

PRACTICAL AND PROFESSIONAL ETHICS

From Social Justice to Criminal Justice

*Poverty and the
Administration of
Criminal Law*

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From Social Justice To Criminal Justice Poverty And The Administration Of Criminal Law

Richard L. Lippke



From Social Justice To Criminal Justice Poverty And The Administration Of Criminal Law:

From Social Justice to Criminal Justice William C. Heffernan, John Kleinig, 2000-04-20 The economically deprived come into contact with the criminal court system in disproportionate number This collection of original interactive essays written from a variety of ideological perspectives explores some of the more troubling questions and ethical dilemmas inherent in this situation The contributors including well known legal and political philosophers Philip Pettit George Fletcher and Jeremy Waldron examine issues such as heightened vulnerability indigent representation and rotten social background defenses

The Routledge Handbook of Ethics and Public Policy Annabelle Lever, Andrei Poama, 2018-10-26 What does it mean to do public policy ethics today How should philosophers engage with ethical issues in policy making when policy decisions are circumscribed by political and pragmatic concerns How do ethical issues in public policy differ between areas such as foreign policy criminal justice or environmental policy The Routledge Handbook of Ethics and Public Policy addresses all these questions and more and is the first handbook of its kind It is comprised of 41 chapters written by leading international contributors and is organised into four clear sections covering the following key topics Methodology philosophical approaches to public policy ethical expertise knowledge and public policy Democracy and public policy identity integration and inclusion voting linguistic policy discrimination youth policy religious toleration and the family Public goods defence and foreign policy development and climate change surveillance and internal security ethics of welfare healthcare and fair trade sovereignty and territorial boundaries and the ethics of nudging Public policy challenges criminal justice policing taxation poverty disability reparation and ethics of death policies The Routledge Handbook of Ethics and Public Policy is essential reading for students and researchers in philosophy politics and social policy It will be equally useful to those in related disciplines such as economics and law or professional fields such as business administration or policy making in general

Criminal Law and Cultural Diversity Will Kymlicka, Claes Lernestedt, Matt Matravers, 2014-05-15 The idea of a cultural defense in criminal law is often ridiculed as multiculturalism run amok To allow someone charged with a crime to say this is my culture as an excuse for their action seems to open the door to cultural relativism to jeopardize the protection of fundamental rights and to undermine norms of individual responsibility Many scholars however insist that cultural evidence is appropriate indeed essential for the fair operation of the criminal law The criminal law is society's most powerful tool for regulating behaviour and just for that reason we apply strong safeguards to ensure that criminal sanctions are applied in a fair way When it comes to individuals we want our rules for judging responsibility and punishment to track the actual blameworthiness of the specific individual being prosecuted for a specific action in the past Cultural evidence may help improve our judgements of individual blameworthiness and desert indeed cultural evidence might even be necessary if the practice of punishing individuals is to be legitimate and equitable According to its proponents the use of cultural evidence when judging individual blameworthiness is a natural extension of the logic of existing criminal law doctrines regarding

defences and of the logic of current philosophical theories of responsibility and agency This volume brings together scholars of both criminal law and philosophy to rigorously assess these ideas Each of the chapters addresses a different dimension of the issue from a range of perspectives with varying degrees of sympathy or scepticism regarding cultural defences The result is an important and original contribution to the literature It explores why cultural diversity raises distinctive challenges in the criminal law context not found in other domains of the multiculturalism debate while also exploring how this particular context raises fundamental issues of agency and responsibility that are at the heart of broader debates in legal social and political philosophy **Oxford Studies in Agency and Responsibility Volume 5** D. Justin Coates, Neal A.

