



INTRODUCTORY

# SCOTS LAW

THEORY *and* PRACTICE

ALISTAIR B. WYLIE and SEAN J. CROSSAN

# Introduct Scots Law Theory Pract

**John Robertson**



## **Introduct Scots Law Theory Pract:**

*Introductory Scots Law Third Edition* Sean Crossan, 2017-12-18 A new and an updated edition of a core bestselling title Introductory Scots Law 3rd Edition develops the core knowledge and skills demanded in advanced law classes as part of Higher National courses and university level business courses containing a strong legal component Attractively designed this user friendly textbook offers straightforward and accessible coverage of the key areas of Scots Law and the most recent developments within it The third edition Is fully revised to include the most up to date legal developments and case law e g developments in constitutional law equality and diversity and human rights Places particular emphasis on the practical side of contemporary Scots Law by featuring exemplar legal documents to aid understanding Contains frequent summary Key Points and in depth Test Your Knowledge questions case studies to consolidate learning and comprehension Provides full answers and a range of invaluable e resources on the accompanying website including additional case studies and samples of procedures and paperwork Is also suitable for introductory law units in other fields such as professional studies as well as offering a source of highly accessible reference material for a more general readership

*Criminal Sentencing as Practical Wisdom* Graeme Brown, 2017-06-01 How do judges sentence In particular how important is judicial discretion in sentencing Sentencing guidelines are often said to promote consistency but is consistency in sentencing achievable or even desirable Whilst the passing of a sentence is arguably the most public stage of the criminal justice process there have been few attempts to examine judicial perceptions of and attitudes towards the sentencing process Through interviews with Scottish judges and by presenting a comprehensive review and analysis of recent scholarship on sentencing including a comparative study of UK Irish and Commonwealth sentencing jurisprudence this book explores these issues to present a systematic theory of sentencing Through an integration of the concept of equity as particularised justice the Aristotelian concept of phronesis or practical wisdom the concept of value pluralism and the focus of appellate courts throughout the Commonwealth on sentencing by way of instinctive synthesis it is argued that judicial sentencing methodology is best viewed in terms of a phronetic synthesis of the relevant facts and circumstances of the particular case The author concludes that sentencing is best conceptualised as a form of case orientated concrete and intuitive decision making one that seeks individualisation through judicial recognition of the profoundly contextualised nature of the process

*The UN Convention on the Rights of Persons with Disabilities in Practice* Lisa Waddington, Anna Lawson, 2018 A timely examination of the UN Convention on the Rights of Persons with Disabilities this first thorough comparative analysis contrasts the approaches of thirteen jurisdictions to reveal a legal area of growing importance

**Theory and Practice of Corporate Governance** Stephen Bloomfield, 2013-02-28 Theory and Practice of Corporate Governance explains how the real world of corporate governance works It offers new definitions of governance and new conceptual models for investigating governance and corporate behaviour based on both practical experience and academic investigation In examining the historical development of

corporate governance it integrates issues of company law regulatory practice and company administration with contemporary corporate governance policies and structures An extensive range of international examples both recent and historical is used to compare theoretical explanations of governance behaviour with practical outcomes This book will be particularly suitable for students taking an ICSA accredited course giving a necessary critical view on governance law and regulation and will also be suitable for accountancy courses Through utilising new conceptual models it will stimulate debate among both theorists and practitioners looking to develop their expertise

*Effective Practice with Looked After Children*  
Robin Sen, 2018-03-30 Since the key developments that policy and research have undergone over the course of the past years meeting the specific needs of looked after children is a priority for modern social work policy and practice This comprehensive text combines an accessible overview of statutory policy and legislation with analysis of core theories and interventions to provide a guide for effective practice with children in all care settings by Covering legislation as well as research based analysis of the key interventions and practice methods in the field Meeting market needs students and practitioners struggle with the dearth of specific material on looked after children this text supports them in a core component of social work study and practice Consolidating learning through its use of reflective questions case studies exercises and research analysis This book offers an accessible overview of the care context in Britain and is essential reading for students and practitioners wishing to develop effective practice within childcare

