Record Nr. UNINA9910818746503321 Autore Hostettler John Titolo Fighting for justice: the history and origins of adversary trial // John Hostettler Pubbl/distr/stampa Winchester, UK,: Waterside Press Portland, Or., : [Distributed in North America by] International Specialised Book Services, 2006 **ISBN** 1-281-12447-8 9786611124472 1-906534-16-0 Edizione [1st ed.] Descrizione fisica 1 online resource (176 p.) 347.42 Disciplina Soggetti Adversary system (Law) - Great Britain - History - 18th century Criminal procedure - Great Britain - History - 18th century Trials - Great Britain - History - 18th century Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Includes bibliographic references and index. Nota di bibliografia ""Cover ""; ""Acknowledgements""; ""Preface""; ""Contents""; ""1 Nota di contenuto Introduction"": ""2 No Counsel for Prisoners"": ""3 Treason Trials Act: the Birth of Adversary Trial""; ""4 Rights of the Individual""; ""5 Sir William Garrow""; ""6 Garrow at the Old Bailey (1)""; ""7 Garrow at the Old Bailey (2)""; ""8 Rules of Criminal Evidence""; ""9 Counsel Finally Address the Jury""; ""10 Conclusion""; ""Glossary 1 Judicial and Historical Terms""; ""Glossary 2 Crimes Tried Frequently at the Old Bailey""; ""Bibliography""; ""Appendix""; ""Index""; ""Back cover "" Sommario/riassunto Adversary trial emerged in England only in the 18th century. Its origins and significance have tended to go unrecognised by judges, Lawyers, jurists and researchers until relatively modern times when conflict has become a key social issue. Even now, there is a major dispute as to how and why adversary trial came into existence and little connection has been made with its contribution to the genesis of many rules of evidence and procedure and the modern-day doctrine of human rights

- whereby citizens are able to take a stand against the power of the state or vested interests. John Hostettler is an eminent commentator on

criminal justice and its History. In this book he focuses not only on the birth and meaning of adversary trial but also on the historic central role of the Lawyer and advocate Sir William Garrow. Hostettler assesses how deep-rooted is the notion of opposing parties in the common Law, the English psyche and thus within other countries such as the USA that have followed the same model - whereby Lawyers champion opposing causes. A main aim of the book is to provide an aid to understanding of present-day moves for reform in the direction of restorative methods by outlining the contribution that adversary trial has made to the development of common Law systems.