The W. Green Professional Catalogue 2011

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Welcome to the W. Green Complete Catalogue for 2011.

2010 signified another year of turbulent conditions for many industries, but despite the challenging environment, Greens continued to push ahead, creating new products for Scotland’s legal professionals.

Some of the 2010 highlights include the Arbitration (Scotland) Act 2010 published to coincide with the enforcement of the Act, authored by Fraser Davidson, David Bartos and Hew Dundas. 2010 also saw the publication of Professors Gerry Maher and Barry Rodger's Civil Jurisdiction in the Scottish Courts, the first text on this subject since Duncan & Dykes in 1911. Further key publications include the 3rd edition of Neil Collar’s Planning, a 4th edition of Adoption of Children in Scotland and a 2nd edition of John Kerrigan’s popular Drafting for Succession. W. Green’s partnership with the Scottish Universities Law Institute continued with the December publication of Confidentiality, Personality and Privacy in the SULI series.

2011 is shaping up to be an important year for new W. Green books. Anton & Beaumont’s Private International Law, 3rd edition by Paul Beaumont and Peter McEIeavy will publish in December. We are also pleased to announce new editions of Cohabitation; Scottish Trusts: A Drafting Guide and Gretton & Reid's Conveyancing. Mirroring the current financial climate we also have new editions of Bankruptcy, The Law of Corporate Insolvency and a brand new title; Scottish Debt Recovery: A Practical Guide.

2010 was again a year of positive development for Westlaw UK Scots Law. The Novus platform was rolled out to users, greatly enhancing the system’s functionality, making it quicker and easier to find information. On the contents side, 2010 saw key additions of Session Cases ® PDFs dating back to 1898 as well as Scottish Criminal Law, our monthly criminal cases reports series. Westlaw UK Scots Law is an ever developing system and we continue to listen to customer needs to move forward throughout 2011 and beyond.

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In addition to product information you can find all the W. Green details you will need within these pages, including commissioning, editorial, marketing and customer services contacts.

Finally I would like to say thank you to all our customers for their continued support throughout 2010. I and everyone at W. Green wish you a very successful 2011.

Gilly Grant, Director

gilly.grant@thomsonreuters.com
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Contact our Head of Editorial Operations, Rebecca Standing, if you require further information about any aspect of our editorial and production processes.

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ADULT INCAPACITY  
GREENS PRACTICE LIBRARY
Adrian D. Ward

The needs and vulnerabilities of citizens with disabilities and impairments of capacity present the most direct challenge to the professionalism of lawyers. This text provides a comprehensive and authoritative guide to the legal issues relating to capacity, with particular reference to the provisions of the Adults with Incapacity (Scotland) Act 2000.

Contents:
- Disabilities, capacity and assessment
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- Powers of attorney
- Other anticipatory techniques
- Management of residents’ finances
- Intervention orders and guardianship — General
- Guardianship — Further provisions
- Other responsive measures
- Healthcare decisions and medical research
- Constructing decisions

Adrian D. Ward, Solicitor, is a senior partner of Messrs Turnbull & Ward, Barrhead.

2003
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ADULTS WITH INCAPACITY LEGISLATION  
GREENS ESSENTIAL LEGISLATION
Adrian D. Ward

As an important area of legal practice, adult incapacity law has developed dynamically since original enactment of the Adults with Incapacity (Scotland) Act 2000. The Act has been amended by five statutes and four statutory instruments. There have been important case law and other developments.

This book sets out the text of the 2000 Act with all amendments up to and including those which came into force on October 27, 2008, with up-to-date general comment on the Act, including its background and international context, and upon each of its parts, and with section by section annotations. Section 13ZA of the Social Work (Scotland) Act 1968, introduced in 2007, is of importance to practice under the Incapacity Act, and is included with extensive commentary.

Adrian D. Ward, Solicitor, is a senior partner of Messrs Turnbull & Ward, Barrhead.

2008
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THE LAW OF AGRICULTURAL TENANCIES IN SCOTLAND  
4th Edition
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The Rt Hon. Lord Gill

“We are surely grateful to have such a thorough and comprehensive guide to this complex area of law. It is a professional update by the acknowledged expert and a ‘must’ for all lawyers dealing with agricultural law.”
Hugh D. Cochran, Scottish Law Gazette of the previous edition

Scotland’s principal work on the Law of Agricultural Holdings has been extensively updated to take into account legislative and case law developments. The new edition contains comprehensive analysis of the new Short Limited Duration Tenancies and Limited Duration Tenancies created by the Agricultural Holdings (Scotland) Act 2003. To accommodate the enormous amount of new material, the 4th edition will be presented in two volumes.

Volume 1 will provide detailed legal analysis of the operation of agricultural holdings in Scotland.

Pt I Introduction and Historical Review
Pt II 1991 Act Tenancies
Pt III Short Limited Duration Tenancies and Limited Duration Tenancies
Pt IV Leases for Grazing or Mowing
Pt V Jurisdiction, Procedure and Evidence

Volume 2 will contain the full, consolidated, text of all relevant legislation, including the Agricultural Holdings (Scotland) Act 2003 and the Agricultural Holdings (Scotland) Act 1991.

The Rt Hon. Lord Gill is recognised as Scotland’s premier expert in the field of agricultural law.

2011
2 Volume set
9780 414 01501 2
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A PRACTICAL GUIDE TO RENT REVIEW OF AGRICULTURAL HOLDINGS IN SCOTLAND
Fraser R. Barraclough

Rent review of agricultural holdings in Scotland should be a straightforward business transaction. Due to the extent that the law has intervened, this is not true. This title is a straightforward, non-technical guide to the full process of rent review of agricultural holdings. The excellent explanations and advice contained make the procedure easily understandable.

Written by a well-known surveyor, this is the only Scottish title to give a full treatment of agricultural rent review. The fact that it deals with matters relevant to rent review and does not diversify means that it covers the area completely and is as focused as possible. The important practical advice on this most common agricultural transaction contained in this title is not available anywhere else.

This is a must have title for all involved in the process of agricultural rent review. Rural surveyors and agricultural solicitors need a clear understanding of this procedure to carry out their jobs correctly. This title ensures you have knowledge and understanding to serve clients with confidence. Auctioneers and agricultural arbiters will also find this title necessary to guarantee they make the right decisions. Finally, Rent Review of Agricultural Holdings in Scotland is a valuable title for landowners themselves, to ensure they are aware of their rights and that all procedures are correctly adhered to.

Contents:
- Rent — what is it?
- Improvements
- Quotas
- Comparable evidence
- Arbitration
- Appendices — containing styles, legislation and case notes

Fraser R. Barraclough is a Surveyor with extensive experience of acting in rent review proceedings.

2002
978 0 414 01506 7
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BANKRUPTCY
2nd Edition
Alan W. Adie

This is a concise guide to bankruptcy aimed at solicitors and licensed insolvency solicitors in Scotland. This area is growing in importance for solicitors due to the steady increase in the number of individuals and partnerships which have gone bankrupt since 1998.

This new edition is a very welcome tool for all those working in this area and the first update since 1995. Apart from key changes to case law and legislation since then, including those introduced by the Home Owner and Debtor Protection (Scotland) Act 2010, this book will also look forward to key legislative changes. This will include the new consolidation Act, provisionally titled the Bankruptcy (Scotland) Act 2010.

Changes will include the following:
- Debtors will be discharged from bankruptcy after one year instead of three years
- There will be a power to impose bankruptcy restrictions for up to 15 years if the debtor’s conduct, before or after the award of sequestration, indicates that some form of further restriction is in the public interest
- Debtors will apply to AIB (Accountants in Bankruptcy) instead of the sheriff court for their own bankruptcy
- There will be a new route into bankruptcy for debtors with low income and low assets
- A debtor’s family home will be reinvested if their trustee does not begin action to sell it within three years of the award of sequestration
- The debt threshold for bankruptcy will increase to £3000
- Student loans will not be written off by bankruptcy

These changes will have huge affects on the everyday working life of those in finance in Scotland and they will need to prepare for them. This book is the preparation tool they need.

Alan W. Adie is a Licensed Insolvency Practitioner, Adie Financial Solutions Ltd.

2011
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BANKRUPTCY & DILIGENCE ETC. (SCOTLAND) ACT 2007
GREENS ANNOTATED ACTS
Nicholas Grier

The Bankruptcy and Diligence etc. (Scotland) Act 2007 introduces sweeping reforms to the law relating to sequestration and personal insolvency, floating charges and diligence. It establishes a Scottish Civil Enforcement Commission and it also introduces a new diligence of ‘land attachment’.

This annotated copy of the Act will ensure that lawyers have access to the full text of the Act together with expert commentary on the key provisions.

Contents:
- Bankruptcy
- Floating charges
- Enforcement
- Land attachment and residual attachment
- Inhibition
- Diligence on the dependence
- Interim attachment
- Attachment of money
- Diligence against earnings
- Arrestment in execution and action of forthcoming
- Mail and duties, sequestration for rent and landlord’s hypothec
- Summary warrants, time to pay and charges to pay
- Amendments of the Debt Arrangement and Attachment (Scotland) Act 2002
- Admiralty actions and arrestment of ships
- Actions for removing from heritable property
- Disclosure of information
- General and miscellaneous

Nicholas Grier is a Senior Lecturer in Law at Napier University University and Deputy Head of the Centre for Law.

2008
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### Greens Bankruptcy and Mercantile Statutes 2009/2010

Parliament House Book is the most comprehensive and up-to-date source of legislation available to Scots law practitioners and students, providing you with fingertip access to collections of consolidated statutes, legislative amendments and subordinate legislation in key areas of the law.

Greens Legislative Looseleaf Reprints, printed annually, reproduce significant sections of this respected looseleaf title. They offer all the weight and authority of the encyclopaedia in handy portable formats, allowing you access to the facts whether in the office, court, library or at home.

The 2009/2010 edition of Greens Bankruptcy and Mercantile Legislation includes:

- Partnership Act 1890
- Unfair Contract Terms Act 1977
- Sale of Goods Act 1979
- Supply of Goods and Services Act 1982
- Bankruptcy (Scotland) Act 1985
- Law Reform (Miscellaneous Provisions) (Scotland) Act 1985
- Contracts (Applicable Law) Act 1990
- Bankruptcy (Scotland) Act 1993
- Sale and Supply of Goods Act 1994
- Contract (Scotland) Act 1997
- Bankruptcy and Diligence etc (Scotland) Act 2007
- Late Payment of Commercial Debts (Interest) Act 1998
- Bankruptcy Fees (Scotland) Regulations 1993/486
- Unfair Terms in Consumer Contracts Regulations 1999
- Bankruptcy (Scotland) Regulations 2008
- Act of Sederunt (Sheriff Court Bankruptcy Rules) 2008

2009
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### Debt Legislation

**Greens Essential Legislation**

*Dawn McKenzie*

Building on the success of the author's earlier work *Debt Arrangement and Attachment*, this new volume of annotated legislation has been expanded to include the amended text of the *Debtors (Scotland) Act 1987*.

The legislation is fully consolidated and includes amendments made by the *Bankruptcy and Diligence etc. (Scotland) Act 2007*, such as the creation of the new diligence of 'interim attachment'.

The author's detailed annotations provide expert analysis of this complex area of the law, making this an essential purchase for all solicitors and legal professionals dealing with debt recovery work.

**Contents:**

- Debtors (Scotland) Act 1987
- Debt Arrangement and Attachment (Scotland) Act 2002
- Act of Sederunt (Debt Arrangement and Attachment (Scotland) Act 2002) 2002
- Debt Arrangement Scheme (Scotland) Regulations 2004 (SSI 2004/468)

*Dawn McKenzie* is a Partner with Harper Macleod.

2011
978 0 414 01782 5
Paperback
c.£75.00

### Scottish Debt Recovery: A Practical Guide

*Stephen Cowan*

Due to the current economic climate, levels of debt recovery work have increased dramatically. This rise in the volume of work in this area alongside important new legislation such as the *Debtors (Scotland) Act 1987*, as amended by the *Bankruptcy and Diligence etc. (Scotland) Act 2007*, has necessitated the need for an up-to-date narrative guide on the subject. The book is split into four key parts:

**Part I—Collection techniques pre-sue**

- Identifying the client and creditor (Money Laundering Regulations)
- Types of debtor
- Formation of contracts and incorporation of Ts and Cs
- Obtaining information on debtor's various searches
- Data Protection Act 1998
- Consumer Credit Act

**Part II—Raising court actions**

- Jurisdiction
- Domicile
- Consumer contracts
- Consumer credit agreements
- Payment actions
- Defended procedure
- Time to pay directions and orders
- Expenses

**Part III—Diligence**

- Diligence on the dependence
- Diligence against earnings
- Arrestment
- Charges for payment
- Inhibition
- Money attachment

**Part IV—Insolvency**

- Sequestration
- Trust deeds
- Liquidation
- Statutory demands for payment
- Debt Arrangement Scheme

*Stephen Cowan* is a Managing Partner at Yuill & Kyle

2011
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c.£60.00
THE LAW OF CORPORATE INSOLVENCY IN SCOTLAND
4th Edition
GREENS PRACTICE LIBRARY
John St. Clair and The Hon. Lord Drummond Young QC

The most up-to-date and authoritative guidance on all aspects of corporate insolvency as the law stands in Scotland. It provides a full understanding of the principles underpinning the law, as well as the application of it.

