

Artur Appazov

Expert Evidence and International Criminal Justice



Springer

Nice Book Expert Evidence International Criminal Justice

Artur Appazov



Nice Book Expert Evidence International Criminal Justice:

Expert Evidence and International Criminal Justice Artur Appazov, 2016-01-09 The book is a comprehensive narration of the use of expertise in international criminal trials offering reflection on standards concerning the quality and presentation of expert evidence It analyzes and critiques the rules governing expert evidence in international criminal trials and the strategies employed by counsel and courts relying upon expert evidence and challenges that courts face determining its reliability In particular the author considers how the procedural and evidentiary architecture of international criminal courts and tribunals influences the courts ability to meaningfully incorporate expert evidence into the rational fact finding process The book provides analysis of the unique properties of expert evidence as compared with other forms of evidence and the challenges that these properties present for fact finding in international criminal trials It draws conclusions about the extent to which particularized evidentiary rules for expert evidence in international criminal trials is wanting Based on comparative analyses of relevant national practices the book proposes procedural improvements to address some of the challenges associated with the use of expertise in international criminal trials

Autism Spectrum Disorder in the Criminal Justice System Dr Clare S. Allely, 2022-04-11 This book focuses on autism spectrum disorder ASD in the criminal justice system Rather than being the perpetrators of offending behaviour individuals with ASD are more likely to be the victims of crime However there is nevertheless a small subset of individuals with ASD who do offend and this book provides an in depth understanding of how certain features of ASD may provide the context of vulnerability to engaging in a number of types of offending behaviours Chapters focus on arson or fire setting cybercrime e g hacking online sexual offending such as the viewing of indecent child imagery offline sexual offending violent crime stalking terroristic behaviour including radicalisation and extremism bestiality or zoophilia and also extreme violence such as mass shooting and serial homicide This book also outlines the ways in which a defendant with ASD may present in court and how they may exhibit behaviour which could be misinterpreted and perceived negatively leading to an unfair trial Lastly it discusses the need to identify the impact that ASD can have on the capacity to form the requisite criminal intent and offers appropriate court adaptations to support individuals with ASD during court proceedings This book is ideal for criminal defence lawyers and practitioners in psychology psychiatry and social work as well as policy makers and reformers

Law and Society Matthew Lippman, 2014-09-12 Law and Society offers a contemporary yet concise description of the structure and function of legal institutions along with a lively discussion of both criminal and civil law as well as basic legal doctrine Unlike comparable books on law and society available today Matthew Lippman takes an interdisciplinary approach to integrate distinctive coverage of diversity inequality and globalism through an organized theme in a strong narrative This practical and invigorating text provides readers with a better understanding of the connection between law and society and the impact recent literature on crime justice international human rights and law has had to promote that connection

Expert Witness in the Legal System: A Scientist's Search

for Justice , *Understanding the Age of Transitional Justice* Nanci Adler,2018-06-22 No detailed description available for Understanding the Age of Transitional Justice *Roberts & Zuckerman's Criminal Evidence* Paul Roberts,Adrian Zuckerman,2022-08-04 Roberts and Zuckerman s Criminal Evidence is the eagerly anticipated third of edition of the market leading text on criminal evidence fully revised to take account of developments in legislation case law policy debates and academic commentary during the decade since the previous edition was published With an explicit focus on the rules and principles of criminal trial procedure Roberts and Zuckerman s Criminal Evidence develops a coherent account of evidence law which is doctrinally detailed securely grounded in a normative theoretical framework and sensitive to the institutional and socio legal factors shaping criminal litigation in practice The book is designed to be accessible to the beginner informative to the criminal court judge or legal practitioner and thought provoking to the advanced student and scholar a textbook and monograph rolled into one The book also provides an ideal disciplinary map and work of reference to introduce non lawyers including forensic scientists and other expert witnesses to the foundational assumptions and technical intricacies of criminal trial procedure in England and Wales and will be an invaluable resource for courts lawyers and scholars in other jurisdictions seeking comparative insight and understanding of evidentiary regulation in the common law tradition

