



a Pelican Book

Sentencing in a Rational Society

Nigel Walker

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that for anyone
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Sentencing In A Rational Society

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Sentencing In Rational Socet Nigel Walker,1971-05-06 *Sentencing in a Rational Society* Nigel Walker,1971

Sentencing in International Criminal Law Silvia D'Ascoli,2011-04-01 This book deals with sentencing in international criminal law focusing on the approach of the UN ad hoc Tribunals for the former Yugoslavia ICTY and Rwanda ICTR In contrast to sentencing in domestic jurisdictions and in spite of its growing importance sentencing law is a part of international criminal law that is still under construction and is unregulated in many aspects International sentencing law and practice is not yet defined by exact norms and principles and as yet there is no body of international principles concerning the determination of sentence notwithstanding the huge volume of sentencing research and the extensive modern debate about sentencing principles Moreover international judges receive very little guidance in sentencing matters this contributes to inconsistencies and may increase the risk that similar cases will be sentenced in different ways One purpose of this book is to investigate and evaluate the process of international sentencing especially as interpreted by the ICTY and the ICTR and to suggest a more comprehensive and coherent system of guiding principles which will foster the development of a law of sentencing for international criminal justice The book discusses the law and jurisprudence of the ad hoc Tribunals and also presents an empirical analysis of influential factors and other data from ICTY and ICTR sentencing practice thus offering quantitative support for the doctrinal analysis This publication is one of the first to be entirely devoted to the process of sentencing in international criminal justice The book will thus be of great interest to practitioners academics and students of the subject

Sentencing and Society Cyrus Tata,Neil Hutton,2017-03-02 Combining the latest work of leading sentencing and punishment scholars from twelve different countries this major new international volume answers key questions in the study of sentencing and society It presents not only a rigorous examination of the latest legal and empirical research from around the world but also reveals the workings of sentencing within society and as a social practice Traditionally work in the field of sentencing has been dominated by legal and philosophical approaches Distinctively this volume provides a more sociological approach to sentencing so allowing previously unanswered questions to be addressed and new questions to be opened This extensive collection is drawn from around one third of the papers presented at the First International Conference on Sentencing and Society Almost without exception the chapters have been revised cross referenced and updated The overall themes and findings of the international volume are set out by the opening Introduction and the closing Reflections chapters Research findings on particular penal policy questions are balanced with an analysis of fundamental conceptual issues making this international volume essential reading for sentencing and punishment scholars criminal justice policy makers and graduate students

Sentencing Policy and Social Justice Ralph Henham,2018-02-22

Sentencing Policy and Social Justice argues that the promotion of social justice should become a key objective of sentencing policy advancing the argument that the legitimacy of sentencing ultimately depends upon the strength of the relationship

between social morality and penal ideology It sheds light on how shared moral values can influence sentencing policy at a time when relationships of community appear increasingly fragmented arguing that sentencing will be better placed to make a positive contribution to social justice if it becomes more sensitive to the commonly accepted moral boundaries that underpin adherence to the rule of law The need to reflect public opinion in sentencing has received significant attention more recently with renewed interest in jury sentencing stakeholder sentencing and the involvement of community views when regulating policy The author however advocates a different approach combining a new theoretical focus with practical suggestions for reform and arguing that the contribution sentencing can make to social justice necessitates a fundamental change in the way shared values about the advantages of punishment are reflected in penal ideology and sentencing policy Using examples from international comparative and domestic contexts to advance the moral and ethical case for challenging the existing theories of sentencing the book develops the author's previous theoretical ideas and outlines how these changes could be given practical shape within the context of sentencing in England and Wales It assesses the consequences for penal governance due to increased state regulation of discretionary sentencing power and examines the prospects for achieving the kind of moral transformation regarded as necessary to reverse such a move To illustrate these issues each chapter focuses on a particularly problematic area for contemporary sentencing policy namely the sentencing of women the sentencing of irregular migrants sentencing for offences of serious public disorder and sentencing for financial crime

Punishment & Sentencing Mirko Bagaric, 2001-07 Sentencing is the most important area of law yet ironically it is also arguably the least coherent This book suggests a way of introducing principle into sentencing by bridging the gap between the philosophical justification for punishment and sentencing law and practice

Fundamentals of Sentencing Theory Andrew Ashworth, Martin Wasik, 1998 The Oxford Monographs On Criminal Law And Justice series aims to cover all aspects of criminal law and procedure including criminal evidence the scope of the series is wide encompassing both practical and theoretical works Series Editor Professor Andrew Ashworth Vinerian Professor of English Law All Souls College Oxford This volume is a thematic collection of essays on sentencing theory by leading writers The essays fall into three groups Part I considers the underlying justifications for the imposition of punishment by the State and examines the relationship between victims offenders and the State Part II addresses a number of areas of sentencing policy that have given rise to particular difficulty such as the sentencing of drug offenders the rationale for discounting sentences for multiple offenders the existence of special sentencing for young offenders and cases where the injury done to the victim is of a different magnitude from what might have been expected Part III raises various questions about the unequal impact on offenders of different sentencing measures and examines the extent to which sentences should be adjusted to take account of these different impacts and of broader social inequalities This volume is dedicated to Professor Andrew von Hirsch whose continuing work on sentencing theory provided the stimulus for the collection