This fully revised 4th edition focuses on the recent amendments to the Scottish Insolvency Rules by the following SSIs:

- Insolvency (Scotland) Amendment Rules 2008 (SSI 2008/662)
- Insolvency (Scotland) Amendment Rules 2007 (SSI 2007/2537)
- Insolvency (Scotland) Amendment Rules 2006 (SSI 2006/734)
- Insolvency (Scotland) Amendment Rules 2006 (SSI 2006/735)

There have also been over 360 cases since the previous edition in 2004 and content and changes from a number of these are taken into the text. Considerable updates have been made to the areas of administration, liquidation, employment and pensions and the chapter on the International Dimension.

Contents include:
- Part 1—The history and context of Scottish insolvency law
- Part 2—Various insolvency regimes
- Part 3—Effect of insolvency
- Part 4—Securities and special creditor rights
- Part 5—Procedure and practice
- Part 6—The international dimension

John St. Clair was formerly an Advocate
The Hon. Lord Drummond Young, QC was appointed a Judge of the Supreme Court in 2001

2011
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Hardback
c.£175.00

MacROBERTS SCOTTISH LIQUIDATION HANDBOOK
4th Edition
David Flint

This is an updated practical guide for Insolvency Practitioners, solicitors, accountants and other professionals, to the law and practice surrounding the liquidation of companies in Scotland.

Examining all the stages in the process of liquidation (compulsory and voluntary), with references to the specific Scottish insolvency rules and legislation, this is an essential purchase for anyone practising in this area of law or who needs to understand the process.

Following the introductory narrative, which details clearly the steps which require to be followed on a day to day basis, you will find a wealth of wholly revised and updated styles for your use, including:

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- Agendas and minutes for required meetings
- Relevant letters
- Notes (e.g. for delivery of property 
  reduction of gratuitous alienation)
- Sederunt book entries
- Deed of Appointment for Independent Trustees to Pension Schemes

Expanded from the previous edition, MacRoberts Scottish Liquidation Handbook includes major sections on new concerns for liquidators and those advising them including wholly rewritten chapters on pensions, employment, data protection, the environment and some taxation issues. There is also a new chapter on property issues for liquidators.

David Flint is a Partner in the Corporate Recovery Group at MacRoberts LLP, a Licensed Insolvency Practitioner and an Accredited Specialist in Insolvency Law.

2010
978 0 414 01822 8
Hardback and CD ROM
£90.00 + £1.80 VAT = £91.80

CHARITIES AND TRUSTEE INVESTMENT (SCOTLAND) ACT 2005
GREENS ANNOTATED ACTS
Stuart Cross and Patrick Ford

This important new title features a fully annotated version of this highly publicised new Act. The Act fundamentally transforms the public regulation of Charities, redefines ‘Charity’ and also has an impact on Trust law.

This title covers the creation of the Office of the Scottish Charity Regulator and the changes in trustee investment powers. It provides the reader with everything they need to stay ahead of the changes introduced by this Act. An essential purchase for private client lawyers and charity law specialists allowing them to advise clients with confidence, and for charities wishing to make sure they are compliant with the new regulations.

Stuart Cross is a Senior Lecturer at the University of Dundee. He is an acknowledged expert in Charity law and advised on the drafting of the new Bill.

Patrick Ford is a Lecturer at the University of Dundee and a Member of the Charity Law Research Unit. He also advised on the drafting of the new Bill.

2006
978 0 414 01663 7
Paperback
£52.00
GREENS ANNOTATED RULES OF THE COURT OF SESSION 2010–2011
PARLIAMENT HOUSE BOOK

Reproduced from the Parliament House Book, this book provides a comprehensive and authoritative guide to the practice and procedure of the Court of Session.

As well as providing the full text of the Rules of the Court of Session (SI 1994/1443), this handy, portable volume also provides detailed expert analysis written by Sheriff Nigel Morrison QC.

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- Court of Session etc.
- Act of Sederunt (Rules of the Court of Session Amendment) (Fees of Solicitors, Shorthand Writers and Witnesses) 2002 (SSI 2002/301)
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Charles Hennessy

This practical and comprehensive title is of great benefit to students and practitioners alike in providing detailed guidance on how to conduct effective advocacy in the sheriff courts.

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- Cross examination of witnesses
- Submissions after proof
- Preparing and conducting appeals

Charles Hennessy, Solicitor Advocate, is a partner at Charles Hennessy & Co, Glasgow and is a visiting professor at Glasgow Graduate School of Law.

2006
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CIVIL JURISDICTION IN THE SCOTTISH COURTS
Professor Gerry Maher QC & Professor B. J. Rodger

The issue of jurisdiction is involved every time an action is raised in the Scottish courts. This new work by Professors Maher and Rodger will be the first book to deal with the practical aspects of jurisdiction for Scottish practitioners.

Civil Jurisdiction in the Scottish Courts will provide comprehensive coverage of all the areas of civil jurisdiction, including family actions, succession, insolvency and diligence. Written in a highly practical style, the book will be an essential reference book for all Scottish civil court practitioners.

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- Contracts of Employment
- Insurance Contracts
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- Family Proceedings
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- Obligations
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- Actions relating to Succession
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2010
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Hardback
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The third edition of this well respected title is a straightforward yet comprehensive textbook offering guidance on the many diverse forms of civil procedure, from small claims to the Court of Session Rules, and examining the basic principles behind the rules and their practical application.

Since the last edition significant changes have taken place in the jurisdiction limits for summary causes and small claims with consequent alterations in rules and procedures. Important updates include:

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Presenting a clear and concise introduction to the practice and procedure of Scotland’s civil courts, this title is essential reading for Scots law students, particularly those taking the Diploma in Legal Practice. This is also an ideal reference guide for recently qualified solicitors and a handy updating tool for civil practitioners at all stages of their careers.

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- Sheriff court commercial actions
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- Special procedures in actions of damages for personal injury
- Legal debates
- Proof, proof before answer and jury trial
- Decrees
- Appeals
- Expenses
- Human rights legislation and rules of civil procedure

Charles Hennessy, Solicitor Advocate, is a partner at Charles Hennessy & Co, Glasgow and is a visiting professor at Glasgow Graduate School of Law.

The Civil Practice Bulletin gives Scottish practitioners guidance on both sheriff court and Court of Session rules and procedures. The following columns are regularly featured: Editorial; Comment; Court of Session Cases; Sheriff Court Cases.

Coverage in 2010 included:

- Editorial, including notes on:
  - The draft Report of the Thomson Review
  - The Interpretation and Legislative Reform (Scotland) Act
  - The Report of the Scottish Civil Courts Review
  - Home Owner and Debtor Protection (Scotland) Act 2010
- Comments, including:
  - Pleading Requirements
  - The Expert in Court
  - Section 19A and the “Alternative Remedy”
- Court of Session Cases
- Sheriff Court Cases

Stuart Reid is a Solicitor Advocate with Maclay Murray & Spens, Glasgow.

Brian Cameron is a partner at Macdonalds Solicitors, Glasgow.

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“...This is a publication of major importance and for once it can be said with sincerity by a reviewer that no court practitioner, whether in the Court of Session or the sheriff court, can afford to be without it. No more valuable and practical book on court practice has appeared in modern times and unreserved congratulations are due to Lord Davidson and his colleagues.”

D. B. Weir, Journal of the Law Society

The purpose of this volume is to give practical help to those who have the responsibility of drafting pleadings in the Scottish courts.

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The Right Hon. Lord Carloway is a Judge in the Inner House of the Court of Session.

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Contents include:
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This edition has been fully updated to include all amendments since the last edition.

2010
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New edition to publish Autumn 2011

2011
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MacPHAIL’S SHERIFF COURT PRACTICE
3rd Edition
SULI
General Editor: Sheriff T. Welsh QC

A fully updated version of the definitive statement of the law and practice of Scotland’s sheriff courts. This new edition has been revised by an expert team, all of whom are highly experienced sheriffs and retains the quality and authority expected from Macphail.

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Contributors to the new edition:
Sheriff J. M. S. Horsburgh, QC
Sheriff K. A. Ross
Sheriff W. D. Small
Sheriff C. A. L. Scott
Sheriff T. J. Hughes
Sheriff C. N. Stoddart, Phd
Sheriff A. M. Cubie
Sheriff Principal J. A. Taylor
Sheriff R. H. Dickson
Sheriff L. D. R. Foulis

Sheriff T. Welsh QC is presently Director of Judicial Studies and also general editor of MacPhail’s Sheriff Court Practice 3rd Edition.

Published under the auspices of the Scottish Universities Law Institute

2006
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PERSONAL BAR
SULI
John Blackie and Elspeth Reid

Publishing in the highly regarded SULI series, this title is a comprehensive and authoritative examination of the subject of personal bar.

Personal bar cuts across all civil practice areas, yet there is no recent treatment of the subject and it is only briefly discussed in other general works. The authors have used careful analysis of the voluminous case-law to develop a modern framework for the doctrine.

General part includes:
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- Unfairness
- The scope of personal bar

Special part includes:
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- Bills of exchange and cheques
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- Diligence and bankruptcy
- Judicial review
- Appendix — Requirements of Writing (Scotland) Act 1995 s.1

John Blackie is a Professor of Law at the University of Strathclyde.
Elspeth Reid is a Senior Lecturer at the University of Edinburgh.

Published under the auspices of the Scottish Universities Law Institute

2006
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PRESCRIPTION AND LIMITATION
SULI
David Johnston QC

Prescription and limitation are exceptionally important in the practice of law, posing problems and raising problematic issues and questions in virtually every legal area. Questions of when rights or obligations are extinguished by negative prescription, fortified by positive prescription or barred by limitation are frequently difficult, and the terms of the Prescription and Limitation (Scotland) Act 1973, the statute which governs most of these questions, are often complex and sometimes obscure. The need therefore for a detailed examination of the law has been long overdue.

Prescription and Limitation is the first book in over a century to explore this complex and expansive area of Scots law. Within the scheme of this consolidating text are the answers to numerous legal questions affecting such diverse areas as contract, delict, conveyancing and property law. Throughout the work the author has examined a disparate subject, exploring many of the numerous legal measures and procedures on which prescription and limitation impact.

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- History and justification for prescription
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- Part II: Limitation of actions
- Part III: Positive prescription
- Part IV: Prescription and limitation
- Prescription and Limitation (Scotland) Act 1973
- Table of limitation periods provided in statutes other than the Prescription and Limitation (Scotland) Act 1973.

David Johnston QC is an advocate.

Published under the auspices of the Scottish Universities Law Institute

1999
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PRESCRIPTION AND LIMITATION OF ACTIONS
6th Edition
GREENS ANNOTATED ACTS
D. M. Walker

This book provides a full text copy of the Prescription and Limitation (Scotland) Act 1973 with annotations interpreting the law, along with a narrative introduction providing general guidance. Updated to take account of amending legislation, this edition includes the changes made by the Requirements of Writing (Scotland) Act 1995, the Protection from Harassment Act 1997 and the Abolition of Feudal Tenure, etc (Scotland) Act 2000. It offers guidance on interpretation of all provisions of the legislation with reference to decided cases.

The rules of prescription and limitation of action are highly complicated and directly relevant to contract, delict, property and conveyancing, making the Act of great practical importance to practitioners.

Contents:
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- Limitation of actions for damages or solutum
- Limitation of actions under the Consumer Protection Act 1987
- Supplementary provisions
- The Limitation (Enemies and War Prisoners) Act 1945
- Other statutory prescriptions or limitations for bringing civil actions
- Mora
- Prescription and limitation in public law
- Prescription and limitation in criminal law

D. M. Walker is Regius Professor Emeritus of Law at the University of Glasgow.

THE SCOTS DIMENSION TO CROSS-BORDER LITIGATION
Richard Aird and Neil Jameson

“One is frequently asked by English clients or correspondents to recommend a textbook which provides an exposition of the Scottish system of litigation. Until publication of the present book it was not possible to suggest any single book which seemed to meet the needs of a practitioner from another jurisdiction.”