Tognazzini, 2019-01-31 Oxford Studies in Agency and Responsibility is a series of volumes presenting outstanding new work on a set of connected themes investigating such questions as What does it mean to be an agent What is the nature of moral responsibility Of criminal responsibility What is the relation between moral and criminal responsibility if any What is the relation between responsibility and the metaphysical issues of determinism and free will What do various psychological disorders tell us about agency and responsibility How do moral agents develop How does this developmental story bear on questions about the nature of moral judgment and responsibility What do the results from neuroscience imply if anything for our questions about agency and responsibility No one has written more insightfully on the promises and perils of human agency than Gary Watson who has spent a career thinking about issues such as moral responsibility blame free will weakness of will addiction and psychopathy This special edition of OSAR pays tribute to Watson's work by taking up and extending themes from his pioneering essays **Crime and Inequality** Chris Grover, 2013-09-13 This book examines key relationships between material circumstances and crime and analyzes the areas of social policy in particular social security and labour market policy that are most important in terms of dealing with inequality at the lower end of the income hierarchy It seeks to explain why inequality is linked to offending behaviour and the evidence underpinning explanations for this and looks in detail at the relationship between offending and anti social behaviour and its management through social policy interventions Crime and Inequality draws upon both criminological and social policy approaches to understand this vital relationship moving beyond criminological approaches which often fail to analyse the way the state attempts to manage poor material circumstance offending and anti social behaviour through social policy The main aims of the book are threefold to draw upon the disciplines of both criminology and social policy to understand the relationship between crime and inequality to provide an in depth analysis of those aspects of social policy that have a bearing on the context management and punishment of offending behaviour to examine government crime and anti social behaviour policies in the context of social security and labour market policies and to identify the tensions that have resulted from attempts to address social justice issues while also making individuals responsible for their actions **Transforming Summary Justice** Jenni Ward, 2016-11-10 Sweeping changes are being introduced into the lower tier magistrates courts in England and Wales in efforts to modernise the system

and speed up case processing They concentrate on delivering prompt justice within a modern efficient and technologically advanced system But these transformations are fundamentally changing the way justice is delivered This book analyses criminal court streamlining processes and argues that there are areas where due process protections are being undermined Transforming Summary Justice reports empirical research carried out with lay magistrates and criminal justice professionals Views and experiences drawn from magistrates are valuable because of the central role they perform in lower court justice Further magistrates provide a wider understanding of the context in which the lower criminal courts operate and enable a critical appraisal of this unique style of lay justice This book is directed at students of criminology criminal justice and socio legal studies who will find the debates stimulating and useful to engage with in contemporary analyses of criminal court justice It will also be of interest to justice and legal professionals who are seeing swingeing alterations to the field in which they work The book will have appeal in other common law jurisdictions where similar modifications to lower court justice are occurring and also across Europe where lay involvement in legal decision making is being debated and becoming accepted practice

Women, Madness and the Law Wendy Chan, Dorothy E. Chunn, Robert Menzies, 2012-10-12 This book explores for the first time in an edited collection the intersection of three key research areas women madness and the law and advances the debates on how law and the psy sciences play a critical role in regulating and controlling women s lives

The Legacy of H.L.A. Hart Matthew H. Kramer, 2008 This book is the product of a major British Academy Symposium held in 2007 to mark the centenary of the birth of H L A Hart the most important legal philosopher and one of the most important political philosophers of the twentieth century The book brings together contributions from eighteen of the world s foremost legal and political philosophers who explore the many subjects in which Hart produced influential work Each essay engages in an original analysis of philosophical problems that were tackled by Hart some essays including extended critical discussions of his major works The Concept of Law Punishment and Responsibility Causation in the Law and Law Liberty and Morality All the main topics of Hart s philosophical writings are featured general jurisprudence and legal positivism criminal responsibility and punishment theories of rights toleration and liberty theories of justice and causation in the law

Theorizing Legal Punishment Richard L. Lippke, 2024-02-06 This book systematically defends an account of the institution of legal punishment that draws on both retributive and crime prevention thinking The work argues that legal punishment censures convicted offenders and thus morally communicates with them any victims and the broader community while also serving to reduce future crime The expressive or retributive element is assigned the lead role in this mixed account because it better captures the notion that members of society are to be held morally accountable for their failures to abide by defensible criminal prohibitions of various kinds Despite this it is conceded that the reduction of crime plays a vital role in justifying the institution of legal punishment and the book contains extended discussion of how and why this is so Beyond its explication of the aims of legal punishment and their respective roles within a mixed theory the study devotes

separate chapters to sentencing criminal procedure and the imposition of fees and collateral legal consequences on individuals who have been convicted of crimes and fully served their sentences In these ways the work moves beyond discussion of the abstract aims of legal punishment to details of the institution s internal structure and operations The many historical deficiencies and failures of the institution are duly noted and the challenges they pose for punishment theorizing are examined The book closes with discussion of the limited success of punishment institutions in apprehending convicting and punishing those who violate the law including many who do so in serious ways Alternatives to reliance on legal punishment institutions are briefly examined In the end retention of such institutions is urged although it is suggested that we ought to have modest expectations about their ultimate success The work will be of interest to those working in the areas of Legal Philosophy and Criminology

