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***Judicial Protection in Transnational Criminal Proceedings** Fiscaal praktijkboek indirecte belastingen 2016-2017 Compensation for Wrongful Convictions Oxford Handbook of Child Protection Systems Efficiency and Bureaucratisation of Criminal Justice Recht in beweging - 25ste VRG-Alumnidag 2018 Netherlands Reports to the XIth International Congress of Comparative Law Caracas 1982 The Future of Police and Judicial Cooperation in the EU A History of Dutch Corruption and Public Morality (1648-1940) Drowning and pulmonary foam Strafrecht en strafprocesrecht in hoofdlijnen Principles of Evidence in International Criminal Justice The Insanity Defence Contemporary Issues in Global Criminal Justice Judicial Responses to Pre-Trial Procedural Violations in International Criminal Proceedings Death in State Custody The European Arrest Warrant and EU Citizenship The Right to Counsel and the Protection of Attorney-Client Privilege in Criminal Proceedings Basisteksten Internationaal en Europees strafrecht (11de herziene uitgave) Coercive Brain-Reading in Criminal Justice Fundamentele Belgische Wetgeving 2018 Basisteksten Internationaal en Europees strafrecht (12de herziene uitgave) Huiszoeking en beslag Handleiding tot het wetboek van strafvordering Handleiding tot het wetboek van strafvordering Comparative Policing from a Legal Perspective Intrafamiliaal geweld Professional Secrecy of Lawyers in Europe EU Criminal Justice, Financial & Economic Crime Strafrecht en strafprocesrecht: doel of middel in veranderde samenleving? Safeguarding the Quality of Forensic Assessment in Sentencing Jeugdige*

delinquenten Transformation of Civil Justice Compilation of the divers regulations, ... Supranational Criminal Law Zedenzaken Anticipative Criminal Investigation De regtzaal: dl. 15-17: Strafvordering Di Ki Manera? Verslag der handelingen

Deze uitgave bundelt de voornaamste, voor België relevante nationale en multilaterale regelgeving inzake internationaal en Europees strafrecht. Wat het multilaterale niveau betreft, is een onderscheid gemaakt naargelang het internationaal samenwerkingsverband waarbinnen de teksten tot stand zijn gekomen: Benelux, Prüm, Europese Unie (m.i.v. Schengen), Raad van Europa of Verenigde Naties. Zowel studenten, rechtspractici (magistraten, advocaten, politieambtenaren, ...) als beleidsmakers beschikken met dit wetboek over een accurate en recente uitgave van de basisteksten inzake internationaal en Europees strafrecht. Alle teksten zijn bijgewerkt tot 20 december 2018. This book represents the first extensive discussion of 300 years of change, continuity and diversity in Dutch corruption and public morality between 1648 and 1940. A collection of rich historical case studies on public and political debates surrounding supposedly corrupt acts of administrators and politicians is set against the backdrop of the major political and socio-economic developments of the time. As the book moves from early modern beginnings of the Dutch Republic to the age of Enlightenment and into "modern" politics, it tells the story of how, when and why Dutch political-administrative thought and practice concerning "good" and "bad" government actually evolved. It provides the reader with an understanding of past and present ideas on Dutch corruption and public morality, and places these within a wider European historical context. The book will primarily appeal to those interested in European and Dutch political-administrative history, the history of corruption, anti-corruption, public values, and ethics and integrity. Dit boek

