

## Criminal Law Palgrave Macmillan Law Masters

A major new Australian adaptation of the best-selling introduction to contract law, providing an authoritative but accessible examination of the foundational principles of this complex area.

The Palgrave Handbook of Criminal and Terrorism Financing Law focuses on how criminal and terrorist assets pose significant and unrelenting threats to the integrity, security, and stability of contemporary societies. In response to the funds generated by or for organised crime and transnational terrorism, strategies have been elaborated at national, regional, and international levels for laws, organisations and procedures, and economic systems. Reflecting on these strands, this handbook brings together leading experts from different jurisdictions across Europe, America, Asia, and Africa and from different disciplines, including law, criminology, political science, international studies, and business. The authors examine the institutional and legal responses, set within the context of both policy and practice, with a view to critiquing these actions on the grounds of effective delivery and compliance with legality and rights. In addition, the book draws upon the experiences of the many senior practitioners and policy-makers who participated in the research project which was funded by a major Arts and Humanities Research Council grant. This comprehensive collection is a must-read for academics and practitioners alike with an interest in money laundering, terrorism financing, security, and international relations.

Laws Relating to Sex, Pregnancy, and Infancy examines case law and legislation in regards to reproduction, pregnancy, and infancy. Cusack explores the winding pathways of legal precedence and action on the social conditions of pregnancy and childbirth, and draws from criminal and court procedures and behavioral science to determine if the law is acting in the best interest of those vulnerable populations. Cusack surveys interpersonal, familial, and societal problems presented throughout history and currently facing contemporary generations, questioning whether the criminal justice system can evolve to support the growing needs of its citizens most in need of legal assistance. This textbook provides a comprehensive overview of the ways in which the law has impacted on how sport is played, administered and consumed. The author writes in a clear and engaging manner, tracing the origins and sources of this rapidly evolving subject and drawing examples from a wide range of professional and amateur sports to illustrate the important current debates and topics of interest. The book covers a wide-range of topics from participant and non-participant liability, fighting sports and their legality, and liability for stadium safety and disasters. The final section of the book takes in the very latest developments in mass-event sport and the growing but fundamental area of sports commercialisation. New to this Edition: - Fully updated and includes analyses of the Pechstein and Sharapova decisions - Includes details on the state aid rulings on financial support for Spanish and Dutch football clubs - The author includes a review of the Rio 2016 Olympics

This book examines the way international criminal courts and tribunals have interpreted the crimes against humanity proscription of other inhumane acts. This clause is consistently used in spite of the long list of more specific offences forbidden as crimes against humanity. The volume proposes that the current approach is based on a misunderstanding of the nature of the clause. Properly understood, the clause is an invitation to courts to create and apply retroactive criminal laws. This leads to a problem. A prohibition on the use of retroactive criminal laws, one which admits no exceptions, is deeply embedded in international law. The author argues that it is time to revisit the assumption that retroactive criminal laws can never be deployed in a fair legal system. Drawing lessons from an exploration on the way the prohibition on retroactive laws is applied in practice, she proposes a new framework for understanding the clause proscribing the commission of other inhumane acts. This book will be of relevance to anyone interested in international criminal law or criminal law theory. Gillian MacNeil is Assistant Professor at Robson Hall, the Faculty of Law of the University of Manitoba in Winnipeg, Canada.

This book offers a comprehensive examination of the ways in which the criminal justice system of England and Wales has regulated, and failed or refused to regulate, lesbianism. It identifies the overarching approach as one of silencing: lesbianism has not only been ignored or regarded as unimaginable, but was deliberately excluded from legal discourses. A series of case studies ranging from 1746 to 2013 from parliamentary debates to individual prosecutions shed light on the complex process of regulation through silencing. They illuminate its evolution over three centuries and explore when and why it has been breached. The answers Derry uncovers can be fully understood only in the context of surrounding social and legal developments which are also considered. Lesbianism and the Criminal Law makes an important contribution to the growing bodies of literature on feminism, sexuality and the law and the legal history of sexual offences.

