

Family Law Lecture 2

- This lecture considers human rights and family law
- 1st part, generally, 2nd part, how HR have impacted family law
- HR good because create baseline
- But they are minimal, so this is a criticism
- Although states can create stronger ones if they wish
- In this first lecture, considering the HR important to family law
- First is ECHR
- Second is UNCRC (UN Convention Rights on Children)
 - ECHR is important as part of our law, incorporated by the HRA 1999
 - S.6 HRA
 - Courts must decide cases in a way compatible by the ECHR
 - S.3
 - Courts must incorporate legislation which is compatible
 - But sometimes, this isn't possible
 - Wording of statute isn't compatible
 - Here, judge makes note of incompatibility, declare this, and leave for parliament
- UNCRC
 - Not in our law
 - No need for it to be incorporated, nor any future desire
 - But is is persuasive, and courts link it
 - But **not binding**
 - Important because it sets out rights for children, as ECHR is silent on children's rights generally
 - This is because it was written in 1950, and little awareness for children to have rights guaranteed
 - UNCRC important because it sets out rights for children
 - Very broad
- ECHR Important rights
 - Art 3
 - No one subjected to torture or inhuman treatment or punishment
 - Requires state to protect citizen
 - Infringes right if they do not take steps to stop this
 - However, this does not just prohibit states from torturing citizens, but requires positive action
 - So if one individual is suffering at hands of another, they must take positive action to stop this

Family Law Lecture Notes 2 E

William Stubbs



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The Weekly Notes Frederick Pollock, 1910 *UGC NET Law (Paper-II) Study Notes (Vol.-1)* , **Family Law and Society in Europe from the Middle Ages to the Contemporary Era** Maria Gigliola di Renzo Villata, 2016-08-04 This volume addresses the study of family law and society in Europe from medieval to contemporary ages It examines the topic from a legal and social point of view Furthermore it investigates those aspects of the new family legal history that have not commonly been examined in depth by legal historians The volume provides a new global interpretative key of the development of family law in Europe It presents essays about family and the Christian influence family and criminal law family and civil liability filiation legitimate natural and adopted children and family and children labour law In addition it explores specific topics related to marriage such as the matrimonial property regime from a European comparative perspective and impediments to marriage such as bigamy The book also addresses topics including family society and European juridical science **Separate but Faithful** Amanda Hollis-Brusky, Joshua C. Wilson, 2020-10-01 Fueled by grassroots activism and a growing collection of formal political organizations the Christian Right became an enormously influential force in American law and politics in the 1980s and 90s While this vocal and visible political movement has long voiced grave concerns about the Supreme Court and cases such as *Roe v Wade* they weren't able to effectively enter the courtroom in a serious and sustained way until recently During the pivot from the 20th to the 21st century a small constellation of high profile Christian Right leaders began to address this imbalance by investing in an array of institutions aimed at radically transforming American law and legal culture In *Separate But Faithful* Amanda Hollis Brusky and Joshua C Wilson provide an in depth examination of these efforts including their causes contours and consequences Drawing on an impressive amount of original data from a variety of sources they look at the conditions that gave rise to a set of distinctly Christian Worldview law schools and legal institutions Further Hollis Brusky and Wilson analyze their institutional missions and cultural makeup and evaluate their transformative impacts on law and legal culture to date In doing so they find that this movement while struggling to influence the legal and political mainstream has succeeded in establishing a Christian conservative beacon of resistance a separate but faithful space from which to incrementally challenge the dominant legal culture Both a compelling narrative of the rise of Christian Right lawyers and a trenchant analysis of how institutional networks fuel the growth of social movements *Separate But Faithful* challenges the dominant perspectives of the politics of law in contemporary America **UGC NET Political Science (Paper-II) Study Notes** , *The Law Times* , 1910

Lectures on Bacteria Anton Bary, 1887 **International Bibliography of the Social Sciences** International Committee for Social Sciences, 1967-04 First published in 1967 Routledge is an imprint of Taylor Francis an informa company *The Psychology of Family Law* Eve M. Brank, 2019-04-09 Winner 2021 Lawrence S Wrightsman Book Award given by the American Psychology Law Society Bridges family law and current psychological research to shape understanding of legal

doctrine and policy Family law encompasses legislation related to domestic relationships marriages parenthood civil unions guardianship and more No other area of law touches so closely to home or is changing at such a rapid pace in fact family law is so dynamic precisely because it is inextricably intertwined with psychological issues such as human behavior attitudes and social norms However although psychology and family law may seem a natural partnership both fields have much to learn from each other Our laws often fail to take into account our empirical knowledge of psychology falling back instead on faulty assumptions about human behavior This book encourages our use of psychological research and methods to inform understandings of family law It considers issues including child custody intimate partner violence marriage and divorce and child and elder maltreatment For each topic discussed Eve Brank presents a case statute or legal principle that highlights the psychological issues involved illuminating how psychological research either supports or opposes the legal principles in question and placing particular emphasis on the areas that are still in need of further research The volume identifies areas where psychology practice and research already have been or could be useful in molding legal doctrine and policy and by providing psychology researchers with new ideas for legally relevant research

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Hasday, 2014-06-30 This is the first book to explore the canonical narratives stories examples and ideas that legal
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