Money and the Governance of Punishment Patricia Cabana, 2017-06-26 Money is the most frequently means used in the legal system to punish and regulate Monetary penalties outnumber all other sanctions delivered by criminal justice in many jurisdictions imprisonment included More people pay fines than go to prison and in some jurisdictions many of those in prison are there because of failure to pay their fines Therefore it is surprising how little has been written in the Anglophone academic world about the nature of money sanctions and their specific characteristics as legal sanctions In many ways legal innovations related to money sanctions have been poorly understood This book argues that they are a direct consequence of the changing meaning of money Considering the meaninglessness of modern money the book aims to examine the history of changing conceptions in how fines have been conceived and used Using a set of interpretative techniques sensitive to how money and freedom are perceived the genealogy of the penal fine is presented as a story of constant reformulation in response to shifting political pressures and changes in intellectual developments that influenced ideological commitments of legislators and practitioners This book is multi disciplinary and will appeal to those engaged with criminology sociology and philosophy of punishment socio legal studies and criminal law

The Ethics of Plea Bargaining Richard L. Lippke, 2011 The practice of plea bargaining plays a hugely significant role in the adjudication of criminal charges and has provoked intense debate about its legitimacy This book offers the first full length philosophical analysis of the ethics of plea bargaining It develops a sustained argument for restrained forms of the practice and against the free wheeling versions that predominate in the United States In countries that have endorsed plea bargains such as the United States upwards of ninety percent of criminal defendants plead guilty rather than go to trial Yet trials which grant a presumption of innocence to defendants and place a substantial burden of proof on the state to establish guilt are widely regarded as the most appropriate mechanisms for fairly and accurately assigning criminal sanctions How is it that many countries have abandoned the formal rules and rigorous standards of public trials in favor of informal and veiled negotiations between state officials and criminal defendants concerning the punishment to which the latter will be subjected More importantly how persuasive are the myriad justifications that have been provided for plea bargaining These are the

questions addressed in this book Examining the legal processes by which individuals are moved through the criminal justice system the fairness of those processes and the ways in which they reproduce social inequality this book offers an ethical argument for restrained forms of plea bargaining It also provides a comparison between the different plea bargaining regimes that exist within the US where it is well established England and Wales where the practice is coming under considerable critique and the European Union where debate continues on whether it coheres with inquisitorial legal regimes It suggests that rewards for admitting guilt are distinguished from penalties for exercising the right to trial and argues for modest fixed sentence reductions for defendants who admit their guilt These suggestions for reform include discouraging the current practice of deliberate over charging by prosecutors and charge bargaining and require judges to scrutinize more closely the evidence against those accused of crimes before any guilty pleas are entered by them Arguing that the negotiation of charges and sentences should remain the exception not the rule it nevertheless puts forward a normative defense for the reform and retention of the plea bargaining system

The Canada Income Tax Act: Enforcement, Collection, Prosecution - 2021 Edition (slightly updated) ... I made my life on this "World" since first seeing Kim in 1987

<https://www.youtube.com/watch?v=6ATFJroe10Q> Lyndon Maither, BComm, An updated helpful lay out of the 2021 provisions w case on Canadian Income tax collection A great picture of a great Act https://www.youtube.com/watch?v=ZbZSe6N_BXs bi polars and their colouring and story books <https://www.youtube.com/watch?v=bEeaS6fuUoA> Everything I ve practically ever done in The Swirl has been for you Kim Hope you like *Punishment, Places and Perpetrators* Gerben Bruinsma, Henk Elffers, Jan De Keijser, 2012-12-06 This book brings together an influential group of academics and researchers to review key areas of research theory and methodology within criminology and criminal justice and to identify the most important new challenges facing the discipline The contributors focus on the three central themes of punishment and criminal justice location and mobility and perpetrators and criminal careers on which much cutting edge research within criminology has been taking place A particular strength of the book is its multidisciplinary and international approach with contributors drawn from Europe the UK and the United States

Israel Yearbook on Human Rights, Volume 52 (2022)

