminal law doctrine and criminal justice personnel apply and reinforce ideas on the one hand of female passivity irrationality and proneness to illness and on the other of natural male aggression both physical and sexual

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