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David Lowe,Charlie Potter

Young, Corker and Summers on Abuse of Process in Criminal Proceedings David Young, 2022-02-14 Setting out the whole spectrum of circumstances where abuse of process is litigated in criminal law, barrister David Young and his co-authors use their wealth of experience in the UK and international courts to identify and describe the many different strands of the abuse jurisdiction. The authors provide you with a thorough understanding of the different forms of abuse of process, in areas such as lost evidence, delay, abuse of executive power, entrapment, extradition, double jeopardy and breach of promise. Additionally, the new edition features the first published chapter on abuse of process in International criminal proceedings, for those working in international criminal law. This Fifth Edition is updated to include: - New case law on prosecution disclosure failings in the context of abuse of process, and the courts approach to unavailable evidence in *R v PR*, *Hamilton v P0*, and *R v E* - An Entrapment chapter analysing the *Syed (Haroon)* decision on ECHR jurisprudence post *Looseley*, and the potential for abuse of process in cases of private entrapment - Abuse of power by the Executive's key *Norman* decision which sets out the law comprehensively - The developing abuse case law on private prosecutions, reviewing cases where prosecutors may hold improper motives for bringing private prosecutions - Detailed analysis of the abuse jurisdiction in extradition proceedings in *Jasvins v General Prosecutor's Office Latvia* - New Guidance on challenging interlocutory decisions by judicial review in *Parashar*, and analysis of *R v Asiedu* on defence appeals following guilty pleas - The revised Attorney General's Guidelines on Disclosure 2020 and the CPIA Code of Practice

Human Rights Law Merris Amos, 2021-07-15 This textbook comprehensively examines and analyses the interpretation and application of the United Kingdom's Human Rights Act 1998. The third edition has been fully updated to include the last seven years of case law. Part I covers key procedural issues including: the background to the Act; the relationship between UK courts and the European Court of Human Rights; the definition of victim and public authority; determining incompatibility including deference and proportionality; the impact of the Act on primary legislation; and damages and other remedies for the violation of Convention rights. In Part II of the book, the Convention rights, as interpreted and applied by United Kingdom courts, are examined in detail. All of the key Convention rights are discussed including: the right to life; freedom from torture and inhuman or degrading treatment or punishment; the right to liberty; fair trial; the rights to private life, family life and home; freedom of religion and belief; freedom of expression; the right to peaceful enjoyment of possessions; and the right to freedom from discrimination in the enjoyment of Convention rights. The third edition of *Human Rights Law* will be invaluable for those teaching, studying and practising in the areas of United Kingdom human rights law, constitutional law and administrative law.

Costs in Family Proceedings Francis Wilkinson, Dr Sara Hunton, 2020-03-27 A revised and fully updated guide to the law, precedents and practice of costs and funding in all family proceedings. Concise but comprehensive, this second edition provides a clear exposition of the three different regimes for family costs: no order; the clean sheet; and costs follow the event. It also covers arbitration costs, public funding, wasted costs, and any other costs issue that can arise. The Second Edition covers: Changes to public funding and the treatment of awards of damages Changes to enforcement procedures with the introduction of Parts 39 and 40 of the Family Procedure Rules 2010 An update to relevant case law Key legislation covered includes: Children Act 1989 Matrimonial Causes Act 1973 Legal Aid, Sentencing and Punishment of Offenders Act 2012 Senior Courts Act 1981 Family Procedure Rules 2010 Civil Procedure Rules 1998 *Costs in Family Proceedings* provides answers to all your costs questions. The early chapters address the scope for orders for costs between parties, while the later chapters provide coverage of: cost allowances, wasted costs, costs assessment (including indemnity costs), enforcement of costs orders, and the full range of other costs issues which may arise in family proceedings. As the only book of its kind available, this is an essential title for all family law solicitors, barristers, judiciary and academics, as well as costs draftsmen. '...magisterial... Our library here will stock this book. Family practitioners should...expect that all family judges will want to work from it.' Lord Wilson (from the Foreword to first edition)