**Media & Entertainment Law 2/e**  
Ursula Smartt, 2014-03-21 Media and Entertainment Law presents a contemporary analysis of the law relating to the media and entertainment industry both in terms of its practical application and its theoretical framework It provides a clear current and comprehensive account of this exciting subject Fully updated and revised this second edition is one of the first texts to contain a full analysis of the Leveson Inquiry and the implications for our press and media that are arising from it The new edition contains a new chapter analysing the Defamation Act 2013 the Digital Economy Act 2010 which aimed to toughen up against copyright infringement online and has been subject to parliamentary review since coming into power and the liability of internet service providers including recent cases such as Tamiz vs Google 2012 which goes some way to define the extent to which an ISP may or may not be found liable for their bloggers content With integrated coverage of Scots and Northern Irish law Media and Entertainment Law also highlights comparisons with similar overseas jurisdictions such as with the liability of ISPs where there are differences in both US and European law in order to help students demonstrate an awareness of media laws which may then influence UK legislation Looking at key aspects such as TV and radio broadcasting the print press the music industry online news and entertainment and social networking sites this text provides detailed coverage of the key principles cases and legislation as well as a critical analysis of regulatory bodies such as OFCOM and the new regulator for the UK s newspapers and magazines and online editions the Independent Press Standards Organisation Ipso The text also provides the most comprehensive and up to date coverage of the law relating to Intellectual Property law

for the entertainment industry with recent changes in EU law relating to performers rights See what goes behind the writing of Media Entertainment Law <http://youtu.be/XiCGmnRDvb0> *Principles of Contract Law and Theory* Larry D.

DiMatteo,2023-12-11 This informative and accessible book reviews the core concepts of contract law and theory from an Anglo American perspective Larry A DiMatteo deftly analyses the key principles rules and frameworks which have shaped Anglo American contract law as well as highlighting important legislative acts that have changed and modernised its development Scottish Maritime Practice Arthur Robert Gow MacMillan,1926 Akehurst's Modern Introduction to

International Law Peter Malanczuk,2002-04-12 First published in 2002 Routledge is an imprint of Taylor Francis an informa company A Union for Empire John Robertson,2006-11-02 This volume of essays explores the intellectual context of the Anglo Scottish Union of 1707 Challenging the received view of the Union as a simple political job it argues instead that the Union was a landmark in the history of political thought It investigates the ideas of union universal monarchy and empire current in Europe and Britain before 1707 focuses on the issues of sovereignty at the centre of the Union debate itself and concludes by studying the aftermath of the debate in eighteenth century discussions of Britain's relations to Ireland and the North American Colonies Underlining the vitality of Scottish intellectual life before the Enlightenment the volume also gives unprecedented attention to the English view of the Union to its European setting and to its consequences for the subsequent understanding of the British Empire Concepts and Contexts of Vattel's Political and Legal Thought Peter

Schröder,2021-06-24 Explores how Vattel used the natural law tradition to frame a pragmatic and treaty oriented model of the law of nations **From Theory to Practice in Private International Law** Justin Borg-Barthet,Katarina

Trimmings,Burcu Yüksel Ripley,Patricia Zivkovic,2024-02-22 This book compiled in honour of the work and life of Professor Jonathan Fitchen brings together preeminent scholars from across the private international law world to address a wide spectrum of subject matter in the discipline It offers substantial new insights into our understanding of private international law from theory to practice The contributions in the book analyse a variety of conceptual and substantive problems in private international law and consider current developments in the discipline from conceptual analyses of the evolving nature and scope of private international law to substantive problems across a range of longstanding issues on which there is insufficient scholarly analysis These include contemporary problems of great political importance such as environmental protection gender based discrimination asymmetries of private power and the proper delineation of public and private intervention The authors also address emerging problems in commercial law such as cryptocurrencies longstanding definitional concerns in family law and broader emerging systemic concerns such as the treatment of authentic instruments and the place of human rights protection in global supply chains The book is a valuable resource for the judiciary legal practitioners policy makers and scholars and students of private international law **European Law on Unfair Commercial Practices and Contract**