Anthropological Witness Alexander Laban Hinton,2022-10-15 Anthropological Witness tells the story of Alexander Laban Hinton s encounter with an accused architect of genocide and more broadly Hinton s attempt to navigate the promises and perils of expert testimony In March 2016 Hinton served as an expert witness at the Extraordinary Chambers in the Courts of Cambodia an international tribunal established to try senior Khmer Rouge leaders for crimes committed during the 1975 79 Cambodian genocide His testimony culminated in a direct exchange with Pol Pot s notorious right hand man Nuon Chea who was engaged in genocide denial Anthropological Witness looks at big questions about the ethical imperatives and epistemological assumptions involved in explanation and the role of the public scholar in addressing issues relating to truth justice social repair and genocide Hinton asks Can scholars who serve as expert witnesses effectively contribute to international atrocity crimes tribunals where the focus is on legal guilt as opposed to academic explanation What does the answer to this question say more generally about academia and the public sphere At a time when the world faces a multitude of challenges the answers Hinton provides to such questions about public scholarship are urgent **Incitement to**

Terrorism Anne F. Bayefsky,Laurie R. Blank,2018-03-12 Incitement to terrorism connects the dots between evil words and evil deeds Hate precedes terror History has already taught us that incitement to genocide and to crimes against humanity unchecked will inevitably bring devastation to humankind Incitement is an affront to the dignity of its victims and poses a dire threat to all people of good will However combating incitement to terrorism poses operational constitutional and human rights challenges on many fronts both domestically and internationally What is incitement Where should the line be drawn between protected speech and incitement that should be criminalized Does war change the calculus of what are appropriate

and lawful measures to contain and respond to such incitement And how does social media and the nature of communication and engagement in our virtual world change or complicate how we think about and can respond to incitement This compilation offers expert analysis on incitement to terrorism across these challenging issues and questions The contributors bring expertise from a range of countries and operational experiences providing an illuminating and thought provoking examination of domestic and international law comparative approaches and emerging trends with respect to incitement to terrorism

Cold Case Homicides R.H. Walton, 2006-06-13 Written by a seasoned professional with over 30 years of experience in law enforcement Cold Case Homicides Practical Investigative Techniques provides effective and accessible information to those responsible for investigating and resolving previously examined but still unsolved cold case homicides The book merges theory with practice through the use of case histories photographs illustrations and checklists that convey essential fundamental concepts while providing a strong practical basis for the investigative process It combines proven techniques from forensics psychology and criminal investigation and focuses on technologies that may not have been available at the time of the crime This guide defines the characteristics of a cold case homicide details various investigative methods used by law enforcement agencies explores the actual experiences of detectives in re opening case files and presents current technologies such as ViCAP HITS and TracKRS used in the identification of cases related to the re opened case or its perpetrator It also highlights technological changes that contribute greatly to law enforcement s abilities to solve cold case homicides such as computerized print technology the specificity of DNA and the expanding data banks that enable the linkage of previously unknown suspects to the crimes they committed Addressing methods particularly valuable to cold cases Cold Case Homicides Practical Investigative Techniques assists the investigator in being prepared focused objective and successful in obtaining the truth

Expert Evidence and Scientific Proof in Criminal Trials Paul Roberts, 2017-07-05 Forensic science evidence and expert witness testimony play an increasingly prominent role in modern criminal proceedings Science produces powerful evidence of criminal offending but has also courted controversy and sometimes contributed towards miscarriages of justice The twenty six articles and essays reproduced in this volume explore the theoretical foundations of modern scientific proof and critically consider the practical issues to which expert evidence gives rise in contemporary criminal trials The essays are prefaced by a substantial new introduction which provides an overview and incisive commentary contextualising the key debates The volume begins by placing forensic science in interdisciplinary focus with contributions from historical sociological Science and Technology Studies STS philosophical and jurisprudential perspectives This is followed by closer examination of the role of forensic science and other expert evidence in criminal proceedings exposing enduring tensions and addressing recent controversies in the relationship between science and criminal law A third set of contributions considers the practical challenges of interpreting and communicating forensic science evidence This perennial battle continues to be fought at the intersection between the logic of scientific inference and

the psychology of the fact finder's common sense reasoning Finally the volume's fourth group of essays evaluates the limited success of existing procedural reforms aimed at improving the reception of expert testimony in criminal adjudication and considers future prospects for institutional renewal with a keen eye to comparative law models and experiences success stories and cautionary tales

