European Journal of Science, Innovation and Technology
Vol. 1 No. 1 (2021)

In Shortly about Legal Rules

Siniša Franjić
Independent Researcher, Croatia

Abstract. Law is a social rule, created in society and originated from its development, so that the behavior of people and the formation of their mutual relations is regulated by certain rules. Law is not the only or the oldest social rule. There are older rules in society such as religious customs, morals, rules of decency, etc. Speaking of the essential properties of a legal rule, it should be noted that for a legal rule its content or rule is not important, nor the fact how long the rule will last. Only two facts are important for the rule. The first is attachment to the state, and the second is its efficiency. A legal rule derives from a state organization, the state through its bodies creates legal rules, directly or indirectly.

Keywords: Law, Rule, Society, State

Introduction

Rules have long occupied legal theorists and other scholars (Summers, 2006, pp. 136-137). Rules may be said to be the "workhorse" precepts of legal systems and are worthy of extended attention. Yet despite the long history of legal studies, the overall form of rules and its constituent features have not received their due. It will be sufficient to concentrate here on a common paradigm of the overall form of a statutory rule, the constituent features of such form, complementary content, and how all these are unified. The focus will be on regulative rules governing primary conduct of addressees on the frontiers of human interaction rather than on those rules, here called reinforcive, which prescribe features of other functional legal units such as legislatures, courts, contracts, interpretive methodologies, and sanctions.

In many developed Western systems, statutory rules are by far the most important species of preceptual law. Even in Anglo-American common law systems, statutory rules today play very large roles. The creation of statutory rules poses the full range of choices of form in rules. Most of the analysis here applies to form in nonstatutory rules as well. Some of the analys is also applies, mutatis mutandis, to form in preceptual units other than rules, such as principles, maxims, and general orders.

If a statutory rule is to serve its purposes, the addressees of the statute – officials, judges, lawyers, and private parties – must be able to interpret it and construct reasons for determinate action or decision under it that are faithful to its form and content (Summers, 2006, p. 245). Even when a statutory rule is as well-designed and well-drafted as feasible, this cannot prevent doubts and disputes from arising about the meaning of the statute in application to some particular circumstances. Indeed, issues of interpretation can arise even with respect to the most perfectly drafted statute.

It is true that an ill-designed methodology may yield interpretations that resolve interpretive issues. An approach in accord with a welldesigned interpretive methodology, not only can resolve interpretive issues, but can resolve them in a more objective, more reasoned, more faithful, more consistent, more predictable, more efficient, and more purpose-fulfilling fashion. When a genuine issue arises, appropriate interpretive arguments should be constructed, and the issue resolved in light of these. A well-designed interpretive methodology, purposively and systematically arranged, is needed to construct these arguments, to resolve any conflicts between them, and, ultimately, to facilitate the formulation of a reason for determinate action or decision under the statute that is faithful to its form and content.

Legal rules must be distinguished from what are society's moral values, which may be based on religion, custom or practice (Fletcher & Buka, 1999, pp. 4-5). There are nevertheless

areas of common ground between the two. The laws of the UK have been influenced by the feudal system concerning the ownership of property as well as by the religious values that govern morality. Moral values should not be taken for granted to be hand in glove with the laws of any given country. For example, UK society may consider it immoral not to 'honour thy father and mother', yet, in fact, one cannot ask the courts to enforce this moral value as such, important though it may be to the fabric of society. The application of individual moral values depends on how a person's upbringing has instilled the ideas of the difference between right and wrong. Where religious values seem to be merged with morality, as in some religiously zealous countries, all law is seen as identical to, and deriving from, a divine source. History has seen that, at the other end of the spectrum, lie individuals with strong moral convictions who were following their consciences when they were prepared to die for their strong beliefs; here secular - man-made - law is subject to, and in conflict with, divine law. Examples are Thomas More (1478-1535) and John Fisher (1469-1535), who were martyred for upholding their moral beliefs that the king's laws could not supersede divine law and that they were subject to divine law in questioning the king's right to be the supreme head of the Church. The Abortion Act 1967 and the Human Fertility and Embryology Act 1993 are at present the only statutes that will make exceptions to the rule, for conscientious objectors.

