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The Prevention of Terrorism in British Law

Walker, Clive

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Prevention Of Terrorism In British Law

**Anthony Carty, Gennadii Mikhaïlovich
Danilenko**



Prevention Of Terrorism In British Law:

The Prevention of Terrorism in British Law Clive Walker, 1988 Arrest and Detention Powers in English and Turkish Law and Practice in the Light of the European Convention on Human Rights M. Bedri Eryilmaz, 2021-09-27 It is commonly believed that in the police practices of arrest without judicial warrant and detention without charge England and Turkey stand at opposite ends of the compliance spectrum among nations signatory to the European Convention on Human Rights This is the first book to examine the extent to which such belief is warranted Beginning with a detailed comparison of the arrest and detention standards set by the Convention and the corresponding provisions of Turkish and English law the author then proceeds to investigate actual police practice in both countries He reviews and analyzes the existing research in England and Wales on how the status of suspects in practice compares with the status of suspects in law To determine this in Turkey where no such research existed before this book he offers the results of his own field work in 21 Turkish police stations and three gendarmeries in various cities and towns as well as in two Turkish anti terrorist departments This is the first publication of any research into how Turkish police apply law to practice He goes on to examine the adequacy and effectiveness of remedies in both countries and to make recommendations not only for reform in England and Turkey but to the Convention organs with respect to gaps and weaknesses in their case law For criminal justice and law enforcement authorities this is a valuable guide to ensuring compliance with the extensive and developed standards established by the case law of the Convention and to handling allegations of breaches of the Convention by the police In addition Arrest and Detention Powers in Turkish and English Law and Practice in the Light of the European Convention on Human Rights is a penetrating analysis of law in books versus law in action and as such has relevance to anyone concerned with the enforcement of human rights law Preventing Terrorism and Controlling Risk Susan Donkin, 2013-09-14 This Brief takes a provocative look at existing socio legal literature with a comparative study of terrorism control orders focusing on how the concept of pre emptio fits within a traditional criminological framework This timely work examines how such measures might be conceived and interpreted within a situational crime prevention approach Over the past decade socio legal scholars have identified a rise in pre emptive control mechanisms to respond to terrorism and other threats in the post 9 11 world Many have argued that this pre emptive rationale has been used to justify the introduction of measures that transcend established legal and risk frameworks to deal with individuals or groups thought to pose a threat to the state or its citizens Preventing Terrorism and Controlling Risk A Comparative Analysis of Control Orders in the UK and Australia will be of interest to researchers in Criminology and Criminal Justice particularly with a focus on terrorism risk assessment and human rights **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 Preventive Detention and Security Law Andrew Harding, John Hatchard, 2021-09-27 Preventive

detention law is a subject which continues to receive great international attention In recent years the legal rights of detainees have been more and more frequently litigated and significant new approaches have been developed

Counter-terrorism, Constitutionalism and Miscarriages of Justice Genevieve Lennon, Colin King, Carole McCartney, 2018-11-01 The purpose of this book is to honour the influential and wide ranging work of Professor Clive Walker It explores Professor Walker's influence from three perspectives Firstly it provides a historical reflection upon the development of the law and policy in relation to counter terrorism and miscarriages of justice since the 1970s This historical perspective which is often overlooked is particularly timely 17 years after 9 11 as trends become clearer and historical perspective even more valuable So too with miscarriages of justice while there was considerable public and political scrutiny following high profile miscarriages such as the Birmingham Six Guildford Four and others in the early 1990s today there is much less scrutiny despite significant concern relating to issues such as legal aid and access to justice increasing the potential if not likelihood for miscarriages to occur By including a critical historical perspective this book enables us to learn lessons from the past and to minimise contemporary risks of miscarriages of justice Secondly this book provides a critical analysis of the law and policy as it stands today and its future trajectory Applying Walker's theoretical and analytical contributions to the field the authors focus on pressing contemporary concerns identifying lacunae where relevant as well as the possible probable and preferable future trends Finally the book celebrates and recognises the significant contributions by Walker with each chapter built around one or more of Walker's key works

