



University Of Cape Town Prosector

Lovell Fernandez



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The Evolving Role of the Public Prosecutor Victoria Colvin, Philip Stenning, 2018-09-24 The modern public prosecutor is a figure both powerful and enigmatic Legal scholars and criminologists often identify three essential components of criminal justice systems police courts and corrections Yet increasingly the public prosecutor occupies a distinct role independent from any of these branches Acting outside of the court and therefore largely out of the public eye the prosecutor s control over whether and what charges proceed to court can limit judicial discretion on sentencing open pathways to alternative measures and even deny entry into the criminal justice system entirely In this sense the prosecutor serves as a true gatekeeper to the criminal process This book addresses key aspects of the evolving role of domestic and international prosecutors in common law and civil law systems in the twenty first century and the challenges posed by this evolution This collection of chapters from respected scholars takes an international comparative approach and explores how these different legal systems have borrowed theorisations and articulations of the prosecutorial role from each other in adapting the office to changing conditions and expectations The volume is structured around four main themes relating to the role of the modern prosecutor the nature of the prosecutor s office the role of the prosecutor in investigations prosecutorial discretion and how it is exercised and politicisation and accountability of prosecutors This book is essential for scholars and students in criminal justice pre law legal studies criminology justice studies and political science and is useful as a resource for those interested in legal change around the world

Criminal Justice in International Society Willem de Lint, Marinella Marmo, Nerida Chazal, 2014-01-03 This book adopts a critical criminological approach to analyze the production representation and role of crime in the emerging international order It analyzes the role of power and its influence on the dynamics of criminalization at an international level facilitating an examination of the geopolitics of international criminal justice Such an approach to crime is well developed in domestic criminology however this critical approach is yet to be used to explore the relationship between power crime and justice in an international setting This book brings together contrasting opinions on how courts prosecutors judges NGOs and other bodies act to reflexively produce the social reality of international justice In doing this it bridges the gaps between the fields of sociology criminology international relations political science and international law to explore the problems and prospects of international criminal justice and illustrate the role of crime and criminalization in a complex evolving and contested international society

Policing for a New South Africa Mike Brogden, Clifford D. Shearing, 2005-08-04 The state police force of South Africa has acquired massive notoriety since its formation Its officers have developed a reputation for routinely provoking violence and torturing suspects As the key bastion of apartheid it is in urgent need of change In Policing for a New South Africa Mike Brogden and Clifford Shearing evaluate the options for change They critically analyse orthodox policing ideas imported from the West and contrast them with the indigenous model of independent policing from the townships of South Africa itself Together they offer significant possibilities for the future

Importantly they suggest that rather than South Africans import ideas wholesale from the West the latter countries in the light of the failures of their own police systems have much to learn from South Africa

Thematic Prosecution of International Sex Crimes Morten Bergsmo, 2018-06-01

Prosecution of Politicide in Ethiopia Marshet Tadesse Tessema, 2018-09-26 This book investigates the road map or the transitional justice mechanisms that the Ethiopian government chose to confront the gross human rights violations perpetrated under the 17 years rule of the Derg the dictatorial regime that controlled state power from 1974 to 1991 Furthermore the author extensively examines the prosecution of politicide or genocide against political groups in Ethiopia Dealing with the violent conflict massacres repressions and other mass atrocities of the past is necessary not for its own sake but to clear the way for a new beginning In other words ignoring gross human rights violations and attempting to close the chapter on an oppressive dictatorial past by choosing to let bygones be bygones is no longer a viable option when starting on the road to a democratic future For unaddressed atrocities and a sense of injustice would not only continue to haunt a nation but could also ignite similar conflicts in the future So the question is what choices are available to the newly installed government when confronting the evils of the past There are a wide array of transitional mechanisms to choose from but there is no one size fits all mechanism Of all the transitional justice mechanisms namely truth commissions lustration amnesty prosecution and reparation the Ethiopian government chose prosecution as the main means for dealing with the horrendous crimes committed by the Derg regime One of the formidable challenges for transitioning states in dealing with the crimes of former regimes is an inadequate legal framework by which to criminalize and punish diverse gross human rights violations With the aim of examining whether or not Ethiopia has confronted this challenge the book assesses Ethiopia's legal framework regarding both crimes under international law and individual criminal responsibility This book will be of great relevance to academics and practitioners in the areas of genocide studies international criminal law and transitional justice Students in the fields of international criminal law transitional justice and human rights will also find relevant information on the national prosecution of politicide in particular and the question of confronting the past in general Marshet Tadesse Tessema is Assistant Professor of the Law School College of Law and Governance at Jimma University in Ethiopia and Postdoctoral Fellow of the South African German Centre University of the Western Cape in South Africa

