

Sentencing
and
Sanctions
in Western
Countries

EDITED BY

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Sentencing And Sanctions In Western Countries

Michael Tonry



Sentencing And Sanctions In Western Countries:

Sentencing and Sanctions in Western Countries Michael Tonry, Richard Frase, 2001-05-31 This collection of original essays surveys the evolution of sentencing policies and practices in Western countries over the past twenty five years Contributors address plea bargaining community service electronic monitoring standards of use of incarceration and legal perspectives on sentencing policy developments among other topics Sentencing and Sanctions in Western Countries provides a range of scholars and students excellent cross national knowledge of sentencing laws and practices when and why they have changed over time and with what effects *Sentencing and Sanctions in Western Countries* Michael Tonry, Richard Frase, 2001-05-31 This collection of original essays surveys the evolution of sentencing policies and practices in Western countries over the past twenty five years Contributors address plea bargaining community service electronic monitoring standards of use of incarceration and legal perspectives on sentencing policy developments among other topics Sentencing and Sanctions in Western Countries provides a range of scholars and students excellent cross national knowledge of sentencing laws and practices when and why they have changed over time and with what effects **Sentencing and Sanctions in Western Countries** Michael Tonry Director of the Institute of Criminology University of Cambridge, Richard Frase Director of the Institute of Criminology University of Minnesota Law School, 2001-03-12 This collection of original essays surveys the evolution of sentencing policies and practices in Western countries over the past twenty five years Contributors address plea bargaining community service electronic monitoring standards of use of incarceration and legal perspectives on sentencing policy developments among other topics Sentencing and Sanctions in Western Countries provides a range of scholars and students excellent cross national knowledge of sentencing laws and practices when and why they have changed over time and with what effects **The Oxford Handbook of Crime and Criminal Justice** Michael Tonry, 2011-09-29 A comprehensive and accesible overview of the operation of the American criminal justice system This handbook s extensive coverage of the criminal justice system in the U S makes it an important reference for students and scholars in criminal justice law and public policy *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 *The Oxford Handbook of Sentencing and Corrections* Joan Petersilia, Kevin R. Reitz, 2015 This handbook surveys American sentencing and corrections from global and historical views from theoretical and policy perspectives and with attention to a number of problem specific issues Criminal Sentencing as Practical Wisdom Graeme Brown, 2017-06-01 How do judges sentence In particular how important is judicial discretion in sentencing Sentencing guidelines are often said to promote consistency but is consistency in sentencing achievable or even desirable Whilst the passing of a sentence is arguably the most public stage of the criminal justice process there have been few attempts to examine judicial perceptions of and attitudes towards the sentencing process Through interviews with Scottish judges and by presenting a comprehensive review and analysis of recent scholarship on sentencing including a comparative study of UK Irish and Commonwealth sentencing jurisprudence this book explores these issues to present a systematic theory of sentencing Through an integration of the concept of equity as particularised justice the Aristotelian concept of phronesis or practical wisdom the concept of value pluralism and the focus of appellate courts throughout the Commonwealth on sentencing by way of instinctive synthesis it is argued that judicial sentencing methodology is best viewed in terms of a phronetic synthesis of the relevant facts and circumstances of the particular case The author concludes that sentencing is best conceptualised as a form of case orientated concrete and intuitive decision making one that seeks individualisation through judicial recognition of the profoundly contextualised nature of the process

Comparative Capital Punishment Carol S. Steiker, Jordan M. Steiker, Comparative Capital Punishment offers a set of in depth critical and comparative contributions addressing death practices around the world Despite the dramatic decline of the death penalty in the last half of the twentieth century capital punishment remains in force in a substantial number of countries around the globe This research handbook explores both the forces behind the stunning recent rejection of the death penalty as well as the changing shape of capital practices where it is retained The expert contributors address the social political economic and cultural influences on both retention and abolition of the death penalty and consider the distinctive possibilities and pathways to worldwide abolition *The Oxford Handbook of Criminal Law* Markus D. Dubber, Tatjana Hörnle, 2014-11-27 The Oxford Handbook of Criminal Law reflects the continued transformation of criminal law into a global discipline providing scholars with a comprehensive international resource a common point of entry into cutting edge contemporary research and a snapshot of the state and scope of the field To this end the Handbook takes a

broad approach to its subject matter disciplinarily geographically and systematically Its contributors include current and future research leaders representing a variety of legal systems methodologies areas of expertise and research agendas The Handbook is divided into four parts Approaches Methods I Systems Methods II Aspects Issues III and Contexts Comparisons IV Part I includes essays exploring various methodological approaches to criminal law such as criminology feminist studies and history Part II provides an overview of systems or models of criminal law laying the foundation for further inquiry into specific conceptions of criminal law as well as for comparative analysis such as Islamic Marxist and military law Part III covers the three aspects of the penal process the definition of norms and principles of liability substantive criminal law along with a less detailed treatment of the imposition of norms criminal procedure and the infliction of sanctions prison law Contributors consider the basic topics traditionally addressed in scholarship on the general and special parts of the substantive criminal law such as jurisdiction mens rea justifications and excuses Part IV places criminal law in context both domestically and transnationally by exploring the contrasts between criminal law and other species of law and state power and by investigating criminal law's place in the projects of comparative law transnational and international law