In normal circumstances, moral values are imposed on the individual by family, Church, peer group or a professional body that attempts to control behaviour to curb excesses by developing a code of ethics - the product of moral belief. Any noncompliance is not normally enforceable by the courts unless it also involves a breach of the law.

The main difference between the law and morality is that while the former is enforceable in court, the latter does not necessarily attract legal sanctions. The rule, or authority, of law is symbolised by the visible machinery of the legal justice system the arm of the law - comprising the police, the courts and the penal system. There are other aspects of the law to consider that affect not only our daily living - private and family law - but also our working lives.

To legislate on a matter is to take action which is intended to regulate that matter in some way (Duxbury, 2013, p. 3). This is not to claim that regulation is the only intention behind a legislative initiative. The intention to regulate is, nevertheless, the intention that distinguishes an action as legislative. Other reasons for legislating could be to clarify, consolidate, pronounce authoritatively on or preclude the need for further debate – or possibly (in exceptional instances) even to provoke debate – about a matter. But one could seek to clarify, consolidate, pronounce authoritatively on or preclude or provoke further debate without legislating. Essential to the act of legislation is the intention that it has some kind of controlling or enabling effect – that, from the point at which the legislation takes effect, some aspect of the world should (which is not to say that it will) be treated as governed in a particular way.

In everyday speech, we do not assume legislating to be an exclusively juridical activity: the proposition that poets are the world’s unacknowledged legislators, for example, expresses the belief that poetry shapes human thought and conduct, while the claim that there is no legislating for a particular human prejudice or disposition is to assert that this prejudice or disposition is beyond influence.

Criminal Law

Attempts to define criminal law are generally unhelpful if they stray far beyond restating the obvious – that criminal laws are prohibitions backed up by penal sanctions imposed on the actions of individuals (and corporate bodies) by those who hold sovereignty within the state (Molan, 2008, p. 2). Attempting to find some moralistic basis for criminal law proves more elusive. It is not difficult to think of immoral activities that are not criminal (arguably infidelity), and activities that are criminal that one would hesitate to denounce as immoral.

Just what is it that makes an act a crime? Some acts are crimes because they are inherently evil (malum in se), such as murder, rape, robbery, or arson (Belli & Wilkinson, 2005, p. 538).

Other acts are crimes not because they are necessarily evil, but because they are contrary to an important social objective. Such a crime is referred to as malum prohibitum. For instance, fishing without a license or catching more than the limit is not evil in itself. Laws prohibit this type of thing to preserve natural resources. Other acts—speeding, for instance—are prohibited to protect the safety and welfare of the driving and pedestrian public.

Crimes generally are categorized as either felonies or misdemeanors, although some are treated as only infractions or minor offenses. Felonies are the most serious types of crime. Originally, only nine crimes were felonies: murder, manslaughter, burglary, robbery, larceny, rape, sodomy, arson, and mayhem (maiming or permanently disfiguring someone). Today, many other crimes are also felonies. The punishment for a felony is stiffer than it is for a misdemeanor. In many states, the punishment for a felony is imprisonment for at least one year (or death in some limited cases), while for a misdemeanor it is for no more than one year in jail.

Two things must be present in order for a crime to be committed: an act (the physical element) and a particular state of mind (the mental element). The act is the body of the crime—the corpus delecti. In a murder, for example, it is the killing of a human being by another human being. In arson it is the burning of a structure.

The mental element is the person's intent to do the illegal act. In law it is said frequently that an act is not a crime if it is done without a guilty mind. Killing someone, for instance, is not a crime if it was purely accidental or justified self-defense, because there was no wrongful intent. And just as the act needs the intent to be a crime, the intent needs an act to be a crime. Merely thinking about doing something illegal is not a crime, regardless of how evil the thoughts are.

Persons charged with crimes may be relieved of criminal liability if they can show that their criminal actions were justified under the circumstances (LeRoy Miller, Cross, & Jentz, 2011, p. 185). In certain circumstances, the law may also allow a person to be excused from criminal liability because she or he lacks the required mental state. We look at several of the defenses to criminal liability here.