Judicial Review Handbook The Hon Sir Michael Fordham, 2021-01-07 Bloomsbury's eBooks are protected using Digital Rights Management (DRM). As such, it is not possible to copy or print this eBook, nor will it be accessible with an Adobe ID other than your own. ...an institution for those who practise public law...it has the authority that comes from being compiled by an author of singular distinction. (Lord Woolf, from the Foreword to the Fifth Edition) The new edition of this Handbook remains an indispensable source of reference and a guide to the case-law in judicial review. Established as an essential part of the library of any practitioner engaged in public law cases, it offers unrivalled coverage of administrative law, including, but not confined to, the work of the Administrative Court and its procedures. Once again completely revised and up-dated, the seventh edition approximates to a restatement of the law of judicial review, organised around 63 legal principles, each supported by a comprehensive presentation of the sources and an unequalled selection of reported case quotations. It also includes essential procedural rules, forms and guidance issued by the Administrative Court. As in the previous edition, both the Civil Procedure Rules and Human Rights Act 1998 feature prominently as major influences on the shaping of the case-law. Attention is also given to impact of the Supreme Court. Here Michael Fordham casts an experienced eye over the Court's work in the area of judicial review, and assesses the signs from a Court that will be one of the key influences in the development of judicial review in the modern era. The author, a leading member of the English public law bar, and now has been involved in many of the leading judicial review cases in recent years and is the founding editor of the *Judicial Review* journal.

Information Rights Philip Coppel KC, 2020-06-11 Retaining the position it has held since first publication, the fifth edition of this leading practitioner text on information law has been thoroughly re-worked to provide comprehensive coverage of the Data Protection Act 2018 and the GDPR. *Information Rights* has been cited by the Supreme Court, Court of Appeal and others, and is used by practitioners, judges and all those who practise in the field. The new edition maintains its style of succinct statements of principle, supported by case law, legislative provisions and statutory guidance. Reflecting its enlarged scope and to maintain easy referencing, the work has been arranged into two volumes. The first volume is a 1,250-page commentary, divided into six parts. The first part is an overview and introduction to overarching principles. The second part provides an authoritative treatment of the data protection regime. This covers all four forms of processing (general, applied, law enforcement and security services) under the GDPR and DPA 2018. Each obligation and each right is comprehensively treated, with reference to all known case-law, both domestic and EU, including those dealing with analogous provisions in the previous data protection regime. The third part provides a detailed treatment of the

environmental information regime. This recognises the treaty provenance of the regime and its distinct requirements. The fourth part continues to provide the most thorough analysis available of the Freedom of Information Act and its Scottish counterpart. As with earlier editions, every tribunal and court decision has been reviewed and, where required, referenced. The fifth part considers other sources of information rights, including common law rights, local government rights and subject-specific statutory information access regimes (eg health records, court records, audit information etc). The final part deals with practice and procedure, examining appeal and regulatory processes, criminal sanctions and so forth. The second volume comprises extensive annotated statutory material, including the DPA 2018, the GDPR, FOIA, subordinate legislation, international conventions and statutory guidance. The law is stated as at 1st February 2020.

Immigration Appeals and Remedies Handbook Mark Symes, Peter Jorro, 2021-04-30 Immigration Appeals and Remedies Handbook, Second Edition covers all aspects of immigration and nationality appeals and challenges to decisions via administrative and judicial review. It explains the rights of appeal to the First-tier Tribunal onwards to the Upper Tribunal and higher courts, including practice and procedure and issues arising from remote hearings by video link. This Second Edition provides clarity of approach through the extensive use of checklists and bullet points. It also includes a new chapter on remote hearings, along with a myriad of other issues including: - Developments in human rights appeals - EU Citizens' Rights Appeals post-Brexit - The scope of nationality appeals - Practice and procedure in SIAC - Disclosure, costs, vulnerable witnesses and capacity - Remedies against dishonesty allegations - Immigration public law: practice and procedure This is an essential title for all immigration law practitioners, judiciary in both the tribunals and senior courts, law libraries, academics and students.