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 *Correction* Ben Austen, 2023-11-07 NYT EDITOR S

CHOICE WASHINGTON POST BEST NONFICTION OF 2023 Shortlisted for the 2024 Chicago Review of Books Award FROM THE CRITICALLY ACCLAIMED AUTHOR OF HIGH RISERS comes a groundbreaking and honest investigation into the crisis of the American criminal justice system through the lens of parole Perfect for fans of Michelle Alexander's *The New Jim Crow* and Bryan Stevenson's *Just Mercy* *Correction* ranks among the very best books on life inside and outside of prison I have ever read Matthew Desmond Pulitzer Prize winning author of *Evicted* *Correction* provides a revelatory lens for examining mass incarceration The Washington Post A Most Anticipated Book of 2023 Chicago Review of Books The Chicago Tribune The Next Big Idea Club The United States alone locks up a quarter of the world's incarcerated people And yet apart from clichés paying a debt to society you do the crime you do the time there is little sense collectively in America what constitutes retribution or atonement We don't actually know why we punish Ben Austen's powerful exploration offers a behind the scenes look at the process of parole Told through the portraits of two men imprisoned for murder and the parole board that holds their freedom in the balance Austen's unflinching storytelling forces us to reckon with some of the most profound questions underlying the country's values around crime and punishment What must someone who commits a terrible act do to get a second chance What does incarceration seek to accomplish An illuminating work of narrative nonfiction *Correction* challenges us to consider for ourselves why and who we punish and how we might find a way out of an era of mass imprisonment *Routledge*

Handbook of Constitutional Law Mark Tushnet, Thomas Fleiner, Cheryl Saunders, 2013-06-26 The Routledge Handbook of Constitutional Law is an advanced level reference work which surveys the current state of constitutional law Featuring new specially commissioned papers by a range of leading scholars from around the world it offers a comprehensive overview of the field as well as identifying promising avenues for future research The book presents the key issues in constitutional law thematically allowing for a truly comparative approach to the subject It also pays particular attention to constitutional design identifying and evaluating various solutions to the challenges involved in constitutional architecture The book is split into four parts for ease of reference Part One General issues sets issues of constitutional law firmly in context including topics such as the making of constitutions the impact of religion and culture on constitutions and the relationship between international law and domestic constitutions Part Two Structures presents different approaches in regard to institutions or state organization and structural concepts such as emergency powers and electoral systems Part Three Rights covers the key rights often enshrined in constitutions Part Four New Challenges explores issues of importance such as migration and refugees sovereignty under pressure from globalization Supranational Organizations and their role in creating post conflict constitutions and new technological challenges Providing up to date and authoritative articles covering all the key aspects of constitutional law this reference work is essential reading for advanced students scholars and practitioners in the field

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

European Penology? Tom Daems, Dirk van Zyl Smit, Sonja Snacken, 2013-05-17 Is there something distinctive about penology in Europe Do Europeans think about punishment and penal policy in a different way to people in other parts of the globe If so why is this the case and how does it work in practice This book addresses some major and pressing issues that have been emerging in recent years in the interdisciplinary field of European penology that is a space where legal scholarship criminology sociology and political science meet or should meet in order to make sense of punishment in Europe The chapters in European Penology have been written by leading scholars in the field and focus in particular on the interaction of European academic penology and national practice with European policies as developed by the Council of Europe and increasingly by the European Union

The Death Penalty Roger Hood, Carolyn Hoyle, 2015-01-08 The fifth edition of this highly praised study charts and explains the progress that continues to be made towards the goal of worldwide abolition of the death penalty The majority of nations have now abolished the death penalty and the number of executions has dropped in almost all countries where abolition has not yet taken place Emphasising the impact of international human rights principles and evidence of abuse the authors examine how this has fuelled challenges to the death penalty and they analyse and appraise the likely obstacles political and cultural to further abolition They discuss the cruel realities of the death penalty and the failure of international standards always to ensure fair trials and to avoid arbitrariness discrimination and conviction of the innocent all violations of the right to life They provide further evidence of the lack of a general deterrent effect shed new light on the influence and limits of public opinion and argue that substituting for the death penalty life imprisonment without parole raises many similar human rights concerns This edition provides a strong intellectual and evidential basis for regarding capital punishment as undeniably cruel inhuman and degrading Widely relied

upon and fully updated to reflect the current state of affairs worldwide this is an invaluable resource for all those who study the death penalty and work towards its removal as an international goal