Procedural violations, such as obtaining evidence without a valid search warrant, may operate as defenses also. Evidence obtained in violation of a defendant's constitutional rights normally may not be admitted in court. If the evidence is suppressed, then there may be no basis for prosecuting the defendant.

The criminal law—indeed, our entire legal system—rests on the idea that individuals are responsible for their actions and must be held accountable for them (Scheb & Scheb, 2011, p. 7). This is the essential justification and rationale for imposing punishments on persons convicted of crimes. On the other hand, society recognizes that certain individuals (for example, young children) lack the capacity to appreciate the wrongfulness of their conduct. Similarly, factors beyond individuals' control can lead them to commit criminal acts. In such instances the law exempts individuals from responsibility. Moreover, there are situations in which acts that would otherwise be crimes might be justified. The best example of this is committing a homicide in self-defense. Individuals can invoke a host of defenses beyond a simple denial of guilt. Indeed, a substantial body of law is devoted to the topic of criminal responsibility and defenses.

Evidence

We are all familiar with the principle of evidence being used to prove whether someone has committed an offence, but this is not a haphazard process of each side putting before the court anything and everything that might help in winning the case (Taylor, 2010, pp. 3-4). There are strict rules which govern what material may be adduced in evidence and the purpose for which it is put forward. Before examining the detailed law of evidence, however, you must

understand some of the underlying principles affecting the presentation of evidence within the trial process.

The central task of the trial process is to determine the 'facts in issue' – the facts which each side must prove to win the case. To do this, each side must adduce evidence in support of their case. For example, in a criminal case, the prosecution must satisfy the various elements of the offence in question such as in a murder trial where it must be proved that the accused killed the victim with the requisite mens rea (mental element of a person's intention to commit a crime; or knowledge that one's action or lack of action would cause a crime to be committed) of 'malice aforethought'. in such a case, the prosecution must adduce sufficient evidence to convince the jury that the accused (rather than someone else) did kill the victim and that they did it with the intent to kill or to cause grievous bodily harm. similarly, in a civil claim for negligence, the facts in issue may be the existence of a duty of care, the breach of that duty and the resultant damage.

Forensics is the scientific discipline concerned with proving criminal offenses (Franjić, 2018). It proves in a way that an investigator collects, documents and analyzes all facts related to the crime. The most important task of the investigator is to collect the largest possible number of pieces of evidences that connect to a criminal offense. They are mostly found at the site of criminal events, and in technical terms, is called physical evidence. Based on these sets hypotheses that connect one fact with another, and then we come to the theory that explains the nature of the criminal acts. Forensic proof of crimes are very complex transaction with the ultimate goal to prove or disprove the offense and find the perpetrators.

Physical evidence encompasses any and all objects that can establish that a crime has or has not been committed or can link a crime and its victim or its perpetrator (Saferstein, 2015, p. 48). But if physical evidence is to be used effectively to aid the investigator, its presence first must be recognized at the crime scene. If all the natural and commercial objects within a reasonable distance of a crime were gathered so that the scientist could uncover significant clues from them, the deluge of material would quickly immobilize the laboratory facility. Physical evidence can achieve its optimum value in criminal investigations only when its collection is performed with a selectivity governed by the collector's thorough knowledge of the crime laboratory's techniques, capabilities, and limitations.

Although current technology has given the crime laboratory capabilities far exceeding those of past decades, these advances are no excuse for complacency on the part of criminal investigators. Crime laboratories do not solve crimes; only a thorough and competent investigation conducted by professional police officers will enhance the chances for a successful criminal investigation. Forensic science is, and will continue to be, an important element of the total investigative process, but it is only one aspect of an endeavor that must be a team effort. The investigator who believes the crime laboratory to be a panacea for laxity or ineptness is in for a rude awakening.

Forensic science begins at the crime scene. If the investigator cannot recognize physical evidence or cannot properly preserve it for laboratory examination, no amount of sophisticated laboratory instrumentation or technical expertise can salvage the situation. The know-how for conducting a proper crime-scene search for physical evidence is within the grasp of any police department, regardless of its size. With proper training, police agencies can ensure competent performance at crime scenes. In many jurisdictions, police agencies have delegated this task to a specialized team of technicians. However, the techniques of crime-scene investigation are not difficult to master and certainly lie within the bounds of comprehension of the average police officer.

