

liabilities - crime

Criminal and civil

- difficult to distinguish between a criminal and a civil wrong.
- Some conduct may amount to a civil wrong.
- example - a intentionally hits b, a tort which is a crime as well as a civil wrong.
- can be distinguished by looking at
- for instance - a crime may be wrong.

moral wrongfulness

- many civil wrongs are also moral wrongs.
- example - an employee who has been exposed to asbestos have suffered, this is moral wrong.
- moral wrongs cannot be used to distinguish
- crimes may be distinguished by worthiness of culpability.

damage to the public

- characteristic put forward for criminal and crimes is damage to the public.
- if conduct causes damage to the public.
- if it causes damage to the public as a civil wrong.

proceedings

CRIMINAL

- can easily be distinguished because criminal and civil proceedings follow different rules.
- conduct cannot be distinguished according to civil nature.
- criminal proceedings that follow can be distinguished from civil.
- a criminal trial is brought by the state, prosecutes on state's behalf.

VICTIMS

- victims of crimes play a minor role in criminal proceedings.
- merely witnesses to the crime.
- after a finding of guilt, victims may be affected by the crime affecting them impact at sentencing stage.

- a civil trial is most often brought by the claimant.
- known as the claimant.
- sues the defendant in their own capacity as an individual.
- civil proceedings focus on the individual.

CRIMINAL TRIAL

- aim of criminal trial is to punish.

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