

Casebook On Scottish Criminal Law

A number of jurisdictions world-wide have changed or are considering changing their homicide laws. Important changes have now been recommended for England and Wales, and these changes are an important focus in the book, which brings together leading experts from jurisdictions across the globe (England and Wales; France; Germany; Scotland; Australia; The United States of America; Canada; Singapore and Malaysia) to examine key aspects of the law of homicide. Key areas examined include the structure of the law of homicide and the meaning of fault elements. For example, the definition of murder, or its equivalent, is very different in France and Germany from the definition used in England and Wales. French law, like the law in a number of American states, ties the definition of murder to the presence or absence of premeditation, unlike the law in England and Wales. Unlike most other jurisdictions, German law makes the killer's motive, such as a sadistic sexual motive, relevant to whether or not he or she committed the worst kind of homicide. England and Wales is in a minority of English-speaking jurisdictions in that it does not employ the concept of 'wicked' recklessness, or of extreme indifference, as a fault element in homicide. Understanding these often subtle differences between the approaches of different jurisdictions to the definition of homicide is an essential aspect of the law reform process, and of legal study and scholarship in the criminal law. Every jurisdiction tries to learn from the experience of others, and this book seeks to make a contribution to that process, as well as providing a lively and informative resource for scholars and students.

This volume is a Festschrift in honour of Sir Gerald Gordon who has been one of the most influential figures in Scottish criminal law and procedure in the last century.

Given the vast amount of legal information available, it is sometimes very difficult - and certainly very time consuming - to know where to start looking for the specific information you require. This book, covering the most up-to-date information sources (printed and electronic), helps guide the reader towards the information they need. It is an accessible and easy-to-use directory of legal information sources for librarians, lawyers, students and anyone needing legal information. The book covers mainly British and European Union law and includes general material and the main subject areas, including online and internet sources. It also lists reference material, such as legal dictionaries and directories. The book is essentially a directory of information sources, with publishing details (including ISBN), and

short comments where useful. Electronic sources are mentioned where relevant, with details of scope and any limitations of coverage. Comprehensive and up-to-date (covering electronic sources and important legal developments, including civil procedure and human rights) Covers the massive expansion of information on the web and online services Based on the author's considerable experience - thus, he has gained a detailed and wide ranging understanding and appreciation of users' needs and areas of interest

Homicide Law in Comparative Perspective

Three Volumes of Detection and Suspense

Corporate Responsibility for Fundamental Human Rights

a consultation paper

Bowker's Law Books and Serials in Print

Interviews with Judges Across the Globe, Volume Four

This Edition provides Bill of Rights of the 1996 constitution of the Republic of South Af.rica and developments in case law and legislation.

Women, Murder and Justice examines from a feminist perspective, the legal treatment of women who kill their partners in England. Through an exploration of Crown Prosecution Service files, an in-depth comparative examination of the circumstances in which women and men kill is provided. The book highlights gender differences in the act of murder, the criminal justice system's negotiation of these differences, and the development of feminist strategies to alter the legal structure for women who kill.

'Casebook on Scottish Criminal Law' represents a concise and practical appreciation of how the law works, with analysis of the reasoning behind decisions. It includes sources and general principles, defences, and the mental element in crime.

Law Books in Print: Author

Core Concepts in Criminal Law and Criminal Justice

A Research Companion

Scots Criminal Law

Trends in the Judiciary

Research Study of the European Science Foundation

"Lively and engaging, Understanding Homicide impressively fills an important gap in the current criminological literature... an authoritative and readable text on homicide." Keith Soothill, Lancaster University, UK Why do people kill? How is homicide investigated? What are the patterns and characteristics of UK homicide? How can it be prevented? Here is a comprehensive and challenging text unravelling the phenomenon of homicide. The author combines original analysis with a lucid overview of the key theories and debates in the study of homicide and violence. In introducing the broad spectrum of

different features, aspects and forms of homicide, Brookman examines its patterns and trends, how it may be explained, its investigation and how it may be prevented. Areas covered include: · the killing of children · multiple homicide (including serial and mass murder, terrorism and corporate homicide) · domestic homicide · female killers · homicide amongst men The book is unique in its focus, coverage and style and bridges a major gap in criminological literature. Whilst focused in several respects upon the UK experience of homicide, the text necessarily draws upon and makes a significant contribution to international literature, research and debate. The text has been written in a style that will be accessible to a wide audience and assumes no prior knowledge. Features to aide the student include study tasks, review questions and annotated suggested further reading, including internet resources. Understanding Homicide is ideal for undergraduate and postgraduate students in the fields of criminology, criminal justice, psychology, sociology and forensics. It will also be invaluable to academics, researchers and practitioners interested in the phenomenon of homicide and the broader issue of violence.

