

**Pressing Problems
in the Law**
Volume 1

**CRIMINAL JUSTICE
& HUMAN RIGHTS**

- Reshaping the Criminal Justice System
- Fraud and the Criminal Law
- Freedom of Expression

Edited by **PETER BIRKS**

Pressing Problems In Law Criminal Justice And Human Rights

Matt Matravers



Pressing Problems In Law Criminal Justice And Human Rights:

Miscarriages of Justice Clive Walker, Keir Starmer, 1999 The authors examine the various steps within the criminal justice system which have resulted in the conviction of the innocent and suggest remedies as to how miscarriages might be avoided in the future The contributors comprise academics campaigners and practitioners Liberal Democracy and the Limits of Tolerance Raphael Cohen-Almagor, 2009-12-22 How to prevent the enemies of democracy from using its freedoms to attack its existence **Crime, Risk and Justice** Kevin Stenson, Robert Sullivan, 2012-12-06 Crime control has risen rapidly up the social and political agendas to become a central feature of western societies As inequalities in society have increased so the actual and perceived risks of crime and other social ills have grown rapidly for all sections of society Crime has become a central issue to governments and no longer just a technical operation of law enforcement and adjudication This book is concerned with issues arising from these developments Top criminologists from Britain the USA and Australia explore the links between crime and risk through a range of themes from the depiction of crime in the media to the dilemmas of policing to the new punitiveness of criminal justice systems and the custodial warehousing of the poor and excluded Crime Risk and Justice will be of interest to students academics and practitioners with an interest in crime and crime control and the place they have in modern society **Transforming Criminal Policy** Andrew Rutherford, 1996 An unrivalled explanation of how criminal policy came to be formed in three states due to the enormous influence of three men James Q Wilson USA Dato Steenhuis The Netherlands and David Faulkner UK By one of the UK's leading analysts *The Routledge Handbook of the Welfare State* Bent Greve, 2013 The welfare state in all its many forms has had a profound role in many countries around the world since at least the Second World War The Routledge Handbook of the Welfare State explores the classical issues around the welfare state but also investigates its key concepts along with how these can be used and analysed This book provides expert analysis of the core issues related to the welfare state including regional depictions of welfare states around the globe The book combines essays on methodologies core concepts and central policy areas to produce a comprehensive picture of what the welfare state means around the world In the midst of the credit crunch this book addresses some of the many questions about the welfare state This book is suitable for students and scholars throughout the social sciences particularly in sociology social policy public policy international relations politics and gender studies *Handbook of Probation* Loraine Gelsthorpe, Rod Morgan, 2013-05-13 This Handbook provides a comprehensive authoritative and up to date source of information and analysis about all aspects of the work of the Probation Service It takes full account of the many changes that the Probation Service has undergone over the last few years and is currently undergoing as probation becomes part of the broader National Offender Management Service Contributors to the book are drawn from leading academics and practitioners in the field drawing upon the best expertise available Running through the book is a concern with a range of key current issues such as addressing the diversity of offenders and creating effective links with other criminal justice

agencies and it includes perspectives from both probation service staff and from offenders and victims This book is an essential text for practitioners trainees and students of probation and those studying it as part of a wider criminology or criminal justice course

Companies, International Trade and Human Rights Janet Dine, 2005-02-24 Originally published in 2005 this book focuses on the role of corporations within the trading system and the complex relationships between corporations nation states and international organisations The actions and motives that drive corporations are considered as well as the structure of the international trading system Remedial devices such as Codes of Conduct and Human Rights instruments are assessed for effectiveness The book seeks reasons for what is a growing understanding that international trading regimes are not meeting objectives found in many international agreements including both the international trade agreements themselves WTO GATT TRIPS etc and human rights instruments In particular it is clear that the prevalence and severity of poverty is not being adequately addressed This work sets out to investigate the role played by companies in this failure in the globalisation of trade to realise its aims in particular the failure to achieve the minimum of basic rights the right to food