A. F. Deutsch, Scots Law Times

“It is warmly commended to English practitioners principally, and then to Scots practitioners; and to the growing number of lawyers on both sides of the Border who have an interest in jurisdiction and forum selection.”

Elizabeth B. Crawford, Civil Justice Quarterly

This original work provides a practical guide for non-Scottish legal practitioners who may face the question “can there be a Scottish dimension to this problem?” and “if so, can tactical advantage be taken?” This book demonstrates how cross-border tactics may be invoked even where there is little or no connection with the Scots jurisdiction. The book offers an authoritative and up-to-date section on choice of jurisdiction. The powerful Scots interim protective measures (relating to evidence and security) are examined in detail from a UK perspective. Those more familiar with the English system of procedure will find dealing with the Scottish system easy to assimilate with the help of flow charts. The timescales of litigation and costs of cross-border insolvency are discussed.

Contents:
- Introduction
- Definition of a small claim
- Jurisdiction
- Raising the action
- Hearings
- Appeals, expenses and miscellaneous matters
- Small Claims Rules 2002
- Sheriff Courts (Scotland) Act 1971
- Small Claims (Scotland) Order 1988

W. C. H. Ervine was formerly a Senior Lecturer in law at the University of Dundee, a former member of the Sheriff Court Rules Council and a member of the European Consumer Lawyers’ Group.

SMALL CLAIMS HANDBOOK
2nd Edition
W. C. H. Ervine

“A ready reference for practitioners to carry easily with them when involved in small claims.”

Scottish Law Gazette — of previous edition


The small claims procedure was introduced into the sheriff courts in Scotland in November 1988 as a simple, quick, informal and inexpensive method for settling disputes where the claim is worth up to £750.00. Although this scheme encourages litigants to act for themselves, in practice, many do not and legal professionals are frequently involved.

This book describes the background of the scheme and comprehensively deals with its operation and procedures. All relevant primary and secondary legislation is included, not only the small claim rules themselves but also the ordinary and summary cause rules which apply to small claims.

Contents:
- Introduction
- Definition of a small claim
- Jurisdiction
- Raising the action
- Hearings
- Appeals, expenses and miscellaneous matters
- Small Claims Rules 2002
- Sheriff Courts (Scotland) Act 1971
- Small Claims (Scotland) Order 1988

W. C. H. Ervine was formerly a Senior Lecturer in law at the University of Dundee, a former member of the Sheriff Court Rules Council and a member of the European Consumer Lawyers’ Group.

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- Part 3: Specific summary applications — involving personal liberty; older summary applications; arbitration; modern summary applications
- Part 4: Summary suspension
- Part 5: Pleadings and procedure
- Part 6: Appeals and reviews
- Part 7: Expenses, court fees and legal aid
- Part 8: Comparative law: England and Wales
- Part 9: Styles

George Jamieson is a Sheriff.

2000
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ARBITRATION

SULI

Professor Fraser P. Davidson

In the highly regarded SULI series, Arbitration provides a comprehensive account of the modern law of arbitration and related forms of dispute resolution. It covers all aspects of the domestic law of arbitration, and thoroughly examines the system pertaining to international arbitration when launched and subsequently conducted in Scotland.

Throughout the book, Scots law is considered in the context of international arbitration in general. It examines the operation of the UNCITRAL Model Law on International Commercial Arbitration as adopted in Scotland, with frequent reference to appropriate authority from other jurisdictions.

Arbitration is the essential reference work on the law of arbitration in Scotland. It will be of interest not only to practitioners, but also to arbitrators charged with conducting proceedings in Scotland.

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- What is arbitration?
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- What matters may be referred to arbitration?
- Who may refer matters to arbitration?
- Who can act as an arbiter?
- The agreement to refer to arbitration
- Arbitration barred by lapse of time
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- Rights, duties and liabilities of arbiters
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- Multiple parties
- The conduct of the reference
- The stated case procedure
- Private international law aspects of arbitration
- Parallel arbitration and court proceedings
- The award
- Challenging an award
- Enforcement of awards
- Judicial reference
- Statutory regimes

Professor Fraser P. Davidson is a Professor of Law and Head of School at the University of Stirling.

2010
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ARBITRATION (SCOTLAND)

ACT 2010

GREENS ANNOTATED ACTS

Professor Fraser P. Davidson, Hew Dundas, David Bartos

W. Green has brought together leading figures from both academia and domestic and international practice to write this book, which features a comprehensive commentary on the Arbitration (Scotland) Act 2010.

This measure effects revolutionary change in the Scots law of arbitration, marking its transformation from a system based mainly on the obscure and outmoded common law to a system which is almost entirely statutory.

The Act is truly radical, reflecting what is best and boldest in modern arbitration practice, and transforming Scotland into perhaps the most user-friendly arbitral forum in the world. It is expected the Act will breathe new life into domestic arbitration and create significant interest in Scotland as a forum for international arbitration.

The book should be read by everyone involved in the law or practice of arbitration in Scotland, and should also be of interest to those involved in international arbitration.

Professor Fraser P. Davidson is a Professor of Law and Head of School at the University of Stirling.

Hew Dundas is an International Arbitrator and Mediator and Past President of the CiArb (2007).

David Bartos is an Advocate and Arbitrator.
PLEADING IN INTERNATIONAL ARBITRATION: A COMPLETE PRACTITIONER’S GUIDE
Steven Walker, Iain Clark and James Hope

The aim of this title is to provide practitioners with a narrative guide which mirrors the various procedural stages of an arbitration process. Arbitration has seen a massive increase in interest in Scotland as a result of the commencement of the Arbitration (Scotland) Act 2010 in June. This new legislation has made Scotland a far more attractive location to conduct arbitration and is hoped to result in it becoming a centre for dispute resolution, attracting international arbitration cases as well as domestic disputes. This text is primarily designed to guide Scottish Arbiters who are conducting international cases.

This book contains a CD of relevant styles for each procedural stage, allowing the user to download these forms and use them in their own daily work.

Contents:
- Foreword by The Hon Lord Dervaird, Professor Iain Murray, QC
- Acknowledgements
- About the authors
- Preface
- Contents
- Table of authorities
- The request
- The response
- Formation of the Arbitral Tribunal
- The procedural hearing
- Pleadings stage
- Interim relief
- Exhibits
- Witness statements
- Expert reports
- The hearing
- The award

Steven Walker is an Advocate and Course Director for the LLM in International Arbitration at the University of Edinburgh. Iain was part of the drafting team for the 2010 Act.

Iain Clark is a Solicitor Advocate with Young and Partners LLP and an International Arbitration Practitioner.

James Hope is a Solicitor Advocate in England and Wales and is also Head of Litigation and Arbitration at the Stockholm based company, Vinge.

This authoritative book provides an in-depth account of banking law and related procedures. Practical in focus, it sets out current procedures relating to banking law, together with up-to-date discussion of major areas of difficulty in the law relating to banks and banking services.

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- The transfer of money
- Transfer of money by negotiable instrument
- Security for loans and their documentation
- The bank’s remedies
- Receivership and other remedies
- The liability of solicitors to banks

Nicholas Grier is a Senior Lecturer in Law at Napier University University and Deputy Head of the Centre for Law.

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COMMERCIAL

BANKING LAW IN SCOTLAND
GREENS PRACTICE LIBRARY
Nicholas Grier

Nicholas Grier is a Senior Lecturer in Law at Napier University University and Deputy Head of the Centre for Law.

Commercial LawBasics, 4th Edition provides students of commercial law and related disciplines with a clear and simple pre-examination guide to the subject. An essential purchase, this book contains all the necessary information required for the development of a basic understanding of the subject of commercial law as it operates in Scotland.

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- Partnership
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Nicholas Grier is a Senior Lecturer in Law at Napier University University and Deputy Head of the Centre for Law.

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COMMERCIAL AGREEMENTS IN SCOTLAND: LAW AND PRACTICE
David Cabrelli

Commercial Agreements in Scotland: Law and Practice is a thorough yet comprehensible introduction to the topic of commercial agreements and contracts. This title examines the foundations of Scottish commercial agreements and offers practical insights into drafting, revisal and negotiation.

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- Business acquisition and disposals
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- Private equity transactions
- Banking and security transactions

David Cabrelli is a lecturer at the University of Edinburgh and is a solicitor with experience in private practice.

2006
978 0 414 01658 3
Hardback and CD-ROM
£168.00 + £3.36 VAT = £171.36

COMMERCIAL LAW IN SCOTLAND
2nd Edition
Professor Fraser P. Davidson and Laura Macgregor

Commercial Law in Scotland is a clear and up-to-date, user-friendly guide to the subject of commercial law as it operates in Scotland. This book is intended primarily for students on commercial law, mercantile law or business law courses, and the detailed nature of the text means that it is also invaluable for postgraduate courses and for practitioners. Covering the main subject areas, Commercial Law in Scotland is a concise and practical reference tool for students and practitioners alike.

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- Credit
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- Rights in security
- Insurance
- Bankruptcy
- Partnership
- Resolution of commercial disputes

Professor Fraser P. Davidson is a Professor of Law and Head of School at the University of Stirling.

Laura Macgregor is a Senior Lecturer in Commercial Law at the University of Edinburgh.

2008
978 0 414 01610 1
Paperback
£37.00

BUSINESS LAW IN SCOTLAND
2nd Edition
General Editor: Gillian Black

Business Law in Scotland is a new academic title from W. Green, designed to make this area of the law accessible to non-law students. This book is written by an expert multi-author team, meaning you receive great depth of coverage on subject areas with confidence the information you are reading is both valid and reliable.

Thorough coverage of all the key areas mean you can use this book in the knowledge there are no information ‘gaps’; this book contains all information required to give you a general overview and introductory understanding to the area of business law.

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- Introduction to the nature and sources of Scots law
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- Intellectual property
- Trusts
- Choice of business medium
- The law of partnership
- Company law
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- Insolvency
- Negotiable instruments
- Rights in security
- Dispute resolution
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Josephine Biscare, Gillian Black, David Cabrelli, James Chalmers, Stuart Cross, Alan Delaney, W. C. H. Ervine, Alex Gibb, Greg Gordon, Fiona Grant, Angus McAllister, Catherine Ng, Frankie McCarthy, Andrew Wilson and Hong-Lin Yu.

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3rd Edition

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Nicholas Grier

The 3rd edition takes into account the extensive changes made by the Companies Act 2006.

This is an indispensable text for law students, covering all the essential areas of company law in a clear and logical format. In addition, by highlighting the areas about which practitioners need to advise clients, this title is valuable to legal practitioners looking for a concise guide.

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- Directors' powers, rights, duties, liabilities and other obligations
- Company secretary and auditor
- Minority protection and DTI investigations
- Memorandum and articles of association
- Meetings and resolutions
- Insider dealing
- Takeovers and mergers
- Charges and receivership
- Administration and company voluntary arrangements
- Winding up

Nicholas Grier is a Senior Lecturer in Law at Napier University University and Head of the Centre for Law.

2009

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**PRIVATE LIMITED COMPANIES: FORMATION AND MANAGEMENT**

3rd Edition

Gordon H. Brough

The 3rd edition of this essential handbook provides a practical and straightforward guide to the formation and management of private limited companies. Expert author Gordon Brough details procedures and forms required to incorporate a company, with a summary of the legal background to these procedures.

The text contains up-to-date information on all essential legal and commercial requirements of ongoing management, from commencing business to making changes to company structures. This book tackles the formation of private limited companies from a uniquely Scottish perspective and differences between Scots and English law are detailed wherever appropriate.

As this has become an increasingly regulated area, this fully revised edition takes into account extensive changes in the law since 1997, including the Financial Services and Markets Act 2000, the new Combined Code of Practice for Directors, changes made by the Companies Act 1989 and the implementation of the 7th and 8th European Directives. This title also introduces various changes to the legislative code.

**Topics covered include:**

- Reasons for Incorporation
- Commencing Business
- Company Meetings
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- Changes to Company Structures
- Accounts and Auditors

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Gordon Brough is a Corporate Lawyer with over 20 years experience and is a Partner in the City Office of Maclay, Murray & Spens, Solicitors.

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David Bennett is a Partner with Gillespie Macandrew WS Solicitors in Edinburgh.

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James P. Connolly is a Senior Lecturer at Glasgow Caledonian University.

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Graham Jackson is a Solicitor with Thorntons Law LLP.

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Construction and Procurement Law is an authoritative and practical analysis of the law relating to the construction industry in Scotland.