laat zien welke vooroordelen over criminele jongeren kloppen en met welke we beter kunnen afrekenen. Het maakt duidelijk hoe factoren als etniciteit, vrienden, opvoeding en woonplek de ontwikkeling van crimineel gedrag beïnvloeden. Het boek is geschreven voor studenten, beleidsmakers, juristen en professionals in de jeugdzorg. Jeugdige delinquenten beschrijft jeugdcriminaliteit aan de hand van interviews met hulpverleners, wetenschappers, juristen en jongeren. Ook geeft het uitleg over onderzoek, theorieën, programma's en methoden, en wisselt dat af met verhalen uit de advocatuur. Zo biedt het een brede blik op de complexiteit van delinquentie vanuit pedagogisch, psychologisch, sociaalwetenschappelijk en juridisch oogpunt. Jeugdige delinquenten geeft handvatten om de achtergronden van jongeren met een criminele carrière te begrijpen. Deze kunnen worden ingezet om jeugdcriminaliteit tegen te gaan. Het boek is te gebruiken als lesstof en te lezen als vakliteratuur of als populairwetenschappelijke literatuur voor lezers die geïnteresseerd zijn in, of betrokken zijn bij, delinquente jeugd. Merel van Dorp is journalist en sociaalwetenschapper, gespecialiseerd in risicojeugd en jeugdhulp. Strafrechtadvocate Semra Aytemur en voormalig strafrechtadvocate Nienke Swart (nu werkzaam als officier van justitie) beschrijven de jongeren die zij verdedigen in de rechtbank. Public police forces are a regular phenomenon in most jurisdictions around the world, yet their highly divergent legal context draws surprisingly little attention. Bringing together a wide range of police experts from all around the world, this book provides an overview of traditional and emerging fields of public policing, New material and findings are presented with an international-comparative perspective, it is a must-read for students of policing, security and law and professionals in related fields. Since the early 1990s, cross-border police and judicial cooperation has become a very important domain of the European Union. The Lisbon

Treaty – if accepted by all the Member States – will certainly be a major stimulus to its further development in the field of internal security as well as in the field of external policy. In any event, the recent proposal for a new third comprehensive policy programme with regard to the Area of Freedom, Security and Justice – the so-called Stockholm Programme – foreshadows some of the changes the Brussels institutions and the Member States would like to embrace in the coming years. This book contains the contributions of scholars and practitioners to a conference on the future of police and judicial cooperation in the European Union that took place in November 2008 at Tilburg University. Referring to what has been achieved in this domain since the Treaty of Maastricht, these papers not only assess the proposals that have been put forward in successive policy documents relating to the Stockholm Programme, but they also pinpoint to the ongoing problems in the theory and practice of police and judicial cooperation within the European Union and to the ways in which these questions could best be solved. The book assesses the adoption of counterterrorism measures in the Netherlands and the United States, which facilitate criminal investigations with a preventive focus (anticipative criminal investigations), from the perspective of rule of law principles. Anticipative criminal investigation has emerged in the legal systems of the Netherlands and the United States as a consequence of counterterrorism approaches where the objective of realizing terrorism prevention is combined with the objective to eventually prosecute and punish terrorists. This book has addressed this new preventive function of criminal justice and identified the rule of law principles limiting the role of criminal investigation in terrorism prevention. The possibilities and limits of criminal investigation in general and of cooperation and the division of responsibilities between law enforcement and intelligence have been addressed in a manner transcending differences between

national legal systems. Valuable for academics and practitioners interested in criminal investigation, rule of law and counterterrorism. Contemporary Issues in Global Criminal Justice provides a holistic analysis of modern criminal justice issues, encompassing the pre-trial, investigative, and post-conviction stages of criminal justice in legal settings across the world. The contributors acknowledge and examine the vast array of challenges in global criminal justice, from the role of the International Criminal Court to policing, the integration of technology, and how marginalized groups, such as sex workers and those with addictions, are treated in the courts. With contributions from scholars in England and Wales, New Zealand, Croatia, Spain, the Netherlands, Canada, and The Republic of North Macedonia, this book is not limited to one jurisdiction, and highlights that criminal justice is very much a global issue in a state of crisis. From policing to the courts, it is in urgent need of reform. Without a competent criminal justice system, justice does not exist. This book would be of interest to scholars in the legal, criminal justice, and criminology fields. De huiszoeking, zoeking en beslag nemen een prominente plaats in onder de politietaken. De correcte uitvoering ervan is van het uiterste belang voor het strafonderzoek. Een juiste kennis van de regelgeving is echter niet eenvoudig. Nationale en internationale bronnen zijn sterk verspreid. Bovendien evolueren de wetgeving, rechtspraak en technologie terzake in een hoog tempo. Het voorliggende handboek wijst daarom de moeilijke weg tussen wetgeving, rechtspraak, rechtsleer en praktische toepassing. Het behandelt zowel de gerechtelijke als de bestuurlijke zoekingen. Aan bod komen onder meer: - alle 'klassieke' vormen van huiszoeking, zoals toestemming, heterdaad, huiszoekingsbevel; - doorzoeken van vervoersmiddelen; - (huis)zoekingen in informaticasystemen; - internationale dimensies; - fouilleren van personen; - DNA van plaats delict tot laboratorium; - praktische uitvoering van een

