



WEST'S CRIMINAL JUSTICE SERIES

Criminal Law
PRINCIPLES AND CASES
4TH EDITION

THOMAS J. GARFONK

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Accountability for International Humanitarian Law

Violations: The Case of Rwanda and East Timor Mohamed Othman,2005-12-10 The main objective of this book is to make available to an informed audience a legal and policy oriented study on accountability for serious human rights and international humanitarian law violations It is an attempt to share the lessons learnt in accountability for atrocity crimes as conducted by the International Criminal Tribunal for Rwanda ICTR and the United Nations Transitional Administration in East Timor UNTAET The former established subsequent to egregious atrocities that took place in 1994 and the latter following the massive outburst of violence in 1999 The book is based on two cases Rwanda and East Timor It is expected that it will serve as reference literature to both the legal community and policy makers on accountability for heinous international crimes As the international community and States following serious human rights and international humanitarian law violations have painfully come to terms with their obligations to bring to justice persons in high offices or leadership positions de jure or de facto alleged to have committed such crimes it has also become imperative that beginners mistakes be avoided When the International Criminal Tribunal for the Former Yugoslavia ICTY was established in 1993 and the ICTR in 1994 and commenced their pioneering mandates there was no template on which the prosecution of individuals most responsible or with the greatest responsibility could be cast Accountability had to be experimental **Criminal Evidence** Edward J. Imwinkelried,1979 **Books in Series** ,1985 Vols for 1980 issued in three parts Series Authors and Titles

The Constitutional Dimension of European Criminal Law Ester Herlin-Karnell,2012-05-31 Criminal law is one of the most rapidly changing areas of contemporary EU law and integration The Treaty of Lisbon has elevated it to a central place in the constitution of the EU within the dynamic area of freedom security and justice The phenomenon of EU criminal law as such is however far from new but has developed on an ad hoc basis not least as a result of the case law of the European Court of Justice Central to the Court's reasoning in this area has been the principle of effectiveness A main theme running through the book is therefore the role of the axiom of effectiveness which is critically examined with particular attention to its use by the European Court of Justice in recent leading cases This book explores the constitutional principles underlying it both those determining the substantive values it embodies and those determining its scope and extent Other chapters consider the phenomenon of preventative criminalisation at EU level and the protection of subsidiarity and proportionality in EU criminal law The balance between effective EU action proper control of competence and adequate protection of individual rights is of growing importance as EU criminal law expands but as this book suggests has not yet been fully articulated or entrenched by the institutions of the EU The Court of Justice and European Criminal Law Valsamis Mitsilegas,Alberto di Martino,Leandro Mancano,2019-09-05 The aim of this book is to provide an insight into the landmark rulings of the Court of Justice of the European Union CJEU in European Criminal Law ECL As in other areas of EU law the decisions of the CJEU

have been a driving force for development and integration By analysing the impact of these leading cases on EU and national law the book provides a diachronic and multifaceted picture of the Court's approach to criminal law *Evidence* Andrew L.-T. Choo,2018 Andrew Choo's *Evidence* provides a lucid and concise account of the principles of the law of civil and criminal evidence in England and Wales Critical and thought provoking it is the ideal text for undergraduate law students

Principles and Values in Criminal Law and Criminal Justice Lucia Zedner,Julian V. Roberts,2012-08-16 Celebrating the scholarship of one of the leading lawyers of the common law Andrew Ashworth the essays in this volume address fundamental questions of principle and value in criminal law criminal process human rights sentencing and punishment This is a major contribution to contemporary debates about criminalization and punishment The Legitimacy of EU Criminal Law Irene Wiecek,2020-07-09 This book traces the history of the EU competence EU policy discourse and EU legislation in the field of criminalisation from Maastricht until the present day It asks Why EU Criminal Law looking at what rationales the Treaty policy document and legislation put forth when deciding whether a certain behaviour should be a criminal offence To interpret the EU approach to criminalisation it relies on both modern and post modern theoretical frameworks on the legitimacy of criminal law read jointly with the theories on the functions of EU harmonisation of national law The book demonstrates that while EU constitutional law leans towards an effectiveness based enforcement driven understanding of criminal law the EU has in fact in more than one instance adopted symbolic EU criminal law ie criminal law aimed at highlighting what values are important to the EU but which is not fit to actually deter individuals from harming such values The book then questions whether this approach is consistent or in contradiction with the values based constitutional identity the EU has set for itself **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 **Criminal Law** Josie Kemeys,2019 **Criminal Liability for Non-Aggressive**

Death Sally Cunningham, 2016-05-13 The crime of manslaughter exists as a catch all offence to punish those who are blameworthy in causing the death of another but whose culpability falls short of that required for murder. Manslaughter is an extremely broad offence and it has a difficult task in ensuring that all those who warrant punishment for non-aggressive deaths are convicted. Simultaneously it should not be too broad in covering those who do not warrant punishment for such deaths. There is little consistency in whether a particular dangerous activity leads to liability for a specific offence or for the generic offence of manslaughter when death is caused. This book examines the current law and includes a variety of perspectives on the subject with chapters on specific modes of killing as well as issues that permeate all areas. The first half of the book deals with issues such as how any special offences for non-aggressive death should relate to a hierarchy of homicide offences. The second half deals with issues specific to different activities which may or may not justify the creation of specific homicide offences. The book includes a comparative chapter on Australian law. *Harvard Law Review: Volume 127, Number 1 - November 2013*