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- Appendix 3 — Categorisation of standard form contracts for constructors
- Appendix 4 — Guide to the PFI procurement rules
- Appendix 5 — Example PFI risk allocation matrix
- Appendix 6 — Public procurement thresholds.

Mark Macaulay is Head of the Construction and Engineering Department of Maclay Murray and Spens Solicitors in Glasgow.

Lynn Ramsey is a Lecturer in Law at the University of Glasgow.

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A PRACTICAL GUIDE TO ADJUDICATION IN CONSTRUCTION MATTERS
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- The construction contracts to which the requirements of the Act apply
- The provisions of the adjudication procedures and the schemes provided for by statute and regulation
- The mechanics of an adjudication
- Final determination and enforcement

Richard N. M. Anderson is an Advocate at the Scottish bar and a Barrister in England. He specialises in construction law and is an accredited adjudicator.

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The new arrangements for dispute resolution created by the Consumers, Estate Agents and Redress Act 2007 as well as the changes to small claim procedure.

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- Consumer redress and enforcement

W. C. H. Ervine was formerly a Senior Lecturer in Law at the University of Dundee, a former member of the Sheriff Court Rules Council and a member of the European Consumer Lawyers’ Group.

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Woolman on Contract is well established as the standard introduction to contract law. Fully revised and updated to take account of all legal changes since the last edition, this new fourth edition provides a clear and readable account of the core principles of contract law. The author analyses and explains contract law in Scotland, whilst referring to the differences between Scots and English law of contract where appropriate.

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- Terms of contract
- Construction of the contract
- Statutory control of contract terms
- Breach of contract
- Title to sue
- The requirements of legality
- The extinction of obligations

Gillian Black is a lecturer in Commercial Law at the University of Edinburgh.

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Contract LawBasics, 3rd Edition provides the perfect study and revision guide for students preparing for examination in both the specialism that is contract law, and all those courses for which there exists an element of contract law.

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Alex Gibb is a Lecturer at Aberdeen College.

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This second edition not only fully updates the original work but has been expanded to include important developments in the fields of electronic communications, remedies, damages and good faith.

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- Part 6: Specific implement and interdict

John A. K. Huntley is a Professor of Law at Glasgow Caledonian University.

John Blackie is a Professor of Law at the University of Strathclyde.

Craig Cathcart is a Senior Lecturer in Law at Glasgow Caledonian University.

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- Assignation
- Invalidities
- Fraud
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- Unfair terms
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- Breach
- Frustration
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Professor William W. McBryde was formerly a Professor of Commercial Law at the University of Edinburgh.

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Kenneth S. Gerber is a partner in Commercial Real Estate with Anderson Strathern Solicitors.

2009
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Professor George L. Gretton is Lord President Reid Professor of Law at the University of Edinburgh

Professor Kenneth G. C. Reid, is a Professor of Scots Law at the University of Edinburgh

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D. L. Carey Miller is a Professor of Scots Law at the University of Aberdeen.

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2005
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Iain J. S. Talman is a Partner with Biggart Baillie.

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**LAND TENURE IN SCOTLAND**

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This book not only considers the recent reforms in land tenure but sets out in detail the new system of land tenure in Scotland as it has been since November 2004. The release of this title coincided with the implementation date and was the first in depth and authoritative exploration of land tenure in Scotland. It is an essential purchase for anyone who wishes to approach the new regime with the confidence of a considered expert opinion within easy access.

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Professor Robert Rennie is a Partner with Harper MacLeod in Glasgow and the Professor of Conveyancing at the University of Glasgow.

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- Tenements (Scotland) Act 2004

Robert Rennie is a partner at Harper MacLeod in Glasgow and the Professor of Conveyancing at the University of Glasgow.

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- Securities over Heritable Property
- A Typical Conveyancing Transaction

David Brand was formerly a Senior Lecturer and Director of Studies of the Diploma in Legal Practice at the University of Dundee

2009

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**THE PROMISED LAND: PROPERTY LAW REFORM**

General Editor: Professor Robert Rennie

“For Scottish Solicitors engaged in the practice of property law and conveyancing the world changed at the stroke of midnight on Martinmas (28th Nov) 2004.”

Taken from the foreword

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- Access Rights
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- Automated Registration of Title to Land ("ARTL")
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Professor Robert Rennie is a partner with Harper MacLeod in Glasgow and the Professor of Conveyancing at the University of Glasgow.

2008

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This new book assists lawyers to negotiate professional negligence claims against them.

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- Surveys and finance

Professor Robert Rennie is a partner at Harper MacLeod and a Professor of Conveyancing at the University of Glasgow.

Scottish Conveyancing Legislation is a comprehensive looseleaf bringing together all statutes and statutory instruments which deal with or impinge upon Scottish conveyancing practice. It is updated as legislation and statutory instruments come into force.

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The title also includes the Land Registration (Scotland) Act 1979 which is of particular interest to practitioners in areas which are about to become operational for land registration purposes.

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Professor Robert Rennie is a partner with Harper MacLeod in Glasgow and a Professor of Conveyancing at the University of Glasgow.

Electronic technology has transformed conveyancing in Scotland, and never more so than with the introduction of automated registration of title to land (“ARTL”).

In response to the important developments in this area Robert Rennie and Stewart Brymer have written Conveyancing in the Electronic Age, which outlines the changes, explains how they will impact and guides solicitors through the new systems and legislation.

The text covers the law relating to the execution of both physical and electronic deeds as now governed by the amended legislation:
- Land Registration (Scotland) Act 1979
- Requirements of Writing (Scotland) Act 1995
- Electronic Communications Act 2000 s.8
- ARTL (Electronic Communications) Order 2006 r.10
- Keeper’s Directions Nos 1 and 2

Contents:
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- Personal Bar
- The Status of Faxes and E-mails
- The ARTL Project
- ARTL — The Fundamental Legal Issues
- The Statutory Framework
- Digital Signatures and Mandates
- Changes to Conveyancing Practice
- The Future

Professor Robert Rennie is a partner at Harper MacLeod and a Professor of Conveyancing at the University of Glasgow.

Professor Stewart Brymer practises on his own account as Stewart Brymer WS and is an Honorary Professor in Law at the University of Dundee.
THE ENFORCEMENT OF HERITABLE SECURITIES
Mark Higgins

When Mark Higgins was working on a new edition of his popular title Scottish Repossessions, he realised there had been such substantial development in this area of the law, particularly as the law now treats commercial and residential cases differently, that it was necessary to extensively expand upon and develop the original content. The result is this new text, The Enforcement of Heritable Securities.

The newly passed Home Owner and Debtor Protection (Scotland) Act 2010 will radically alter the law relating to property repossessions in Scotland, just as the Mortgage Rights (Scotland) Act 2001 did previously.

The Enforcement of Heritable Securities analyses the application of the Mortgage Rights (Scotland) Act 2001 in practice and considers in detail the various cases that have been decided since the act came into force. This analysis sheds light on where the law is now and how it has developed since 2001.

With the number of repossession cases steadily rising, this book will be an essential purchase for all solicitors and related professionals who are advising home owners and lenders.

Mark Higgins is a Partner with Irwin Mitchell.

2010
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SCOTTISH SURVEYOR’S FACTBOOK
Regular Updates
Executive Editor: Edith Bowman

Greens Scottish Surveyor’s Factbook fills a gap that exists in materials currently available to the Scottish property profession. The publication comes as a package comprising an easy to use looseleaf manual, accompanied by a CD-ROM version, giving quick and easy access to authoritative, practical information on every major area of surveying in Scotland.

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Updated regularly to incorporate the latest changes in legislation and practice, the Scottish Surveyor’s Factbook is the ideal source of reference and guidance.

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Edith Bowman FRICS, FHEA was formerly a Lecturer in Law and Estate Management at the School of the Built Environment, Heriot-Watt University, Edinburgh.

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"... an altogether outstanding treatment of the law of servitudes and rights of way ... no stone is left unturned."  
Journal of the Law Society of Scotland

This important text, in the finest tradition of the SULI series, has rapidly become the standard work on the subject of servitudes. Divided into three sections, Part I covers servitudes, whilst Part II covers public rights of way and Part III covers other rights.

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- Deeds of servitude
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- Implied grant: negative servitudes
- Constitution of servitudes by prescription
- Less frequently encountered methods of constitution
- Rights and obligations implied by law in relation to servitudes
- Servitude conditions: theoretical basics
- Servitude conditions: rules of construction
- Construction of servitude rights
- Extinction of servitudes

Part II: Rights of Way
- Basis of public rights of way and comparison with other rights
- Constitution by prescription: the criteria
- Obstructions and interruption
- Remedies
- Extinction of public rights of way

Part III: Other Rights
- Rights akin to other rights of way
- Statutory rights
- Thorough appendices include: statutory provisions, deeds

Published under the auspices of the Scottish Universities Law Institute

1998  
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Unreported Property Cases is a comprehensive, practical collection of unreported property cases from sheriff courts around Scotland. These are accompanied by authoritative commentary and suggested styles to help practitioners overcome problems that are highlighted in the cases.

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- Real conditions
- Servitudes
- Standard securities
- Statutory rights
- Trusts and executors

Roderick Paisley is Professor of Commercial Property Law at the University of Aberdeen.  
Sheriff Douglas J. Cuisine is a Sheriff at Aberdeen.

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£168.00

This is an essential book for the busy criminal lawyer and for students of criminal law. Concise, practical appreciation of how the law works is combined with analysis of the reasoning behind decisions. Casebook on Scottish Criminal Law brings together all the important cases in one volume.

Contents:

Part I: General principles of criminal responsibility
- General characteristics and sources of Scottish criminal law
- Actus reus and Mens Rea
- Strict liability, vicarious liability and corporate liability
- Causation
- Art and part
- Inchoate offences
- Defences

Part II: Offences against the person
- Non-fatal offences against the person
- Sexual offences
- Homicide and related matters

Part III: Offences against property interests
- Theft, embezzlement and related offences
- Robbery and extortion
- Fraud, forgery and uttering
- Reset
- Damaging and destroying property

Part IV: Offences against public interests
- Offences against public order and decency
- Offences against the course of justice
- Offences against the state

Professor Christopher H. W. Gane is Professor of Scots Law at the University of Aberdeen.  
C. N. Stoddart was formerly a Sheriff at Edinburgh.

James Chalmers is a Senior Lecturer and Director of Postgraduates Studies for the School of Law at the University of Edinburgh.

2009  
978 0 414 01693 4  
Paperback  
£42.00
<table>
<thead>
<tr>
<th>CONFISCATION AND CIVIL RECOVERY — A GUIDE TO THE PROCEEDS OF CRIME ACT 2002</th>
<th>CORPORATE MANSLAUGHTER AND CORPORATE MANSlaughter and Corporate Homicide ACT 2007</th>
<th>CRIMINAL LAW</th>
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<tr>
<td>Heather-Mairi R. Carmichael</td>
<td>An annotated copy of the Corporate Manslaughter and Corporate Homicide Act, the authors have prepared this guide to explain the provisions of the Act in detail and contextually place them by providing explanatory background information. As this Act creates a new offence of Corporate Homicide in Scotland this will be an indispensable resource for those practising in this area.</td>
<td>The best selling textbook on Scots criminal law has now been fully revised and offers up-to-date coverage of the criminal law of Scotland in a compact and accessible form making it ideal for students attending criminal law classes at Scottish universities and colleges. Criminal Law 4th Edition will also be of great interest to those familiar with Scots criminal law, who wish a concise modern reader on the subject.</td>
</tr>
</tbody>
</table>

This is the first dedicated Scottish book to deal with the confiscation and civil recovery regimes under the Proceeds of Crime Act 2002. The book explains the provisions of the 2002 Act and provides comprehensive analysis of the relevant court procedures pertaining to confiscation, civil recovery and cash forfeiture. **Confiscation and Civil Recovery** is an essential reference guide for solicitors and advocates, as well as accountancy/insolvency practitioners involved either as administrators or trustees for civil recovery, or as forensic accountant expert witnesses in “proceeds of crime” cases.

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  - Investigatory powers
- **Part 2 — Criminal confiscation orders**
  - Confiscation orders
  - Interim and protective measures
  - Making the confiscation order
  - Appeals and further applications
  - Satisfaction and enforcement of the order
- **Part 3 — Civil Recovery and Forfeiture of Cash**
  - Recovery Orders
  - Interim and protective measures
  - Special situations
  - Forfeiture of Cash

Heather-Mairi R. Carmichael is an Advocate.

