



PERSONAL AUTONOMY,
THE PRIVATE SPHERE
AND CRIMINAL LAW
A COMPARATIVE STUDY

EDITED BY
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Personal Autonomy The Private Sphere And The Criminal Law A Comparative Study

Peter Alldridge, Chrisje Brants



Personal Autonomy The Private Sphere And The Criminal Law A Comparative Study:

Personal Autonomy, the Private Sphere and Criminal Law Peter Alldridge, Chrisje Brants, 2001-03 This book confronts the increasing range of legal and philosophical issues arising from the relationship between privacy and the criminal law

Personal Autonomy, the Private Sphere, and the Criminal Law Peter Alldridge, Chrisje H. Brants, 2001 This book contains original essays by a distinguished group of jurists from six different European countries confronting the increasing range of legal and philosophical issues arising from the relationship between privacy and the criminal law The collection is particularly timely in light of the incorporation into English law of the European Convention on Human Rights It compares legal cultures and underlying assumptions with regard to the private sphere personal autonomy and the supposed justifications for State interference through criminalization and the implementation of substantive criminal law The book moves from treatment of general ideas like the relationship between sovereignty the nation state and substantive criminal law in the new European context with its concomitant aspiration towards the establishment of transnational morality to more detailed consideration of specific areas of substantive law and procedure viewed from a range of perspectives Areas considered include euthanasia surrogacy female genital mutilation and sado masochism

Heimliche Strafverfolgung und Schutz der Privatheit Pierre Hauck, 2014-04-09 English summary Undercover agents wiretapping online searches Covert law enforcement is increasing Pierre Hauck compares German law English law European Union law and international criminal law The author provides a clear picture of the completely different functional allocation of the protection of privacy to the laws of criminal procedure constitutional laws and human rights laws German description Verdeckte Ermittler Lauschangriff Online Durchsuchung Die heimliche Strafverfolgung greift um sich Dennoch steht die Rechtsfrage des Privatheitsschutzes beim Ermittlungszugriff auf die begehrten Informationen inmitten eines unklaren interdisziplinären Bezugsfelds Ist zum Beispiel nur ein Kernbereich privater Lebensgestaltung absolut über das Verfassungsrecht zu schützen und lassen sich wirklich alle sonstigen Bereiche der Privatsphäre der strafprozessualen Relativierung durch Zugriffsrechte preisgeben Was gilt gegenüber Nichtverdächtigen und was beim Einsatz neuer Medien Dabei beschreibt Pierre Hauck einen neuen interdisziplinären Pfad Er gleicht Erkenntnissen der Informationsethik und der Sozialphilosophie ab und entwickelt ein System abgestufter Schutzwürdigkeit privater Informationen Dieses System dient als Grundlage einer Rekonstruktion der Ermittlungsbefugnisse hauptsächlich mit dem Ziel einer zukunftsweisenden Neuformulierung der gesetzlichen Ermittlungsbefugnisse in der StPO

WestEnd 2016/1: Privatheit und politische Freiheit Institut für Sozialforschung Frankfurt am Main, 2016-05-12 In Anlehnung an die berühmte Zeitschrift für Sozialforschung 1932-1941 verfolgt auch ihre seit 2004 halbjährlich erscheinende Nachfolgerin WestEnd den Anspruch einer kritischen Gesellschaftsanalyse Zur Veröffentlichung kommen Aufsätze und Essays aus Soziologie Philosophie politischer Theorie Ästhetik Geschichte Entwicklungspsychologie Rechtswissenschaft und politischer Ökonomie Neben den Rubriken Studien und Eingriffe behandelt

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The Mental Condition in Criminal Law Frans Koenraadt, 2007-12-31 In the Netherlands the vast majority of forensic mental health assessment on an in patient basis is carried out at the Pieter Baan Centre Utrecht which has the legal status of a house of detention and observation centre Suspects of serious offences are observed and assessed intensively for a period of seven weeks by a multidisciplinary team of experts Not only has the enshrinement of forensic mental health diagnosis in the law led to the accentuation of an individualistic type of diagnosis but also makes it important for the expert to consider his position in the justice system The various parts of the forensic mental health assessment are described in this volume as well as the legal enshrinement of the assessment an international comparison of Dutch criminal law the history of the hospital and a survey of relevant research The Pieter Baan Centre has existed almost sixty years Based on an extensive clinical experience the authors offer an account of the way in which this hospital provides for forensic mental health reporting Privacy and the Criminal Law Erik Claes, Antony Duff, Serge Gutwirth, 2006 **Infocrime** Eli Lederman, 2016-03-25 It has often been said that information is power This is more true in the information age than ever The book profiles the tools used by criminal law to protect confidential information It deals with the essence of information the varieties of confidential information and the basic models for its protection within the context of the Internet and social

networks Eli Lederman examines the key prohibitions against collecting protected information and against using disclosing and disseminating it without authorization The investigation cuts across a broad subject matter to discuss and analyze key topics such as trespassing and peeping the human body as a source of information computer trespassing tracking and collecting personal information in the public space surveillance privileged communications espionage and state secrets trade secrets personal information held by others and profiling and sexting Infocrime will appeal to graduate and undergraduate scholars and academics in the legal arena in law schools and schools of communication and to practicing lawyers with an interest in legal theory and a concern for the protection of the personal realm in a world of increasingly invasive technologies