The investigative and legal processes, from the discovery of a crime to the verdict of the court, should ultimately ensure that the guilty person is correctly identified and that the innocent are exonerated (Adam, 2016, p. 3). However, in many cases, the complexity, both of these processes and of the contributions to the debate, may lead to difficulties and challenges

that act to impede and divert both scientific and legal arguments and which may lead to an unsatisfactory outcome. Central to this is an understanding of how the scientist's findings can be properly interpreted, evaluated and communicated to the court and how the court draws appropriate inferences from the expert opinion in reaching its decision on the ultimate issue. In doing so, the court must necessarily be satisfied that the science is valid and the evidence relevant to its deliberations.

Although the concept of relevance has been enshrined in law across most jurisdictions for many years, in more recent times a debate has emerged across wider aspects of the presentation of scientific evidence to the court and the role of the scientist as an expert witness. There are many reasons for this, which include significant advances in scientific techniques, the need for investigators to deal with more complex and high-profile crimes, increasing attention to these concerns and the ongoing responses of the legal profession and lawmakers to those events.

Expert scientific evidence usually involves the forensic scientist making an observation on some aspect of the case and, based on knowledge and past experience, reporting inferences to the court (Robertson, Vignaux, & Berger, 2016, p. 9). For example, the scientist may compare a DNA profile from blood found at the scene with that of the accused and find them to be the same. It is the observations made which constitute the evidence and not the material examined. Our task is to see what inferences can and cannot legitimately be drawn from such observations. There is a simple and logical solution to these questions that deals with many of the difficulties courts have perceived with expert evidence.

Everyone has a unique set of fingerprints (McClintock, 2014, p. 1). As with a person's fingerprint, no two individuals share the same genetic makeup. This genetic makeup, which is the hereditary blueprint imparted to us by our parents, is stored in the chemical deoxyribonucleic acid (DNA), the basic molecule of life. Examination of DNA from individuals, other than identical twins, has shown that variations exist and that a specific DNA pattern or profile can be associated with an individual. These DNA profiles have revolutionized criminal investigations and have become powerful tools in the identification of individuals in criminal and paternity cases.

The first widespread use of DNA tests involved restriction fragment length polymorphism (RFLP) analysis, a test designed to detect variations in human DNA. In the RFLP method, DNA is isolated from a biological specimen (e.g., blood, semen, vaginal swabs) and cut by a restriction endonuclease (e.g., an enzyme such as HaeIII) into pieces called restriction fragments. The DNA fragments are separated by size into discrete bands by gel electrophoresis, transferred onto a membrane by Southern (1975) blotting, and identified using probes (known DNA sequences that are "tagged" with a chemical tracer). The resulting DNA profile is visualized by exposing the membrane to x-ray film, allowing the scientist to determine which specific fragments the probe identified among the thousands in a sample of human DNA. A match is made when similar DNA profiles are observed between an evidentiary sample and those from a known sample (e.g., DNA from a victim or suspect). A determination is then made as to the probability that a person selected at random from a given population would match the evidence sample as well as the suspect. The entire analysis may require several weeks for completion.

Fingerprints were universally hailed as one of the most significant new weapons placed at the disposal of law enforcement (Clarke, 2007, p. 1). But their utility is limited to the relatively few cases in which fingerprints are left at crime scenes and can be discovered. Tests to determine whether guns have been fired by a suspect, hypnosis, and even voiceprints have been used in investigations with mixed and controversial results. But when science joined with law enforcement and the legal system in 1986 (Sir Alec John Jeffreys, professor of genetics at the University of Leicester, developed techniques for genetic fingerprinting and DNA profiling), the justice system began a transformation like no other it had ever experienced.

Any thought prior to that time that nucleotide sequences, restriction enzymes, and capillary electrophoresis would hold the key to solving murders and rapes would have been beyond fantasy. Yet each would later prove to be a critical element in determining whether a suspect, defendant, and even a convicted prison inmate could have been responsible for a serious crime. The reopening of old criminal cases—both those unsolved and those in which a defendant convicted years earlier claimed innocence—suddenly became possible. Examination of those cases would often provide dramatic and surprising results.