huiszoeking; - vaststellingen ter gelegenheid van het plaatsbezoek. Het boek sluit af met een overzicht van gespecialiseerde partners die bijstand kunnen verlenen. 'Huiszoeking en beslag' is basislectuur voor politieambtenaren, magistratuur, advocatuur, academici en andere rechtspractici die met de zoeking en inbeslagneming te maken hebben. Het meeste geweld dat bij de politie bekend is, vindt plaats binnen intieme relaties en in familiale kring. Desondanks is voor huiselijk geweld, stalking, kindermishandeling, eergerelateerd geweld, huwelijksdwang en al die andere vormen van geweld waarvoor ook wel de term 'geweld in afhankelijkheidsrelaties' wordt gebruikt, in politiële kringen maar beperkt aandacht. Dit Cahier wil op verschillende vragen in dit verband een antwoord bieden, in de eerste plaats de vraag omtrent de ernst en de schade ervan op lange termijn. Hoe is in de loop der jaren aandacht voor dit thema ontstaan en wat zijn daarbij de verwachtingen ten aanzien van de politie? Hoe komt het dat dit thema zo weinig sexy wordt gevonden in de politiewereld, terwijl de problemen al zo oud zijn als de weg naar Rome? Een aantal voorbeelden van dit soort van geweld worden uitgelicht, zoals kindermishandeling, geweld tussen (ex-)partners, mishandeling van ouderen, migratie- en familiaal geweld. Dit themanummer moet inzicht bieden in actuele uitdagingen voor de politie. Hoe kan de politie dit soort geweld (vroeg) herkennen? Hoe zit het met de samenwerking in de veiligheidszorg? De Cahiers Politiestudies verschijnen trimestrieel. Zij zijn onderworpen aan een internationale double blind peer review en worden samengesteld door de gasteditoren, de hoofdredacteur en de editorial board, i.s.m. de redactie. GPRC-uitgave (Guaranteed Peer Reviewed Content) This book offers an in-depth analysis of the relationship between EU citizenship, the European arrest warrant (EAW), and the legality principle. It focuses on the role of the EAW in relation to two foreseeability problems with

which EU citizens – especially those who exercise free movement rights – could be confronted. These problems concern the foreseeability of specific national criminal laws at the time of the offense on the one hand and forum decisions on the other. The first part of the book addresses the extent to which these foreseeability problems and the role of the EAW therein are viewed as legality problems at the EU level and in three national legal orders (the Netherlands, Germany, and England and Wales). In turn, the second part of the book critically examines the current scope and content of the legality principle in light of the EU's objective to offer its citizens an Area of Freedom, Security and Justice (AFSJ) in which both safety and free movement are guaranteed. As EU citizens often encounter foreseeability problems when exercising their free movement rights, it is argued that they should be protected by a transnational framework of fundamental rights. The book subsequently makes recommendations for a transnational interpretation of the legality principle, one which fits the normative context of the AFSJ as described in Article 3(2) TEU. On the basis of the evolution of EU citizenship over time, the book also develops two EU citizenship narratives and explains how they could contribute to transnational fundamental rights protection and a solution to foreseeability problems. With regard to arriving at concrete solutions, the book offers recommendations for EU legislation that could adequately remedy foreseeability problems and the role of the EAW therein. This book proposes and outlines a comprehensive framework for judicial protection in transnational criminal proceedings that ensures the right to judicial review without hampering the effective functioning of international cooperation in criminal matters. It examines a broad range of potential approaches in the context of selected national criminal justice systems, and offers a comparative analysis of EU Member States and non-Member States alike. The book particularly focuses on the