Routledge Handbook of Law and Terrorism Genevieve Lennon, Clive Walker, 2015-07-16 In the years since 9 11 counter terrorism law and policy has proliferated across the world This handbook comprehensively surveys how the law has been deployed in all aspects of counter terrorism It provides an authoritative and critical analysis of counter terrorism laws in domestic jurisdictions taking a comparative approach to a range of jurisdictions especially the UK the US Australia Canada and Europe The contributions to the book are written by experts in the field of terrorism law and policy allowing for discussion of a wide range of regulatory responses and strategies of governance The book is divided into four parts reflective of established counter terrorism strategic approaches and covers key themes such as Policing and special powers including surveillance Criminal offences and court processes Prevention of radicalisation and manifestations of extremism Protective preparative security The penology of terrorism In addressing counter terrorism laws across a broad range of topics and jurisdictions the handbook will be of great interest and use to researchers students and practitioners in criminal law counter terrorism and security studies

The Law Relating to Financial Crime in the United Kingdom Karen Harrison, Nicholas Ryder, 2022-02-28 Outlining the different types of financial crime and their impact this book is a user friendly up to date guide to the regulatory processes systems and legislation which exist in the UK Each chapter has a similar structure and covers individual financial crimes including money laundering terrorist financing fraud insider dealing market abuse bribery

and corruption and finally tax avoidance and evasion Offences are summarized and their extent is evaluated using national and international documents Detailed assessments of financial institutions and regulatory bodies are made and the achievements of these institutions are analysed Sentencing and policy options for different financial crimes are included and suggestions are made as to how criminal proceeds might be recovered This third edition has been fully updated and includes a new chapter on corporate financial crime

Countering Terrorism in Britain and France Frank Foley, 2013-03-14 Though Britain and France have faced a similar threat from Islamist terrorism in the years following September 11 2001 they have often responded in different ways to the challenges it posed This groundbreaking work offers the first in depth comparative analysis of counterterrorist policies and operations in these two leading liberal democracies Challenging the widely held view that the nature of a state s counterterrorist policies depends on the threat it is facing Foley suggests that such an argument fails to explain why France has mounted more invasive police and intelligence operations against Islamist terrorism than Britain and created a more draconian anti terrorist legal regime Drawing on institutional and constructivist theories he develops a novel theoretical framework that puts counterterrorism in its organisational institutional and broader societal context With particular appeal to students and specialists of International Relations and Security Studies this book will engage readers in the central debates surrounding anti terrorist policy

Accountability and Review in the Counter-Terrorist State Jessie Blackbourn, Fiona de Londras, Lydia Morgan, 2019-12-04 Counter terrorism is now a permanent and sprawling part of the legislative and operational apparatus of the state yet little is known about the law and practice of how it is reviewed how effective the review mechanisms are what impact they have or how they interact with one another This book addresses that gap in knowledge by presenting the first comprehensive critical analysis of counter terrorism review in the United Kingdom informed by exclusive interviews with policy makers politicians practitioners and civil society

Counterterrorism and the Comparative Law of Investigative Detention, *Law in Times of Crisis* Oren Gross, Fionnuala Ní Aoláin, 2006-10-30 The terrorist attacks of September 11 2001 and the ensuing war on terror have focused attention on issues that have previously lurked in a dark corner at the edge of the legal universe This book presents a systematic and comprehensive attempt by legal scholars to conceptualize the theory of emergency powers combining post September 11 developments with more general theoretical historical and comparative perspectives The authors examine the interface between law and violent crises through history and across jurisdictions bringing together insights gleaned from the Roman republic and Jewish law through to the initial responses to the July 2005 attacks in London Three models of emergency powers are used to offer a conceptualization of emergency regimes giving a coherent insight into law s interface with and regulation of crisis and a distinctive means to evaluate the legal options open to states for dealing with crises

The National Security Constitution Paul F Scott, 2018-05-17 This book addresses the various ways in which modern approaches to the protection of national security have impacted upon the constitutional order of the United Kingdom It

outlines and assesses the constitutional significance of the three primary elements of the United Kingdom's response to the possibility of terrorism and other phenomena that threaten the security of the state: the body of counter terrorism legislation that has grown up in the last decade and a half; the evolving law of investigatory powers; and to the extent relevant to the domestic constitution, the law and practice governing international military action and co-operation. Following on from this, the author demonstrates that considerations of national security as a good to be protected and promoted in contemporary Britain are reflected not merely in the existence of discrete bodies of law by which it is protected at home and abroad but simultaneously and increasingly leaked into other areas of public law. Elements of the constitution which are not directly and inherently linked to national security nevertheless become by both accident and design implicated in the state's national security endeavours with significant and at times far reaching consequences for the constitutional order generally. A renewed and strengthened concern for national security since September 2001 has it is argued dragged into its orbit a variety of constitutional phenomena and altered them in its image giving rise to what we might call a national security constitution.