Understanding Legislation David Lowe, Charlie Potter, 2018-04-19 "[This book] will be of great value to practitioners, students, academics and judges - whatever their level of experience. [...] The trouble for many legal practitioners, and indeed for many legal book writers, can be a failure to see the wood for the trees, and that is a particular risk when it comes to a subject as fissiparous as statutory interpretation. David Lowe and Charlie Potter are to be congratulated for having avoided that risk: they have written a crisp and engaging book, which covers this important topic in an informative and accessible way..." From the foreword by David Neuberger Understanding Legislation provides a practical, accessible guide to interpreting both English and European legislation of all kinds. This book can be used as a first port of call for practitioners and students on all matters of statutory construction. It is designed to serve as a succinct and authoritative point of reference for questions concerning sources of legislation, the anatomy and structure of differing instruments and matters of interpretation. As well as considering how to read statutory language, and the key principles and presumptions that the courts will apply, the book addresses how other legislation and materials can influence the interpretive exercise and in what way. To this end, it discusses the interpretive significance of the different components of legislation, the various external aids to construction that may exist, and the role of international law, the European Convention on Human Rights (through the Human Rights Act 1998) and EU law in interpreting domestic law. While the primary focus is on English law, the treatment of EU and international law will also serve as concise freestanding guidance as to the sources of EU law, the construction of EU legislation and the construction of treaties.

Vulnerable Witnesses within Family and Criminal Proceedings Frank Feehan KC, Caroline Harris, 2019-08-05 ...the book fully justifies its title and will earn a well-thumbed place on the bookshelves, not only of children's lawyers, but also of children's guardians and intermediaries who need to understand how the court can, or cannot, assist the vulnerable to give evidence... Seen and Heard Are you prepared to protect the vulnerable in court? This book guides you through the rights of witnesses and the duties of advocates in family and criminal proceedings. Explaining the legal structure currently in place to assist vulnerable individuals, this title covers every stage of proceedings, including the investigation/pre-proceeding, and post-proceedings, whilst also looking at anonymity and protective orders. In addition, it discusses the sanctions available to the court if proper consideration and sufficient protection has not been given to vulnerable people at each stage. Covering legislation, regulation and authorities which govern these situations, it offers best practice regarding the examination of those who have difficulty understanding their case, by reason of age, circumstance or emotional and psychological difficulties. Practical help is provided through: Step-by-step guidance at each stage Helpful suggestions as to how to approach the hearing at each stage of proceedings Links to the useful guidance regularly referred to within proceedings including the Advocates Gateway

Event Tourism and Sustainable Community Development Ekta Dhariwal, Shruti Arora, Anukrati Sharma, Azizul Hassan, 2023-10-27 The event tourism business has become more and more essential to community development in countries around the world, helping to increase the appeal of specific destinations and generating huge economic benefits for the communities of the destinations, impacting local economies. With examples from India, Sri Lanka, Turkey, Malaysia, United Arab Emirates, Bangladesh, Cambodia, Portugal, Argentina, and Zimbabwe, this volume provides a valuable examination of sustainable community development in conjunction with event tourism along with helpful tools for promoting, organizing, and hosting successful events. This book looks at a wide range of festivals and other events around the world and examines their impact on tourism, sustainability, local culture and community, and community development. It highlights rural as well as urban event tourism, event tourism during and after COVID-19, how event tourism impacts women's empowerment, promoting event tourism and community development, new opportunities and challenges in event tourism education, and more.

Human Trafficking and Modern Slavery Law and Practice Philippa Southwell, Michelle Brewer, Ben Douglas-Jones KC, 2020-11-11 Recommended by The Independent Anti-Slavery Commissioner, Dame Sara Thornton, in her 2020 report on "The Modern Slavery Act 2015 Statutory Defence: A call for evidence" Rarely can the talent of so many practitioners be accessed in one convenient resource. Crimeline Human Trafficking and Modern Slavery Law and Practice, Second Edition provides guidance to those who deal directly or indirectly with those affected by modern slavery and trafficking, employ or manage a workforce, or have oversight of supply chains. It enables practitioners to deal with issues of law and procedure by providing an accessible, but comprehensive, summary of the points that need to be considered in order to plan a coherent litigation or compliance strategy. This Second Edition focuses on areas which have become of critical importance such as: - The modern slavery defence - Corporate accountability and modern slavery compliance statements - National Referral Mechanism for victims - How to identify victims of trafficking and modern slavery - How to elicit key information from victims of trafficking and modern slavery - Council of Europe Convention on Action against Trafficking in Human Beings - The EU Anti-

trafficking Directive This highly accessible guide draws on the expertise and experience of professionals in different disciplines, so that practitioners can receive guidance for their own practice and an understanding of the inter-relationship with other practice areas. Criminal, immigration, commercial and civil lawyers will find this an essential guide. It is also important for businesses when undertaking human rights due diligence assessments, as well as for those who work in law enforcement, the judiciary and academia.