**Greens Annotated Acts**

Peter Gray QC and Rona Jamieson

2008
978 0 414 01696 5
Paperback
£56.00

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THE CRIMINAL LAW OF SCOTLAND AND SUPPLEMENT

3rd Edition
SULI

Sir Gerald H. Gordon QC
Editor: Michael G. A. Christie

This extensive work is now published in two volumes. Drawing together the relevant statutes and case law materials, The Criminal Law of Scotland is long established as the leading reference work.

Volume I: General Theory
- The concept of responsibility
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- Inchoate crimes
- The criminal mind
- Mens rea in statutory offences
- Error
- Insanity
- Diminished responsibility
- Intoxication
- Necessity, coercion and superior orders

Volume II: Specific Crimes
- Offences to damage to property
- Non-sexual offences against the person
- Injury to animals
- Sexual offences
- Offences against the state
- Offences against public order and welfare
- Offences against the course of justice
- Offences of dishonesty

1ST SUPPLEMENT
This supplement updates Volumes I and II of Gordon’s Criminal Law by Michael Christie. It includes comments on numerous recent developments in cases and legislation, including the following statutes:
- Criminal Justice (Scotland) Act 2003
- Mental Health (Care and Treatment) (Scotland) Act 2003
- Protection of Children (Scotland) Act 2003

2ND SUPPLEMENT (NEW FOR 2010)
The New Law of Sexual Offences in Scotland
This supplement, by James Chalmers and Fiona Leverick, updates Volume 2 of Gordon’s Criminal Law by Michael Christie. The Sexual Offences (Scotland) Act 2009 has created a statutory framework for sexual offences in Scots law.

Pending publication of the 4th edition of Gordon’s Criminal Law, this supplementary publication will provide up to date coverage of this increasingly important practice area.

Sir Gerald H. Gordon is a QC.
Michael G. A. Christie was formerly a Lecturer in Law at the University of Aberdeen.

James Chalmers is a Senior Lecturer and Director of Postgraduate Studies for the School of Law at the University of Edinburgh.

Fiona Leverick is a Senior Lecturer in Law at the University of Glasgow.

Published under the auspices of the Scottish Universities Law Institute

2000 978 0 414 01654 5
Volume 1 and Supplement 1 £145.00
2001 978 0 414 01655 2
Volume 2 and Supplement 1 £145.00
2005 978 0 414 01574 6
Supplement 1 £68.00
Volume 1, 2 and Supplement 1 978 0 414 01572 2 £275.00
2010 The New Law of Sexual Offences in Scotland—Supplement 1 to Volume 2 9780 414 04127 1 £55.00
This title provides a full copy of the Act with authoritative section-by-section commentary. The reform of summary justice has resulted in widespread legislative change, making this new edition an essential purchase for all criminal practitioners. Important recent developments include:

- Criminal Procedure (Scotland) Act 1995 amended by:
  - Criminal Justice and Licensing (Scotland) Act 2010
  - Criminal Procedure (Legal Assistance, Detention and Appeals) (Scotland) Act 2010
  - Sexual Offences (Scotland) Act 2009
- Criminal Procedure Rules 1996 amended by:
  - Act of Adjournal (Criminal Procedure Rules Amendment No. 4) (Miscellaneous) 2010
  - Act of Adjournal (Criminal Procedure Rules Amendment No. 3) (Scottish Criminal Cases Review Commission) 2010

The 1996 Rules include copies of all forms, as amended.

The Criminal Procedure (Scotland) Act 1995, 10th edition is an excellent, convenient and portable companion for criminal lawyers and other professionals working in the area of criminal law.

Robert S. Shiels and Iain Bradley are Solicitor Advocates and members of the Procurator Fiscal Service.

Act of Adjournal (Criminal Procedure Rules) 1996 annotated by Peter W. Ferguson QC.

Appeal provisions annotated by Dr Alastair N. Brown.

---

Greens Criminal Law Bulletin keeps you up to date with what's happening in the criminal courts. Topical issues across the field of substantive law and procedure are highlighted. The following columns are regularly featured: comment, sentencing cases, misuse of drugs, current awareness and case notes.

Coverage in 2010 included:
- Comment
  - Mere presence
  - New guidelines for sentencing in cases involving child pornography
  - Bribery
- Misuse of Drugs
  - Intentionally harsh consequences
  - The so-called defence of entrapment
  - Mens rea in section 4(3)(b)
- Sentencing Cases
  - Theft art and part
  - Extended sentences
  - Breach of the peace
  - Crown appeal against sentence
- Case Notes
  - Sanction for counsel
  - Pre-trial publicity
  - Previous convictions of accused

Alastair N. Brown, Advocate, is a criminal law and human rights law specialist and author of several titles for W. Green.

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2011 Annual Subscription Price: £256.00

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INCHOATE CRIMES
GREENS PRACTICE LIBRARY
Dr Sarah Christie

There is no other book from a Scottish perspective devoted to all three inchoate crimes.

Inchoate crimes — attempts, incitement and conspiracy — are a complex area of law, affected by both common law doctrine and statutory regimes. The first Scottish book dedicated to the subject, Inchoate Crimes provides much needed guidance on the subject. The author draws on developed doctrines in other relevant jurisdictions to suggest alternative approaches for Scots law. This title also combines substantive material with discussion on the nature and justification for the punishment of such crimes. Inchoate Crimes assists criminal lawyers in everyday practice by explaining the current state of Scots law surrounding inchoate crimes and suggesting alternative approaches where Scottish authority is deficient or entirely absent.

Contents:
- Law, crime and inchoate offences
- Incitement to commit crime, Criminal conspiracies
- Intentional aspects of conspiracy
- Requirements of the Actus Reus of criminal attempts
- Mental element in attempted crime
- The possibility of impossible attempts?
- The justification of punishment
- The way forward

Dr Sarah Christie is a Senior Lecturer in Law at The Robert Gordon University.

2001
978 0 414 01390 2
Hardback
£132.00
MONEY LAUNDERING
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Dr Alastair N. Brown

This new title provides a clear, comprehensive guide to a complex area of law which affects everyone who works in the financial services industry and everyone who opens a bank account. The law is analysed and explained with reference to the Money Laundering Directive and the work of the Financial Action Task Force, as well as to the important guidance issued by the Joint Money Laundering Steering Group.

The first part of the book explains and discusses the offences and investigative tools. The second part of the book reproduces the statutory material with annotations which are intended to deal with the technical “nuts and bolts” of the law.

Contents:
- Introduction; the nature of money laundering; development of the law
- European and international law, especially the Third Money Laundering Directive
- Substantive money laundering offences
- The Money Laundering Regulations, including consideration of the key concept of customer due diligence
- Reporting requirements
- Investigatory powers
- Tipping off offences
- Terrorist financing

Appendices
Money Laundering Directive 2005/60/EC.

Alastair N. Brown is a Solicitor Advocate and a Fellow of the Scottish Centre for International Law.

2009
978 0 414 01445 9
Hardback
£86.00

BRIBERY ACT 2010
GREENS ANNOTATED ACTS
Dr Alastair N. Brown

Publishing in the Greens Annotated Acts series, this book contains a full copy of the Act with expert annotations by respected author Alastair Brown. This will be an essential text for solicitors dealing with bribery cases and also as guidance for local government employees and all professionals who wish to avoid falling foul of the new legislation.

The Bribery Act 2010, while a Westminster Act, actually relates to a devolved area and is the result of a legislative consent motion in the Scottish Parliament. A sophisticated infrastructure for dealing with financial impropriety already existed in England, however, until this Act no similar structure existed in Scotland. Actions of bribery in Scotland can now potentially include any form of hospitality, e.g. golf days or race days thus increasing the need for awareness of the risks of providing such entertainment and the potential for an increase in bribery actions. The Act itself, while short is structured very differently from other acts and many of the terms are opaque and require further explanation and definition.

A key point for Scottish solicitors is that the Act contains a section which directly deals with Scottish partnership (s.7).

Contents:
- Annotated text accompanying Act
- Appendix—Guidance Rules

Dr Alastair N. Brown is an Advocate and a Fellow of the Scottish Centre for International Law.

2011
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OFFENSIVE WEAPONS
2nd Edition
Robert S. Shiels

Robert Shiels’ important work embraces all recent legislative changes to offensive weapons legislation as it stands in the United Kingdom as a result of the Criminal Law (Consolidation) (Scotland) Act 1995 and the resulting Offensive Weapons Act 1996.

In this edition the author takes account of case law developments since 1992; the activities of parliament in repealing statutes and enacting new ones; and the different positions which now exist amongst the three jurisdictions of the UK.

The legal framework is supported by extensive reporting of cases on the subject, placing the legal firmly on the development of a practical and manageable court tool.

Offensive Weapons is an invaluable work for all practising criminal lawyers and the police forces nationwide.

Contents:
- Legislation — the principal Acts; delegated legislation
- Cases — general principles; types of weapons; sentencing

Robert S. Shiels is a Solicitor Advocate and member of the Procurator Fiscal Service.

1996
978 0 414 01171 7
Paperback
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This important new title provides criminal practitioners and others involved in Scots criminal law with an in-depth narrative guide to the law of criminal defences in Scotland. The comprehensive coverage considers defences in the widest sense, examining those which form part of substantive criminal law and procedural matters such as pleas in bar of trial, abuse of process, delay, entrapment and prejudicial publicity.

Drawing on theoretical and comparative material where appropriate, Criminal Defences and Pleas provides a more detailed treatment of this area than any other existing work and is unique in the quality and scope of its coverage. This title covers all recent changes and developments relating to defences and offers direction on areas where the law is still developing and unclear.

Publishing in the highly respected Greens Practice Library series this text presents a comprehensive and up-to-date examination of modern law. Several defences, such as entrapment, have only recently been recognised by the Scottish courts and others, for example delay, have been significantly affected by the Human Rights Act 1998, whilst major decisions such as Drury and Galbraith have reshaped various defences, including diminished responsibility. All these areas are covered in this thorough and indispensable text, providing all the information you need in one place.

Contents include:
- Classification and procedure
- Self-defence, necessity, coercion and superior orders
- Insanity, automatism and intoxication
- Provocation and diminished responsibility
- Errors of fact and law
- Pleas in bar of trial
- Entrapment

James Chalmers is a Senior Lecturer and Director of Postgraduates Studies for the School of Law at the University of Edinburgh.

Fiona Leverick is a Senior Lecturer in Law at the University of Glasgow.

Published under the auspices of the Scottish Universities Law Institute

2006
978 0 414 01521 0
Hardback £184.00

This informative new title is the first text dedicated to prisons law in Scotland since 1995. As the law relating to prisons, prisoners and parole has undergone significant change in recent years following the implementation of the Human Rights Act 1998, this is an essential purchase for those wishing to remain up-to-date on this area of the law.

All relevant legislation is included as the text covers criminal law in respect of imprisonment, both in respect of remands in custody and sentencing. The text includes analysis of recent case law from Scotland, England and the European Court of Human Rights whilst also examining the structures of prison as well as processes that take place within the prison system itself.

A comprehensive account of the laws governing prisons is provided, including admissions, disciplinary offences, parole and life sentences.

Contents:
- The Development of Imprisonment in Scotland
- Admission into Prison
- Basic Structures and Personnel of the Scottish Prison Service
- Daily Life in Prison
- Testing For Drugs and Alcohol, Searching and Disciplinary Offences
- Forms of Prison Release-Day Release, Compassionate Release Etc
- Parole and Non-Parole Licence
- Life Prisoners and Punishment Parts
- The Life Prisoner Tribunal System
- Recall and Re-release
- Conclusions and looking to the future

Douglas Thomson is a Solicitor Advocate.

2007
978 0 414 01692 7
Paperback £66.00

The Sexual Offences (Scotland) Act 2009 completely recasts the substantive law of sexual offences in Scotland and abolishes the former offences. This full-scale overhaul of the law means that you need to keep entirely up-to-date with these changes and be sure that you are working with information which is current and correct.

Publishing in the Greens Annotated Acts series, the Sexual Offences (Scotland) Act 2009 completely revises the law relating to sexual offences in Scotland, beginning with a detailed introduction to, and overview of, the new changes.

The full text of the Act is included and detailed section-by-section commentary, under reference to the Scottish Law Commission Report on which it is based, helps you make sense of this new legislation, including rape and all other sexual offences, such as those against children.

Particular consideration is given to the effect of the new provisions on consent. There are also explanations of the Bill given to the Scottish Parliament by the Scottish Government.

This new book provides crucial guidance to criminal practitioners, police and all other professionals involved with the prosecution of criminal offences.

2009
978 0 414 01785 6
Paperback £48.00
**Proceeds of Crime**

**GREENS ESSENTIAL LEGISLATION**

*Dr Alastair N. Brown*

*Proceeds of Crime* is an ideal dedicated portable reference guide for practitioners.

