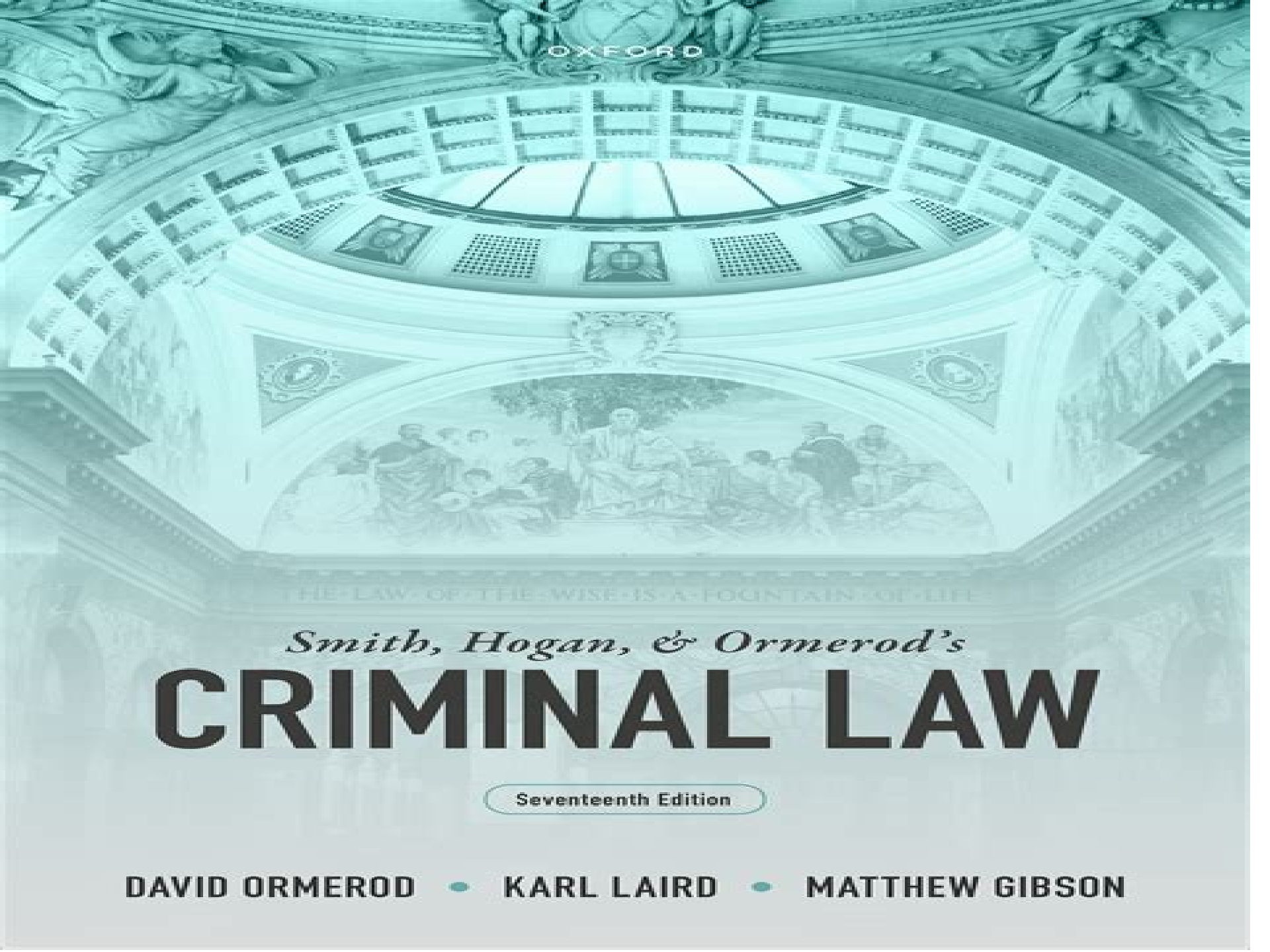




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historical and political context tradition and transformation are locked in a mutually reinforcing but thoroughly contingent embrace In contrast to the dewy eyed offerings of much contemporary work it demonstrates that like life law is an organic process i e events are the products of functional and localized causes rather than a miraculous one i e events are the result of some grand plan or intervention In short common law is a perpetual work in progress evanescent dynamic messy productive tantalising and bottom up

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Caribbean Criminal Practice Dana Seetahal, 2001-09-03 This is the first book of its kind in the Commonwealth Caribbean on Criminal Procedure Furthermore it is written by someone who has over twenty years experience in the field as a prosecutor for over a dozen years as a magistrate as a criminologist a criminal justice consultant and finally as a law school lecturer This book fills a lacuna in Commonwealth Caribbean jurisprudence in that there is currently no local or regional text on criminal practice and procedure For too long students and practitioners have had to waste time to wade through English and other text in areas that are not even relevant in order to determine their application to these jurisdictions The book provides a useful reference to clarify what the state of the statutory law is in the Caribbean when compared to similar areas in English law and to discuss the relevant statute and common law in specific areas It is a text useful not only for law school students but criminal justice professionals such as lawyers and police officers as well The content of the book includes both the statute law and common law on criminal practice and procedure in most of the relevant jurisdictions which include Trinidad Tobago Guyana Barbados Jamaica and Grenada among others Where the law is the same or similar in some jurisdictions this is emphasised in the text so as to avoid unnecessary repetition in discussion Attempts will be made to identify specific differences in the laws of different jurisdictions despite their being many commonalities Recent developments in these areas are also discussed and the impact of the statutory changes in some countries is assessed

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Searching the Law, 3d Edition Frank Bae, Edward Bander, Francis Doyle, Joel Fishman, Paul Richert, 2021-12-13