differences between cooperation within the EU on the one hand and cooperation with third states on the other, and on the consequences of this distinction for the scope of judicial review. Papers on current issues in the field of indirect taxation in Belgium, by various authors. This book presents a comprehensive comparative analysis of the substantive and procedural aspects of compensation for wrongful convictions in European countries and the USA, as well as the standard derived from the case law of the European Court of Human Rights. The collection draws comparative conclusions as to the similarities and differences between selected jurisdictions and assesses the effectiveness of the national compensation schemes. This enables the designing of an optimum model of compensation, offering accessibility and effectiveness to the victims of miscarriages of justice and being acceptable to jurisdictions based on common law, and civil law traditions, as well as inquisitorial and adversarial types of criminal process. Moreover, the discussion of the minimum European standard as established in the case law of the European Court of Human Rights enables readers to identify how the Strasbourg Court can contribute to strengthening the compensation scheme. The book will be essential reading for students, academics and policymakers working in the areas of criminal law and procedure. This book provides an in-depth examination of the judicial response at the internationalcriminal tribunals (ICTs) to the violation of procedural standards in thepre-trial phase of proceedings. It does so against the backdrop of the assumption thatcertain particularities of international criminal proceedings may warrant a differentapproach to the matter than at the national level. By reference to relevant human rights standards and to national criminal procedure,as well as to theoretical accounts of the judicial response to pre-trial procedural violations,this book assesses the ICTs' law and practice in this regard, thereby identifyingpoints of concern and making suggestions for

improvement. In doing so, it considersthe most suitable rationale for responding to procedural violations committed in thepre-trial phase of international criminal proceedings and the merits of judicial discretionin this context, as well as the impact of certain particularities of such proceedingson the determination of how to address procedural violations. The book is intended for academics and practitioners in the field of (international)criminal law who want to gain a deeper understanding of the possible impact ofpre- trial procedural violations on criminal proceedings. Kelly Pitcher is Assistant Professor of Criminal Law and Criminal Procedure at LeidenUniversity in The Netherlands. This edited collection provides an interdisciplinary and cross-national perspective on safeguarding the quality of forensic assessment in sentencing offenders. Taking an in-depth look at seven different Western countries, each chapter provides an overview of the role of assessment in sentencing offenders, as well as a focus on formal ways in which the respective country's legal system and disciplinary associations protect the quality of forensic assessment. Each chapter explores how to assure better decision making in individual cases based on assessments of psycholegal concepts such as mental disorder/insanity, criminal responsibility and dangerousness. Combining the perspectives of lawyers, legal scholars, and clinicians working in the field, this book is essential for those working in and with forensic assessment. This book provides tools for forensic professionals in the autopsy of water corpses. These tools focus on the medico-legal aspects of drowning, such as proving drowning and determining the post-mortem interval. Within the forensic medical profession, false facts circulate about phenomena that would prove drowning. This can lead to incorrect conclusions being drawn after an autopsy, which in turn can lead to missing a crime. This book presents an up-to-date overview of the scientific status of drowning and also shows what we do not know