The Law and Business of Litigation Finance Steven Friel, 2020-12-01 The Law and Business of Litigation Finance considers the international development of the law and practice of high value litigation and arbitration funding. It is an essential guide for those who provide or seek such funding, as well as for anyone who wishes to understand the litigation funding process and to avoid pitfalls. It answers questions such as: - How do litigation funders raise capital and how do they spend it? - What are their corporate and financial structures? - What type of cases do they invest in and what are their returns? - What are the key legal issues relating to litigation funding? The Law and Business of Litigation Finance assists various parties, including: - Those who do not have the resources or risk appetite to proceed in litigation or arbitration without financial support - Law firms who are interested in a significant business development opportunity, and fairer outcome for litigants - Insolvent estates, whose biggest assets are their potential claims - Judges, arbitrators and other neutral parties in funded dispute resolution cases - Regulators, legislators and policymakers in the fields of legal and financial services - Investors who seek high risk, high return opportunities The book is edited by one of the most accomplished litigation funders in the international market and has contributions from leading experts drawn from legal practice, financiers and academia. The focus is on the UK and the US, the two main centres for the international litigation funding industry, with reference to Australia, New Zealand and other select jurisdictions. As the first book on litigation finance to take an international, and particularly transatlantic, perspective, this is a must-have guide for all lawyers, commercial court judges, legal policy makers, regulators, investors, and academics in these jurisdictions.

Administrative Law Mark Elliott, Jason Varuhas, 2017 Administrative Law Text and Materials combines carefully selected extracts from key cases, articles, and other sources with detailed commentary. Aimed at undergraduates studying administrative law, it provides comprehensive coverage of the subject and brings together in one volume the best features of a textbook and a casebook. Rather than simply presenting administrative law as a straightforward body of legal rules, this engaging, critical text considers the subject as an expression of underlying constitutional and other policy concerns, which fundamentally shape the relationship between the citizen and the state. The result is a fascinating account of a subject of crucial importance. Online Resource Centre: The book is supported by online an Online Resource Centre, offering the following useful resources: * Updates which cover all the legal developments since publication * Oxford NewsNow RSS feeds provide constantly refreshed links to the latest relevant new stories * Interactive timeline of key dates in British political history * Annotated web links

Exceptions from EU Free Movement Law Panos Koutrakos, Niamh Nic Shuibhne, Phil Syrpis, 2016-12-15 This collection of essays brings together contributions from judges, legal scholars and practitioners in order to provide a comprehensive assessment of the law and practice of exceptions from the principle of free movement. It aims: – to conceptualise how justification arguments relating to exceptions to free movement operate in the case law of the Court of Justice of the European Union and national courts; – to develop a comprehensive and original account of empirical problems on the application of proportionality; – to explore the legal and policy issues which shape the interactions between the EU and national authorities, including national courts, in the context of the efforts made by Member States to protect national differences. The book analyses economic, social, cultural, political, environmental and consumer protection justifications. These are examined in the light of the rebalancing of the EU constitutional order introduced by the Lisbon Treaty and the implications of the financial crisis in the Union.

A Practitioner's Guide to the Court of Protection Martin Terrell, Caroline Bielanska, Justin Holmes, Richard Frimston, 2018-05-11 Navigate the extensive jurisdiction and powers of the Court of Protection. The Court of Protection affects an ever increasing number of people, among whom are some of the most vulnerable members of society. They need the best support and protection that the law and legal profession can provide. A Practitioner's Guide to the Court of Protection is written by practitioners whose individual and combined experience provide an invaluable guide to the law and practical application. The new Fourth Edition covers both the property and affairs and the welfare parts of the Court's jurisdiction, with new and expanded chapters covering: - The Court of Protection Rules 2017 - Case management pathways - Welfare and Deprivation of Liberty - Private international law - The practical application of the Mental Capacity Act 2005 - Lasting and Enduring Powers of Attorney - Case law, practice and procedure of the Court of Protection - Latest guidance and practice notes from the Office of the Public Guardian It is essential reading for anyone involved in Court of Protection practice including private client practitioners, mental health practitioners, family law practitioners, deputies, local authorities, accountants, Independent Mental Capacity Advocates, Welfare Accredited Legal Representatives, and advocates.

