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Chapter 01: Introduction - Access and Shape African Law

According to CR Snyman, The middle-course approach was obviously favoured by the compilers of the Constitution, because section 199(6) of the Constitution provides that no member of any security service may obey a manifestly illegal order. See also. South African law; References. Snyman, CR. Criminal Law. 5th Edition. LexisNexis, 2008.

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CRIMINAL LAW. SIXTH EDITION. CRIMINAL LAW SIXTH EDITION. by. CR SNYMAN BA LLD (UOFS) Research Fellow and former Professor of Criminal and Procedural Law, University of South Africa Advocate of the High Court of South Africa

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Read Free Criminal Law Cr Snyman 5th Edition 2008 Law Case Book 3 ed (2003) Juta, Kenwyn Criminal Law - C. R. Snyman - Google Books 5. In a criminal case evidence should not be separated into compartments.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this book provides a practical analysis of criminal law in South Africa. An introduction presents the necessary background information about the framework and sources of the criminal justice system, and then proceeds to a detailed examination of the grounds for criminal liability, the justification of criminal offences, the defences that diminish or excuse criminal liability, the classification of criminal offences, and the sanctions system. Coverage of criminal procedure focuses on the organization of investigations, pre-trial proceedings, trial stage, and legal remedies. A final part describes the execution of sentences and orders, the prison system, and the extinction of custodial sanctions or sentences. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable resource for criminal lawyers, prosecutors, law enforcement officers, and criminal court judges handling cases connected with South Africa. Academics and researchers, as

well as the various international organizations in the field, will welcome this very useful guide, and will appreciate its value in the study of comparative criminal law.

This handbook explores criminal law systems from around the world, with the express aim of stimulating comparison and discussion. General principles of criminal liability receive prominent coverage in each essay—including discussions of rationales for punishment, the role and design of criminal codes, the general structure of criminal liability, accounts of mens rea, and the rights that criminal law is designed to protect—before the authors turn to more specific offenses like homicide, theft, sexual offenses, victimless crimes, and terrorism. This key reference covers all of the world's major legal systems—common, civil, Asian, and Islamic law traditions—with essays on sixteen countries on six different continents. The introduction places each country within traditional distinctions among legal systems and explores noteworthy similarities and differences among the countries covered, providing an ideal entry into the fascinating range of criminal law systems in use the world over.

This book reveals the oil that greases the wheels of one of Africa's best criminal justice systems. Principles of Namibian Criminal Law distils the major principles that help people answer this one big, life-defining question: Is the accused guilty? In 14 chapters, this book discusses principles that govern matters such as punishment, criminal liability, causation, unlawfulness, culpability, participation in crimes, and incomplete crimes. Largely inherited from South Africa, the principles of Namibian criminal law emanate mostly from common law and case law. Particularly, case law has been the channel through which lawyers in Namibia have, since Independence on 21 March 1990, molded their own criminal law doctrines. For that reason, this book heavily relies on the court cases that Namibian courts have forged since then. It showcases Namibia's South African heritage while giving pride of place to Namibia's homegrown jurisprudence - from the rules concerning corporate liability to the very definition of an 'accused'. Principles of Namibian Criminal Law will prove especially useful to law students who need to grasp the first principles of Namibian criminal law and to learn to think like lawyers, and to the seasoned practitioners (judges, attorneys, prosecutors, and police officers) who need to refresh their memories. The book should also serve the researchers and the comparatists looking for a window into how criminal justice actors think and resolve issues to make Namibia one of the continent's safest countries.

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.

This volume presents a leading contribution to the substantive arena relating to homicide in the criminal law. In broad terms, the ambit of homicide standardisations in extant law is contestable and opaque. This book provides a logical template to focus the debate. The overall concept addresses three specific elements within this arena, embracing an overarching synergy between them. This edifice engages in an examination of UK provisions, and in contrasting these provisions against alternative domestic jurisdictions as well as comparative contributions addressing a particularised research grid for content. The comparative chapters provide a wider background of how other legal systems treat a variety of specialised issues relating to homicide in the context of the criminal law. The debate in relation to homicide continues apace for academics, practitioners and within the criminal justice system. Having expert descriptions of the wider issues surrounding the particular discussion and of other legal systems' approaches serves to stimulate and inform that debate. This collection will be a major source of reference for future discussion.

