

HUMAN RIGHTS AND CRIMINAL JUSTICE

Second Edition

by

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PREFACE

The years since the publication of the first edition in 2001 have seen a substantial increase in human rights-related cases. It was expected that the Human Rights Act would lead to many criminal cases in the English courts being decided, in part at least, by reference to human rights—mostly cases on procedure and evidence, but also some decisions on substantive criminal law and sentencing. But the European Court of Human Rights in Strasbourg has also increased its output of judgments, some of them with the UK as the respondent state, and many—such as *Stafford*, *Beckley*, *Edwards and Lewis*, and (soon to come) *O'Halloran and Francis*—have produced significant and controversial effects in English law.

In this second edition we endeavour to bring together and to analyse the relevant parts of European human rights law and their implications for English criminal practice, drawing also on wider comparative sources. Ben Emmerson and Andrew Ashworth were and are delighted that Alison Macdonald agreed to take on the role of co-editor of this edition. Thus Andrew Ashworth and Alison Macdonald have acted as editors, with Ben Emmerson assuming a general supervisory role. Individual chapters have been up-dated by members of the team of writers named on the title page, including Alison Macdonald and Andrew Ashworth, and final revisions were carried out by the editors. The preparation of this second edition has been a demanding task, and Ben Emmerson, Andrew Ashworth and Alison Macdonald wish to record their thanks to other members of the editorial team for their contributions, and to Caroline Shaw, Lindsay Emerson and others at Sweet and Maxwell for their forbearance and support. Our aim is to state the relevant law as at January 1, 2007, though it has been possible to take account of a few subsequent developments.

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