

SMITH & BAILEY
ON
THE
MODERN ENGLISH
LEGAL SYSTEM

SECOND EDITION
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proceedings and if so how these principles are adapted to the needs and characteristics of competition law Focusing on competition law developments both legislative and judicial over a period of twenty years in three jurisdictions the Netherlands the UK and the EU the author compares how each of the following criminal law principles has emerged and been interpreted in each jurisdiction s proceedings freedom from self incrimination non bis in idem burden and standard of proof legality and legal certainty and proportionality of sanctions The author offers proposals involving both legislative and judicial actions with examples of judges invoking criminal law principles to develop an appropriate level of safeguards in competition law proceedings The book shows that criminal law can provide a rich source of inspiration for the judiciary on the appropriate level of legal safeguards in competition law proceedings As such it provides an important source of information and guidance for lawyers and judges dealing with competition law matters

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