Crime and Justice, Volume 51 Michael Tonry, Sandra Bucerius, 2023-01-04 Volume 51 is a thematic volume on Prisons and Prisoners Since 1979 the Crime and Justice series has presented a review of the latest international research providing expertise to enhance the work of sociologists psychologists criminal lawyers justice scholars and political scientists The series explores a full range of issues concerning crime its causes and its cures In both the review and the occasional thematic volumes Crime and Justice offers an interdisciplinary approach to address core issues in criminology Volume 51 of Crime and Justice is the first to reprise a predecessor Prisons Volume 26 1999 edited by series editor Michael Tonry and the late Joan Petersilia In Prisons and Prisoners editors Michael Tonry and Sandra Bucerius revisit the subject for several reasons In 1999 most scholarly research concerned developments in Britain and the United States and was published in English Much of that was sociological focused on inmate subcultures or psychological focused on how prisoners coped with and adapted to prison life Some principally by economists and statisticians sought to measure the crime preventive effects of imprisonment generally and the deterrent effects of punishments of greater and lesser severity In 2022 serious scholarly research on prisoners prisons and the effects of imprisonment has been published and is underway in many countries That greater cosmopolitanism is reflected in the pages of this volume Several essays concern developments in places other than Britain and the United States Several are primarily comparative and cover developments in many countries Those primarily concerned with American research draw on work done elsewhere The subjects of prison research have also changed Work on inmate subcultures and coping and adaptation has largely fallen by the wayside Little is being done on imprisonment's crime preventive effects largely because they are at best modest and often perverse An essay in Volume 50 of Crime and Justice examining the 116 studies then published on the effects of imprisonment on subsequent offending concluded that serving a prison term makes ex prisoners on average more not less likely to reoffend In 1999 little research had been done on the effects of imprisonment on prisoners families children or communities or even except for recidivism on ex prisoners later lives family life employment housing physical and mental health or achievement of a conventional law abiding life The first comprehensive survey of what was then known was published in the earlier Crime and Justice Prisons volume An enormous literature has since emerged as essays in this volume demonstrate Comparatively little work had been done by 1999 on the distinctive prison experiences of women and members of non White minority groups That too has changed as several of the essays make clear What is not clear is the future of imprisonment Through more contemporary and global lenses the essays featured in this volume not only reframe where we are in 2022 but offer informed insights into where we might be heading

Confronting Crime Michael Tonry, 2013-10-11 From Labour's promise to be tough on crime tough on the causes of crime through to the White Paper and new criminal justice legislation controlling crime and reforming the criminal justice system has been one of the government's

key priorities This book provides a detailed review of the thinking behind these new plans and legislation looking at policies and proposals in the field of punishment particularly those embodied in the Halliday Review of the Sentencing Framework 2001 the government White Paper Justice for All 2002 and the 2002 Criminal Justice Bill The contributors to the book subject to scrutiny the evidence for the evidence based policy making that is often claimed as a distinctive new feature to these processes examining approaches to drug dependent offenders dangerous sex offenders nuisance offenders procedural and evidential protections in the courts sentencing guidelines sentencing management racism in sentencing custody plus custody minus and reducing the prison population

Institutionalizing Restorative Justice Ivo Aertsen, Tom Daems, Luc Robert, 2013-06-17 Exploring the key issues and debates surrounding the question of the incorporation and institutionalization of restorative justice this book builds bridges between those concerned with the practical and the more theoretical aspects of penal development

Money and the Governance of Punishment Patricia Cabana, 2017-06-26 Money is the most frequently means used in the legal system to punish and regulate Monetary penalties outnumber all other sanctions delivered by criminal justice in many jurisdictions imprisonment included More people pay fines than go to prison and in some jurisdictions many of those in prison are there because of failure to pay their fines Therefore it is surprising how little has been written in the Anglophone academic world about the nature of money sanctions and their specific characteristics as legal sanctions In many ways legal innovations related to money sanctions have been poorly understood This book argues that they are a direct consequence of the changing meaning of money Considering the meaninglessness of modern money the book aims to examine the history of changing conceptions in how fines have been conceived and used Using a set of interpretative techniques sensitive to how money and freedom are perceived the genealogy of the penal fine is presented as a story of constant reformulation in response to shifting political pressures and changes in intellectual developments that influenced ideological commitments of legislators and practitioners This book is multi disciplinary and will appeal to those engaged with criminology sociology and philosophy of punishment socio legal studies and criminal law

Prisons and Prison Systems Mitchel P. Roth, 2005-11-30 Prisons have undoubtedly changed over the years as have penal practices in general though more so in some countries than others Prisons and prison systems have long been an overlooked part of criminal justice research and as a result limited material is available on many institutions This comprehensive encyclopedia provides a historical overview of institutions and systems around the world as well as penal theories prisoner culture and life and notable prisoners and personnel Readers will find a plethora of information including material on such famous prisons as the Tower of London and Alcatraz as well as on such topics as boot camps and parole Other entries include Devil s Island supermaximum prisons Nelson Mandela Pennsylvania system and Amnesty International Numerous appendixes list famous prisoners prison museums prison slang and more

Sentencing And Sanctions In Western Countries: Bestsellers in 2023 The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous captivating novels enthralling the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the fascinating narratives that have enthralled audiences this year. Sentencing And Sanctions In Western Countries : Colleen Hoover's "It Ends with Us" This heartfelt tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover masterfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can succeed. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This captivating historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Sentencing And Sanctions In Western Countries : Delia Owens "Where the Crawdads Sing" This evocative coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens weaves a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These bestselling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a brilliant and gripping novel that will keep you guessing until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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