This volume presents a leading contribution to the substantive arena relating to homicide in the criminal law. In broad terms, the ambit of homicide standardisations in extant law is contestable and opaque. This book provides a logical template to focus the debate. The overall concept addresses three specific elements within this arena, embracing an overarching synergy between them. This edifice engages in an examination of UK provisions, and in contrasting these provisions against alternative domestic jurisdictions as well as comparative contributions addressing a particularised research grid for content. The comparative chapters provide a wider background of how other legal systems treat a variety of specialised issues relating to homicide in the context of the criminal law. The debate in relation to homicide continues apace for academics, practitioners and within the criminal justice system. Having expert descriptions of the wider issues surrounding the particular discussion and of other legal systems' approaches serves to stimulate and inform that debate. This collection will be a major source of reference for future discussion.

Pamela Ferguson describes and critiques the commonly prosecuted crime of 'breach of the peace'. She traces the development of the crime from the mid-19th century to the present day, and also considers related statutory offences. The latter include those offences created by the Criminal Justice and Licensing (Scotland) Act 2010, and the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012. It is argued that breach of the peace remains an overly broad and ill-defined crime - despite the appeal court's attempts at narrowing its definition.

Human Rights Law and Business

Medical Responsibility in Western Europe

Principles of Criminal Law

The Violent North?

Shopping and Crime

Enlightenment, Legal Education, and Critique deals with broad themes in Legal History, such as the development of Scots Law through the major legal thinkers of the Enlightenment, essays on Roman law and miscellaneous essays on the literary and philosophic

Published in 1999. Scottish criminal law and procedure are very different from their counterparts elsewhere in the United Kingdom. This book is the first socio-legal account of the Scottish criminal justice process and its constituent institutions. Its aims are: to explain the operation of the various elements which make up the 'system'; to summarise the considerable volume of relevant Scottish research; and to locate this knowledge within contemporary theorising about criminal justice. To this end, the editors commissioned a team of experts to write chapters on the various stages of institutions of the Scottish criminal justice process. Given Scotland's broad social and cultural similarities to the rest of the United Kingdom, the book also provides a useful comparative perspective which should help to discourage the tendency towards overly ethnocentric theorising south of the border.

With industrialization and globalization, corporations acquired the capacity to influence social life for good or for ill. Yet, corporations are not traditional objects of criminal law. Justified by notions of personal moral guilt, criminal norms have been judged inapplicable to fictional persons, who 'think' and 'act' through human beings. The expansion of new corporate criminal liability (CCL) laws since the mid-1990s challenges this assumption. Our volume surveys current practice on CCL in 15 civil and common law jurisdictions, exploring the legal conditions for liability, the principles and options for sanctioning, and the procedures for investigating, charging and trying corporate offenders. It considers whether municipal CCL laws are converging around the notion of 'corporate culture', and, in any case, the implications of CCL for those charged with keeping corporations, and other legal entities, out of trouble.

Emergence, Convergence, and Risk

Law Books in Print: Title index

Homicide in Criminal Law

Loss of Control and Diminished Responsibility

SCOLAG

Killing in Self-defence

With contributions by numerous experts

Why is incest widely prohibited? Why does the scope of the prohibition vary from society to society? Why does incest occur despite the prohibition? What are the consequences? To reexamine these questions, this book brings together

contributions from the fields of genetics, behavioral biology, primatology, biological and social anthropology, philosophy, and psychiatry.

Scotland has often been regarded throughout history as "the violent north", but how true is this statement? Does Scotland deserve to be defined thus, and upon what foundations is this definition based? This book examines the history of crime in Scotland, questioning the labelling of Scotland as home to a violent culture and examining changes in violent behaviour over time, the role of religion on violence, how gender impacted on violence and how the level of Scottish violence fares when compared to incidents of violence throughout the rest of the UK. This book offers a groundbreaking contribution to the historiography of Scottish crime. Not only does the piece illuminate for the first time, the nature and incidence of Scottish criminality over the course of some three hundred years, but it also employs a more integrated analysis of gender than has hitherto been evident. This book sheds light on whether the stereotypical label given to Scotland as 'the violent north' is appropriate or in any way accurate, and it further contributes to our understanding of not only Scottish society, but of the history of crime and punishment in the British Isles and beyond.

