

A Selection of Titles *from* Hart Publishing

Discrimination, Equality and the Law

Aileen McColgan

This monograph explores some of the conceptual questions which underpin the legal disputes which arise in relation to equality and discrimination. Among these questions are the meaning of 'equality' as a legal concept and its relationship to the principle of non-discrimination; symmetrical and asymmetrical approaches to equality/non-discrimination; the role of comparators in discrimination/equality analysis; the selection of protected characteristics and the proper sphere of statutory and constitutional protections, and the scope for and regulation of potential conflicts between protected grounds. The author engages with domestic, EU and ECHR case law as well as with wider international approaches.

Aileen McColgan is Professor of Human Rights Law at King's College London and a barrister at Matrix Chambers.

April 2014 274pp Hbk
9781841134413 RSP: £40 / €52

Relocation Disputes

Law and Practice in England and New Zealand

Rob George

Drawing on case law, literature and the views of legal practitioners in England and New Zealand, *Relocation Disputes* represents a major contribution to our understanding of the everyday practice of relocation cases. The empirical data reported in this book reveal the practical differences between the English and New Zealand approaches to relocation, along with a detailed analysis of the pros and cons of each system as seen by judges, lawyers and court experts who deal with these cases in practice. This analysis leads to detailed criticisms and lessons that can be learnt, together with practical suggestions about possible reforms of relocation law.

Rob George is a British Academy Postdoctoral Fellow at University College, Oxford, and an Associate Member of Harcourt Chambers.

Dec 2013 210pp Hbk
9781849464666 RSP: £45 / €58

The Liberty of Non-citizens

Indefinite Detention in Commonwealth Countries

Rayner Thwaites

This book addresses the legality of indefinite detention in countries including Australia, the United Kingdom and Canada, enabling a rich cross-fertilisation of experiences and discourses. It analyses the legal context, reasoning and implications of the case law on indefinite detention. It argues that the law of each jurisdiction contains ample resources to support a ruling that indefinite detention is illegal. It demonstrates that, taking into account variations in legal frameworks and doctrines, a judge's response to indefinite detention is determined by his or her answer to the question whether a non-citizen, subject to a removal order, retains a right to liberty. The thesis on which the book is based won the 2010 Marks Medal from the University of Toronto Law Faculty for the best graduate thesis.

Rayner Thwaites is a Senior Lecturer in the Faculty of Law at the University of Sydney.

Feb 2014 326pp Hbk
9781849464314 RSP: £55 / €71.50

Fairness in Antitrust

Protecting the Strong from the Weak

Adi Ayal

What drives popular support for state-enforced competition policy? What is it about antitrust law that garners approval from both the public and courts, to the point of demonizing large firms convicted of antitrust offenses? In this book Adi Ayal argues that the populist roots of antitrust are still with us, guiding sentiment towards a legal regime that has otherwise shifted towards economic analysis. Antitrust is very much about fairness and morality; this book assesses how modern policy has hijacked popular support - based on traditional conceptions of political and economic power - to combat market power in narrowly defined micro-markets.

Adi Ayal is a Professor in the Faculty of Law at Bar Ilan University.

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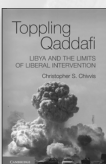
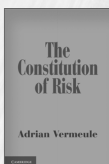
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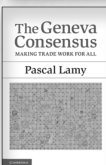
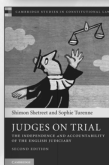
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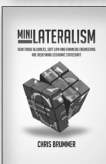
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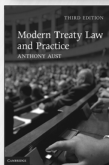
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