From DNA profiling to consideration of the accused's previous conduct, the law of evidence is a fascinating amalgam of logic, common sense, philosophy and tactics. Evidence explains the fundamentals and looks at the principles behind it.

An engaging introduction to some of the more advanced writing on criminal law for a reader with a reasonable grasp of the basic legal principles, illuminated throughout with discussion of the specific issues which reveal the practical significance of different theoretical positions. Also complemented by online access.

This book consists of a fundamental deconstruction and reconstruction of the key concepts of Criminology and The Sociology of Law, providing a coherent expression of the relationships between these newly constructed concepts and thus a radically new statement of the relationship between society, crime and the law.

The palgrave macmillan core statutes series has been developed to meet the needs of today's law students. Compiled by experienced lecturers, each title contains the essential materials needed at LLB level and, where applicable, on GDL/CPE courses. They are specifically designed to be easy to use under exam conditions and in the lecture hall. This new edition of core statutes on criminal law contains essential material up to June 2011. New to this edition: • Bribery Act 2010 • Crime and Security Act 2010 • Coroners and Justice Act 2009 (further provisions)

For twelve years Robert Blecker, a criminal law professor, wandered freely inside Lorton Central Prison, armed only with cigarettes and a tape recorder. The Death of Punishment tests legal philosophy against the reality and wisdom of street criminals and their guards. Some killers' poignant circumstances should lead us to mercy; others show clearly why they should die. After thousands of hours over twenty-five years inside maximum security prisons and on death rows in seven states, the history and philosophy professor exposes the perversity of justice: Inside prison, ironically, it's nobody's job to punish. Thus the worst criminals often live the best lives. The Death of Punishment challenges the reader to refine deeply held beliefs on life and death as punishment that flare up with every news story of a heinous crime. It argues that society must redesign life and death in prison to make the punishment more nearly fit the crime. It closes with the final irony: If we make prison the punishment it should be, we may well abolish the very death penalty justice now requires.

Well-selected and authoritative, Macmillan Core Statutes provide the key materials needed by students in a format that is clear, compact and very easy to use. They are ideal for use in exams.

Includes bibliographical references index.

Damien Rogers is Senior Lecturer at the Centre for Defence and Security Studies at Massey University, New Zealand.

This book offers a unique and powerful critique of the quest for international criminal justice. It explores the efforts of three successive generations of international prosecutors, recognising the vital roles they play in the enforcement of international criminal law. By critically examining prosecutorial performance during the pre-trial and trial phases, the volume argues that these prosecutors are simultaneously political actors serving in the interests of economic liberalisation. It also posits that international prosecutors help wage a mostly silent and largely unacknowledged politico-cultural war fought for control over the institutions governing modernist international affairs. As the author contends, international prosecutors are thus best understood as agents not only of the law and politics, but also of a war fought by proponents of various utopian projects.

This book reveals the extent, types, investigation, enforcement and governance of international corruption. Providing a unique international coverage, it reveals the limits of current anti-corruption strategies and explores the involvement of western democratic states in corruption.

This book investigates the use of duress as a defence in international criminal law, specifically in cases of child soldiers. The prosecution of children for international crimes often only focuses on whether children can and should be prosecuted under international law. However, it is rarely considered what would happen to these children at the trial stage. This work offers a nuanced approach towards international prosecution and considers how children could be implicated and defended in international courts. This study will be of interest to academics and practitioners working in international criminal law, transitional justice and children's rights.

This book traces victims' active participatory rights through different procedural stages in adversarial and non-adversarial justice systems, in an attempt to identify what role victims play during criminal proceedings in the domestic setting. Braun analyses countries with different legal traditions, including: the United States, England, Wales and Australia (as examples of mostly adversarial countries); Germany and France (as examples of inquisitorial systems); as well as Denmark and Sweden with their mixed inquisitorial-adversarial background. Victim Participation Rights is distinctive in that it assesses the implementation of formal processes and procedures concerning victim participation at three different procedural stages: first, investigation and pre-trial; second, trial and sentencing; and third, post-trial with a focus on appeal and parole. In addition, Braun provides an in-depth case study on the general position of victims in criminal trials, especially in light of national criminal justice policy, in Germany, a mostly inquisitorial system and Australia, a largely adversarial system. In light of its findings, the book ponders whether, at this stage in time, a greater focus on victim protection rather than on active procedural rights could be more beneficial to enhancing the overall experience of victims. In this context, it takes a close look at the merits of introducing or expanding legal representation schemes for victims.

