

SCOTS CRIMINAL LAW

R A A McCall Smith and David Sheldon

Second edition



Butterworths

Mccall Smith And Sheldon Scots Criminal Law Second Edition

Gavin Dingwall



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Scots Criminal Law Pamela R Ferguson, 2015-01-01 Scots Criminal Law 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 published

Student Handbook of Criminal Justice and Criminology John Muncie, David Wilson, 2013-02-01 Written by some of the leading criminologists in the country this new title is a one stop shop for those who teach study or are interested in criminology and the criminal justice systems of the UK

Direct and Oblique Intention in the Criminal Law Itzhak Kugler, 2017-07-28 The subject of intention in the criminal law is currently causing many debates among criminal lawyers This compelling and probing volume addresses two key questions should the criminal law distinguish between direct intention and recklessness and what should the law be concerning cases of oblique intention i e cases in which the actor does not act in order to cause the proscribed result but is nevertheless practically certain that his or her action will cause it The discussion is divided into two parts with the first being devoted to the question of whether it is justified to grade offences based on the distinction between intention and recklessness The second part deals with offences in which intention is required as a condition for the criminalisation of the conduct and in the context of which reckless actors are not exposed to criminal liability The book explores the issue of intention from the viewpoint of degrees of moral culpability and it discusses inter alia the doctrine of double effect the possibility that the law in cases of oblique intention should not be the same for all crimes of intention and the possibility of using a moral formula in the definition of certain offences The discussion also addresses many other criminal law issues including the philosophy of punishment the role of motives in determining degrees of blameworthiness sentencing stigma and criminal attempts

Alcohol and Crime Gavin Dingwall, 2013-07-23 Alcohol is massively associated with crime Evidence from the British Medical Association found that alcohol use is associated with 60 70 per cent of murders 70 per cent of stabbings 50 per cent of fights or assaults in the home For non violent offences the association is very strong as well 88 per cent of those arrested for criminal damage 83 per cent for breach of the peace 41 per cent for theft and 26 per cent for burglary had drunk in the four hours prior to their arrest At the same time there has been intense concern about public drunkenness in town and city centres especially on the part of young people and the cost and damage this causes This book seeks to understand the nature of the connection between alcohol and crime and the way the criminal justice system responds to the problem providing a clear and accessible account and analysis of the subject It draws upon a wide range of sources and research findings and also sets the subject within a broader comparative context It takes an interdisciplinary approach and includes a sociological account of the role of alcohol in British society a criminological analysis of the link between alcohol and crime and a philosophical consideration of individual responsibility for harm caused whilst intoxicated and a legal analysis of different approaches that can be adopted as a response to alcohol related offending

Lethe's Law Emiliios Christodoulidis, Scott Veitch, 2001-05-09 This book offers

a series of original essays by an international group of scholars whose work looks comparatively at law's attempts to deal with the past. Ranging from questions of criminal responsibility and amnesty to those of law's relation to time, memory and the ethics of reconciliation, it is a sustained jurisprudential and philosophical analysis of one of the most important and pressing legal concerns of our time. Among its key concerns is that justice's demand on law has changed and in the face of a divided and violent past, law is being called on to do the kind of work it ordinarily shuns. What this means for conventional understandings of law as well as for the relation between law and politics in times of transition is explored through a discussion of experiences from Eastern Europe and Germany to South Africa, Israel and Australia. The book thus provides a timely investigation of the nature of law and legal institutions in times of political and social change and will appeal to a broad international audience including lawyers, political theorists, criminologists and philosophers. **Mason and McCall**

Smith's Law and Medical Ethics Kenyon Mason, Graeme Laurie, Alexander McCall Smith, 2013-06-06. This classic textbook focuses on medical law and its relationship with medical practice and modern ethics. Offering medical as well as legal facts, it provides thorough coverage of all of the topics found on medical law courses and in-depth analysis of recent court decisions, encouraging students to think analytically about the subject. **Anglo-American Insanity Defence Reform** Faye

Boland, 2019-01-15. First published in 1999, the book examines the magnitude of the polemic surrounding each attempt to reformulate the insanity defence in the United States, England and Ireland. The book contains a critique of the McNaghten Rules, the defence of irresistible impulse, the product test of insanity, the justly responsible test, the American Law Institute's test of insanity and the Butler Committee's proposed revision. At the heart of the controversy surrounding each reformulation has been a medico-legal tension over the wording of the insanity defence and whether law or psychiatry's view of insanity should prevail. The book looks at the success of the English diminished responsibility defence in abating the controversy. The result of introducing this defence has been the emergence of the legal and medical professions from a state of cold war to entente cordiale. The book explores the reasons for the diminished responsibility defence's success in resolving the polemic over the insanity defence. **Criminal Liability of Corporations / La Criminalisation Du Comportement Collectif**

Hans de Doelder, Klaus Tiedemann, 1995-11. This volume contains fourteen national reports and the general report on the subject of Criminal Liability of Corporations, written for the XIVth Congress of the International Academy of Comparative Law which was held in 1994 in Athens, Greece. The issue of criminal liability of corporations is being discussed worldwide as is apparent in the many changes which are taking place in both criminal law and administrative law in several countries. The national reports give an overview of the various trends in criminal policy when addressing the topic of liability of corporations and the general report sets out a common thread in this field. **Bowker's Law Books and Serials in Print**

, 1998. Conscience and Love in Making Judicial Decisions Alexander Nikolaevich Shytov, 2013-03-14. 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 an 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

Certain Other Countries Carolyn Conley, 2007 In *Certain Other Countries* Carolyn A Conley explores how the concepts of national identity and criminal violence influenced each other in the Victorian era United Kingdom It also addresses the differences among the nations as well as the ways that homicide trials illuminate the issues of gender ethnicity family privacy property and class Homicides reflect assumptions about the proper balance of power in various relationships For example Englishmen were ten times more likely to kill women they were courting than were men in the Celtic nations By combining quantitative techniques in the analysis of over seven thousand cases as well as careful and detailed readings of individual cases the book exposes trends and patterns that might not have been evident in works using only one method For instance by examining all homicide trials rather than concentrating exclusively on a few highly celebrated ones it becomes clear that most female killers were not viewed with particular horror but were treated much like their male counterparts

BOOK JACKET **The Journal of the Law Society of Scotland** ,1998

Human Rights and Scots Law Christina Ashton, Valerie Finch, 2002 Practitioners and students of Scots criminal law should continue to find the third edition of this text a useful reference to its procedural aspects Coverage embraces the full range of criminal procedure pre trial at trial and thereafter both in solemn and summary cases

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