The 'Legal Pluriverse' Surrounding Multinational Military Operations Robin Geiß, Heike Krieger, 2019-12-19 The Legal Pluriverse Surrounding Multinational Military Operations conceptualizes and examines the Pluriverse the multiplicity of rules that apply to and regulate contemporary multinational missions and the array of actors involved These operations are further complicated by changes to the classification of the conflict and the asymmetry of obligations on participants Structured into five parts this work seeks through the diversity of its authorship to set out the web of legal regimes applicable to military operations including forces from more than one state It maps out the ways in which different regimes interact beginning with the laws of armed conflict and their relation to international humanitarian and human rights norms and extending through to areas like law of the sea and environmental law A variety of contributors systematically compile and take stock of the various legal regimes that make up the pluriverse assessing how these rules interact exposing norm conflicts areas of legal uncertainty or protective loopholes In this way they identify and evaluate approaches to better streamline the different applicable legal frameworks with a view to enhancing cooperation and thereby ensuring the long term success of multinational military operations

The Pursuit of a Brave New World in International Law Tiyanjana Maluwa, Max du Plessis, Dire Tladi, 2017-01-09 The Pursuit of a Brave New World in International Law presents critical perspectives on various inter related themes in the areas of human rights international law terrorism and international criminal justice The discussions reflect the wide ranging subjects that John Dugard has engaged with over the last five decades as an international law scholar teacher and judge The essays pay homage to Professor Dugard's impressive body of work as both a theorist and practitioner of international law and international human rights law While some of the discussions in the volume critically examine his views as expressed in his academic writings judicial opinions and official United Nations reports others deal with subjects that have been inspired by or are related to Dugard's work Contributors are Neil Boister Trevor P Chimimba James Crawford David Dyzenhaus Christopher Greenwood Larissa van den Herik Christof Heyns Maurice Kamto Tiyanjana Maluwa Max du Plessis Thomas Probert Arnold Pronto Philippe Sands William A Schabas Ivan Shearer Hennie Strydom Mia Swart Dire Tladi Annemarieke Vermeer K nzli and Abdulqawi Yusuf

The Milosevic Trial Timothy William Waters, 2013-05 The international trial of Slobodan Milosevic who presided over the violent collapse of Yugoslavia was already among the longest war crimes trials when Milosevic died in 2006 The contributors to this volume bring a variety of perspectives as they examine the meaning of the trial's termination and its implications for post conflict justice

General Defences in Criminal Law Alan Reed, Michael Bohlander, 2016-04-15 The law relating to general defences is one of the most important areas in the criminal law yet the current state of the law in the

United Kingdom reveals significant problems in the adoption of a consistent approach to their doctrinal and theoretical underpinnings as exemplified by a number of recent developments in legislation and case law A coherent and joined up approach is still missing This volume provides an analysis of the main contentious areas in British law and proposes ways forward for reform The collection includes contributions from leading experts across various jurisdictions Part I examines the law in the United Kingdom with specialist contributions on Irish and Scottish law Part II consists of contributions by authors from a number of foreign jurisdictions all written to a common research grid for maximum comparability which provide a wider background of how other legal systems treat problems relating to general defences in the context of the criminal law and which may serve as points of reference for domestic law reform

Societies in Transition Carolina Rehrmann,Rafael Biermann,Phillip Tolliday,2020-01-20 Since the end of the Cold War the collapse of the Soviet Union and the dissolution of Yugoslavia the Mediterranean and Black Sea regions have been faced with multiple upheavals of interethnic violence bloody secessions and ethnic cleansing Up to the present both regions are confronted with unresolved border minority and security issues matters of recognition protracted traumata and claims for justice After the fall of the iron curtain simmering ethnic tensions turned into hot wars that created new states new power political hierarchies and a heritage of violence Reaching back to the early 1990s several international and national transitional justice measures have been applied to face these heritages and lay the foundations for a common future For the former Yugoslavia they range from broad criminal trials to a series of restorative justice mechanisms in the North and South Caucasus they encompass numerous mediation measures and primarily restorative justice efforts The present volume is concerned with strategies of conflict resolution and prevention subsumed under the concept of reconciliation It aims at understanding the socio emotional root causes of political cleavages and daily realities of post conflict societies especially regarding the impact of competing narratives and unprocessed pasts on exclusive identities and strategic political choices Applying reconciliation theory insights from collective memory and transitional justice to a series of selected field studies it sheds light on the origins of interethnic violence aims at finding explanations for the fact that many of the above mentioned conflicts have become intractable and discusses the chances and challenges for transforming interests emotions perspectives roles and identities between and within the respective societies