The Palgrave Macmillan Law Masters series is a long-running and successful list of titles offering clear, concise and authoritative guides to the main subject areas, written by experienced and respected authors. This ninth edition of Legal Method provides a lively introduction to the nature of the English legal system and its sources, and to the techniques which lawyers use when handling those sources. The text assumes no prior knowledge and makes its content accessible by clarity of expression rather than by dilution of content. In addition to more conventional sources, writers as varied as Jonathan Swift, Alexander Pope and T. S. Eliot are cited. This is an ideal course companion for both law undergraduate and GDL/CPE students. Includes end of chapter summaries and self-test exercises.

A clear and rigorous introduction to the fascinating area of sports law, providing a solid grasp of the necessary legal principles and examining the way that the law has become a means of regulating modern sport at both the professional and amateur levels.

This book surveys the history, current status, and critical issues regarding the various mechanisms designed to control sex offenders. It shows that the social problem of sex offending is not apparently resolvable by any of the means currently employed. A large array of procedures are used in the attempt to control the difficult population of sex offenders, including: imprisonment, institutional and community treatment, community monitoring by probation and parole, electronic monitoring, registration as a sex offender, community notification of an offender's status, strict limits on behavioral movement in the community, and residence restrictions. However, these constraints on behavior are almost completely the result of public outrage regarding sensational sex crimes, overreaction of media coverage that produce inaccurate statements of potential community risk, and the efforts of the legal profession and politicians to quell this anger and foreboding by enacting legislation that supposedly confronts the risk. This book demonstrates that we have constructed a massive edifice of community control that is socially and politically driven and which has largely failed to contain sex crime.

An engaging introduction to the more advanced writings on family law, designed to provide the additional insights necessary to excel in the study of the subject.

Drawing on new studies from major European countries and Australia, this exciting collection extends the ongoing debate on falling crime rates from the perspective of criminal opportunity or routine activity theory. It analyses the effect of post WW2 crime booms which triggered a universal improvement in security across the Western world.

In a break from the contemporary focus on the law's response to inter-racial crime, the authors examine the law's approach to the victimization of one Indigenous person by another. Drawing on a wealth of archival material relating to homicides in Australia, they conclude that settlers and Indigenous peoples still live in the shadow of empire.

This book examines how the modern criminal trial is the result of competing discourses of justice, from human rights to state law and order, that allows for the consideration of key stakeholder interests, specifically those of victims, defendants, police, communities and the state.

Well-selected and authoritative, Palgrave Core Statutes provide the key materials needed by students in a format that is clear, compact and very easy to use. They are ideal for use in exams.

This handbook consists of essays on contemporary issues in criminal law and their theoretical underpinnings. Some of the essays deal with the relationship between morality and criminalization. Others deal with criminalization in the context of specific crimes such as fraud, blackmail, and revenge pornography. The contributors also address questions of responsible agency such as the effects of addiction or insanity, and some deal with punishment, its mode and severity, and the justness of the state's imposition of it. These chapters are authored by some of the most distinguished scholars in the fields of applied ethics, criminal law, and jurisprudence.

The Palgrave Macmillan Law Masters series is a long-running and successful list of titles offering clear, concise and authoritative guides to the main subject areas, written by experienced and respected authors. The seventh edition of Criminal Law provides a comprehensive introduction to the basic principles of criminal liability and to the main criminal offences, together with insights into the controversies and debates that surround the subject. The text is written in a clear and engaging style, making the fundamental concepts easy to grasp. This is an ideal companion for both law undergraduate and GDL/CPE students. This new edition has been thoroughly updated to reflect recent case law and statutory developments. The enhanced layout includes Hot Topic sections analysing the controversial cases of recent years, plus end of chapter summaries and suggestions for further reading.