The Northern Ireland legal quarterly

The State of Knowledge at the Turn of the Century

Essays in Criminal Law in Honour of Sir Gerald Gordon

Breach of the Peace

Conscience and Love in Making Judicial Decisions

Conspiracy and attempts

Trends in the Judiciary: Interviews with Judges from Across the Globe, Volume Four, provides insights into the lives, working environments, and social milieus of a select group of judges. These legal luminaries, often viewed as pedantic in their ontology, serve the crucial role of preserving the human rights of individuals. This text offers detailed data emanating from the narratives of judges who were interviewed by a wide range of academicians, from emerging and mid-career scholars to professionals and established professors. The narratives of the judges are interspersed with research data and country details in an effort to enhance the knowledge base of the readership. Judges from Asia, Africa, the Caribbean, Europe, the Pacific Islands, New Zealand, North America, and South America all contributed to this text by sharing information on their careers as well as insights as they traversed their profession. The readership of this manuscript will experience the thought processes of judges in relation to the social, cultural, economic, and political context of their respective nations and the gender issues, subtle attempts at juridical control, dealing with powerful criminals, and the lives of judges who have other interests besides "interpreting and applying the law." The international, cross-cultural perspectives presented in this book should be of significant interest to academics, practitioners, students, criminologists, and the

criminal justice community, and those interested in comparative legal studies across the globe.

Drawing on research from Britain, Europe, Argentina and the USA this volume examines the culture and loyalties of soccer players and crowds and their relationships to social order, disorder and violence. This informative and accessible book will be of interest to students of Sport Science and to all of those who love the game of soccer.

An interdisciplinary study of retail crime as a cultural phenomenon, drawing on economics, criminology and management to present a comprehensive explanation for the growth in retail thefts. This topical study explores crime prevention as a management issue, using criminomics, a concept based on commercial realities rather than maximising arrests.

A Casebook on Scottish Criminal Law

A Guide to Print and Electronic Sources

Finding Legal Information

Corporate Criminal Liability

The Edinburgh law review

Scottish Legal Action Group Bulletin

Three novels in one volume: "Donald Thomas masterfully evokes the flavor of Doyle's original stories of the great detective" (Publishers Weekly). In these sixteen tales of intellectual derring-do, Sherlock Holmes is shown at the height of his powers: He co-operates with a young Winston Churchill in the famed siege of Sydney Street; helps defeat a plan for a German invasion outlined in the Zimmerman Telegram; establishes a link between two missing lighthouse keepers and the royal treasures of King John; contends with a supernatural curse placed upon an eccentric aristocrat; and discovers a lost epic poem of Lord Byron. Everywhere in these finely wrought tales, encompassing the critically acclaimed The Execution of Sherlock Holmes, Sherlock Holmes and the King's Evil, and Sherlock Holmes and the Ghosts of Bly, riddles and mystery hover in the air. But they are not beyond the grasp of the incomparable Sherlock Holmes.

Scots law and the legal institutions of Scotland are markedly different to that in the rest of the UK, determined by its own distinctive history and its relationship with other legal systems. Written in plain English for non-lawyers, this publication examines the Scottish legal system post-devolution, covering a range of topics including: the origins and sources of Scots law; the judicial system; civil courts and civil judicial procedure; tribunals; criminal courts and the criminal justice system; legal personnel including judges and sheriffs, public prosecutors and the legal profession; the administration of the Scottish legal system; judicial review; legal aid and other sources of assistance.

Scots Criminal Law & quote; A Critical Analysis provides a clear statement of the current law for students and practitioners, with a theoretical and critical focus. This new edition has been updated to reflect changes in the law since the first edition publishe

The Legal System of Scotland

Consanguinity in Context

Law Books in Print: Publishers' listing

Crime in Scotland 1660-1960

The Lost Casebooks of Sherlock Holmes

Understanding Homicide

THE CONSCIENCE OF JUDGES AND APPLICATION OF LEGAL RULES The book is devoted to the problem of the influence of moral judgements on the result of judicial decision-making in the process of application of the established (positive) law. It is the conscience of judges that takes the central place in the research. Conscience is understood in the meaning developed in the theory of Thomas Aquinas as the complex capacity of the human being to make moral judgements which represent acts of reason on the question of what is right or wrong in a particular situation. The reason why we need a theory of conscience in making judicial decisions lies in the nature of the positive law itself. On the one hand, there is an intrinsic conflict between the law as the body of rigid rules and the law as a living experience of those who are involved in social relationships. This conflict particularly finds its expression in the collision of strict justice and equity. The idea of equity does not reject the importance of rules in legal life. What is rejected is an idolatrous attitude to the rules when the uniqueness of a human being, his well being and happiness are disregarded and sacrificed in order to fulfil the observance of the rules. The rules themselves are neither good or bad. What makes them good or bad is their application. Over recent decades, globalization has stirred up a number of positive and negative developments in national and international environments. An important feature of globalization is the rise of the economic, social, cultural and political power of corporations. While corporate activities may positively contribute to the livelihoods of individuals, communities, and societies, a number of allegations have been made that corporations have been involved in systematically violating human rights. In contrast, only a limited number of claims have been successfully brought against corporations or their directors and employees. As there is an urgent need for practical and victim-oriented solutions in the modern world in the area of human rights and business, this study argues that corporations have normative obligations in relation to fundamental human rights, around which there possibly appears to exist a value consensus across different cultures and societies around the world. However, the cacophony of international documents - so far agreed - currently regulate the conduct of corporations in international law only indirectly. This study therefore argues that the normative thrust of corporate human rights