Punishment and Process in International Criminal

Trials Ralph Henham, 2017-03-02 International sentencing has become significant given the numerous events on the world stage which have focused attention on the justifications and adequacy of punishment for heinous crimes such as genocide and crimes against humanity In addition to providing a detailed evaluation of the philosophical and theoretical difficulties raised by this rapidly developing area of international criminal justice this book provides an integrated socio legal analysis of the law and process of international sentencing It considers the rationale and development of international sentencing structures and processes the nature and scope of legal and procedural constraints on decision making as well as access to justice and rights issues The book discusses sentencing within the context of international criminal law and examines internationalized trial processes and alternative mechanisms for resolution In seeking to comprehend the punishment of international crimes through the comparative contextual analysis of trial processes it challenges our present understanding of how and why particular sentencing outcomes are produced and the perceived legitimacy of international trial justice

Gambling in America United States. Commission on the Review of the National Policy Toward Gambling, 1976 *Reform of the Federal Criminal Laws* United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Criminal Laws and Procedures, 1971 **Document Retrieval Index**, 1974 *The Future of Imprisonment* Michael Tonry, 2004-04-08 The imprisonment rate in America has grown by a factor of five since 1972 In that time punishment policies have toughened compassion for prisoners has diminished and prisons have gotten worse a stark contrast to the origins of the prison 200 years ago as a humanitarian reform a substitute for capital and corporal punishment and banishment So what went wrong How can prisons be made simultaneously more effective and more humane Who should be sent there in the first place What should happen to them while they are inside When how and under what conditions should they be released *The Future of Imprisonment* unites some of the leading prisons and penal policy scholars of our time to address these fundamental questions Inspired by the work of Norval Morris the contributors look back to the past twenty five years of penal policy in an effort to look forward to the prison s twenty first century future Their essays examine the effects of current high levels of imprisonment on urban neighborhoods and the people who live in them They reveal how current policies came to be as they are and explain the theories of punishment that guide imprisonment decisions Finally the contributors argue for the strategic importance of controls on punishment including imprisonment as a limit on government power chart the rise and fall of efforts to improve conditions inside analyze the theory and practice of prison release and evaluate the tricky science of predicting and preventing recidivism A definitive guide to imprisonment policies for the future this volume convincingly demonstrates how we can prevent crime more effectively at lower economic and human cost **Changing Contours of Criminal Justice** Mary Bosworth, Carolyn Hoyle, Lucia Zedner, 2016 Celebrating the 50th Anniversary of the Oxford Centre for Criminology this edited collection of essays seeks to explore the changing contours of criminal justice over the past half century and to consider possible shifts over the next few decades The question of how social science disciplines develop and

change does not invite any easy answer with the task made all the more difficult given the highly politicised nature of some subjects and the volatile evolving status of its institutions and practices A case in point is criminal justice at once fairly parochial much criminal justice scholarship is now global in its reach and subject areas that are now accepted as central to its study victims restorative justice security privatization terrorism citizenship and migration to name just a few were topics unknown to the discipline half a century ago Indeed most criminologists would have once stoutly denied that they had anything to do with it Likewise some central topics of past criminological attention like probation have largely receded from academic attention and some central criminal justice institutions like Borstal and corporal punishment have at least in Europe been abolished Although the rapidity and radical nature of this change make it quite impossible to predict what criminal justice will look like in fifty years time reflection on such developments may assist in understanding how it arrived at its current form and hint at what the future holds The contributors to this volume have been invited to reflect on the impact Oxford criminology has had on the discipline providing a unique and critical discussion about the current state of criminal justice around the world and the origins and future implications of contemporary practice All are leading internationally renowned criminologists whose work has defined and often re defined our understanding of criminal justice policy and literature

Crime and Economics Kevin Albertson,Chris Fox,2011-10-05 *Crime and Economics* provides the first comprehensive and accessible text to address the economics of crime within the study of crime and criminology The economics of crime is an area of growing activity and concern increasingly influential both to the study of crime and criminal justice and to the formulation of crime reduction and criminal justice policy As well as providing an overview of the relationship between economics and crime this book poses key questions such as What is the impact of the labour market and poverty on crime Can society decrease criminal activity from a basis of economic disincentives What forms of crime reduction and methods of reducing re offending are most cost beneficial Can illicit organised crime and illicit drug markets be understood better through the application of economic analysis For those interested in economic methods but without previous economic training this book also provides an accessible overview of key areas such as cost benefit analysis econometrics and the debate around how to estimate the costs of crime This book will be key reading for undergraduate and postgraduate students of criminology and economics and those working in the criminal justice system including practitioners managers and policy makers