This volume explores the continuous line from informal and unrecorded practices all the way up to illegal and criminal practices, performed

and reproduced by both individuals and organisations. The authors classify them as alternative, subversive forms of governance performed by marginal (and often invisible) peripheral actors. The volume studies how the informal and the extra-legal unfold transnationally and, in particular, how and why they have been/are being progressively criminalized and integrated into the construction of global and local dangerhoods; how the above-mentioned phenomena are embedded into a post-liberal security order; and whether they shape new states of exception and generate moral panic whose ultimate function is regulatory, disciplinary and one of crafting practices of political ordering. *How Can You Represent Those People?* is the first-ever collection of essays offering a response to the 'Cocktail Party Question' asked of every criminal lawyer. A must-read for anyone interested in race, poverty, crime, punishment, and what makes lawyers tick.

This book offers a historical presentation of how international criminal law has evolved from a national setting to embodying a truly international outlook. As a growing part of international law this is an area that has attracted growing attention as a result of the mass atrocities and heinous crimes committed in different parts of the world. Çakmak pays particular attention to how the first permanent international criminal court was created and goes on to show how solutions developed to address international crimes have remained inadequate and failed to restore justice. Calling for a truly global approach as the only real solution to dealing with the most severe international crimes, this text will be of great interest to scholars of criminal justice, political science, and international relations.

An engaging introduction to the more advanced writings on criminal law, designed to provide the additional insights necessary to excel in the study of the subject.

During the eighteenth century English defendants, victims, witnesses, judges, and jurors spoke a language of the mind. With their reputations or lives at stake, men and women presented their complex emotions and passions as grounds for acquittal or mitigation of punishment. Inside the courtroom the language of excuse reshaped crimes and punishments, signalling a shift in the age-old negotiation of mitigation. Outside the courtroom the language of the mind reflected society's preoccupation with questions of sensibility, responsibility, and the self.

Cremona and Herring provide an approachable and thorough overview of the fundamentals of English criminal law. The book examines the principles of criminal liability and the central offences against persons and property highlighting interesting and controversial aspects of the law, as well as considering topical issues including the Draft Criminal Code. Legislation and recent caselaw are explained in accessible language and some of the criticisms and analysis of the law are discussed. Features of this second fully updated edition include a completely new chapter, which considers some of the principles which underlie criminal law. There are new sections on computer crimes, blackmail and forgery.

The Mexican government's full-frontal attack on the powerful drugs cartels has achieved mixed results. This book considers the issue from a variety of viewpoints. The essential argument is that the organized crime is best combated by institutional reforms directed at strengthening the rule of law rather than by a heavy reliance on armed force.

This book addresses the idea that victims remain contested and controversial participants of justice in the twenty-first century adversarial criminal trial. Victims are increasingly participating in all phases of the criminal trial, with new substantive and procedural rights, many of which may be enforced against the state or defendant. This movement to substantive rights has been contentious, and evidences a contested terrain between lawyers, defendants, policy-makers and even victims themselves. Bringing together substantial source materials from law and policy, this book sets out the rights and powers of the victim throughout the phases of the modern adversarial criminal trial. It examines the role of the victim in pre-trial processes, alternative pathways and restorative intervention, the jury trial, sentencing, appeal and parole. Preventative detention, victim registers, criminal injuries compensation and victim assistance, restitution and reparations, and extra-curial rights and declarations are examined to set out the rights of victims as they impact upon and constitute aspects of the modern criminal trial process. The adversarial criminal trial is also assessed in the context of the increased rights of victims in international law and procedure, and with reference to policy transfer between civil and common law jurisdictions. This timely and comprehensive book will be of great interest to scholars of criminology, criminal law and socio-legal studies.

This book explores the burgeoning interest in alternative and innovative justice responses to sexual violence both within and outside the legal system. It explores the limits of criminal law for achieving 'rape justice' and highlights possibilities for expanding how we think about justice in the aftermath of sexual violence.

Utilizing Foucault's genealogical method, this book traces the development of the victim from feudal law, arguing that the historical power of the victim to police, prosecute and punish offenders informed the modern criminal law and justice system. This book advocates the victim as an agent of change, a new perspective for today's justice system.

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