obligations derives primarily from national legal orders and only secondarily from the international level, whereas both draw their foundations from an international value system. Moreover, corporate human rights obligations may also derive from corporate unilateral commitments. The study argues that corporations should be held accountable for violations of human rights law. Human Rights Law and Business proposes a normative framework of corporate obligations to respect, protect, and fulfill fundamental human rights. It employs a holistic approach to corporate responsibility, which identifies a three-fold responsibility for rights violations: corporate, individual, and state responsibility. It argues for concurrence between corporate, individual, and state responsibility where possible. Such an approach also maintains a victim-oriented perspective. Equally important to identifying corporate obligations is the question of how one can respond to corporate human rights violations. As international mechanisms are often ineffective and sometimes inexistent, the provision of effective remedies for victims of corporate human rights violations rests within national normative frameworks. The investigation of the current frameworks exposes the stark reality of a need for more clarity with respect to the obligations and responsibilities of corporations. Human Rights Law and Business therefore makes recommendations on how to improve the normative framework for corporate responsibility for fundamental human rights.

An essential guide to the sensitive topic of cousin marriage, examining its social, medical, political and legal connotations.

Criminal Justice in Scotland

Inbreeding, Incest, and the Incest Taboo

Anglo-German Dialogues

Football, Violence and Social Identity

Casebook on Scottish Criminal Law

Law Books Published

Conspiring to commit a crime is a criminal offence. Under the current law, when two or more persons plot a crime they can be arrested at the planning stage, regardless of whether the crime is ultimately committed. Attempting to commit a crime is also an offence, but only if the perpetrator commits an act which is a "more than merely preparatory" step towards the commission of the offence itself. This consultation paper examines these two areas of criminal

law. With conspiracy, conviction is dependent on it being proved that the perpetrator actually knows that the crime will be committed. With criminal attempt the uncertain character of the law leaves too much doubt in cases where common sense suggests that the accused is guilty. The law's definition of "preparatory" has become too generous to the accused. The Commission puts forward 21 proposals for consultation (which closes on 31 January 2008). The proposals should be considered in light of the recommendations made in the Commission's 2006 report "Inchoate liability for assisting and encouraging crime" (Cm. 6878, Law Com. No. 300, ISBN 9780101687829).

A comparative and collaborative study of the foundational principles and concepts that underpin different domestic systems of criminal law.

This book is a comprehensive analysis of the criminal defence of self-defence from a philosophical, legal and human rights perspective. The primary focus is on self-defence as a defence to homicide, as this is the most difficult type of self-defensive force to justify. Although not always recognised as such, self-defence is a contentious defence, permitting as it does the victim of an attack to preserve her life at the expense of another. If one holds that all human life is of equal value, explaining why this is permissible poses something of a challenge. It is particularly difficult to explain where the aggressor is, for reasons of non-age or insanity for example, not responsible for her actions. The first part of the book is devoted to identifying the proper theoretical basis of a claim of self-defence. It examines the classification of defences, and the concepts of justification and excuse in particular, and locates self-defence within this classification. It considers the relationship between self-defence and the closely related defences of duress and necessity. It then proceeds critically to analyse various philosophical explanations of why self-defensive killing is justified, before concluding that the most convincing account is one that draws on the right to life with an accompanying theory of forfeiture. The book then proceeds to draw upon this analysis to examine various aspects of the law of self-defence. There is detailed analysis of the way in which, on a human rights approach, it is appropriate to treat the issues of retreat, imminence of harm, self-generated self-defence, mistake and proportionality, with a particular focus on whether lethal force is ever permissible in protecting property or in preventing rape. The

analysis draws on material from all of the major common law jurisdictions. The book concludes with an examination of the implications that the European Convention on Human Rights might have for the law of self-defence, especially in the areas of mistaken belief and the degree of force permissible to protect property.

Enlightenment, Legal Education, and Critique

Women, Murder and Justice

Domestic, Comparative and International Perspectives

Current Law Index

This book provides a leading point of reference in the field of partial defences to murder and with respect to the mental condition defences of loss of control and diminished responsibility in general. The work includes contributions from leading specialists from different jurisdictions. Divided into two parts, the first provides an analysis from the perspective of the UK, looking at particular concerns such as domestic violence, revenge and mixed motive killings, mistaken beliefs. The second part presents a comparative and international view to provide a wider background of how alternative systems treat issues of human frailty short of full insanity (loss of control, diminished responsibility) in the context of the criminal law.

A Casebook on Scottish Criminal Law A Casebook on Scottish Criminal Law W. Green & Son