The first inspection of a crime scene and the identified evidence will be passed along the respective chain of custody to be analysed by crime scene technicians, law enforcement officials, laboratory analysts and ultimately the participating lawyers and legal professionals (Henderson, Swafford, & Hitzkowitz, 2018). Each has their own responsibilities and objectives in the criminal investigation, so they will include their interpretations and results as needed in the investigatory process. While many procedural rules and ethical guidelines exist for personnel involved in a criminal investigation, the individuals testing the evidence and formulating conclusions are subject to human cognitive biases and contextual factors that can affect even the most experienced forensic specialists. Unconscious biases can be especially difficult to identify and pragmatically impossible to eliminate. However, specialized training and education in ethical conduct and evidence management can be a potential safeguard for the contaminating effects of human cognitive bias in the forensic investigatory process.

A criminal always leaves something behind at the scene of a crime, some kind of evidence that connects criminal and crime (Newton, 2008, p. 3). Various forms of evidence include blood, semen, fingerprints, skin, hair, pieces of clothing, and bits of DNA. The fundamental challenge for the criminologist is to connect a piece of evidence with some specific individual—the perpetrator of the crime. That challenge consists of two parts: (1) finding, collecting, analyzing, interpreting, and preserving the evidence; and (2) locating and confirming the identity of the person with whom that evidence is associated. Today, criminologists have a host of techniques by which to achieve these objectives. They include serology (the study of blood samples), toxicology (the study of poisons and drugs), document analysis (the study of letters, forms, and other written materials), toolmarks (marks found on tools), and handwriting analysis. These tools make up the arsenal of the forensic scientist. Forensic science is the application of scientific knowledge and techniques to legal issues.

Investigations and inferences in intelligence analysis share many elements of such tasks that are performed in other areas such as law, medicine, history, and science (Anderson, Schum, & Twining, 2005, p. 3). There are three disciplines in which persons performing analytic tasks must be prepared to encounter and evaluate every imaginable substantive kind of evidence; these disciplines are law, intelligence analysis, and history. Establishing the relevance, credibility, and inferential [probative] force of evidence is just as important in intelligence analysis as it is in law.

Evidence means testimony, writings, material objects, or other things offered to prove the existence or nonexistence of a fact (Signorelli, 2011, p. 329). Its purpose is to establish the truth of a proposition, and for that reason it must comply with strict rules of admissibility in order to bar the use of improper, misleading, or prejudicial material. Common law and statutory rules embody protections to ensure the reliability of evidence so erroneous verdicts are not reached.

To prove a criminal case, it is not absolutely essential that the prosecution actually present to the jury or judge each fact or bit of knowledge in the form of direct evidence (Ingram, 2009, pp. 77-78). To save time and to avoid placing an unnecessary burden on the parties, the judge may take judicial notice of certain facts and may advise the jury that they may make certain presumptions and inferences. The factfinders may also consider facts stipulated by the parties. Therefore, the jury or other factfi nders may make a decision from: (1) facts presented in the

form of evidence; (2) information judicially noticed by the judge; (3) legal presumptions; (4) judicially approved inferences; and (5) accepted stipulations.

During the pretrial stage of a criminal prosecution, either party may file motions that challenge the evidence that an opposing party is expected to introduce at the trial. As a general rule, any procedural defense or evidentiary objection that can be determined without a trial of the general issues should be raised by a pretrial motion. The rationale behind determining some procedural or evidentiary issues during the pretrial stage is that the resolution could make a trial unnecessary but, in any event, it resolves issues that would otherwise disrupt the smooth flow of the trial. These pretrial motions include challenges to the court's jurisdiction, competence or fairness of the tribunal, the statement of the charges, the competency of the defendant to stand trial, the legality of the way in which police gathered evidence, flaws in a grand jury indictment, and constitutional challenges, such as double jeopardy, speedy trial, and search and seizure issues, to name a few.

Direct evidence can take many forms. It might be a fingerprint, or a scrap of DNA, or maybe a burglar is caught in possession of items that are known to have been stolen (Evans, 2010, p. 39). All of these are examples of evidence that can be directly linked to a single source. More controversially, direct evidence can also include eyewitness testimony. This kind of evidence can be notoriously unreliable.