Yoram Dinstein, 2022-09-19 The Israel Yearbook on Human Rights an annual published under the auspices of the Faculty of Law of Tel Aviv University since 1971 is devoted to publishing studies by distinguished scholars in Israel and other countries on human rights in peace and war with particular emphasis on problems relevant to the State of Israel and the Jewish people The Yearbook also incorporates documentary materials relating to Israel and the Administered Areas which are not otherwise available in English including summaries of judicial decisions compilations of legislative enactments and military proclamations

Black Women's Experiences of Criminal Justice Ruth Chigwada-Bailey, 2003 A personal discourse on the multiple disadvantages of people who are black women and from the margins of society

The Emotional Brain and the Guilty Mind Federica Coppola, 2021-02-11 This book seeks to reframe the normative narrative of the culpable person in

American criminal law through a more humanising lens It embraces such a reframed narrative to revise the criteria of the current voluntarist architecture of culpability and to advance a paradigm of punishment that positions social rehabilitation as its core principle The book constructs this narrative by considering behavioural and neuroscientific insights into the functions of emotions and socio environmental factors within moral behaviour in social settings Hence it suggests culpability notions that reflect a more contextualised view of human conduct and argues that such revised notions are better suited to the principle of personal guilt Furthermore it suggests a model of punishment that values the dynamic power of change of individuals and acknowledges the importance of social relationships and positive environments to foster patterns of social re integration Ultimately this book argues that the potential adoption of the proposed models of culpability and punishment which view people through a more comprehensive lens may be a key factor for turning criminal justice into a less punitive more inclusionary and non stigmatising system Republicanism and Political Theory Cecile Laborde, John

Maynor, 2009-02-04 Republicanism and Political Theory is the first book to offer a comprehensive and critical survey of republican political theory Critically assesses its historical credentials conceptual coherence and normative proposals Brings together original contributions from leading international scholars in an interactive way Provides the reader with valuable insight into new debates taking place in republican political theory Doing Justice, Preventing Crime Michael

Tonry, 2020-06-01 Doing Justice Preventing Crime lays normative and empirical foundations for building new more just and more effective systems of sentencing and punishment in the twenty first century The overriding goals are to prevent crime while treating people convicted of crimes justly fairly and even handedly to take sympathetic account of the circumstances of peoples lives and to punish no one more severely than he or she deserves Michael Tonry discusses philosophy and punishment theory surveys what is known about the deterrent incapacitative and rehabilitative effects of punishment and explains what needs to be done to move from an ignoble present to a better future Women and Punishment Pat

Carlen, 2013-05-13 In the last decade there has been growing international concern about the increasing numbers of women in prison the effects that imprisonment has on their children the realisation that gaoled women have different criminal profiles and rehabilitative needs to male prisoners and the seeming intractability of the associated problems In response there has been an overarching policy concern in many countries to fashion and co ordinate gender specific policies towards female offenders which aim both to slow down the rate of their offending and or imprisonment and also to engender flexible programmes which will reduce the time spent in custody and or away from their young children The major objective of this book is to describe and analyse contemporary opportunities for and barriers to both the reduction of female prison populations and the reduction of the pain of those women who continue to be imprisoned It assesses the most important recent attempts to reduce both women s imprisonment and the damage it does identifying and analyzing cross jurisdiction and gender specific lessons to be learned and the unexpected consequences of some of the reform strategies This book

brings together leading scholars and practitioners in the field providing a critique of the reform initiatives which have taken place and a much needed theorization of cross national policy in this area It will be essential reading for all with an interest in prisons and prison reform

The Canada Income Tax Act: Enforcement, Collection, Prosecution: A Case Compilation, 6th Ed. Lyndon Maither, An extensive case compilation of the principal ITA enforcement collection provisions as before the latest provision renumbering after 2016 Quotes cases that are of historic significance or are merely illustrative There is no equity in tax law and while object and spirit should always be adhered to with regard to established legislative intent allowing for crafted legitimate and worthy interpretation of everyone s ITA this case compilation is merely that circa 2012 It describes the cases that have occurred in relation thereto and remains pretty much applicable on the collection enforcement and prosecution spirit sorry folks don t have the time to bring this up to date Recommend starting at the Supreme Ct for juris and meander down to lower cts

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