(yet). This overview enables the forensic professional to draw more solid conclusions after a water corpse study. What exactly is the context in which all aspects of this new field of criminal law have to be interpreted? What does the principle of legality mean in the context of supranational criminal law? Which tradition lies at the basis of this new law system? Is supranational criminal law as it grows the result of a deliberate policy, tending towards a coherent system? Or is it merely the result of crisis management? Dat onze samenleving grondig veranderd is en immer evolueert, behoeft geen toelichting. Verandering moet vroeg of laat leiden tot nieuwe evenwichten en enige stabiliteit. Maatschappelijke vrede heet zoiets. In dit proces heeft het recht een belangrijke rol te spelen. Dat geldt inzonderheid voor het strafrecht en het strafprocesrecht. Hoewel de rol van het strafrecht niet mag worden overschat en de wet in het algemeen niet het meest geschikte instrument is om mentaliteiten te veranderen, blijft het strafrecht wel een nuttig en noodzakelijk instrument om rechtszekerheid in een snel veranderende samenleving te bewerkstelligen. In deze optiek werd ervoor geopteerd om, zoals in de editie van 2006, aandacht te besteden aan diverse aspecten van het materieel en formeel strafrecht en dit zowel vanuit nationaal- als internationaalrechtelijk oogpunt. Het bijzonder strafrecht en de strafuitvoering ontbreken evenmin. Emerging neurotechnology offers increasingly individualised brain information, enabling researchers to identify mental states and content. When accurate and valid, these brain-reading technologies also provide data that could be useful in criminal legal procedures, such as memory detection with EEG and the prediction of recidivism with fMRI. Yet, unlike in medicine, individuals involved in criminal cases will often be reluctant to undergo brain-reading procedures. This raises the question of whether coercive brain-reading could be permissible in criminal law. Coercive Brain-Reading in Criminal Justice examines this question in view

of European human rights: the prohibition of ill-treatment, the right to privacy, freedom of thought, freedom of expression, and the privilege against self-incrimination. The book argues that, at present, the established framework of human rights does not exclude coercive brain-reading. It does, however, delimit the permissible use of forensic brain-reading without valid consent. This cautionary, cutting-edge book lays a crucial foundation for understanding the future of criminal legal proceedings in a world of ever-advancing neurotechnology. This fifth volume of the Governance of Security (GofS) Research Paper series addresses a wide variety of topical issues focusing on European criminal justice and financial and economic crime. The first cluster of articles is concerned with European criminal justice matters particularly relating to EU mutual recognition, such as: conceptualization, unwanted effects in the context of prisoner transfer and sentence execution, impact for cross-border gathering and use of forensic expert evidence, and interrogational fairness standards. A second cluster of articles addresses the subjects of financial and economic crime, ranging from informal economy (among street children) to formal/informal economy (vulnerability of the hotel and catering industry to crime) and white collar crime phenomena like (transnational) environmental crime and corruption. A final cluster groups together a variety of selected topical issues, including juvenile offending and mental disorders, desistance theories, and sexually transmitted infections. 'Strafrecht en strafprocesrecht in hoofdlijnen' is een standaardwerk in de Belgische rechtsliteratuur. Het boek werd voor de twaalfde editie volledig bijgewerkt tot 1 juli 2022. In deze editie is, gewoontegetrouw, getracht om orde te brengen in een materie die steeds minder overzichtelijk wordt. Streefdoel is de lezer op een begrijpelijke manier te gidsen door dit doolhof. Vele hoofdstukken werden grondig geactualiseerd ten gevolge van recente ontwikkelingen in de rechtspraak

en de vele wijzigingen in de wetgeving. De 'Potpourri II-wet' (2016), die in de vorige editie uitgebreid aan bod kwam, is deels teruggeschroefd door het Grondwettelijk Hof. De essentiële veranderingen die tot snelle efficiëntiewinsten hadden moeten leiden, zoals het stuk over assisen en de veralgemeende correctionalisering, kunnen daardoor geen doorgang vinden. Wat het materieel strafrecht betreft, worden in deze nieuwe editie een reeks belangrijke vernieuwingen en aanpassingen besproken, zoals de strafrechtelijke verantwoordelijkheid van rechtspersonen, de strafuitvoering en de recidive, naast ontwikkelingen in de rechtspraak. Ook is er het nieuwe Vlaamse Jeugddelinquentiedecreet, dat kort wordt geschetst. Op het gebied van het strafprocesrecht zijn naast een aantal punctuele wijzigingen de meest opvallende vernieuwingen de invoering van de burgerinfiltranten, de spijtoptantenregeling, de verfijning van de regeling van het deskundigenonderzoek en de aanpassing van de buitengerechtelijke afhandeling, en uiteraard ook de evoluties in de rechtspraak. De gedeeltelijke vernietiging van Potpourri II werd verwerkt, met toch nog aandacht voor de vernietigde regeling gezien mogelijke problemen van overgangsrecht in de eerstkomende jaren. FBW is méér dan een uitgebreid wetboek dat alle belangrijke wetteksten bevat en elk jaar aangepast wordt. Want in FBW vindt u niet alleen de wettekst, u krijgt er ook een hele reeks essentiële randinformatie bij. Zo bevat FBW kruisverwijzingen naar andere wetteksten om u snel door het woud van wetten te gidsen. FBW bevat ook systematische verwijzingen naar uitvoeringsbesluiten. En een overzicht van de wetsgeschiedenis per artikel, zodat u zeker altijd de juiste versie in handen hebt. En dankzij het handige trefwoordenregister en het chronologische register hebt u altijd snel de juiste tekst te pakken. De drie banden van FBW bevatten samen alle belangrijke wetteksten uit publiek recht, burgerlijk recht, gerechtelijk recht,