Setting the Watch Beatrice von Silva-Tarouca Larsen, 2011-01-28 Many liberals consider CCTV surveillance in public places particularly when it is as extensive as it is in England to be an infringement of important privacy based rights An influential report by the House of Lords in 2009 also took this view However there has been little public or academic discussion of the underlying principles and ethical issues What rights of privacy or anonymity do people have when abroad in public space What is the rationale for these rights In what respect does CCTV surveillance compromise them To what extent does the state's interest in crime prevention warrant encroachment upon such privacy and anonymity rights This book offers the first extended systematic treatment of these issues In it the author develops a theory concerning the rationale for the entitlement to privacy and anonymity in public space based on notions of liberty and dignity She examines how CCTV surveillance may compromise these rights drawing on everyday conventions of civil inattention among people in the public domain She also considers whether and to what extent crime control concerns could justify overriding these entitlements The author's conclusion is that CCTV surveillance should be appropriate only in certain restrictively defined situations The book ends with a proposal for a scheme of CCTV surveillance that reflects this conclusion

Transforming International Criminal Justice Mark Findlay, Ralph Henham, 2005-06-01 This book sets out an agenda to transform international criminal trials and the delivery of international criminal justice to victim communities through collaboration of currently competing paradigms It reflects a transformation of thinking about the comparative analysis of the trial process and seeks to advance the boundaries of international criminal justice through wider access and inclusivity in an environment of rights protection Collaborative justice is advanced as providing the future context of international criminal trials The book's radical dimension is its argument for the harmonization of restorative and retributive justice within the international criminal trial The focus is initially on the trial process a key symbol of developing international styles of justice It examines theoretical models and political applications of criminal justice through detailed empirical analysis in order to explore the underlying relationship of theory and empirical study applying the outcome in theory testing and policy evaluation in several different jurisdictions The book injects a significant comparative dimension into the study of international criminal justice This is achieved through searching the traditional foundations of internationalism in justice by employing an original methodology to enable a multi

dimensional exploration of contexts local regional and global so recognising the importance of difference within an agenda suggesting synthesis The book argues for a concept of international trial within a rights paradigm understood against different procedural traditions and practices and provides a detailed description of trials and trial decision making in various jurisdictions Transforming International Criminal Justice also sets out to develop effective research strategies as part of its interrogation of specific trial narratives and meanings in contemporary legal cultures Key themes are those of internationalisation fair trial and the exercise of discretion in justice resolutions sentencing in particular and the lay professional relationship and its dynamics Finally the book provides a searching critique of the relevance of existing criminology and legal sociology in relation to international criminal justice and speculates on trial transformation and the merger of retributive and restorative international criminal justice comparative analysis of the criminal trial process internationally argues for harmonization of retributive and restorative justice within the international criminal trial sets out an agenda to transform international criminal trials and the delivery of international criminal justice to victim communities

International Criminal Justice Review ,2003 Buffalo Criminal Law Review ,2001 The Buffalo Criminal Law Review is a peer reviewed journal published by the Buffalo Criminal Law Center at the State University of New York at Buffalo School of Law The Review pursues two interrelated objectives to integrate the study of criminal law by serving as an interdisciplinary and international forum for innovative scholarship on crime and punishment and to bridge the gap between criminal law scholarship and criminal justice policy by providing legislators judges and other criminal justice professionals with in depth analyses of topical issues in criminal law Criminal Law Forum ,2000 *Police and the Liberal State* Markus Dirk Dubber, Mariana Valverde, 2008 Advances a broad interdisciplinary and international project to refocus attention on the scope and function of modern government through the lens of police power **Michigan Law Review** ,2001

Civil Rights and Security David Dyzenhaus, 2009 The articles in this volume focus on the appropriate relationship between rights and counterterrorism policy and form part of the surge of scholarship on security and human rights resulting from the war on terror The articles also take account of issues of security where terrorism is not a factor and reflect the attempt to rethink more generally the concept of security and its relationship to rights *Current Publications in Legal and Related Fields* ,2000 European Legal Book Index ,2001 **Fragmenting Fatherhood** Richard Collier, Sally Sheldon, 2008-09 Debates about the future of fatherhood have been central to a range of conversations about changing family forms parenting and society Law has served an important yet often neglected role in these discussions serving as an important focal point for broader political frustrations playing a central role in mediating disputes and operating as a significant symbolic state sanctioned account of the scope of paternal rights and responsibilities Fragmenting Fatherhood provides the first sustained engagement with the way that fatherhood has been understood constructed and regulated within English law Drawing on a range of disparate legal provisions and material from diverse disciplines it sketches the major

contours of the figure of the father as drawn in law and social policy tracing shifts in legal and broader understandings of what it means to be a father and what rights and obligations should accrue to that status In thematically linked chapters cutting across substantive areas of law the book locates fatherhood as a key site of contestation within broader political debates regarding the family and gender equality Multiple visions of fatherhood evolving unevenly over time across diverse areas of law emerge from this analysis Fatherhood is revealed as an essentially fragmented status and one which is intertwined in complex ways with the legal cultural and political contexts in which discourses of parenthood are produced Fragmenting Fatherhood provides an important and unique resource speaking to debates about fatherhood across a range of fields including law and legal theory sociology gender studies social policy marriage and the family women s studies and gender studies

Human Rights Obligations of Non-state Actors Andrew Clapham, 2006 This work presents an approach to human rights which goes beyond the traditional focus on states and outlines the human rights obligations of non state actors It finishes with examples of how they can be held legally accountable for their actions in various jurisdictions

Law Books Published ,2000

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