charged annually. Practitioners and students of Scots criminal law should continue to find the third edition of this text a useful resource to its procedural aspects. Coverage embraces the full range of criminal procedure pre-trial, at trial and thereafter, both in solemn and summary cases. This edition incorporates the considerable legislative changes which have come about since publication of the third edition in early 1995: namely the Criminal Procedure (Scotland) Act 1995, the Crime (Sentences) Act 1997 and the Crime and Punishment (Scotland) Act 1997.A Fingertip Guide, the fourth edition addresses essential developments in Scottish case law, including corroboration and the law relating to prior inconsistent statements. It also takes into account forthcoming Human Rights legislation using a wide range of prosecution and trial records, along with more recent newspaper coverage of court proceedings, this book furnishes a fascinating insight into the relationship between the law, society and the Scottish criminal law. Case studies of sex-related crimes, including abortion, bestiality, brothel-keeping, child sexual assault, and wilful HIV transmission, reveal how far the legal process both reflected and reinforced contemporary moral panics and how far it was shaped by the interplay between law officers and forensic experts, by the prejudices of the local community and civic leaders, and by Scotland's distinctive legal and moral identity. The law in practice is seen to have sustained important norms of sexual behaviour and masculinity along with an enduring double moral standard with respect to female sexuality. This volume thus affords a remarkable new perspective on the sexual behaviours and ideologies of Scottish society across the twentieth century and into the new millennium.

Presents an account of the legal issues relevant to Scottish psychiatric practice, explaining how the Scottish legal system deals with mental health issues, and outlines psychiatric care systems. Meant for those involved with mental health and the law in Scotland, this title provides analysis of the Mental Health legislation. A course on the Scottish legal system is a compulsory part of undergraduate degrees in the Scottish Law. The Scottish Legal System sets out to present the 'legal system and law of Scotland as a unique and constantly changing enterprise' and places the Scottish legal system in its broader political and social contexts. This is achieved by covering not only the central aspects of the system, such as the courts and the legal profession, but also the border areas with constitutional law and jurisprudence. This sixth new edition includes new case law on devolution and human rights issues in Scotland. This well-established text provides an up-to-date treatment of the developments in the Scottish legal system. A complete reappraisal of the scale and significance of female criminality in a period of major legislative change. Published in 1999, Scottish criminal law and procedure are very different from their counterparts elsewhere in the United Kingdom. This book is the first socio-legal account of the Scottish criminal justice process and its constituent institutions. Its aim is to explain: the operation of the various elements which make up the 'system'; to summarise the considerable volume of relevant Scottish research; and to locate this knowledge within contemporary theorising about criminal justice. To this end, the editors commissioned a team of experts to write chapters on the various stages of institutions of the Scottish criminal justice process. Given Scotland's broad social and cultural similarities to the rest of the United Kingdom, the book also provides a useful comparative perspective which should help to encourage the tendency towards overly ethnocentric theorising south of the border. Scots law and the legal institutions of Scotland are markedly different to that in the rest of the UK, determined by its own distinctive history and its relationship with other legal systems. Written in plain English for non-lawyers, this publication examines the Scottish legal system post-devolution, covering a range of topics including: the origins and sources of Scots law; the judicial system; civil courts and civil judicial procedure; tribunals; criminal courts and the criminal justice system; legal personnel including judges and sheriffs, public prosecutors and the legal profession; the administration of the Scottish legal system; judicial review; legal aid and other sources of assistance. This collection of essays honours the work of Sir Gerald Gordon CBE QC LLD (1925-). In modern times few, if any, individuals can have been as important to a single country's criminal law as Sir Gerald has been to the criminal law of Scotland. His monumental work The Criminal Law of Scotland (1967) is the foundation of modern Scottish criminal law and is recognised internationally as a major contribution to academic work on the subject. Elsewhere, he has made significant contributions as an academic, judge and as a member of the Scottish Criminal Cases Review Commission. Reflecting the academic rigour and practical application of Sir Gerald's work, this volume includes essays on criminal law theory, substantive law and evidence and procedure by practitioners and academics within and outside of Scotland, including contributions from England, Ireland and the USA. Inchoate crimes - attempts, incitement and conspiracy - are a complex area of law, affected by both common law doctrine and statutory regimes. Inchoate Crimes provides much needed guidance on the subject. The author draws on developed doctrines in other relevant jurisdictions to suggest alternative approaches for Scots law. This title also combines substantive material with discussion on the nature and justification for the punishment of such crimes. It should assist criminal lawyers in everyday practice by explaining the current state of Scots law surrounding inchoate crimes and suggesting alternative approaches where Scottish authority is deficient or entirely absent.

À TÀ TÀ - this excellent work is commended to the criminal practitioner, potential and present. À TÀ TÀ [R]." This book examines the relationship between legal tradition and national identity to offer a critical and historical perspective on the study of criminal law. It develops a radically different approach to questions of responsibility and subjectivity, and was among the first studies to combine appreciation of the institutional and historical context in which criminal law is practised with a critical understanding of the law itself. Applying contemporary social theory to the particular case of nineteenth-century Scottish law, Lindsay Farmer is able to develop a critique of modern criminal law theory in general. He traces the development of the modern characteristics of criminal law and legal order, tracing the relationship between legal practice and national culture, and showing how contemporary criminal law theory fundamentally misrepresents the character of modern criminal justice.Scotland has often been regarded throughout history as 'the violent north', but how true is this statement? Does Scotland deserve to be defined thus, and upon what foundations is this definition based? This book examines the history of crime in Scotland, questioning the labelling of Scotland as home to a violent culture and examining changes in violent behaviour over time, the role of religion on violence, how gender impacted on violence and how the level of Scottish violence fares when compared to incidents of violence throughout the rest of the UK. This book offers a ground-breaking contribution to the historiography of Scottish crime. Not only does the piece illuminate for the first time, the nature and incidence of Scottish criminality over the course of some three hundred years, but it also employs a more integrated analysis of gender than has hitherto been evident. This book sheds light on whether the stereotypical label given to Scotland as 'the violent north' is appropriate or in any way accurate, and it further contributes to our understanding of not only Scottish society, but the history of crime and punishment in the British Isles and beyond. This guide is a practical and concise summary of Scottish criminal law. Published in a handy and accessible format, it is an essential source of reference for all criminal court practitioners. This sixth edition incorporates the considerable legislative changes in Scottish criminal law since publication of the previous edition. All sections have been thoroughly updated to incorporate essential developments in Scottish case law. The contributors consider the impact of the Human Rights Act in light of the new constitutional settlement for Scotland and their experiences of other rights regimes in Europe, the Commonwealth, and the United States. The contributions span the fields of Private, Public, European Community and Comparative law and draw on human rights law and practice in the UK, the European Community, Canada, New Zealand, South Africa, the United States and Sweden, where the ECHR was recently incorporated. Topics include: analyses of the Human Rights Act and Scottish law; human rights and the law of crime, property, employment, family and private life; Scottish court practice and procedure; Scots law and the European dimension; and building a rights culture in Scotland. This title updates the two earlier editions of this book. It includes comments on numerous recent developments in case law and legislation. Whether you're a criminal law student or looking to apply to Scots law, this invaluable guide will quickly equip you with all the basics of the Scottish legal system. Fully updated for the third edition, it is the ideal textbook for busy law students and revising for those all-important exams. Summary sections of Essentials: Facts and Essential Cases will help you to identify, understand and remember the key elements of the subject.