Constitutional and Administrative Law Neil Parpworth, 2020-05-14 Constitutional and Administrative Law guides readers through the key principles of public law, examining significant cases and recent developments along the way. The book's broad coverage is presented in a concise and easy-to-read format, while chapter summaries and self-test questions help reinforce knowledge. Highly praised by students and lecturers alike, Constitutional and Administrative Law is a must for undergraduates of all levels. Online resources This book is supported by the following online resources: - bi-annual updates keep students up to date on the latest key developments in public law - self-test questions on key topics, with feedback, provide an opportunity for students to test their learning

The Judicial Mind Brice Dickson, Conor McCormick, 2021-11-11 This collection of essays is a tribute to Lord Kerr of Tonaghmore, who died aged 72 on 1 December 2020 after having retired from the UK Supreme Court just two months earlier. Brian Kerr was appointed as a judge of the High Court of Northern Ireland in 1993. He became the Lord Chief Justice of Northern Ireland in 2004 before being elevated to a peerage and appointed as the last Lord of Appeal in Ordinary in June 2009. Four months later, as Lord Kerr, he moved from the Appellate Committee of the House of Lords to the UK Supreme Court where, after exactly 11 years, he concluded his distinguished judicial career as the longest-serving Justice to date. During his career he established an exceptional reputation for independence of thought, fairness and humanitarianism. Lord Kerr's judicial mind has inspired and influenced a significant number of scholars and jurists throughout the UK and beyond. In this book, his unique brand of jurisprudence is examined alongside a catalogue of broader issues in which he displayed a keen interest during his lifetime. The volume includes topical contributions from a range of legal experts in Britain and Ireland. Lord

Kerr's particular interest in public law, human rights law, criminal law, and family law is featured prominently, but so too is the importance of his dissenting judgments, some influential jurisprudence of the Judicial Committee of the Privy Council (where he sat on many occasions), the legacy of his influence on the law and legal system of Northern Ireland and the significance of his place in the historical development of judicial roles and responsibilities more generally.

The Anatomy of Administrative Law Joanna Bell, 2020-05-28 Winner of the 2022 Inner Temple New Authors Book Prize. This book seeks to further our understanding of the nature of administrative law doctrine and adjudication. It has three main aims. The first is to improve understanding of administrative law's 'anatomy' by pulling the subject apart and exploring the nature of the legal structures at play in adjudication. In doing so, the book emphasises three main ways in which administrative law's anatomy is both complex and diverse, namely: - administrative law doctrine interacts with a broad array of legislative frameworks; - administrative law adjudication seeks to accommodate a variety of legal values; and, - administrative law is concerned with legal relationships of different kinds. The second aim is to illustrate the importance of recognising the complexity and variety of administrative law's anatomy in three particular doctrinal contexts: procedural review, legitimate expectations and standing. The third and final aim is to raise an important but under-explored question: is it plausible and useful to attempt to make sense of administrative law doctrine by reference to a singular organising concept or principle? The overarching message of the book is one of cynicism. The complexity and variety of administrative law's legal structures probably means that attempts to explain the field 'monistically', while they may capture important themes, will be unhelpfully reductionist. Ambitious and thought-provoking, this is an important new statement on administrative law.