The Rights of Victims in Criminal Justice Proceedings for Serious Human Rights Violations Juan Carlos Ochoa S., 2013-02-05 The Rights of Victims in Criminal Justice Proceedings for Serious Human Rights Violations addresses a question of critical importance to policy makers international lawyers academics and affected societies throughout the world Should victims of serious human rights violations be granted under international law the rights of access to and participation in criminal proceedings before international hybrid and domestic tribunals Juan Carlos Ochoa applies a thorough analysis of international and comparative domestic law and practice to this question taking into account a host of international human rights instruments and case law the theory law and practice of international and hybrid criminal tribunals the law and practice in several domestic jurisdictions and many theoretical and empirical studies After first determining the current state of and emerging trends in international law in this area he argues that the lack of recognition of these rights under customary international law is inadequate because access to and participation in criminal proceedings for victims of these infringements are based on several internationally recognised human rights and principles contribute to the expressivist objectives of these procedures and are consistent with the principles that inform the enforcement of criminal law in democratic States On this basis Ochoa convincingly suggests concrete reforms

Routledge Handbook of the Welfare State Bent Greve, 2018-06-28 Forty five contributions from renowned international specialists in the field provide readers with expert analysis of the core issues related to the welfare state including regional depictions of welfare states around the globe The second edition of the Routledge Handbook of the Welfare State combines essays on methodologies core concepts and central policy areas to produce a comprehensive understanding of what the welfare state means around the world In the aftermath of the credit crunch the Handbook addresses some of the many questions about the welfare state This second edition has been thoroughly revised and updated to include an in depth analysis of societal changes in recent years New

articles can be found on topics such as the impact of ideas well being migration globalisation India welfare typologies homelessness and long term care This volume will be an invaluable reference book for students and scholars throughout the social sciences particularly in sociology social policy public policy international relations politics and gender studies

What is Legal Education for? Rachel Dunn, Paul Maharg, Victoria Roper, 2022-09-30 How we interpret and understand the historical contexts of legal education has profoundly affected how we understand contemporary educational cultures and practices This book the result of a Modern Law Review seminar both celebrates and critiques the lasting impact of Peter Birks influential edited collection Pressing Problems in the Law Volume 2 What is the Law School for Published in 1996 his book addresses many critical issues that are hauntingly present in the 21st century amongst them the impact of globalisation technological disruption and the tension inherent in law schools as they seek to balance the competing interest of teaching research and administration Yet Birks collection misses key issues too The role of wellbeing of emotion or affect the relation of legal education to education the status of legal education in what since his volume have become the devolved jurisdictions of Northern Ireland Wales and Scotland these and others are absent from the research agenda of the book Today legal educators face new challenges We are still recovering from the effects of the Covid 19 pandemic on our universities In 1996 Birks was keen to stress the importance of comparative research within Europe Today legal researchers are dismayed at the possibility of losing valuable EU research funding when the UK leaves the EU and at the many other negative effects of Brexit on legal education The proposed Solicitors Qualifying Examination takes legal education regulation and professional learning into uncharted waters This book discusses these and related impacts on our legal educations As law schools approach an existential crossroads post Covid 19 it seems timely to revisit Birks fundamental question what are law schools for

The Legal Issues of the Emerging Rights Jianzong Yao, 2024-02-27 This book systematically discusses the contents of the administrative right to know the right to information the right to gene euthanasia and other emerging rights The purpose of this book is to attract legal scholars to pay attention to these right changes in the process of China's social transformation analyze the basic laws of right changes under the specific background of China's society and provide a theoretical system model for the establishment of China's legislative right recognition and right relief system The typical feature of contemporary China is all round social transformation In such a transitional period the construction of democracy legal system and political system in China is gradually unfolding and developing with its unique mode In the construction of legal system and the practical operation of legal system the concept of rights the thinking of rights and the logic of rights have in fact been running through the social and legal practice in China for decades since the reform and opening up and have always become its background keynote and background Its typical realistic symptom is that a large number of rights belong to new for China the germination and birth of the type In this context this book tries to combine the general theory with the specific reality of the right landscape and preliminarily explores and explains the generation mechanism existence basis development

logic and basic connotation of the new types of rights that is the main emerging or new types of rights in the transitional Chinese society The purpose of this book is to draw the attention of the colleagues in the field of law to the reality of the emergence and development of emerging rights in our society At the same time taking this as an example I hope that the colleagues in the field of law can deepen the study of rights especially from the general and macro study of rights to the more specific and micro study of rights