**Law** Mateja Durovic,2016-07-28 The book examines the ambiguous relationship between the European law on unfair

commercial practices and contract law In particular the manuscript demonstrates that the Directive 2005 29 EC on unfair commercial practices UCPD has had a major impact on contract law despite the declaration concerning the formal independence between the two branches of law established by Article 3 2 UCPD The insights and conclusions identified in the book contribute to a better understanding of European private law and the general process of Europeanisation of private law in the European Union and in particular of contract law

*Aristotle and The Philosophy of Law: Theory, Practice and Justice* Liesbeth Huppel-Cluysenaer, Nuno M.M.S. Coelho, 2013-02-14 The book presents a new focus on the legal philosophical texts of Aristotle which offers a much richer frame for the understanding of practical thought legal reasoning and political experience It allows understanding how human beings interact in a complex world and how extensive the complexity is which results from humans own power of self construction and autonomy The Aristotelian approach recognizes the limits of rationality and the inevitable and constitutive contingency in Law All this offers a helpful instrument to understand the changes globalisation imposes to legal experience today The contributions in this collection do not merely pay attention to private virtues but focus primarily on public virtues They deal with the fact that law is dependent on political power and that a person can never be sure about the facts of a case or about the right way to act They explore the assumption that a detailed knowledge of Aristotle s epistemology is necessary because of the direct connection between Enlightened reasoning and legal positivism They pay attention to the concept of proportionality which can be seen as a precondition to discuss liberalism

**Contract Law and Contract Practice** Catherine E Mitchell, 2014-07-18 An oft repeated assertion within contract law scholarship and cases is that a good contract law or a good commercial contract law will meet the needs and expectations of commercial contractors Despite the prevalence of this statement relatively little attention has been paid to why this should be the aim of contract law how these commercial expectations are identified and given substance and what precise legal techniques might be adopted by courts to support the practices and expectations of business people This book explores these neglected issues within contract law It examines the idea of commercial expectation identifying what expectations commercial contractors may have about the law and their business relationships using empirical studies of contracting behaviour and assesses the extent to which current contract law reflects these expectations It considers whether supporting commercial expectations is a justifiable aim of the law according to three well established theoretical approaches to contractual obligations rights based explanations efficiency based or economic explanations and the relational contract critique of the classical law It explores the specific challenges presented to contract law by modern commercial relationships and the ways in which the general rules of contract law could be designed and applied in order to meet these challenges Ultimately the book seeks to move contract law beyond a simple dichotomy between contextualist and formalist legal reasoning to a more nuanced and responsive legal approach to the regulation of commercial agreements

*The Scots Law Times* ,1898      *Questions and answers in the theory and practice of military*

topography. [With] *Working plans* James Henry Bowhill, 1898      *Effective Communication and Engagement with Children and Young People, their Families and Carers* Ally Dunhill, Barbara Elliott, Angela Shaw, 2009-07-06 This book focuses on providing information and guidance for professionals involved in the newly emerging multi agency interdisciplinary children s workforce It does so by helping them to understand the theory behind the issues relating to communication and engagement in multi agency settings for children and families The book is of use to both students and those already working in the sector who are undertaking professional development to enhance understanding and skills in the new children s workforce environment      *The Theory of Contract in Its Social Light* William A. Watt, 1897      **Law and Democracy in Neil MacCormick's Legal and Political Theory** Agustín José Menéndez, John Erik Fossum, 2011-03-29 This volume offers a collection of articles by leading legal and political theorists Originally intended as a celebration of MacCormick s work on the occasion of the completion of the four volume series on Law State and Practical Reason it has turned into a homage and salute after MacCormick s passing Cast in MacCormick s reflexive spirit the book presents a critical reconstruction of the Scottish philosopher s work with the aim of revealing the connections between law and democracy in his writings and furthering his insights in each specific field Neil MacCormick made outstanding contributions to the understanding of law and democracy under conditions of pluralism His institutional theory of law has elucidated the close connection between the normative character of law as a means of social integration and legal social practices This has produced a synthesis of the key insights of the legal and political theories of Kelsen Hart Alexy and Dworkin and has broken new ground by undermining the monolithic and nation state centered character of standard legal theories

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