Harvard Law Review, 2013-11-10 The November issue is the special annual review of the U.S. Supreme Court's previous Term. Each year the issue is introduced by noteworthy and extensive contributions from recognized scholars. In this issue for the 2012 Term, articles and essays include: Foreword, Equality Divided by Reva B. Siegel, Comment: Beyond the Discrimination Model on Voting by Samuel Issacharoff, Comment: Windsor and Brown Marriage Equality and Racial Equality by Michael J. Klarman, Comment: License Registration, Cheek Swab DNA Testing and the Divided Court by Erin Murphy. The issue also features essays on substantive and procedural law and judicial method honoring Justice Ruth Bader Ginsburg and her 20 years on the Court. The essays are written by such scholars as Deborah Anker, Susan Farbstien, Judge Nancy Gertner, Lani Guinier, Vicki Jackson, Richard Lazarus, John Manning, Martha Minow, Carol Steiker, Julie Suk, Laurence Tribe, and Mark Tushnet. In addition, the first issue of each new volume provides an extensive summary of the important cases of the previous Supreme Court docket covering a wide range of legal, political, and constitutional subjects. Student commentary on Leading Cases of the 2012 Term includes recent cases on federal preemption regarding elections, the Privileges and Immunities Clause, unconstitutional conditions violating free speech, effective assistance of counsel, dog sniffing at the doorstep under the Fourth Amendment, jury trial right for mandatory sentencing, affirmative action in public universities, class action certification in securities cases, class action waivers in arbitration clauses, plain error review when new law is made after appeal, standing in government surveillance challenges, extraterritoriality under the Alien Tort Statute, actual innocence under AEDPA, deference to agencies in clean water and communication act cases, the First Sale Doctrine in copyright law, patent exhaustion, patentable subject matter, reverse payment settlements, Indian adoptions and employer liability for supervisor harassment under Title VII. Complete statistical graphs and tables of the Court's actions and results during the Term are included. Finally, the issue features several summaries of Recent Publications. *Bowker's Law Books and Serials in Print*, 1998

Evidence Concentrate Maureen Spencer, John Spencer, 2019-08-08 The Evidence Concentrate

is written and designed to help you succeed Written by experts and covering all key topics Concentrate guides help focus your revision and maximise your exam performance Each guide includes revision tips advice on how to achieve extra marks and a thorough and focused breakdown of the key topics and cases Revision guides you can rely on trusted by lecturers loved by students I have always used OUP revision and Q A books and genuinely believe they have helped me get better grades Anthony Poole law student Swansea University The detail in this revision textbook is phenomenal and is just what is needed to push your exam preparation to the next level Stephanie Lomas law student University of Central Lancashire It is a little more in depth than other revision guides and also has clear diagrams and teaches ways to obtain extra marks These features make it unique Godwin Tan law student University College London The concentrate revision guides stand out against other revision guides Renae Haynes Williams law student Bangor University The exam style questions are brilliant and the series is very detailed prepares you well Frances Easton law student University of Birmingham The accompanying website for Concentrate is the most impressive I ve come across Alice Munnely law student Kings College London it is a fantastic book It covers absolutely all topics you need for the course Emma McGeorge law student Strathclyde University [Criminalising Harmful Conduct](#) Nina Persak, 2007-06-04 Dr Nina Persak's work addresses the criteria for criminalisation that is the criteria that should be employed in determinations whether to prohibit conduct through the criminal law It is explicitly normative in approach examining what should be the proper basis for criminalisation rather than what factors legislatures actually tend to consider in adopting criminal prohibitions Its focus is on the Harm Principle that has been developed in Anglo American philosophy of criminal law and on how this principle might illuminate the Continental debate on criminalisation As such this is a work on normative criminal law theory Hitherto there has existed no extended English language treatment comparing Anglo American and Continental theories of criminalisation An important strength of Dr Persak's analysis lies in success in integrating themes from the two bodies of theory the Anglo American and the Continental She begins with the Harm Principle and scrutinises its main criterion the conduct's intrusion into the interests of other persons She undertakes a careful dissection of this criterion e.g. what constitutes harm and what is the scope of others and whether and to what extent the latter includes collective interests This discussion provides not only a thoughtful analysis of the Harm Principle itself it also provides her with the basis of her critique later in the volume of Continental criminalisation theories *Encyclopedia of Criminology* J. Mitchell Miller, Richard A. Wright, 2013-12-17 This three volume work offers a comprehensive review of the pivotal concepts measures theories and practices that comprise criminology and criminal justice No longer just a subtopic of sociology criminology has become an independent academic field of study that incorporates scholarship from numerous disciplines including psychology political science behavioral science law economics public health family studies social work and many others The three volume Encyclopedia of Criminology presents the latest research as well as the traditional topics which reflect the field's multidisciplinary nature in a single authoritative reference work More than 525 alphabetically

arranged entries by the leading authorities in the discipline comprise this definitive international resource The pivotal concepts measures theories and practices of the field are addressed with an emphasis on comparative criminology and criminal justice While the primary focus of the work is on American criminology and contemporary criminal justice in the United States extensive global coverage of other nations justice systems is included and the increasing international nature of crime is explored thoroughly Providing the most up to date scholarship in addition to the traditional theories on criminology the Encyclopedia of Criminology is the essential one stop reference for students and scholars alike to explore the broad expanse of this multidisciplinary field

Basic Criminal Law George E. Dix, M. Michael Sharlot, 1980

Principles of International Criminal Law Gerhard Werle, Florian Jessberger, 2014 Principles of International Criminal Law is one of the leading textbooks in the field This third edition builds on the highly successful work of the previous editions setting out the general principles governing international crimes as well as the fundamentals of both substantive and procedural international criminal law

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