strafrecht, handels- en economisch recht, fiscaal recht en sociaal recht. Deze editie is bijgewerkt tot BS 1.1.2017. / National civil justice systems are deeply rooted in national legal cultures and traditions. However, in the past few decades they have been increasingly influenced by integration processes at the regional, supra-national and international level. As a by-product of the emergence of economic and political unions and globalisation processes there is pressure to harmonise or even unify the way in which national civil justice systems operate. In an attempt to create a 'genuine area of justice', new unified procedures are being developed, which operate in parallel with national civil procedures, and sometimes even strive to replace them. As a reaction to the forces that endeavour to harmonise and unify procedural laws and practices, an opposing trend is gaining momentum: one that insists on diversity and pluralism of national civil procedures. This book focuses on the evolution of procedural reforms in various jurisdictions and the ongoing transformation of national civil justice systems. Dissertatie, waarin de culturele processen het dagelijkse leven van Afro-Curacaoenaars na de afschaffing van de slavernij (1863) hebben beinvloed. Er wordt gekeken naar de invloed die de koloniale overheid, de voormalige slavenhouders en de Rooms-Katholieke Kerk uitoefenden op het leven van de Afro-Curacaoenaars na de emancipatie. What is expected of State authorities with regard to the obligation to safeguard the life of detainees? What obligations do State authorities have in relation to the investigation into deaths that occur during deprivation of liberty by the State? This book addresses these questions regarding death in State custody in view of the European Convention on Human Rights, in particular the right to life, the prohibition of torture and the right to respect for private life (including the right to self-determination). It also provides an analysis of whether the Dutch legal framework contains safeguards to meet the requirements that follow from the European Convention on

Human Rights. Matters that are discussed in detail are the obligation to provide healthcare to detainees and to take protective measures to safeguard the life of detainees. The ethical issues regarding end of life decisions of detainees, like refusal of medical treatment, hunger and/or thirst strike, suicide and euthanasia, and the conflicts that may arise in this regard considering the obligations of State authorities are addressed. This book is a must-have for all those who are involved in the (medical) treatment of detainees and who are confronted with death in State custody. "cross the spectrum of political ideologies there is, in principle, widespread agreement that the state has a legitimate role in protecting children from harm. Even the Nobel Prize winning economist Milton Friedman (1962), among the most ardent liberal supporters of the laissez faire philosophy, recognized this "paternalistic" function of government. At the same time, the traditional view of children, that they are the property of the father (pater) or the parents, is under pressure (Zelizer, 1994; James & Prout, 1997; Archard 2004). Societies are at an intersection when it comes to how children are treated and how their rights are respected, which creates tensions in the traditional relationship between the family and the state. Children are a focus of government responsibility under certain state-defined norms relating to harm and need. And parents are sometimes constrained by the state from exercising their (familial or property) rights under state-defined criteria of harm and need"-- Deze uitgave bundelt de voornaamste, voor België relevante nationale en multilaterale regelgeving inzake internationaal en Europees strafrecht. Wat het multilaterale niveau betreft, is een onderscheid gemaakt naargelang het internationaal samenwerkingsverband waarbinnen de teksten tot stand zijn gekomen: Benelux, Prüm, Europese Unie (m.i.v. Schengen), Raad van Europa of Verenigde Naties. Zowel studenten, rechtspractici (magistraten, advocaten, politieambtenaren, ...) als beleidsmakers beschikken met