The Namibian Constitution entrenches fundamental rights and freedoms, and provides for their vertical and horizontal application in any criminal process. However, since Independence in 1990, Namibia has developed its own criminal jurisprudence. Criminal procedure and law are taking new shape. Namibian courts have pronounced on criminal issues, and legislation has been passed to keep up with the demands, aspirations, spirit, and vision of the Namibian Constitution and its people. CLEVER MAPAURE, NDJODI NDEUNYEMA, PILISANO MASAKE, FESTUS WEYULU and LOIDE SHAPARARA have written an invaluable book that deals with these developments. It explains the rights of individuals, the duties of law enforcement officers, and the procedures of the courts in criminal cases. The Law of Pre-Trial Criminal Procedure in Namibia introduces readers to the fundamental principles and values underlying Namibian criminal law, through a systematic examination of the provisions of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) as amended, which was originally passed by the legislature of South Africa, and still regulates criminal procedure in Namibia, the amendments to it since 1990, and relevant Namibian Case Law. The book captures and discusses the law relating to the pre-trial criminal process in Namibia in detail, from the roles of the prosecutor and the police, search, seizure and forfeiture, interrogation, notices and summons, arrest, court appearance, bail, criminal charges, disclosure, diminished capacity, right to assistance, to pleas and plea-bargaining.

This book aims to serve as a comprehensive resource for a myriad of crime and mental health topics and issues in the African criminal justice system from a psycho-criminological perspective. Crime, Mental Health and the Criminal Justice System in Africa: A Psycho-Criminological Perspective is an ideal primary text for courses in criminology, criminal justice, and forensic psychology, as well as asource of reference for practitioners who deal with offenders or victims. "For a long time, African historiography has been viewed and interpreted from Eurocentric perspectives. This book is a timely contribution towards infusing Afrocentric perspectives in African scholarship by indigenous scholars. The authors' interdisciplinary topical approach, covering a gamut of topics ranging from African criminology, through mental health and psychology, to criminal justice systems, has lent a decolonizing voice toward African literary pursuit and thereby laid a solid foundation for further research by other scholars. I highly recommend it to readers, academic institutions

and researchers on Africa.” – Emmanuel Onyeozili, Ph.D., Professor of Criminology and Criminal Justice, Department of Criminal Justice, University of Maryland Eastern Shore, USA
“This edited volume by an array of experts from West and Southern Africa has given a refreshing voice to psycho-criminological narratives in the continent. In a region of the world in which there is insufficient documentation of the patterns, determinants and outcomes of criminal behaviour, this book offers a culturally competent and contemporary flavour to an ancient discourse. Its focus on new areas of concern such as online dating scams, kidnapping and the mental health of officials in the criminal justice system compellingly captures the potential reader and gives good value for time. It is warmly recommended for its breadth of coverage, the authority of its claims and the multi-disciplinary outlook of its authors.”
– Adegboyega Ogunwale, MBBS, FWACP, Consultant Psychiatrist, Forensic Unit, Neuropsychiatric Hospital, Aro, Ogun State, Nigeria “This collection represents a significant step in the study of mental health, crime and criminal justice in sub-Saharan Africa. The breadth of topics covered is impressive, with each contribution based on methodologically-sound empirical analyses. It deserves to become a key reference for students, researchers and policy makers interested in suicide, drug use, violence, the work of prison officers, criminal investigations, and police-community interactions.” – Justice Tankebe, Ph.D., Lecturer, Institute of Criminology, University of Cambridge, UK “Mental health and criminal justice issues are growing problems facing the world today. Questions about whether mental health affects crime or whether involvement in the criminal justice system affects an individual’s health have become part of national policy discussion. This nicely written book brings together eminent scholars and experts with extensive experience in their various fields to address these and other questions related to crime, mental health, and criminal justice in Africa. The editors did well to coordinate the efforts of the contributors into a valuable piece. I highly recommend it for all who are interested in the nexus between crime, mental health, and criminal justice systems.” – Francis D. Boateng, Ph.D., Assistant Professor, Department of Criminal Justice and Legal Studies, University of Mississippi, USA

A significant proportion of serious crime is economically motivated. Almost all financial crimes will be either motivated by greed, or the desire to cover up misconduct. This Handbook addresses financial crimes such as fraud, corruption and money laundering, and highlights both the risks presented by these crimes, as well as their impact on the economy. The contributors cover the practical issues on the topic on a transnational level, both in terms of the crimes and the steps taken to control them. They place an emphasis on the prevention, disruption and control of financial crime. They discuss, in eight parts, the nature and characteristics of economic and financial crime, The enterprise of crime, business crime, the financial sector at risk, fraud, corruption, The proceeds of financial and economic crime, and enforcement and control. Academics interested in criminology, law, as well as business and legal studies students will find this book to be an invaluable resource. Practitioners, including lawyers, compliance and risk managements, law enforcement officers, and policy makers will also find the points raised to be of use.

This volume in the series Sociology of Crime, Law, and Deviance deals with aspects of punishment, including sentencing, incarceration, and prison conditions, in a variety of settings at local, national, and/or regional levels.

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