Justice in Transition - Prosecution and Amnesty in Germany and South Africa Gerhard Werle, 2006-01-01 The project on Criminal Justice and the East German Past held an international symposium from 6 to 9 April 2005 at the Humboldt University in Berlin Page v

Prosecutors Lovell Fernandez, 1993

Quality Control in Preliminary Examination Morten Bergsmo, Carsten Stahn, 2018-09-06

Violence Against Women in South Africa Binaifer Nowrojee, 1995 The Cautionary Rule

[Africa and the International Criminal Court](#) Gerhard Werle, Lovell Fernandez, Moritz Vormbaum, 2014-09-09 The book deals with the controversial relationship between African states represented by the African Union and the International Criminal Court This relationship started promisingly

but has been in crisis in recent years The overarching aim of the book is to analyze and discuss the achievements and shortcomings of interventions in Africa by the International Criminal Court as well as to develop proposals for cooperation between international courts domestic courts outside Africa and courts within Africa For this purpose the book compiles contributions by practitioners of the International Criminal Court and by role players of the judiciary of African countries as well as by academic experts

The Unspoken Alliance Sasha Polakow-Suransky,2011-06-14 Prior to the Six Day War Israel was a darling of the international left vocally opposed to apartheid and devoted to building alliances with black leaders in newly independent African nations South Africa for its part was controlled by a regime of Afrikaner nationalists who had enthusiastically supported Hitler during World War II But after Israel s occupation of Palestinian territories in 1967 the country found itself estranged from former allies and threatened anew by old enemies As both states became international pariahs a covert and lucrative military relationship blossomed between these seemingly unlikely allies Based on extensive archival research and exclusive interviews with former generals and high level government officials in both countries The Unspoken Alliance tells a troubling story of Cold War paranoia moral compromises and startling secrets

When the State No Longer Kills Sangmin Bae,2008-06-05 Why some countries comply with international norms against the death penalty while others do not

American Jewish Year Book 1998 David Singer,1998 The Library owns the volumes of the American Jewish Yearbook from 1899 current

A Genealogical and Heraldic History of the Peerage and Baronetage Bernard Burke,1929

Annual Report South African Law Commission,2001

Security, Reconstruction, and Reconciliation Muna Ndulo,2007-01-24 This key text brings together a team of leading contributors to address the complex issues of security reconciliation and reconstruction in post conflict societies Security Reconstruction and Reconciliation is organized into four main sections the social political and economic dimensions of conflict the impact of conflict on women and children reconstruction and past human rights violations disarmament demobilization reintegration post war reconstruction and the building of a capable state and the role of the international community in the peace process The chapters offer a detailed and succinct exposition of the challenges facing post conflict societies by articulating the vision of a new society With a foreword by Francis Deng the UN Secretary General s Special Representative on Internally Displaced Persons the authors discuss the issues in the context of possible solutions and lessons learnt in the field This new book is a valuable resource for researchers policy makers and students in the fields of conflict resolution security studies law and development

The Strategy and Tactics of World Communism United States. Congress. House. Committee on Foreign Affairs,1948

Precedent & Possibility Dennis Davis,Michelle Le Roux,2009 Not a day goes by in present South Africa when the role of law the rule of law the independence of the judiciary and the future of constitutional democracy is not debated This book will take the reader into the heart of the legal system the understanding of which is necessary when wrestling with these pressing questions The book examines a series of key cases over the past 60 years the judgements in which changed

the political or social landscape of the country The choice of cases for inclusion in the book was made both to tell compelling and significant historical stories as well as to illustrate the possibilities inherent in law and the potential for its abuse and use All of the chosen cases were ones where the country held its collective breath before judgement was delivered Through the stories told the reader will not only engage with critical aspects of South African history but will be exposed to the manner in which the possibility of our new constitutional democracy is linked to the legal precedents traditions and culture which were built up over the past century

Fifth and Final Report: pt. 4. The lower courts under the administrative responsibility of the Minister of Justice South Africa. Commission of Inquiry into the Structure and Functioning of the Courts,1983 Report of the Committee of Experts on the Application of Conventions and Recommendations (articles 19, 22 and 35 of the Constitution) International Labour Conference,International Labour Office. Committee of Experts on the Application of Conventions and Recommendations,2010

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