This guide contains full text, annotated copies of the *Proceeds of Crime (Scotland) Act 1995* and the *Proceeds of Crime Act 2002* offering guidance on the interpretation, implications and application of this highly topical legislation in practice.

Practitioners in every area of the law will need to know the acts, regulations (especially the *Money Laundering Regulations*), codes of practice and relevant SIs and SSIs.

**Contents:**

- Acts
  - *Proceeds of Crime (Scotland) Act 1995*
  - *Proceeds of Crime Act 2002*
- Scottish Statutory Instruments
  - *Proceeds of Crime Act 2002 (Disclosure of Information to and by Lord Advocate and Scottish Ministers) Order 2003*
  - *Proceeds of Crime Act 2002 (Investigations: Code of Practice) (Scotland) Order 2003*
  - *Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) Amendment (No. 6) (Proceeds of Crime Act)*
  - *The Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003*
  - *Act of Sederunt (Rules of Court of Session Amendment No. 2) (Proceeds of Crime Act) 2002*
- Statutory Instruments
  - *Proceeds of Crime Act 2002 (Enforcement in different parts of United Kingdom) Order 2002*
  - *Proceeds of Crime Act 2002 (Recovery from Pension Schemes) Regulations 2003*
  - *Money Laundering Regulations 2003*
  - *Codes of Practice*
- *Cash Searches: Constables in Scotland*
- *Investigations: Code of Practice (Scotland)*

*Dr Alastair N. Brown* is a Solicitor Advocate and he is also a Fellow of the Scottish Centre for International Law.

2004
978 0 414 01569 2
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This guide deals with a range of complex issues including: surveillance, acquisition of communications data and investigation of electronic data.

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  - Covert Surveillance — Code of Practice
  - Covert Human Intelligence Sources — Code of Practice

*Dr Alastair N. Brown* is a Solicitor Advocate and a Fellow of the Scottish Centre for International Law.

2003
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**Representing Drug Offenders**

*Fiona MacDonald*

A practical and concise guide, exploring all the principal stages of representing drug offenders.

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  - The trial
- Sentencing
- Misuse of drugs
- Drug courts
- Confiscation proceedings

**Appendices**

- Checklists, e.g. taking instructions, etc
- Flowcharts, e.g. diagrams of process, new procedure, who is involved and where
- Classification of drugs
- Code of conduct
- Penalty tables
- Case digests

*Fiona MacDonald* is a Solicitor in the Supreme Court.

2004
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Paperback
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This invaluable work draws together all primary and subordinate legislation in the field of Scots criminal procedure.

Fully annotated versions of the following are contained within the looseleaf:
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- Prisoners and Criminal Proceedings (Scotland) Act 1993
- Criminal Law (Consolidation) (Scotland) Act 1995
- Proceeds of Crime (Scotland) Act 1995
- Criminal Procedure (Scotland) Act 1995
- Crime and Punishment (Scotland) Act 1997
- Crime and Disorder Act 1998 (Sections applicable for Scotland)
- Proceeds of Crime Act 2002

Also contained are fully updated, and annotated selected sections of:
- Sheriff Courts and Legal Officers (Scotland) Act 1927
- Police (Scotland) Act 1967
- Civic Government (Scotland) Act 1982
- Protection from Harassment Act 1997
- Human Rights 1998
- Scotland Act 1998
- Regulation of Investigatory Powers (Scotland) Act 2000
- Sexual Offences (Amendment) Act 2000
- Criminal Justice and Police Act 2001
- International Criminal Court Act 2001
- Extradition Act 2003
- Criminal Justice (Scotland) Act 2003
- Police, Public Order and Criminal Justice (Scotland) Act 2006
- Criminal Proceedings etc. (Reform) (Scotland) Act 2007
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- Division I: International Crime
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Sheriff T. Welsh QC is presently Director of Judicial Studies and also general editor of MacPhail's Sheriff Court Practice 3rd Edition.

1754–2286
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- Environmental offences
- Firearms offences
- Fishing and game offences
- Licensing offences
- Miscellaneous common law offences
- Miscellaneous statutory offences
- Protection of animals and birds
- Road traffic offences
- Sexual offences

Sheriff Nigel Morrison QC is a Sheriff at Edinburgh.

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2009
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2nd Edition
Professor Victor Craig and Professor Kenneth Miller

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- Health and Safety Executive
- Organisation flowchart

Victor Craig is Professor of Employment Law at Heriot-Watt University.

Kenneth Miller is Professor of Employment Law and Vice-Principal of the University of Strathclyde.

2000
978 0 414 01375 9
Paperback
£66.00

CONFIDENTIALITY, PERSONALITY AND PRIVACY IN SCOTS LAW

SULI
Elspeth C. Reid

Filling an important gap in the academic and practitioner market, this new book is the first to present an integrated account of the subject area, combining the treatment of common law and statute with an appraisal of the impact of the ECHR on Scots Law.

The protection of personality, confidentiality and privacy interests has in recent years become an increasingly urgent focus for the law of Delict worldwide. In Scotland, personality rights generally and convention rights specifically have been increasingly asserted in the courts. As well as covering these cases in detail, the book will take account of the growing jurisprudence south of the border, as well as important recent developments in other jurisdictions.

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- Confidentiality, considerations affecting Protection of Information in different contexts, interaction with Law of Privacy
- Protection of identity and image
- A Scots Law of Privacy?
- Personality Rights and Medical Law
- Statutory Protection for Personal Data

Elspeth C. Reid, Senior Lecturer in Law, University of Edinburgh

2010
978 0 414 01681 1
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MAXIMISING CRIMINAL INJURIES COMPENSATION

Ken Baddon

Neatly split into two parts:
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- Victims and applicants
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- Amount of compensation
- Procedure

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- Eligibility issues
- Crimes of violence
- Other eligible causes
- Directly attributable
- Discretion to refuse or reduce an award
- Awards for relatives of victims
- Amount of compensation
- Claims for financial loss
- Procedure

Ken Baddon is a Solicitor, both in Scotland and England and Wales. From 1990 to 2002 he worked full-time for the Criminal Injuries Compensation Authority and its predecessor.
DELICT AND REPARATION

REPARATION LEGISLATION
GREENS ESSENTIAL LEGISLATION
William J. Stewart

This edited volume of legislation will give reparation practitioners access to an extensive archive of primary material, with comprehensive coverage of the core areas of reparation practice, as well as coverage of more specialist areas such as Defamation. The legislation is fully consolidated and has been selected for relevance and importance to reparation practitioners, including all provisions referred to the Voluntary Pre-action Protocol. This handy reference guide for practitioners also contains a narrative explanation of Statutory Liability.

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- Civil Evidence (Scotland) Act 1988
- Compensation Act 2006
- Construction (Design and Management) Regulations 2007
- Construction (Head Protection) Regulations 1989
- Control of Noise at Work Regulations 2005
- Control of Substances Hazardous to Health Regulations 2002
- Damages (Scotland) Acts 1976 and 1993
- Damages Act 1996
- Defamation Acts 1952 and 1996
- Employer’s Liability (Compulsory Insurance) Act 1969
- Environmental Protection Act 1990
- Interest on Damages (Scotland) Act 1958
- Law Reform (Contributory Negligence) Act 1945
- Law Reform (Miscellaneous Provisions) (Scotland) Act 1968
- Law Reform (Personal Injuries) Act 1948
- Lifting Operations and Lifting Equipment Regulations 1998
- Occupiers Liability (Scotland) Act 1960
- Prescription and Limitation (Scotland) 1973
- Pressure Systems Safety Regulations 2000
- Protection from Harassment Act 1997
- Roads (Scotland) Act 1984 (part)
- Health & Safety (Display Screen Equipment) Regulations 1992
- Management of Health & Safety at Work Regulations 1999
- Personal Protective Equipment at Work Regulations 1998
- Provision and Use of Work Equipment Regulations 1998
- Work at Height Regulations 2005
- Workplace (Health, Safety and Welfare) Regulations 1992

Bill Stewart, formerly a partner in a law firm, lectured at Stirling University Law School. He wrote and edited a number of W. Green titles aimed at both legal practitioners and students.

2009
978 0 414 01780 1
Paperback
£70.00

REPARATION:
LIABILITY FOR DELICT

Regular Updates
General Editor: Douglas Brodie
(Original work by William J. Stewart)

A comprehensive looseleaf format, Reparation: Liability for Delict is divided by topic. It provides authoritative narrative and is highly practical in focus, offering indispensable guidance to the detailed and complex areas from negligence to abuse of process, verbal injury to road accidents. Styles assist with the drafting of writs.

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- Business and the economic torts
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- Negligence
- Statutory duty
- Privacy rights
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- Transport
- Damages
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- Contribution and relief
- Extinction and transfer of liability
- Proof
- Defences

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Division C: Highway Code
Division D: Motor Insurers’ Bureau
Division E: Styles

Douglas Brodie is Professor of Employment Law and Head of the School of Law at the University of Edinburgh.

2004
978 0 414 01556 2
Paperback
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DELICT

4th Edition
GREENS CONCISE SCOTS LAW
William J. Stewart

Bill Stewart’s book has rapidly established itself as the standard introduction to the principles and rules of delict. A comprehensive yet concise treatment, it is valuable for any student of the subject and is deservedly popular with practitioners.

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- Delicts with names II — economic
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- Liability For unintentional harm II: difficult topics
- Statutory duty, “Eurorep” and human rights
- Special areas of activities
- Verbal injury
- Parties
- Vicarious liability
- Immunities, defences, transfer and extinction
- Damages for delict

Bill Stewart, formerly a partner in a law firm, lectured at Stirling University Law School. He wrote and edited a number of W. Green titles aimed at both legal practitioners and students.

2004
978 0 414 01556 2
Paperback
£36.00
Delict LawBasics, 4th Edition provides the perfect ally for students, presenting a concise revision guide and a supplement to course texts. It is an ideal introduction to the subject, covering all the fundamental aspects of the law of delict and its place within Scots law, with a straightforward and concise approach. Gone is the need to rely on a combination of scribbled notes and photocopies to decipher a terms-worth of work.

This title considers both the general principles of delictual liability and particular forms of liability such as Occupiers’ Liability. It also looks at specific delicts from Defamation and Nuisance to Trespass and Breach of Confidence. This fully updated edition includes a greater number of sample questions and model answers, making it an even more vital revision tool.

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- Mental harm
- Vicarious liability
- Defamation
- Statutory liability
- Nuisance
- Nominate delicts
- Remedies

Gordon Cameron is a lecturer in law at the University of Dundee.

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PERSONAL INJURY PRACTICE IN THE SHERIFF COURT
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Ronald E. Conway

Personal Injury Practice in the Sheriff Court is a practical and user-friendly guide to procedure for personal injury claims in the sheriff court.

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n After the action is raised
n Expert evidence
n Preparation for proof
n Proof
n Procedure after proof
n Appeals
n Small claims and summary causes
n Case management

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n Slips and falls
n Occupiers liability cases
n Accidents at work
n Occupational illness and disease
n Damages for stress at work
n Accidents to children
n Holiday claims
n Construction accidents

Appendices:
n Damages information sheet
n Accidents at work check list
n Summary cause flowchart
n Police report details
n Extra judicial fees for negotiated settlements
n Style writ for pavement trip accident
n Style specification of documents for pavement trip accident
n Sample schedule of damages

Ronald E. Conway is a Partner with Bonnar & Co.

McEWAN & PATON ON DAMAGES FOR PERSONAL INJURIES IN SCOTLAND
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The Rt Hon. Lady Paton

Published in looseleaf format with two releases annually, McEwan & Paton is an indispensable reference guide for all reparation practitioners, providing practical information on the assessment of damages for personal injury and death.

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■ Nursing care and special aids
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■ Recoupment of benefits
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■ Tenders and settlements
■ Civil juries and damages

Appendices:
■ Statutes and statutory instruments
■ Rules of court
■ The skeleton
■ Orientation in medical reports
■ Type of fracture
■ Structured settlements
■ Tenders and settlements
■ Civil juries and damages

The Rt Hon. Lady Paton QC is the High Court Judge member of the Parole Board for Scotland.

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Douglas Kinloch is a Sheriff.

1362-167X
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CASEBOOK ON DELICT
2nd Edition
William J. Stewart

“A useful collection of materials of interest to both practitioner and student.”
Scottish Law Gazette

Bill Stewart’s Casebook on Delict brings together the most important Scottish cases on delict in one comprehensive and accessible volume.

The thorough examination of central cases is supported by selective articles and commentary and endeavours to illustrate the core principles of the law of delict in a current contemporary context. The statutory appendix has been updated throughout and expanded to include the Damages (Scotland) Act 1993, the Damages Act 1996 and the Defamation Act 1996.

