

- Courseware (/courses/LouvainX/Louv2.01x/1T2014/courseware)
- Course Info (/courses/LouvainX/Louv2.01x/1T2014/info)
- Discussion (/courses/LouvainX/Louv2.01x/1T2014/discussion/forum)
- Wiki (/courses/LouvainX/Louv2.01x/1T2014/course_wiki)
- Progress (/courses/LouvainX/Louv2.01x/1T2014/progress)
- Reading Materials (/courses/LouvainX/Louv2.01x/1T2014/pdfbook/0/)
- Syllabus (/courses/LouvainX/Louv2.01x/1T2014/3517b9300b554b118f11224b8c05eb10/)

Help

Example 4 is the *Cadder* case presented to the Supreme Court of the United Kingdom in 2010, in which the Court was asked to re-examine the earlier position of the British courts concerning the right of a person detained by the police to have access to a lawyer upon being first questioned. Such a right was affirmed for the first time by the European Court of Human Rights in the *Salduz v. Turkey* judgment of 27 November 2008, on the basis of articles 6(1) and 6(3)(c) of the European Convention on Human Rights. The UK Supreme Court therefore had to decide which weight was to be recognized to the *Salduz* jurisprudence, and whether safeguards provided for the detainee in Scotland, that the European Court of Human Rights by definition could not have considered in *Salduz*, could compensate for the absence of a lawyer during the first interrogation (read the excerpts of the decision here (/c4x/LouvainX/Louv2.01x/asset/_Materials__Jus_Commune_ex4_Final_.pdf)).



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