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THE APPLICATION OF THE JOINT CRIMINAL ENTERPRISE DOCTRINE IN INTERNATIONAL CRIMINAL LAW FOR THE PROSECUTION OF SEXUAL OFFENCES by Chelsea Lee Hartle 15783324 Thesis presented in fulfilment of the requirements for the degree of Master of Law at Stellenbosch University. Supervisor: Professor Annika Rudman December 2015

THE APPLICATION OF THE JOINT CRIMINAL ENTERPRISE DOCTRINE

€ Criminal law rests upon a linguistic way of thinking These factors construct a kind of "normative skeleton" able to define and classify crimes and apply and give meaning to general legal principles via a particular fact situation.

I Overview of Criminal Law

C. Limits on the Criminal Law State and federal legislation is subject to the strictures of the United States Constitution (and, with state laws, the constitution of the relevant state).

BLACK LETTER OUTLINES Criminal Law - Westlaw

Limiting Criminal Law's "In for a Penny, In for a Pound" Doctrine WESLEY M. OLIVER*
INTRODUCTION The Supreme Court took two cases this Term involving doctrines of criminal law typically dealt with by state courts, and in each of them, it limited criminal liability for harms not attributable to a

defendant's culpability.

Limiting Criminal Law's In for a Penny, In for a Pound

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Aspen Publishers - Criminal Law: Doctrine, Application

The book provides a broad and interdisciplinary approach to the doctrine of self-defence in both domestic criminal and international law. In particular it focuses on the requirement of imminence, which deals with the question of when individuals or States may legitimately resort to defensive force against a serious danger or harm.

PDF Self Defence In International And Criminal Law The

For each category, the chapter outlines the basic doctrinal requirements; explains the role of the mind in constituting and underlying this doctrine; and evaluates a variety of claims about how evidence about the brain can inform the doctrinal issues.

Criminal Law Doctrine - Oxford Scholarship

Criminal Law uses a two-step process to augment learning, called the applied approach. First, after building a strong foundation from scratch, Criminal Law introduces you to crimes and defenses that have been broken down into separate components. It is so much easier to memorize and comprehend the subject matter when it is simplified this way.

Criminal Law - Open Textbook Library

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Aspen Publishers - Criminal Law: Doctrine, Application

the purpose of this paper is to provide a comparative study of the doctrine of common purpose as a ground of criminal liability for the commission of an additional or incidental offence which is committed in the course of carrying out a primary criminal venture by a group of individuals under the laws of NSW (a common law jurisdiction)

Doctrine of Common Purpose as a Ground of Criminal

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Criminal Minds: The Need to Refine the Application of the Doctrine of Objective Chances as a Justification for Introducing Uncharged Misconduct Evidence to Prove Intent. UC Davis Legal Studies Research Paper No. 502. 36 Pages Posted: 1 Sep 2016 Edward J. Imwinkelried . University of California, Davis - School of Law. Date Written: August 31, 2016.

Criminal Minds: The Need to Refine the Application of the

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The Doctrine of Judicial Precedent 6.1 Introduction ... In fact, this is a very similar thought process to that in a criminal law case—just substitute ... ble sorting through all the detailed applications to get to the general principle—rarely are things —just right—™.

The Doctrine of Judicial Precedent

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Criminal Law: Doctrine, Application, and Practice

Kennedy and Unlawful Act Manslaughter: An Unorthodox Application of the Doctrine of Causation Lisa Cherkassky* Abstract The decision of the House of Lords in R v Kennedy (No. 2)¹ was welcomed by many academics as a return to the traditional application of

Kennedy and Unlawful Act Manslaughter: An Unorthodox

Editions for Criminal Law: Doctrine, Application and Practice: (Kindle Edition published in 2018), 1454863188 (Hardcover published in 2016), 145489458X (...)

Editions of Criminal Law: Doctrine, Application and

This paper discusses the possibility or otherwise of the application of the common law doctrine of mens rea in Nigerian criminal jurisprudence. Our study discovers that the relevant provisions of the Criminal Code are exhaustive for considering and deciphering the criminal

MENS REA PRINCIPLE AND CRIMINAL JURISPRUDENCE IN NIGERIA*

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Criminal law : doctrine, application, and practice in

NEW DIMENSIONS OF CRIMINAL JURISPRUDENCE 3.1 Introduction There is no society that is not confronted with problem of criminality. Crime is eternal-as society itself is. It is best to face the fact that crime cannot be totally abolished except in a Utopia. Criminal law is essential in a society for maintaining law and order.

NEW DIMENSIONS OF CRIMINAL JURISPRUDENCE

The Civil and Criminal Applications of the Identification Doctrine: Arguments for Harmonization The identification doctrine refers to the attribution of mental states to a corporation. This article analyzes the two types of situations in which this doctrine is used.

The Civil and Criminal Applications - Alberta Law Review

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Criminal Law: Doctrine, Application, and Practice (Aspen

FUNDAMENTALS OF IMMIGRATION LAW by Charles A. Wiegand, III Immigration Judge, Oakdale, Louisiana Revised October 2011 Philip Verrillo, Immigration Judge, Hartford, Connecticut Sarah Byrd, Attorney Advisor, Falls Church, Virginia Alexa McDonnell, Attorney Advisor, Philadelphia, Pennsylvania Sarah Rempel, Attorney Advisor, Hartford, Connecticut

FUNDAMENTALS OF IMMIGRATION LAW - Justice

conomic analysisâ€”addressed many issues currently underlying the economic analysis of criminal law. As I shall attempt to demonstrate in this chapter, economic analysis has much to offer in the understanding and design of criminal law doctrine. The economic analysis of criminal law refers to the application of economic

ECONOMIC ANALYSIS OF CRIMINAL LAW

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The void for vagueness doctrine is a constitutional rule. This rule requires that criminal laws are so written that they explicitly and definitely state what conduct is punishable. The void for vagueness doctrine thus serves two purposes. First: All persons receive a fair notice of what is punishable and what is not.

Vagueness doctrine - Wikipedia

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Criminal Law Theory: Doctrines of the General Part

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the transition to the new law?11 Should a court apply the law in force at the time of the crime, or the law in force at the time the decision is ...

RESURRECTING THE AMELIORATION DOCTRINE: A CALL TO ACTION

unitary perception of the law according to which both national and international law form part of a single legal order.⁷ The roots of this doctrine emanate from Kantian philosophy which favours a unitary conception of law. This view advocates the supremacy of the law as opposed to the concept of unlimited

Right to Self-Defence in National and International Law

ation_of_Criminal_Law.authcheckdam.pdf . 13, 14 John S. Baker, Jr., Federalist Society for Law and Public Policy Studies, Measuring the ... of the broad federalization of criminal law, the dual sovereignty doctrine no longer protects separate sovereigns'™ interests as clearly as when this Court last

IN THE Supreme Court of the United States

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liability, was imported into the criminal law, when this type of offences were essentially absolute liability offences. [See for brief historical account of the importation of this common law doctrine in Canadian Law, Canadian Dredge & Dock Co . v. The Queen (1985) 1SC R662]. 2. Identification theory Contemplates an identity between the corporation

CORPORATE CRIMINAL LIABILITY Å THE ISSUE REVISITED IN THE

CRIMINAL LAW OUTLINE Sadat, Spring 2002 UNIT I " Establishing Guilt I. THE PURPOSES OF CRIMINAL LAW 1) Punitive i. punish those who do wrong 2) Incapacitation Å† Protection, Removal i. protect society by removing those who are dangerous 3) Deterrence i. deter others from same behavior 4) Rehabilitation (Corrections) i.

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