Happily, not all forms of direct evidence are so compromised. Say a person is found shot dead in suspicious circumstances. If a bullet taken from the corpse can be matched to a particular firearm, then the possessor of that weapon is going to have some serious explaining to do. Similarly with fingerprints or DNA samples found at the crime scene. Each provides a definite link between A and B, where A is the crime and B is the suspect. All these are examples of rock solid direct evidence that will, most likely, lead to a conviction. But sometimes, as the following case demonstrates, direct evidence can turn up in the most unexpected places.

Material sources in the form of traces and objects in relation to the perpetration of criminal act can occur in two forms: as real evidence, when they are evidence of their existence and are not required for their scientific interpretation or as subjects of expertise (Pavišić, Modly, & Veić, 2012). They are essentially: a) the means of perpetration, b) the objects obtained through criminal act (this can be human organs), c) the objects created by the perpetration of criminal act, d) the objects received as a prize, e) the objects used to identify the perpetrator, witnesses or third parties, often "involved" in the case, f) subjects of material traces, g) left, forgotten or lost objects, h) objects pointing to the motive, i) objects indicating intent to commit a criminal act and j) other connotations.

Reviewing a complex forensic report to determine what questions should be asked of the examiner and what areas must be challenged when discussing evidence in a criminal case is a daunting task (Taupin, 2014, p. 147). Ascertaining the quality of the examination may demand considerable time and effort. A full disclosure of laboratory records with a review by an independent expert is a very common tactic in English and American criminal trials. Sometimes experts are appointed by the court in European trials and act for the court and are not adversary witnesses.

The complexity of DNA testing makes it difficult for a legal practitioner to evaluate the evidence without expert assistance. Looking behind the laboratory report to determine whether the underlying data support the conclusions should be the task of an expert witness. Experts may also assess whether alternative theories (inadvertent transfer, laboratory error, or sample contamination) of the evidence have been presented or considered.

DNA profiles are complex and the propositions are also uncertain, so the legal practitioner may ask how the statistical analysis should be performed. An agreement regarding statistical analysis between the prosecution and defense is beneficial and the statistical model should be able to evaluate the differing positions.

Evidence may be obtained illegally, for example by a crime, tort, or breach of contract, or in contravention of statutory or other provisions governing the powers and duties of the police or others involved in investigating crime (Keane & McKeown, 2012, p. 54). Evidence may also be obtained improperly or unfairly, for example by trickery, deception, bribes, threats, or inducements. At one extreme, the view could be taken that evidence which is relevant and otherwise admissible should not be excluded because of the means by which it was obtained, whether illegal, improper, or unfair; to exclude it would, in some cases, result in injustice including the acquittal of the guilty. On this view, all evidence which is necessary to enable justice to be done would be admitted; and those responsible for the illegality or impropriety could be variously prosecuted (in the case of crime), sued (in the case of actionable wrongs), or disciplined (in the case of conduct amounting to breach of some statutory, professional, or other code of conduct). The view at the other extreme would be that illegally or improperly obtained evidence should always be excluded; to admit it might encourage the obtaining of evidence by such means or at any rate bring the administration of justice into disrepute. On this view, all such evidence would be excluded, even if this would sometimes result in injustice, including the guilty going free, in order that those responsible for the illegality or impropriety are in future compelled to respect, and deterred from invading, the civil liberties of the citizen.

Conclusion

The totality of legal rules adopted at the level of state institutions with the participation of society constitutes an appropriate system. This may include sources that control processes at the level of a wide variety of social groups, in some cases completely unrelated. However, the rules of legal acts, standards and procedures for passing laws, the criteria of their effectiveness in this case will have a systematic nature. Accordingly, the role of the state is not only in issuing legal rules, but also in ensuring their implementation, as well as in resolving in court all possible disputes over the interpretation of certain regulatory provisions. One of the key mechanisms under which the interaction of all branches of government, and especially those that provide the function of executive power, is the right of coercion. The state undertakes to comply with the requirements of the law of all those to whom it is relevant. In countries with developed legal systems, it is not allowed to replace the law with other norms which have emerged outside the institutions of government unless the legal rules themselves allow it.