Building on the solid foundation of a well received and respected original, this second edition sees the author succeed in further developing a reference book that no student or professional can afford to ignore.

Contents:
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- Statutory duty and Euro reps
- Occupiers’ liability
- Product liability
- Animals
- Employers’ liability
- Defences
- Verbal injuries
- Vicarious liability and some special parties
- Private international law — jurisdiction and conflict of law
- Proof and damages

Bill Stewart, formerly a partner in a law firm, lectured at Stirling University Law School. He wrote and edited a number of W. Green titles aimed at both legal practitioners and students.

1997
978 0 414 01188 5
Paperback
£64.00

EDUCATION LAW IN SCOTLAND
GREENS PRACTICE LIBRARY
Janys M. Scott QC

Publishing in the Greens Practice Library series, this book provides a comprehensive account of this complex area of the law, whilst remaining highly practical in focus.

The most up-to-date and thorough account of this topical subject, Education Law in Scotland takes into consideration the recent amendments to the Standards in Scotland’s Schools etc. Act 2000 and the Disability Discrimination Act 1995 as well as looking at the impact of the Human Rights Act 1998.

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- Benefits
- Pupil records
- School attendance
- Appeal committees
- Placing requests
- Exclusion from school
- Special educational needs
- Discrimination
- Delictual liability
- Appendix — SI 1981/1558 Sch.1

Janys M. Scott QC co-editor of Greens Family Law Reports, and contributor to the Family Law and Education Law sections of Green’s Human Rights Service, is an Advocate and part-time Sheriff. She is Chairman of the BAAF Scottish Legal Group and Joint Vice-Chair of the Advocates’ Child and Family Law Group.

2003
978 0 414 01452 7
Hardback
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SCOTTISH EDUCATION MANUAL
Regular Updates
Editor: Christina Ashton

A guide specifically researched, designed and written for head teachers in Scotland. The manual goes beyond explaining legislation by providing practical guidance about how to apply legal regulations within the workplace.

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Christina Ashton was formerly Head of the Department of Law at Napier University.

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Comprehensive in coverage yet written in a thoroughly approachable style, this book is an essential purchase for legal practitioners whose interest lies in employment law, and is also of interest to human resource professionals.

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- Redundancy
- Unfair dismissal
- Employment litigation — prior to the hearing
- Negotiating and funding employment claims
- Conducting, constitution and jurisdiction of industrial tribunal
- Remedies
- Review and appeal

Malcolm Mackay is a Partner with Maclay Murray & Spens solicitors and is Head of Employment, Pensions and Benefits Department.

Shona Simon is President at the Employment Tribunals Office in Scotland.

2001
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THE CONTRACT OF EMPLOYMENT
SULI
Professor Douglas Brodie

This new title is an authoritative guide to the law of Employment Contracts in Scotland. The Contract of Employment will be an invaluable addition to the SULI series from an expert in the field.

Contents:
- Identifying the Contract of Employment
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- The Duty of Reasonable Care
- The Work-Wage Bargain
- The Duty of Fidelity
- Restrictive Covenants
- Incorporation of Terms
- Custom and Practice
- Interpretation
- The role of UCTA
- Termination (1)
- Termination (2)
- Damages
- Judicial Review

Douglas Brodie is Professor of Employment Law and Head of the School of Law at the University of Edinburgh.

2008
978 0 414 01722 1
Hardback
£144.00
### Employment Law: An Introduction

3rd Edition  
*Professor Victor Craig* and *Susan Walker*

Written in a clear and usable format, this book consists of a combination of up-to-date text and case law which cover all the major developments within this wide-ranging subject area.

Employment Law: An Introduction will keep you updated of employment rights from both an employer and employee's position, providing essential knowledge to legal practitioners involved in employment law and employees/employers alike.

A comprehensive, reader-friendly source of information this book approaches the subject from a uniquely Scottish perspective and covers the key areas of employment law from formation through to termination of contracts.

This title can be used as an overall introduction to employment law, as well as an update for those simply wishing to remain informed of recent changes in the field. Human Resources Management professionals have found previous editions a helpful reference guide to the subject area.

**Contents:**
- Contract of employment
- Terms and conditions of employment
- Termination of the contract and wrongful dismissal
- Unfair dismissal
- Redundancy payments and transfers of undertakings
- Discrimination
- Institutions of employment

**Victor Craig** is Professor of Employment Law at Heriot-Watt University.

**Susan Walker** is a Lecturer in Law at Heriot-Watt University.

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### Employment Tribunal Practice in Scotland

2nd Edition  
*William Leslie*  
Updated by: *Shona Simon* and *Louise Taggart*

Employment Tribunal Practice in Scotland has undergone numerous changes in the last decade, particularly due to the Employment Act 2008. This Act made sweeping changes to employment tribunal practice. Further changes are expected due to the Equality Act 2008 enacted, for the most part, on October 1, 2010, as well as other pieces of legislation such as the Equality Act 2010 (Commencement No.4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 and the Transnational Information and Consultation of Employees (Amendment) Regulations 2010.

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- The Hearing
- Evidence
- The Judgment
- Expenses, Wasted Costs and Preparation
- Time
- Review
- Appeal

**Shona Simon** is President at the Employment Tribunals Office in Scotland.

**Louise Taggart** is an Associate in the Employment, Pensions and Benefits team at Maclay Murray & Spens LLP.

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### Greens Employment Law Bulletin

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Greens Employment Law Bulletin highlights recent developments in this specialist area of the law.

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- Taxation of Employment Tribunal Awards
- Cabin Crews and Collective Agreements
- Public Sector Duties

**Muriel Robison** is a fee paid Employment Judge and part time lecturer at Glasgow University.

**Louise Taggart** is an Associate in the Employment, Pensions and Benefits team at Maclay Murray & Spens LLP.

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2007  
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SCOTS LAW FOR JOURNALISTS
8th Edition
Rosalind McInnes

This book provides a clear and concise guide to Scots law for journalists and editors and is the only book on this subject in Scotland. It is also an essential training aid for students studying Media Law as part of a law, journalism or communications degree.

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- The Human Rights Act 1998
- Official secrets
- The internet

Rosalind McInnes is a Solicitor for BBC Scotland.

2010
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Paperback
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ENVIRONMENTAL LAW IN SCOTLAND

General Editor:
Professor Francis McManus

The only dedicated Scottish encyclopaedia of environmental law, this title is published in parts to ensure utmost validity. In-depth treatment of each distinct area is completed by a member of the specialist multi-author team meaning you have access to the most current and reliable information available on this legal area.

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Future chapters will include:
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2007
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NATURE CONSERVATION LAW
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Colin T. Reid

This essential work offers a comprehensive and clear guide to the law on nature conservation in Great Britain. The 3rd edition takes into account significant changes in legislation in both Scotland and England, including the Nature Conservation (Scotland) Act 2004 and the Natural Environment and Rural Communities Act 2006, as well as extensive developments in European case law.

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- Exploitation and destruction of wildlife
- Conservation of habitat
- Plants
- European and international aspects
- Miscellaneous
- Appendix A — Schedules to the Wildlife and Countryside Act 1981
- Appendix B — Open seasons
- Appendix C — Licences

Colin Reid is a Professor at the University of Dundee.

2009
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Alan S. Reid

EU LawBasics 4th Edition provides students with an easy to use study and revision guide which covers the most important elements of EU law. With LawBasics, there is no longer the need to rely on a combination of scribbles and photocopies to make sense of the previous term’s work.

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- Competition law and policy

Alan S. Reid is a Lecturer in Law at Napier University

COMMISSION AND DILIGENCE
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Archibald MacSporran
and Andrew Young

“The authors, both advocates, have combined their wealth of practical experience and academic knowledge to produce this most helpful addition to Scottish legal literature. Serious civil and criminal practitioners will add it to their libraries.”

Journal of the Law Society

This excellent work provides a comprehensive treatment of commission and diligence, both for the recovery of documents and the taking of evidence. It sets out the procedures to be followed from the preparation of the specification of documents through to the execution of the commission. Various alternatives to commission and diligence procedure are also considered in detail.

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- Public interest privilege
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- Letters of request, affidavits and video-link evidence
- Court of Session Rules 1994
- Sheriff Court Rules 1993

The book includes styles and appendices providing you with a comprehensive sourcebook.

Archibald MacSporran is an Advocate
Andrew Young is an Advocate

EVIDENCE
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Professor Fraser P. Davidson

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- The Competence and Compellability of Witnesses
- Improperly Obtained Evidence
- Opinion
- The Rule against Hearsay and its Exceptions
- Privilege
- Public Interest Immunity
- Sufficiency
- Appeals

Professor Fraser P. Davidson is a Professor of Law and Head of School at the University of Stirling.

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EVIDENCE

EVIDENCE: CASES AND MATERIALS
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Derek Auchie

This 3rd edition is the first update to this title since 2002 and is an expansive collection of extracts from cases, statutes, subordinate legislation and articles relating to the law of evidence, linked together by detailed commentary. Where possible, the primary materials draw links and comparisons across the topics covered.

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- Witnesses—Some specialties
- Appeals
- Expert evidence
- Corroboration
- Disclosure obligation on the Crown
- Vulnerable witnesses
- A suspect's right to a lawyer during questioning
- Sexual history evidence

Derek Auchie is a Senior Lecturer at Robert Gordon University and author of Evidence LawBasics.

2011
978 0 414 01617 0
Paperback
£42.00

EVIDENCE — PRINCIPLES, POLICY AND PRACTICE
GREENS CONCISE SCOTS LAW
Fiona Raitt

This text builds upon earlier editions of Evidence in the Greens Concise Scots Law series but is a new textbook offering a fresh approach to the law of evidence. It focuses on how the key features of the adversarial system influence the way that evidence is gathered, assessed and used in the civil and criminal courts.

Evidence — Principles, Policy and Practice takes account of the growing body of law from the European Court of Human Rights, considers the particular impact this has had on our adversarial system of justice, and anticipates areas of future development and law reform.

Case law and statutory provisions are discussed to illustrate principles, as well as to present strategies and arguments and to identify the scope for reform. The text is designed to meet the needs of both law students and legal practitioners.

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- The adversarial system
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- The role and status of witnesses
  - Witnesses: competence and compellability; credit and cross-examination; reliability and weight
  - Children and other vulnerable witnesses
  - Expert witnesses and opinion evidence
- The process of proof
  - Proof: burdens of proof, standard of proof, presumptions and judicial knowledge
  - Corroboration: Moorov doctrine / distress
  - Conduct of the proof or trial
- The exclusionary rules
  - Improperly obtained evidence: confessions and goods
  - Character, including sexual history evidence
  - Hearsay
  - Privilege, including legal professional privilege and public interest immunity

Fiona Raitt is a Professor of Evidence and Social Justice at the University of Dundee, and author of Careers in Scots Law.

2008
978 0 414 01588 3
Paperback
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EVIDENCE
3rd Edition
LAWBASICS
Derek Auchie

Evidence LawBasics, 3rd Edition presents students with a fully updated, compact and concise textbook. This title complements course texts and acts as a highly useful exam revision aid, putting an end to the tendency to rely on scribbled notes and photocopies.

This title provides an indispensable guide for any Scots law student of evidence, accurately covering all the necessary topics for a fundamental understanding of the law of evidence as it stands in Scotland.

Contents include:
- Judicial knowledge
- Opinion evidence
- The burden and standard of proof
- Sufficiency
- Admissibility
- Witnesses
- Presumptions
- Privilege

Derek Auchie is a Lecturer in Law at The Robert Gordon University, Aberdeen and is a qualified solicitor.

2008
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ADOPTION OF CHILDREN IN SCOTLAND
4th Edition
Peter G. B. McNeill and Morag Jack

The Adoption and Children (Scotland) Act 2007 modernises, improves and extends the system of adoption in Scotland. In response to this important new Act, Peter McNeill and Morag Jack have prepared a 4th edition of the Adoption of Children in Scotland, taking into account the following key developments:

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Peter G. B. McNeill was formerly a sheriff of 30 years in Glasgow and Edinburgh.

Morag Jack is an Advocate.

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Tom Guthrie is a senior lecturer at the University of Glasgow.

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Professor Kenneth Mck. Norrie is a Professor of Scots Law at the University of Strathclyde.

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Elaine E. Sutherland is Professor of Child and Family Law at Stirling University and a Professor at Lewis and Clark Law School, Portland, Oregon. She is a noted expert in child and family law and has published extensively on this subject.

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Alison Cleland is a Lecturer in Law at the University of Auckland.
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Professor Kenneth McK. Norrie is a Professor of Scots Law at the University of Strathclyde.

