

1. Record Nr.	UNINA9910817582403321
Titolo	Law and risk // edited by the Law Commission of Canada
Pubbl/distr/stampa	Vancouver, : UBC Press, c2005
ISBN	0-7748-5151-1
Edizione	[1st ed.]
Descrizione fisica	1 online resource (219 p.)
Collana	Legal dimensions series, , 1701-2317 ; ; 4
Disciplina	349.71
Soggetti	Law - Canada Risk assessment - Canada Risk management - Canada Risk communication - Canada
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Bibliographic Level Mode of Issuance: Monograph
Nota di bibliografia	Includes bibliographical references (p. 194-199) and index.
Nota di contenuto	Front Matter -- Contents -- Preface -- On Proof and Probability: Introduction to "Law and Risk" -- Use of Risk Assessments by Canadian Judges in the Determination of Dangerous and Long-Term Offender Status, 1997-2002 -- Shifting the Burden of Proof: The Precautionary Principle and Its Potential for the "Democratization" of Risk -- Legal Knowledges of Risks -- Evidentiary Principles with Respect to Judicial Review of Constitutionality: A Risk Management Perspective -- Integrating Values in Risk Analysis of Biomedical Research: The Case for Regulatory and Law Reform -- Contributors -- Index
Sommario/riassunto	The study and practice of risk analysis, risk management, and the communication of risk has been the subject of heated debates. This is no less so when law is added to the mix. Despite the law's constant search for certainty, the concept of risk itself is inherently uncertain. From the precautionary principle to the role of research ethics boards, risk remains a value-laden term, difficult to define and even more difficult to address. This book looks at law and risk in a variety of contexts and provides insight into how courts use and interpret risk and how the law allocates risk, as well as examining the regulation of risky activities. To demonstrate the linkages between law and risk, the essays tackle some difficult topics, including dangerous offenders, sex offender notification, drug courts, genetic research, pesticide use, child

pornography, and tobacco advertising. This careful consideration of whether the law adequately and appropriately responds to risk will be of interest to students and scholars of law and the social sciences, as well as to law practitioners and lawmakers.

---