References

Adam, C. (2016). *Forensic Evidence in Court – Evaluation and Scientific Opinion*. Chichester, UK: John Wiley & Sons, Ltd.

Anderson, T., Schum, D., & Twining, W. (2005). *Analysis of Evidence* (2nd ed.). Cambridge, UK: Cambridge University Press.

Belli, M. M., sr. & Wilkinson, A. P. (2005). *Everybody's Guide to the Law – All The Legal Information You Need in One Comprehensive Volume* (Fully updated and rev. 2nd ed.). Pymble, Australia: PerfectBound, HarperCollins Publishers.

Clarke, G. „Woody.“ (2007). *Justice And Science – Trials And Triumphs of DNA Evidence*. New Brunswick, USA: Rutgers University Press.

Duxbury, N. (2013). *Elements of Legislation*. Cambridge, UK: Cambridge University Press.

Evans, C. (2010). *Criminal Justice – Evidence*. New York, USA: Chelsea House, Infobase Publishing.

Fletcher, L. & Buka, P. (1999). *A Legal Framework for Caring – An Introduction To Law And Ethics In Health Care*. London, UK: Macmillan Press.

Franjić, S. (2018). Legal aspects of Forensics. *Peertechz J Forensic Sci Technol, 4*(1), 009-017. DOI: http://dx.doi.org/10.17352/pjfst.000011

Henderson, C., Swafford, R., & Hitzkowitz, A. (2018). Ethical Issues, Bias and Other Challenges to Forensic Evidence Management. In A. Mozayani & C. Parish-Fisher (Eds.), *Forensic Evidence Management – From The Crime Scene To The Courtroom* (pp. 171-172). Boca Raton, USA: CRC Press, Taylor & Francis Group.

Ingram, J. L. (2009). *Criminal Evidence* (10th ed.). Amsterdam, The Netherlands: LexisNexis Group, Elsevier.

Keane, A. & McKeown, P. (2012). *The Modern Law of Evidence* (9th ed.). Oxford, UK: Oxford University Press.

LeRoy Miller, R., Cross, F. B. & Jentz, G. A. (2011). *Essentials of the Legal Environment* (3rd ed.). Mason, USA: South-Western, Cengage Learning.

McClintock, J. T. (2014). *Forensic Analysis of Biological Evidence – A Laboratory Guide for Serological and DNA Typing.* Boca Raton, USA: CRC Press, Taylor & Francis Group.

Molan, M. (2008). *Cases And Materials On Criminal Law* (4th ed.). Abingdon, UK: Routledge-Cavendish.

Newton, D. E. (2008). *DNA Evidence And Forensic Science*. New York, USA: Facts On File, Infobase Publishing.

Pavišić, B., Modly, D., & Veić, P. (2012). *Kriminalistika – Knjiga 2 (Criminalistics – Book 2).* Rijeka, Croatia: Dušević & Kršovnik.

Robertson, B., Vignaux, G. A., & Berger, C. E. H. (2016). *Interpreting Evidence – Evaluating Forensic Science in the Courtroom* (2nd ed.). Chichester, UK: John Wiley & Sons, Ltd.

Saferstein, R. (2015). *Criminalistics – An Introduction to Forensic Science* (11th ed., global ed.). Harlow, UK: Pearson Education Limited.

Scheb, J. M. & Scheb, J. M. II (2011). *Criminal Law and Procedure* (7th ed.). Belmont, USA: Wadsworth, Cengage Learning.

Signorelli, W. P. (2011). *Criminal Law, Procedure, and Evidence*. Boca Raton, USA: CRC Press, Taylor & Francis Group.

Summers, R. S. (2006). *Form and Function in a Legal System – A General Study.* Cambridge, UK: Cambridge University Press.

Taupin, J. M. (2014). *Introduction to Forensic DNA Evidence for Criminal Justice Professionals.* Boca Raton, USA: CRC Press, Taylor & Francis Group.

Taylor, C. (2010). *Law Express – Evidence* (4th ed.). Harlow, UK: Pearson Education Limited.