



The Hamlyn Lectures 2022: Courts and the Body Politic

Lecture 3, Sir Joseph Hotung Auditorium,
Mansfield College, Oxford:

Courts & Human Rights

Professor Catherine O'Regan

Bonavero Institute of Human Rights,
University of Oxford

Chair: Helen Mountfield KC

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The English Judge The Hamlyn Lectures

Shimon Shetreet, Sophie Turenne



The English Judge The Hamlyn Lectures:

The English Judge Henry Cecil, 1970 Judging Civil Justice Hazel G. Genn, Hazel Genn, 2010 A trenchant critique of developments in civil justice that questions modern orthodoxy and points to a downgrading of civil justice **The English Legal System** David Kelly, 2017-07-14 Slapper and Kelly's *The English Legal System* explains and critically assesses how our law is made and applied. Trusted by generations of academics and students, this authoritative textbook clearly describes the legal rules of England and Wales and their collective influence as a sociocultural institution. This latest edition of *The English Legal System* has been substantially updated. Slapper and Kelly can always be relied upon for accurate and reliable coverage of all of the latest developments which impact on the legal system in England and Wales. Key learning features include useful chapter summaries which act as a good check point for students, food for thought questions at the end of each chapter to prompt critical thinking and reflection, sources for further reading and suggested websites at the end of each chapter to point students towards further learning pathways, an online skills network including how-to practical examples, tips, advice and interactive examples of English law in action. Relied upon by generations of students, Slapper and Kelly's *The English Legal System* is a permanent fixture in this ever-evolving subject *The Place of the Explained Verdict in the English Criminal Justice System: Decision-making and Criminal Trials* Bethel G. A. Erastus-Obilo, 2008-10-30 Lay participation in the criminal justice process in the form of a jury is a celebrated phenomenon throughout the common law jurisdictions. While not claiming credit for its origin in England as the latent cradle of the modern jury, disseminated this mode *Judges on Trial* Shimon Shetreet, Sophie Turenne, 2013-10-24 This study of the English judiciary stimulates a discussion of the factors shaping judicial independence, including accountability and constitutional adjudication **The Three Paths of Justice** Neil Andrews, 2011-09-28 This book presents a concise account of the English system of civil litigation, covering court proceedings in England and Wales. It is an original and important study of a system which is the historical root of the US litigation system. The volume offers a comprehensive and properly balanced account of the entire range of dispute resolution techniques. As the first book on this subject to be published in the USA, it enables American lawyers to gain an overview of the main institutions of English Civil Procedure, including mediation and arbitration. It will render the English system of civil justice accessible to law students in the US, practitioners of law, professors, judges and policy makers **Reason Curve, Jury Competence, and the English Criminal Justice System** Bethel Erastus-Obilo, 2009 *Reason Curve: Jury Competence and the English Criminal Justice System*, a cross-jurisdictional and cross-disciplinary book, seeks to stimulate discussion and extend the debate in the area of criminal trials in light of the absence of an articulated explanation for a verdict. The book traces the history and development of the jury from the Carolingian kings, its advancement in the English Courts following papal intervention, the impact of the Magna Carta to its general use, current curtailment in England and Wales and re-emergence in Continental Europe. Central to the book's submission is the dictum that the jurors' franchise to deliver a cryptic verdict is a matter

between them and their conscience In light of human and civil rights movements the book advances arguments that a cryptic verdict may offend the principle of fair trials in criminal justice This is amplified by the presence of a developing and significant body of law that demands that decisions by public officers be accompanied by articulated pronouncements regarding the basis for their decision While the book does not contend with the sanctity of jury deliberations and recognizes the difficulties associated with reason articulation by lay assessors it argues that the jury continuum provides a fertile ground not only for articulating a verdict in light of human experiences but also for generating the reason curve which provides legitimacy for that verdict Furthermore the reason curve argues that it is entirely possible for the jury to articulate its reasons provided the Criminal Justice System makes provisions not just to expect an explained verdict from the jury but also provides it with the necessary facilities needed for compliance Exploring research and sources in the fields of law and psychology in Europe the USA and other jurisdictions around the world this book is written for an international audience as a catalyst for the student of legal jurisprudence who has interests in the concepts of reason accountability transparency and human rights in the criminal justice system It is also written for the cognitive and behavioral psychologist with an interest in lay decision making in criminal trials In the large legal jurisdictions of the USA and Canada the right to a jury trial is enshrined in state articles As such there is less tinkering with the institution In England and Wales where Parliament is supreme and the constitution is unwritten no such right exists Consequently the government enjoys tremendous leeway in tinkering with the right to jury trial Whether or not the institution can evolve to deliver a 21st Century approach is a matter for full debate research and the march of time

Lives of the Law Tom Bingham, 2011-09-01 Tom Bingham 1933 2010 was the greatest judge of our time The Guardian a towering figure in modern British public life who championed the rule of law and human rights inside and outside the courtroom *Lives of the Law* collects Bingham's most important later writings in which he brings his distinctive engaging style to tell the story of the diverse lives of the law its life in government in business and in human wrongdoing Following on from *The Business of Judging* 2000 the papers collected here tackle some of the major debates in British public life over the last decade from reforming the constitution to the growth of human rights law They offer Bingham's distinctive insight on issues such as the role of the judiciary in a democracy the implementation of the Human Rights Act and the development of the rule of law in the UK and internationally Written in the accessible style that made *The Rule of Law* 2010 a popular success the book will be essential reading for all those working in law and an engaging inroad to understanding modern constitutional and legal debates for the general reader

GAARs and Judicial Anti-Avoidance in Germany, the UK and the EU Markus Seiler, 2016-06-28 GAARs the better insight into a country's tax system In a post BEPS tax world and in times of an ever increasing need for tax revenue policy makers are more willing than ever to tighten or adopt General Anti Avoidance Rules GAARs A GAAR is typically a broad principle based rule trying to establish the borderline between abuse and use of a law thereby addressing the phenomenon that as long as there have been

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