dit wetboek over een accurate en recente uitgave van de basisteksten inzake internationaal en Europees strafrecht. Alle teksten zijn bijgewerkt tot 15 december 2021. Dit Cahier biedt inzicht in het fenomeen zedenzaken en de wijze waarop de politie in Nederland en België hiermee omgaat. Bijzondere aandacht gaat naar enkele specifieke vormen van seksueel geweld die zijn ontstaan door de huidige digitalisering: grooming, sexting en kinderporno op het dark web. Hoe gaan de Lage Landen daar strafrechtelijk – verschillend – mee om? Het profiel van slachtoffers én daders van dit soort criminaliteit wordt belicht, alsook de risicotaxatie. Andere bijdragen in dit Cahier behandelen de politionele en justitiële afhandeling. Zowel het procesmatige gegeven (zoals het verloop van het onderzoek en de forensische opsporing) als de mogelijke valkuilen (zoals problemen met accurate data en verbinding van databanken) krijgen een plaats. Verder komen enkele interessante politionele best practices aan bod, zoals een netwerk voor gezamenlijke aangiften met gezondheidsdiensten en ziekenhuis, en een degelijk slachtofferonthaal. Dit Cahier 63 is samengesteld onder redactie van Sofie De Kimpe, Janine Janssen, Pia Struyf en Jan Winter. De Cahiers Politiestudies verschijnen trimestrieel. Zij zijn onderworpen aan een internationale double blind peer review en worden samengesteld door de gasteditoren, de hoofdredacteur en de editorial board, i.s.m. de kernredactie. GPRC-uitgave (Guaranteed Peer Reviewed Content) Principles of Evidence in International Criminal Justice provides an overview of the procedure and practice concerning the admission and evaluation of evidence before the international criminal tribunals. The book is both descriptive and critical and its emphasis is on day-to-day practice, drawing on the experience of the Yugoslavia, Rwanda and Sierra Leone Tribunals. This book is an attempt to define and explain the core principles and rules that have developed at those ad hoc Tribunals; the rationale and origin of those rules; and to assess the

suitability of those rules in the particular context of the International Criminal Court which is still at its early stages. The ICC differs in structure from the ad hoc Tribunals and approaches the legal issues it has to resolve differently from its predecessors. The ICC is however confronted with many of the same questions. The book examines the differences between the ad hoc Tribunals and the ICC and seeks to offer insights as to how and in which circumstances the principles established over years of practice at the ICTY, ICTR and SCSL may serve as guidance to the ICC practitioners of today and the future. The contributors represent a cross-section of the practicing international criminal bar, drawn from the ranks of the Bench, the Prosecution and the Defence and bringing with them different legal domestic cultures. Their mixed background underlines the recurring theme in this book which is the manner in which a legal culture has gradually taken shape in the international Tribunals, drawing on the various traditions and experiences of its participants. This book tackles the growing issues concerning the managerialism and bureacratisation of criminal justice systems across a number of jurisdictions. Here, managerialism means the move towards more standardised, bureaucratic and efficiency-driven systems, influenced by a desire to ensure predictability, control risks and, ultimately, economic savings via a more efficient process. The volume explores the phenomenon of managerialism in selected national criminal legal systems, covering all stages of criminal case processing from arrest to the imposition of sanction. The selected countries represent diverse socio-economic, political, cultural and legal traditions including common law, civil law, mixed common and civil law and post-Soviet tradition. The book engages with a variety of relevant theoretical concepts, such as fairness, rationality, efficiency and legitimacy. The authors critically examine whether and to what extent the trend towards managerialism is indeed discernible, and