Government and Information Rights Patrick Birkinshaw, Mike Varney, 2019-04-18 Government and Information: The Law Relating to Access, Disclosure and their Regulation is the leading text offering comprehensive and practical advice on the access, disclosure and retention of government records under UK, EU and ECHR requirements. It is essential reading for all those dealing with public authority information. The fifth edition is extensively revised following numerous developments in both UK and EU law as well as the ever expanding case law on information rights under statutory, Convention and common law provisions. Legislation: Justice and Security Act 2013; Crime and Courts Act 2013 (s 34 in relation to press standards following Leveson); Re-use of Public Sector Information Regulations 2015 Investigatory Powers Bill 2016; Environmental Information Regulations 2004; General Data Protection Regulation 2016; Key cases since the last edition include: Evans v Attorney General [2015] UKSC 21 - the SC ruled that the Attorney General had acted unlawfully in issuing a veto preventing disclosure Kennedy v Charities Commission [2014] UKSC 20 - Supreme Court extended the ambit of the common law in relation to access to information and transparency Case 362/14 Schrems [2015]) - involving data transfer to the USA PJS v NewsGroup Newspapers Ltd [2016] UKSC 26 - developing the law of personal privacy

A Practitioner's Guide to Ancillary Orders in Criminal Courts Elaine Freer, 2019-05-23 This book provides a clear analysis of those possibilities [created by the myriad of ancillary orders] and is to be welcomed: it will help judges and practitioners navigate the complex landscape that the law has created. [It] sets out the criteria and law surrounding orders and explains them clearly and in detail: it addresses an often overlooked area of the law but one that it is essential we understand and apply correctly. Sir Brian Leveson, President of the Queen's Bench Division, Head of Criminal Justice - in his Foreword to the book Ancillary orders often involve nuanced application of detailed law. Combined with the huge variety of situations to which they apply and ways in which they operate, the scope for error when working with them is high. This is the only guide to the law, application and analysis relating to Ancillary Orders, available to criminal courts, helping you to mitigate risk for your clients. A Practitioner's Guide to Ancillary Orders in Criminal Courts covers orders available on acquittal, such as Restraining Orders and Defence Costs Orders, as well as those only available on conviction, such as Compensation Orders and Directors' Disqualification Orders, with each Order set out in a self-contained chapter. As such, the law and precedent applying to that particular type of Order is simple to access. Legislation and case law covered includes: Powers of Criminal Courts (Sentencing) Act 2000 Prosecution of Offences Act 1985 Protection from Harassment Act 1997 Sexual Offences Act 2003 Serious Crime Act 2007 Anti-social Behaviour, Crime and Policing Act 2014 Misuse of Drugs Act 1971 Firearms Act 1968 Company Directors' Disqualification Act 1986 Costs: Lord Howard of Lympne v DPP SHPOs: Cheyne, Connor SCPOs: Hancox and Duffy Driving disqualification: Needham Directors' disqualification: Cadman In addition to providing guidance on and analysis of those Orders, this book also sets out the consequences of breaches. It will help you ensure that clients do not have an unwarranted or overly-onerous order imposed upon them. An easy reference guide for advocates and courts alike.

The Protest Handbook Tom Wainwright, Anna Morris, Owen Greenhall, Lochlinn Parker, 2020-12-01 "A book like this that sets out the law relevant to protest is essential for campaigners and activists. But it's not just a guide to legal rights when protesting, it's also a handbook for the defence of civil disobedience and non-violent direct action in our democracy. That makes it essential reading for us all." Caroline Lucas MP, in her Foreword to the Second Edition The Protest Handbook, Second Edition is a clear and accessible guide to protest law, which brings together both the criminal and civil aspects of this area of law and explains complex legal issues in a user-friendly format. The authors guide practitioners and non-practitioners through the various issues and proceedings, covering the following: protestors' rights and police powers; criminal proceedings; common offences and defences; the law on occupations; challenging injunctions; and holding the police to account. The Second Edition covers all the core legislation and case law including: Public Order Act 1986; Criminal Justice and Public Order Act 1994; Human Rights Act 1998; Boddington v BTP, Rice v Connolly and R (Laporte) v Chief Constable of Gloucestershire as well as more recent developments such as: Anti-Social Behaviour Crime and Police Act 2014; The Police (Conduct) Regulations 2020; James v DPP (2016); R (DPP) v Stratford MC (2017); DPP v Ziegler (2019); R v Roberts (2019); Catt v UK (2019); Canada Goose v Persons Unknown (2020); INEOS v Boyd (2020); R (Jones) v Commissioner of Police for the Metropolis (2020). This is an essential guide for all legal practitioners working in this area, as well as for organisations and groups who provide advice and support for protestors and, of course, for protestors themselves.

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