The Great African War Filip Reyntjens,2009-08-24 This book examines a decade long period of instability violence and state decay in Central Africa from 1996 when the war started to 2006 when elections formally ended the political transition in the Democratic Republic of Congo A unique combination of circumstances explain the unravelling of the conflicts the collapsed Zairian Congolese state the continuation of the Rwandan civil war across borders the shifting alliances in the region the politics of identity in Rwanda Burundi and eastern DRC the ineptitude of the international community and the emergence of privatized and criminalized public spaces and economies linked to the global economy but largely disconnected from the state on whose territory the entrepreneurs of insecurity function As a complement to the existing literature this

book seeks to provide an in depth analysis of concurrent developments in Zaire DRC Rwanda Burundi and Uganda in African and international contexts By adopting a non chronological approach it attempts to show the dynamics of the inter relationships between these realms and offers a toolkit for understanding the past and future of Central Africa

Forensic and Legal Medicine Jason Payne-James,Roger Byard,2023-12-20 A comprehensive and accessible resource covering all aspects of forensic and legal medicine The text provides a foundation for those working in both the clinical and forensic aspects of care and will also be an asset to those involved in the police or judicial systems Including clear guidelines for practical applications and further enhanced by its many illustrations and case examples this text is a valuable resource in an increasingly complex field The authoritative work is written by those who have extensive experience for a wide audience including but not limited to forensic pathologists general pathologists pediatric pathologists forensic physicians forensic scientists coroners emergency department physicians judges and legal practitioners Chapter 62 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4 0 license

Reasons to Doubt Carolyn Hoyle,Mai Sato,2019-01-10 This book reveals what happens to applications for post conviction review when those in England Wales and Northern Ireland who believe they are wrongfully convicted apply to the Criminal Cases Review Commission the only body that can refer a case back to the Court of Appeal once appellants opportunities for direct appeal are exhausted While the Court is obliged to hear all such referrals the Commission can only refer a case where it believes there is a real possibility that the Court will quash the conviction The first empirical study of all stages of decision making within the Commission this book starts from the premise that the test applied by the Commission the real possibility test is not inflexible Though created by statute and refined through case law it must be determined on a case by case basis drawing too on cultural and structural variables alongside fresh evidence gathered by the Commission Through in depth analysis of case files and interviews Hoyle and Sato scrutinize the Commissions operational practices its working rules and assumptions considering how these influence its understanding of the real possibility test Situating their rich empirical data within a framework of the Commissions social organizational and legal contexts this book demonstrates that in its open ended investigations there is considerable scope for discretion for thorough exploration of all possible avenues or for choosing a more superficial consideration of a case It emerges that while structured internal guidance drawing heavily on Court jurisprudence shapes decision making creating consistency in approach there remains some variability across cases over time that can be accounted for by the different professional backgrounds and personalities of Commission staff

Psychology and Law Andreas Kapardis,2003 This book is the authoritative work for students and professionals in psychology and law

Anthropological Expertise and Legal Practice Marie-Claire Foblets,Maria Sapignoli,Brian Donahoe,2024-06-05 This book draws on concrete cases of collaboration between anthropologists and legal practitioners to critically assess the use of anthropological expertise in a variety of legal contexts

from the point of view of the anthropologist as well as of the decision maker or legal practitioner The contributions several of which are co authored by anthropologist legal practitioner tandems deal with the roles of and relationships between anthropologists and legal professionals which are often collaborative interdisciplinary and complementary Such interactions go far beyond courts and litigation into areas of law that might be called social justice activism They also entail close collaboration with the people often subjects of violence and dispossession with whom the anthropologists and legal practitioners are working The aim of this collection is to draw on past experiences to come up with practical methodological suggestions for facilitating this interaction and collaboration and for enhancing the efficacy of the use of anthropological expertise in legal contexts Explicitly designed to bridge the gap between theory and practice and between scholarship and practical application the book will appeal to scholars and researchers engaged in anthropology legal anthropology socio legal studies and asylum and migration law It will also be of interest to legal practitioners and applied social scientists who can glean valuable lessons regarding the challenges and rewards of genuine collaboration between legal practitioners and social scientists The Open Access version of this book available at <http://www.taylorfrancis.com> has been made available under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4 0 license

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