"Equal Justice Under Law." United States. Department of Justice,1977 Anthology of addresses by prominent authorities on legal topics relating to the Bicentennial

Governing the Dangerous John Pratt,1997 Explains how dangerousness first became an object of penological discourse and why it has since remained so Draws on material from Australia New Zealand England the United States and Canada

The Penal System Michael Cavadino,James Dignan,2007-09-17 the most authoritative and sophisticated textbook on the penal system of England and Wales It is essential reading for anyone who wishes to understand the causes character and consequences of the current penal crisis

David Downes Mannheim Centre of Criminology London School of Economics What do you look for in a good textbook You would expect it to be as up to date as possible To be presented in a clear and accessible style To cover the issues comprehensively The Penal System delivers in all of these ways Mick Cavadino and Jim Dignan write with passion and authority which makes for an immensely readable book If there is such a thing as an ideal textbook then this is it George Mair Professor in Criminal Justice Liverpool John Moores University remains the most comprehensive up to date and readable text on the subject Yvonne Jewkes Reader in Criminology The Open University The perfect mix of the theoretical and the practical Cavadino and Dignan s updated book is the smartest cutting edge textbook available on the crucial subject of penology Shadd Maruna Queen s University Belfast the book remains an essential resource for students in criminology and criminal justice The authors are hugely effective in delivering a comprehensive guide to criminal justice issues in the 21st century Students will also find the self study guide to electronic sources immensely helpful Loraine Gelsthorpe University of Cambridge The revised and updated edition of this bestselling textbook is the most integrated and authoritative overview of the penal system available The Penal System provides a complete introduction to all aspects of punishment within the wider context of the criminal justice system It covers all the key theories and topics that a student of criminology or criminal justice needs to know about in their course The new edition features Coverage of the deepening penal crisis New material on restorative justice Discussion of recent theoretical developments An overview of changes in the prison and probation services NOMS Critical analysis of recent developments in criminal justice policy A glossary of key terms and abbreviations An extended self study guide to internet resources A companion website to keep students and teachers up to date with relevant legislation www.sagepub.co.uk/thepenalsystem Building on the strengths of the third edition The Penal System remains the most comprehensive analysis of theory research and policy in the area Praise for previous editions There are few must buy books for students of criminology and criminal justice but since its first edition in 1992 The Penal System An Introduction has been one of them For accuracy and scope as well as its remarkable combination of scholarly rigour and readability the book has no equal and it has only got better through successive editions David Smith Professor of Criminology Lancaster University For more than ten years Cavadino and Dignan have provided by far the best policy relevant and theoretically informed account of the British penal system This new edition has only the high standards of its predecessors to beat Cavadino and Dignan may not have managed to change the penal system for the better with their book but no one has delivered a more accessible or intelligent account of why it is so hard to reform Mike Nellis Professor of Criminal and Community Justice University of Strathclyde

Reform and Regret Larry W. Yackle, 1989 This important book describes the campaign to achieve prison reform in Alabama through constitutional litigation in the federal courts Yackle describes the process that produced Judge Frank Johnson s decree that the system constituted cruel and unusual punishment and subsequent efforts to enforce order in the face of bureaucratic inertia administrative incompetence and political demagoguery

The Phantom Capitalists Michael Levi, 2008 This book analyzes how and why people become involved in long firm planned bankruptcy fraud the links between long firm fraud and other crimes the links between bankruptcy fraudsters and other professional and organized criminals the techniques that fraudsters use and the social and commercial relationships that exist within the operational world of the long firm fraudster

Federalism and the Charter Peter H. Russell, Rainer Knopff, Frederick Lee Morton, 1989 This extensive revision of the landmark Leading Constitutional Decisions brings together recent Charter cases with the classical cases on the Canadian Constitution An introductory essay traces the evolution and distinctive features of judicial review in Canada and includes references to the Constitution Act 1982 and the important changes resulting from it

Decoding **Sentencing In A Rational Society**: Revealing the Captivating Potential of Verbal Expression

In a time characterized by interconnectedness and an insatiable thirst for knowledge, the captivating potential of verbal expression has emerged as a formidable force. Its capability to evoke sentiments, stimulate introspection, and incite profound transformations is genuinely awe-inspiring. Within the pages of "**Sentencing In A Rational Society**," a mesmerizing literary creation penned with a celebrated wordsmith, readers embark on an enlightening odyssey, unraveling the intricate significance of language and its enduring effect on our lives. In this appraisal, we shall explore the book's central themes, evaluate its distinctive writing style, and gauge its pervasive influence on the hearts and minds of its readership.

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