Simester and Sullivan's Criminal Law A P Simester, J R Spencer, F Stark, G R Sullivan, G J Virgo, 2019-08-22 This is the new edition of the leading textbook on criminal law by Professors Simester and Sullivan now co written with Professors Spencer Stark and Virgo Simester and Sullivan s Criminal Law is an outstanding account of modern English criminal law combining detailed exposition and analysis of the law with a careful exploration of its theoretical underpinnings Primarily it is written for undergraduate students of criminal law and it has become the set text in many leading universities Additionally the book is used as an important point of reference in academic writing and postgraduate research in England and abroad Simester and Sullivan s Criminal Law has been cited by appellate courts throughout the world Review of Previous Edition undoubtedly a first rate companion for any undergraduate or post graduate law course Since attaining international recognition and citation in appellate courts worldwide the security of the text s position as a point of academic reference remains as steadfast as ever John Taggart Criminal Law Review

The UN Genocide Convention Paola Gaeta, 2009 The Convention for the Prevention and Punishment of the Crime of Genocide adopted by the United Nations General Assembly on 9 December 1948 is one of the most important instruments of contemporary international law It was drafted in the aftermath of the Nuremberg trial to give flesh and blood to the well known dictum of the International Military Tribunal according to which Crimes against international law are committed by men not by abstract entities and only by punishing individuals who commit such crimes can the provisions of international law be enforced At Nuremberg senior state officials who had committed heinous crimes on behalf or with the protection of their state were brought to trial for the first time in history and were held personally accountable regardless of whether they acted in their official capacity The drafters of the Convention on Genocide crystallized the results of the Nuremberg trial and thus ensured its legacy The Convention established a mechanism to hold those who committed or participated in the commission of genocide the crime of crimes criminally responsible Almost fifty years before the adoption of the Rome Statute the Convention laid the foundations for the establishment of the International Criminal Court It also obliged its Contracting Parties to criminalise and punish genocide This book is a much needed Commentary on the Genocide Convention It analyses and interprets the Convention thematically thoroughly covering every article drawing on the Convention s travaux pr

paratoires and subsequent developments in international law The most complex and important provisions of the Convention including the definitions of genocide and genocidal acts have more than one contribution dedicated to them allowing the Commentary to explore all aspects of these concepts The Commentary also goes beyond the explicit provisions of the Convention to discuss topics such as the retroactive application of the Convention its status in customary international law and its future

National Security and Fundamental Freedoms Hualing Fu, Carole J. Petersen, Simon N.M.

Young, 2005-03-01 There has been intense interest in the proposals to implement Article 23 both in Hong Kong and abroad This book will be valuable to anyone who has followed or participated in that debate or has an interest in the delicate balance between civil liberties and national security The book will be particularly useful for legislators policy makers lawyers journalists historians teachers and students especially in the fields of law and the social sciences The statutory Appendix will assist teachers and students to draw comparisons between existing law and the government's proposals In 2003 more than 500 000 people marched in Hong Kong against the National Security Legislative Provisions Bill which would have prohibited treason sedition secession and subversion against the national government of China and included new mechanisms for proscribing political organisations This edited collection analyses that legislation particularly the implications for civil liberties and the one country two systems model Although the massive protest compelled the Hong Kong government to withdraw the Bill from the legislature in 2003 it will likely propose similar legislation in the future because Hong Kong has a constitutional obligation to implement Article 23 of the Basic Law The book provides detailed and balanced commentary on the Bill explains why certain proposals proved so controversial and offers concrete recommendations on how to improve the proposals before the next legislative exercise Fu Hualing is an Associate Professor and Director of the Centre for Comparative and Public Law Faculty of Law of the University of Hong Kong His research interests include social legal studies human rights and criminology He has an LLB from Southwestern University of Law and Politics China an MA from the University of Toronto Canada and a doctoral degree from Osgoode Hall Law School Canada Carole J Petersen is an Associate Professor and a former Director of the Centre for Comparative and Public Law Faculty of Law of the University of Hong Kong She has been teaching law in Hong Kong since 1989 specializing in constitutional law human rights and anti discrimination law She has a BA from the University of Chicago a JD from Harvard Law School and a Post graduate Diploma in the Law of the People's Republic of China from the University of Hong Kong Simon N M Young is an Associate Professor and Deputy Director of the Centre for Comparative and Public Law Faculty of Law of the University of Hong Kong He teaches criminal law evidence and legal aspects of white collar crime Previously he was Counsel in the Crown Law Office Criminal Ministry of the Attorney General for Ontario in Toronto Canada He obtained his LLB from the University of Toronto and his LLM from Cambridge University This collection of essays on the saga of Hong Kong's efforts to address the mandate of Article 23 in the Basic Law of the Hong Kong Special Administrative Region and related matters is likely to be an extremely useful resource

for a number of audiences These include those directly engaged with the issue of legislation and policymaking in Hong Kong in both public institutions and in the community those who have an interest in the development of Hong Kong's political and legal system and its relationship to the system of Mainland China and those with an interest in national security and anti-terrorism legislation more generally from a comparative perspective The overall quality and range of the contributions is strong The topic itself is a current and important one and the collection is an important contribution to the field Andrew Byrnes Professor of Law Australian National University The debate on legislation to ensure the sovereignty and security of the PRC against threats from Hong Kong was a turning point in the Special Administrative Region's political history It showed that while some Hong Kong residents may have reservations about democracy human rights are cherished by almost all It also showed that people can influence policy even without formal institutions of democracy The authors of this book played a leading role in the debate clarifying the legal issues which was critical to an informed debate Yash Ghai Sir Y K Pao Professor of Public Law University of Hong Kong

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