

Complete Public Law Webley Lisa Samuels Harriet

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complete public law combines extracts from key primary and secondary materials with jargon free text to provide a resource for the student new to the study of constitutional and administrative law

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jonathan herring provides a clear and engaging overview of legal ethics highlighting the ethical issues surrounding professional conduct and raising interesting questions about how lawyers act

and what their role entails key topics such as confidentiality and fees are covered with references throughout to the professional codes of conduct

divided into eight parts this handbook traces the history of international tax law from its earliest days until the present with over sixty authors from 28 different countries the oxford handbook of international tax law is an invaluable resource for scholars academics and practitioners alike

this volume offers snapshots of how rights are debated and employed in public discourse to reshape legal and political relations at the beginning of the twenty first century it explores how rights are used to challenge the state of affairs by individuals and groups who seek justice and the strategies devised to defy the existing rights by those who wish to recast the social and political order this volume discusses rights firstly in relation to actual events and issues faced by policy makers courts international agencies or ordinary people these range from the demands of minority groups living in the west to freely practice their culture and or religion to the threat of terrorism the regulation of asylum rights the investor s rights to disclosure and the rights of artists to freedom of expression secondly rights discourse is examined in relation to attempts to redefine the form and content of rights for example by banning the right to wear religious symbols in public institutions or detaining terrorism suspects without trial thirdly rights discourse is explored in connection with the attempts to develop new notions of rights such as human security which can more effectively respond to the challenges of late modern societies finally the statuses of rights in sociological theory and socio legal research are briefly discussed and analysed

a large scale comparative work of leading cases examines judicial constitutional reasoning in eighteen different legal systems globally

in 1945 a labour government deployed britain s national autonomy and parliamentary sovereignty to nationalise key industries and services such as coal rail gas and electricity and to establish a publicly owned national health service this monograph argues that constitutional constraints stemming from economic and legal globalisation would now preclude such a programme it contends that whilst no state has ever or could ever possess complete freedom of action nonetheless the rise of the transnational corporation means that national autonomy is now significantly restricted the book focuses in particular on the way in which these economic constraints have been nurtured reinforced and legitimised by the creation on the part of world leaders of a globalised constitutional law of trade and competition this has been brought into

existence by the adoption of effective enforcement machinery sometimes embedded within the nation states sometimes formed at transnational level with Britain enmeshed in supranational economic and legal structures from which it is difficult to extricate itself the British polity no longer enjoys the range and freedom of policymaking once open to it transnational legal obligations constitute not just law but in effect a de facto supreme law entrenching a predominantly neoliberal political settlement in which the freedom of the individual is identified with the freedom of the market the book analyses the key provisions of WTO EU and ECHR law which provide constitutional protection for private enterprise it dwells on the law of services liberalisation public monopolies state aid public procurement and the fundamental right of property ownership arguing that the new constitutional order compromises the traditional ideals of British democracy

Building on a series of ESRC funded seminars this edited collection of expert papers by academics and practitioners is concerned with access to civil and administrative justice in constitutional democracies where for the past decade governments have reassessed their priorities for funding legal services embracing new technologies that reconfigure the delivery and very concept of legal services cutting legal aid budgets and introducing putative cost cutting measures for the administration of courts tribunals and established systems for the delivery of legal advice and assistance without underplaying the future potential of technological innovation or the need for a fair and rational system for the prioritisation and funding of legal services the book questions whether the absolutist approach to the dictates of austerity and the promise of new technologies that have driven the coalition government's policy can be squared with obligations to protect the fundamental right of access to justice in the unwritten constitution of the United Kingdom

Access to justice equality before the law and the rule of law are three fundamental values underpinning the civil justice system this book examines these values and how although they do not have great leverage in decision making by the courts they are a crucial foundation of the civil justice system and a powerful argument for arrangements such as legal aid the impartial application of law and the independence of the judiciary the second theme of this book concerns the role of procedure often regarded as of secondary importance compared with substantive law taking the definition of procedure at its widest the book discusses Lord Woolf's inquiry and demonstrates how procedural reform can maximize a fundamental value like access to justice this linkage is furthered in a later analysis of access to justice comparatively in relation to civil and commercial law thirdly the book looks at understanding how law works and how it could be made

to work better and concludes that this demands both a knowledge of law and of law's context this theme offers a framework for the book which then goes on to deal with the machinery of the law and discusses what the courts do civil procedure and the ethics of lawyer's conduct all in relation to the broader context of access to justice this broader context of the law is particularly prominent in the latter half of the book which deals with various dimensions of the impact of the law including studies of civil and social rights in practice the role of european law in the destruction of aboriginal society in australia and commercial law in asia these examples raise issues about the gap between the law and reality the potential law has to destroy social patterns and the relationship between law and economic development this is a thought provoking critical exploration which has much to offer those interested in the operation of the civil justice system

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