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Alison Cleland

Child Abuse, Child Protection and the Law is the first Scottish text to analyse the law relating to child abuse in terms of prevention, protection and proactivity. Providing the broadest possible coverage of this subject, the author offers detailed guidance on both the civil and criminal law mechanisms relating to the protection of children and the prosecution of sexual offences. The author also discusses the policy behind the law, as well as looking at preventative measures and the interface of the child protection and criminal justice mechanisms.

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Alison Cleland is a Lecturer in Law at the University of Auckland.

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Children’s rights is a concept which has finally become an accepted part of the legal landscape. How Scottish law approaches issues involving children is of increasing importance for lawyers and those working with children.


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Alison Cleland is a Lecturer in Law at the University of Auckland.

Elaine E. Sutherland is Professor of Child and Family Law at the University of Stirling and a Professor at Lewis and Clark Law School, Portland, Oregon. She is a noted expert in child and family law and has published extensively on this subject.

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Fiona Kendall, Kirsty Malcolm and Dorothy Kellas are all solicitors.

DOMESTIC ABUSE AND SCOTS LAW

General Editor: Helen Hughes

This multi-author book has been written by a combination of professionals and academics all regarded as experts in their particular fields. The aim of the book is to provide a comprehensive and practical guide on all aspects of Scots Law in relation to domestic abuse. Designed to be accessible to solicitors, advisers and all those seeking information and guidance in cases of domestic abuse.

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- the role of the Children’s Hearing system
- the impact of domestic abuse from a psychological point of view
- what the media can and cannot report
- information in connection with Government response and strategies for dealing with domestic abuse cases.

Helen Hughes is a partner with McAuley, McCarthy & Co Solicitors and is past Chair of the Family Law Association.

Paul Brown is Principal Solicitor and Chief Executive of the Legal Services Agency.

Clare Connelly is a Senior Lecturer at the University of Glasgow law School.

Margaret Hughes is a Senior Lecturer in Journalism at the University of the West of Scotland.

Paul Lynch is a Partner with Tod & Mitchell Criminal Defence Solicitors.

Professor Kenneth Norrie is Professor of Law and Head of School at the University of Strathclyde.

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Anne Griffiths is a Professor of Law at the University of Edinburgh.

Lilian Edwards is a Professor of Law at the University of Southampton.

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Joe Thomson was formerly a Scottish Law Commissioner and Regius Professor of Law at the University of Glasgow.

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Dr David Nichols teaches part-time at the School of Law, University of Edinburgh.
Andrew T. F. Gibb is a Partner at Balfour and Manson.

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Eric M. Clive is a former member of the Scottish Law Commission.

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Janys M. Scott QC, author of Education Law in Scotland (W. Green, 2003), and contributor to the Family Law and Education Law sections of Green’s Human Rights Service, is an Advocate and part-time Sheriff. She is Chairman of the BAAF Scottish Legal Group and Joint Vice-Chair of the Advocates’ Child and Family Law Group.

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A. B. Wilkinson is a former Professor of Scots Law at the University of Strathclyde.

Professor Kenneth McK. Norrie is a Professor of Scots Law at the University of Strathclyde.

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Alan Bayley is a partner at Stodarts solicitors and a tutor on the Diploma in Legal Practice at Glasgow University.

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George Jamieson is a Sheriff at Dumfries and Galloway Sheriff Court.

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The Hon. Lord Coulsfield was a Judge in the Court of Session and formerly sat on the Employment Appeal Tribunal.

Hector MacQueen is Professor of Private Law at the University of Edinburgh.

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Stephen R. O'Rourke is an Advocate.

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Dr Karen L. Fullerton is a Teaching Fellow at the University of Aberdeen.

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Joe Thomson was formerly Regius Professor of Law at the University of Glasgow.

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Alan A. Paterson is a Professor of Law at the University of Strathclyde.

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*Malcolm F. Fleming* was formerly a Partner with Maclay Murray & Spens.  
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David Brand was formerly a Senior Lecturer in Law at the University of Dundee.

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Valerie Finch is a Senior Lecturer in Law at the University of the West of Scotland.

Christina Ashton was formerly Head of the Department of Law at Napier University.

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Emily Wiewiorka was formerly Head of the IP/IT Law Unit at Boyds’ Solicitors.

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Dr Thomas E. Hays is a Senior Lecturer in Intellectual Property Law at the University of Aberdeen.

Claire C. Milne is an Accredited Specialist in Intellectual Property Law and a Partner at Thorntons, WS, Solicitors.

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Professor Elizabeth Crawford is Professor of International Private Law at the University of Glasgow, and has unparalleled experience in teaching and writing on international private law.

Dr Janee Carruthers is Reader in Conflict of Laws at the University of Glasgow, and has written widely on the subject.

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The 3rd edition of Professor Anton’s standard text on the Scottish rules of private international law has been completely revised by Professors Beaumont and McEleavy. The subject area has been comprehensively reshaped in recent years due to the process of Europeanisation. The Brussels I, Brussels IIa, Rome I, Rome II and Maintenance Regulations, as well as associated case law, are considered in detail with regard paid to their particular impact on Scots law. The recent work of the Hague Conference on Private International Law is equally evaluated, most notably the Conventions on Maintenance, Choice of Court, Protection of Adults, Protection of Children and Inter-country Adoption. In analysing European and global instruments, the authors have drawn on their experience in participating in the negotiation processes in Brussels as well as from their work for the Hague Conference.

Contents:

- Introduction
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- International and regional instruments: Implementation, integration and interpretation
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- Choice of law in non-contractual obligations
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- Divorce and dissolution
- Effects of marriage on property
- Children
- Maintenance
- Adults with incapacity
- Property
- Trusts
- Administration of estates of persons deceased
- Succession
- Companies, firms and associations
- Bankruptcy
- Procedure and evidence

Paul R. Beaumont is a Professor of European Union and Private International Law at the University of Dundee.

Peter McEleavy is a Professor of Law at the University of Dundee.

2011
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Scottish Legal System LawBasics, 2nd Edition provides students of all disciplines, legal and related, with the ideal introduction to the operations and workings of the legal system in Scotland. This excellent pre-examination guide approaches the subject in a clear and uncomplicated fashion and contains all the necessary information required to guide the user towards the development of a basic understanding of the subject.

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- Legislation and precedent
- Civil litigation
- Criminal justice
- The future

Robert S. Shiels is a solicitor advocate and member of the Procurator Fiscal Service.

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This eighth edition has been comprehensively updated throughout. A significant European dimension has been added and appendices on procedure inserted. An examination of the solicitor advocate's role is also explained.

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- Sources of Scots law
- Repositories of Scots law
- Resolution of civil disputes
- Administration of criminal justice
- Making of new law

D. M. Walker is Regius Professor Emeritus of Law at the University of Glasgow.

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This text provides an indispensable source of reference on liquor licensing law in Scotland. The Licensing (Scotland) Act 2005 completely overhauls Scottish licensing law, introducing a new system of complex controls. In this 2nd edition the author has updated his detailed analysis of the new regime to take into account the many statutory regulations that have been issued since the 1st edition was published in 2005, as well as considering the practical problems faced by practitioners during this critical transitional phase.

As well as providing a full copy of the Licensing (Scotland) Act 2005, with expert section-by-section commentary, the 2nd edition also contains the full text of many key associated regulations, making this an essential purchase for anyone who is involved with liquor licensing.

Jack Cummins is a Partner with Hill Brown Solicitors.

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LICENSING | MENTAL HEALTH

SCOTTISH CIVIC GOVERNMENT LICENSING LAW
3rd Edition
GREENS ANNOTATED ACTS
Andrew Hajducki QC and Steven Stuart QC

“I welcome this book by Mr. Hajducki and Mr. Stuart as the first comprehensive work on this subject. It will be of considerable assistance to practitioners in the public and private sector. It will also be essential reading for students of the law and procedure relative to the issuing of licences.”
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- Legislation relating to animal licensing

The authors are both practising senior counsel with a particular interest and experience in licensing and administrative law.

Andrew Hajducki QC is a member of Westwater Advocates.

Steven Stuart QC is a member of Terra Firma Chambers.

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MENTAL HEALTH (CARE AND TREATMENT) (SCOTLAND) ACT 2003
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Ronald A. Franks and David Cobb

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Ronald A. Franks is a partner and solicitor with Legal Services Agency, Glasgow.

David Cobb is an Advocate and former Head of Legal Services, Central Regional Council.

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MENTAL HEALTH AND SCOTS LAW IN PRACTICE
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Dr Lindsay Thomson MD and Joanna Cherry QC

A completely revised and update edition of this extremely successful title. This unique book provides practitioners from a legal, mental health, social services or criminal justice background with a systematic guide to the relationship between mental health and Scots Law.

Written by experts in both the fields of mental health and law, this title gives a complete overview of mental health from the perspective of those it affects as part of their profession: solicitors, psychiatrists, social workers and nurses. The fact that it has been written by specialists from both the legal and mental health fields ensures that the information is presented in a manner accessible to professionals working in both areas. The book also contains useful introductions to both mental disorder and the Scottish legal system to help people from different backgrounds.

This brand new edition with a new author team will further expand on the impact of the Mental Health (Care and Treatment) Scotland Act 2003 on those involved with mental health in Scotland.

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Dr Lindsay Thomson MD is a Consultant Forensic Psychiatrist and works as a clinician at the State Hospital and as a researcher and teacher at the University of Edinburgh.

Joanna Cherry QC is an Advocate.

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LEGISLATION RELATING TO THEATRE AND CINEMA LICENSING

Legislation relating to theatre and cinema licensing

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- Property of the partnership
- Dissolution and expulsion
- Effects of dissolution
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- Bankruptcy
- Taxation and accounts

Gordon H. Brough is a Corporate Lawyer with over 20 years experience and is a Partner in the city office of Maclay, Murray & Spens.

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Professor Jeremy Rowan Robinson is a retired Solicitor.

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Edith Bowman FRICS, FHEA was a Lecturer in Law and Estate Management at the School of the Built Environment, Heriot-Watt University, Edinburgh.

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- Particular controls

Neil Collar is Head of Planning Law at Brodies LLP, Edinburgh and Glasgow. He was voted the leading planning solicitor in Scotland in 2008 by readers of the Royal Town Planning Institute’s magazine “Planning”.

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- key SSIs

Jeremy Rowan Robinson is a retired Solicitor.

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THE ELDER CLIENT: A PRACTICAL GUIDE
Susan Duff and Fiona McDonald

This book offers practical guidance to solicitors who are advising clients on a wide range of financial and welfare matters covering areas such as finance, care, mental health issues and death.

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Susan Duff and Fiona McDonald are Solicitors.

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General Editor:
Heather Thompson is a partner at Turcan Connell.

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Jane Munro, Advocate, is a former Lecturer
in Public Law at the University of Edinburgh.

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The late Lord Clyde was a Lord of Appeal in
Ordinary.

Denis Edwards is a Barrister in England.

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THE NEW PUBLIC MANAGEMENT OF
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Dr Robert Mackie

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Dr Robert Mackie is a Senior Lecturer in
Public Management at Glasgow Caledonian
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*Jane Munro*, Advocate, is a former lecturer in Public Law at the University of Edinburgh.

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*C. S. Haddow QC* is an Advocate.  
*The Hon. Lord Doherty* is a Judge of the Supreme Courts.

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*Eilidh M. Scobbie* is a Partner with Burnett & Reid in Aberdeen and was formerly a Lecturer in Law at the University of Aberdeen.

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John Kerrigan is a Partner with Maxwell MacLaurin Solicitors.

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H. Reynold Galbraith is a Partner with Donaldson, Alexander, Russell & Haddow and is the author of Scottish Trusts: A Drafting Guide and General Editor of Scottish Trusts and Succession.

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- Appendix

H. Reynold Galbraith is a Partner with Donaldson, Alexander, Russell & Haddow and is the author of Executry Tax Planning and General Editor of Scottish Trusts and Succession.

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David O’Donnell is Professor in Legal Ethics and Professional Practice at The Robert Gordon University.

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Alasdair Gordon was formerly a Lecturer at Aberdeen College.

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W. A. Wilson was formerly Lord President Reid Professor of Scots Law at the University of Edinburgh.

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Ian H. B. Carmichael is an Advocate and was formerly a Senior Procurator Fiscal Depute.

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Bill Stewart, formerly a partner in a law firm, lectured at Stirling University Law School. He wrote and edited a number of W. Green titles aimed at both legal practitioners and students.

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Robin Evans-Jones is a Professor of Law at the University of Edinburgh.

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Hector MacQueen is Professor of Private Law at the University of Edinburgh.

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