Post 9/11 and the State of Permanent Legal Emergency Aniceto Masferrer, 2012-05-09 The terrorist attacks occurred in the United States on 11 September 2001 have profoundly altered and reshaped the priorities of criminal justice systems around the world. Atrocities like the 9/11 attacks, the Madrid train bombings of March 2003 and the terrorist act in the United Kingdom of July 2005 threatened the life of democratic nations. The volume explores the response of democratic nation states to the problems of terrorism and counter terrorism within the framework of the Rule of Law. One of the primary subjects of study is the ways in which the interests of the state, security from external threats, the maintenance of civil peace and the promotion of the commonwealth are balanced or not with the liberty and freedom of the citizens of the state. The distinctive aspect of this focus is that it brings a historical, political, philosophical and comparative approach to the contemporary shape and purposes of the criminal justice systems around the world. *Human Rights: 21st Century* Angela Hegarty, Siobhan Leonard, 2012-11-12 Published in the year 1999 *Human Rights 21st Century* is a valuable contribution to the field of Law.

The 9/11 Effect Kent Roach, 2011-08-15 This book critically and comparatively examines the responses of the United Nations and a range of countries to the terror attacks on September 11, 2001. It assesses the convergence between the responses of Western democracies including the United States, the United Kingdom, Australia and Canada with countries with more experience with terrorism including Egypt, Syria, Israel, Singapore and Indonesia. A number of common themes: the use of criminal law and immigration law; the regulation of speech associated with terrorism; the review of the state's whole of government counter terrorism activities and the development of national security policies are discussed. The book provides a critical take on how the United Nations promoted terrorism financing laws and listing processes and the regulation of speech associated with terrorism but failed to agree on a definition of terrorism or the importance of respecting human rights while combating terrorism. *Homeland Security in the UK* Paul Wilkinson, 2007-06-18 This book is a detailed examination of

whether domestic security measures are striking an appropriate balance between homeland security and civil liberties in the post 9 11 era Professor Paul Wilkinson and the other contributors assess the nature of UK responses to terrorism by key public and private sector bodies highlighting how these organizations can prevent pre empt counter and manage terrorist attacks by using a matrix of factors such as types of terrorist networks tactics and targets The volume also compares and contrasts the UK s response with cognate states elsewhere in the EU and with the USA While improved intelligence has helped prevent a major Al Qaeda attack the authors conclude that there is still a major question mark over whether the country is adequately resourced to deal with an emergency situation particularly in major cities other than London The book also confirms that while the UK faces a real and serious threat of terrorist attack by Al Qaeda it is better prepared for an attack than other EU member states Homeland Security in the UK will be essential reading for all students of terrorism studies security studies and politics as well as by professional practitioners and well informed general readers *British Government and the Constitution* Colin Turpin,Adam Tomkins,2011-09-01 Like the immensely successful previous edition of this highly respected work this new edition has been jointly prepared and thorough updated by Colin Turpin and Adam Tomkins It takes fully into account constitutional developments under the coalition government and examines the most recent case law of the Supreme Court the European Court of Justice and the European Court of Human Rights While it includes extensive material and commentary on contemporary constitutional practice the book covers the historical traditions and the continuity of the British constitution as well as the current tide of change Designed principally for law students the book includes substantial extracts from parliamentary and other political sources as well as from legislation and case law making it ideal for politics and government students With its fresh design it provides a full yet accessible account of the British constitution at a fascinating moment in its ongoing development **British Extradition Law and Procedure** V. E. Hartley Booth,Peter Sells,1980-02 **Perestroika and International Law** Anthony Carty,Gennadii Mikhaïlovich Danilenko,1990

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