Genocide and Victimology Yarin Eski, 2020-11-29 Genocide and Victimology examines genocide in its diverse features from different yet connected perspectives to offer an interdisciplinary victimological imagination of genocide It will include in its exploration critical and cultural victimologies and criminologies of genocide accompanied by and recognising the rich scholarship on genocide in the fields of religion and history theatre studies and photography philosophy and existentialism post colonialism and ethnography and biography Bringing together theory with empirical research and drawing on a range of case studies such as the Treblinka extermination camp the Bosnian and Rwandan genocides the Sagkeeng First Nation in Manitoba Canada and genocidal violence in Syria and Iraq this book engages the victimological imagination towards an interdisciplinary cosmopolitan victimology of genocide Bundled and intertwined the wide yet integrated variety of perspectives on genocide gives readers a victimological kaleidoscope to discover and for victimology hitherto unexplored theory and methodology This way readers can develop their own more epistemologically theoretically and methodologically robust victimology of genocide a victimology of genocide as envisioned by Nicole Rafter The book hopes to canvas an understanding and a starting point for a diverse appreciation of genocide victimhood and survivorship from which the real post genocidal harms and sites post traumatic stress disorder courts and tribunals and overall meaningful justice will benefit Written in a clear and direct style this book will appeal to students and scholars in criminology sociology cultural studies philosophy history religious studies English literature and all those concerned with not repeating a history of genocide

Structure and Justification in Private Law C.E.F. Rickett, Ross Grantham, 2008-02-27 Peter Birks's tragically early death and his immense influence around the world led immediately to the call for a volume of essays in his honour by scholars who had known him as a colleague teacher and friend One such volume published in 2006 contained essays largely from scholars working in England Mapping the Law Essays in Memory of Peter Birks edited by Andrew Burrows and Lord Rodger This volume contains the essays of those outside England who chose to honour Peter and appears later than the English volume reflecting the far flung habitations of its authors The essays contained in this volume are focussed around the law of unjust enrichment but are not narrowly preoccupied instead they move freely from unjust enrichment to some of the most profound questions in private law concerning taxonomy the relationship between contract property and unjust enrichment and the place of remedies within private law This volume featuring the work of some of the world's great private lawyers provides a fitting tribute to a great scholar and a series of thought provoking essays inspired by his example Contributors Kit Barker Michael Bryan Peter Butler Hanoch Dagan Simone

Degeling Daniel Friedmann Mark Gergen Ross Grantham Steve Hedley John McCamus Mitchell McInnes Eoin O Dell Charles Rickett Struan Scott Emily Sherwin Stephen Smith Richard Sutton Michael Tilbury Stephen Waddams Peter Watts Ernest Weinrib Eric Descheemaeker **Managing Modernity** Matt Matravers, 2013-09-13 In the last thirty years the USA and the UK have witnessed a profound change in the way in which we think about and respond to crime and social control Crime has become part of everyday life as for many citizens has imprisonment Managing Modernity brings together criminologists social theorists and philosophers to consider what explains these changes and what they tell us about ourselves and the way in which we live The authors consider the pervasive the obvious and the covert ways in which crime and social order have come to structure social discourses and social life from mass imprisonment to zero tolerance to on the spot fines This volume was previously published as a special issue of the Critical Review of International Social and Political Philosophy CRISPP

Contemporary Challenges to Criminal Justice Paul Behrens, 2023-12-28 This study provides a critical examination of seminal issues within the main areas of criminal justice its theoretical framework domestic and comparative criminal justice transnational and international criminal law Exploring some of the most interesting challenges arising in these fields it examines the impact of public morality on sentencing policy murder and the mandatory life sentence genocide and the notion of magnitude and incitement to terrorism Taking an approach that is fully integrated in contemporary criminal justice scholarship it offers a diverse and expert perspective With a comprehensive introduction and conclusion drawing the various strands together it offers a rigorous coherent overview of the key issues in play in contemporary international criminal justice This diversity and expertise ensures its appeal to a large audience of students scholars and practitioners of criminal justice around the world

Remedies in International Human Rights Law Dinah Shelton, 2015 Dinah Shelton provides a comprehensive treatment of remedies for human rights violations reviews the jurisprudence of international tribunals on these violations The text provides a theoretical framework and a practical guide for lawyers judges and academics interested in human rights law

International Engagement in China's Human Rights Titus Chen, Dingding Chen, 2015-07-03 Since the Tiananmen Square incident in 1989 there has been increasing international pressure on China to improve its approach to human rights whilst at the same time the Chinese government has itself realised that it needs to improve its approach and has indeed done much to implement improvements This book explores systematically the international engagement in human rights in China and assesses the impact of such foreign involvement It looks at particular areas including criminal justice labour and religious freedom considers the processes by which international pressure is brought to bear and the processes by which improvements are implemented in China and concludes that whilst China's human rights record has improved more than many people realise further improvements are still needed