what are its likely effects in the given national criminal legal systems. The book will be of interest to students, researchers and practitioners working in the areas of comparative criminal justice and procedure. This book examines the lawyer's duty of professional secrecy (also known as the attorney-client privilege) in the twenty-seven Member States of the European Union, the three Member States of the European Economic Area, and Switzerland. It provides valuable information for those working on transactions or litigations which involve several countries – they can use this book to find out to what extent any information shared with or any advice received from a lawyer is protected in each of these countries. More than any other defence in the criminal law, the insanity defence has, and continues to be, the subject of heated debate. Yet too little is known about how the insanity defence operates in different jurisdictions, including in the United Kingdom and Ireland. In this book, Mackay and Brookbanks, and their team of expert contributors, explore the theory and practice around the insanity defence and analyse its diverse influence and manifestations across a wide range of common law and civil law jurisdictions. Typically, the insanity defence, as exemplified in the M'Naghten Rules, represents a foundational aspect of criminal responsibility, although in some jurisdictions it serves only to define degrees of mental capacity. However, what all jurisdictions have in common is the high and increasing incidence of mental illness and impairment challenging existing constructions of an exculpatory rule. This book explores in detail the origins and operation of the M'Naghten Rules as well as the eclectic nature of the insanity defence, its highly variable linguistic expression, and the diverse social policy mandates it seeks to embrace. The Insanity Defence will reinvigorate the debate about the defence by discussing both its theoretical basis and exploring how different jurisdictions approach the insanity plea, not only in relation to an appropriate test and how it operates, but

also from the perspective of disposal and how those who use the insanity defence successfully are dealt with. This book will be of interest to researchers, academics, and advanced students with an interest in criminal law internationally, as well as to those involved in the development of policy and legislation. Last year I addressed the Netherlands Comparative Law Asso ciation with the following question: 'Does Comparative Law Exist At All?' (My intention then was to flog the dead (?) horse of the merger of comparative law and the sociology of law.) In presenting this voluminous collection of Netherlands national reports to the eleventh congress of the Internatio nal Academy of Comparative Law I feel my misgivings giving way to the suspicion, that comparative law indeed exists. Of course national reports do not, as such, prove the exist ence of comparative law. It is the general reports together with the national reports, which embody the comparative effort. That is why the Netherlands Comparative Law Associa tion took the initiative to propose the publishing of the materials on a subject to subject basis instead of publish ing collections of national reports. From a comparative legal point of view, it is the topic that should form the basis of the publication, and not the origin of the materials. The general reporter for each topic should be prepared to take up the responsabilities of editing the volume, and would have to be given the right to select those national reports which he considers to be useful both in regard to their quality and the relevance of the material to the basic problems in the questionnaire. This proposal met with very favourable comments from the na tional committees and general reporters of some fifteen coun tries. The book provides an overview of the right to counsel and the attorney-client privilege in the following 12 jurisdictions: China, Germany, Greece, Italy, Japan, the Netherlands, Portugal, Spain, Switzerland, Turkey, UK and USA. The right to counsel is a fundamental right providing the accused access to justice in criminal proceedings.

Lawyers can only practice their profession properly if clients have complete trust in their lawyer's discretion. This trust is safeguarded by the attorney-client privilege, which is an indispensable part of every constitutional state and one of the most important professional duties of a lawyer. It is of particular importance in criminal proceedings regarding the protection of the confidentiality of lawyer-client communications in the different procedural stages, coercive measures as well as the various duties and interests in play. However, the communications protected by attorney-client privilege vary greatly from country to country. With regard to criminal investigations in an increasingly globalised world, where sophisticated tools enable broad digital investigations, there is an urgent need to clarify how this fundamental right is protected at both the national and supranational level. Each chapter explores the regulations, practices and recent developments in each jurisdiction and was written by highly qualified experts in the legal field – from academia and practice alike. It identifies possible solutions and best practices, providing valuable insights for practitioners and law-making bodies alike regarding the actual protection (or lack thereof) of lawyer-client confidentiality in the pretrial and trial stage of criminal proceedings.