Current Issues in Transitional Justice Natalia Szablewska, Sascha-Dominik Bachmann, 2014-10-27 This volume is an inter disciplinary scholarly resource bringing together contributions from writers experienced academics and practitioners working in fields such as human rights humanitarian law

public policy psychology cultural and peace studies and earth jurisprudence This collection of essays presents the most up to date knowledge and status of the field of transitional justice and also highlights the emerging debates in this area which are often overseen and underdeveloped in the literature The volume provides a wide coverage of the arguments relating to controversial issues emanating from different regions of the world The book is divided into four parts which groups different aspects of the problems and issues facing transitional justice as a field and its processes and mechanisms more specifically Part I concentrates on the traditional means and methods of dealing with past gross abuses of power and political violence In this section the authors also expand and often challenge the ways that these processes and mechanisms are conceptualised and introduced Part II provides a forum for the contributors to share their first hand experiences of how traditional and customary mechanisms of achieving justice can be effectively utilised Part III includes a collection of essays which challenges existing transitional justice models and provides new lenses to examine the formal and traditional processes and mechanisms It aims to expose insufficiencies and some of the inherent practical and jurisprudential problems facing the field Finally Part IV looks to the future by examining what remedies can be available today for abuses of rights of the future generations and those who have no standing to claim their rights such as the environment

Legal Reforms and Deprivation of Liberty in Contemporary China Elisa Nesossi, Sarah Biddulph, Flora Sapio, Susan Trevaskes, 2016-06-03 The volume presents an extensive investigation into the process of reforms of detention powers in today's China and offers an in depth analysis of the debates surrounding the reformist attempts The chapters in this collection demonstrate that legislative and institutional reforms in this area result from political opportunities openings and tensions at the central institutional levels of political authority and contingent social and political factors The book examines legal and institutional reforms to institutions of detention and imprisonment that have occurred since the 1990s with a particular focus on the 21st century Its content follows three particular lines of enquiry concerning the issue of deprivation of liberty in contemporary China The first deals with the academic and theoretical debates on the subject of imprisonment and detention The related chapters explain the difficulties encountered in this area of research and understandings of the discourses of reform through labour in Western and Chinese scholarship The second deals with the specific issues of criminal and administrative forms of deprivation of liberty examining in particular the institutional and legislative dimensions considering the relationship between reforms and criminal justice policy agendas The third assesses the meaning of institutional reforms in the context of the changing state society relationship in contemporary China

European Citizenship through the Lens of EU Values Gaëlle Marti, 2025-03-14 Is EU citizenship compatible with European values In the wake of the Convention on the Future of Europe and against the backdrop of the many challenges facing the EU security economic migration health climate digital etc this book aims to take stock of the scope and content of European citizenship and its capacity to embody the values of the Union Seen as the culmination of a political project EU citizenship is also regularly criticised as a mere market citizenship whose rights only

benefit the mobile and wealthy The first part of the book therefore focuses on assessing the values of the Union in the light of European citizenship with an emphasis on dignity equality democracy and respect for human rights while the second part analyses the ways in which European citizenship can truly embody the values of the Union The aim is to rethink the Union's capacity to ensure the effective dissemination of the values underlying the European social contract and to anchor them in a democratic project underpinned by European citizenship This book is the result of an international academic conference held at the University of Lyon 3 at the end of 2023 and is part of the Jean Monnet Chair's research project on the promotion and preservation of the values of the Union It brings together contributions from Ninon Forster Professor of Public Law University of Valenciennes Anastasia Iliopoulou Professor of Public Law University of Paris Pantheon Assas Julie Rondu Assistant Professor of Public Law University of Strasbourg Mathieu Rouy PhD in EU law Research fellow at EDIEC Jean Moulin Lyon 3 University Quitterie Roccaserra Doctoral candidate University Paris Pantheon Assas Felicie Remlinger Doctoral candidate University Paris Pantheon Assas Irene Marchioro Postdoctoral researcher University of Trieste Michele Messina Professor of Law University of Messina and Andrew Fagan Senior Lecturer University of Essex

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