



SENTENCE

# Sentencing And Criminal Justice

**Andrew Ashworth, Rory Kelly**



## **Sentencing And Criminal Justice:**

*Sentencing and Criminal Justice* Andrew Ashworth, Rory Kelly, 2021-07-15 This revised and updated new edition focuses on major developments in sentencing law practice and theory Sentencing in England and Wales is now dominated by Sentencing Council guidelines and scrutiny of those guidelines is central to this book Issues of principle are identified and discussed to include the constitutional position of the Sentencing Council the meaning of and challenges to proportionality and the sentencing of BAME offenders and women offenders The book welcomes the new Sentencing Code introduced as the Sentencing Act 2020 and critically examines the government's plans for sentencing reform set out in the 2020 White Paper A Smarter Approach to Sentencing Throughout the book sentencing is explored in its wider criminal justice context making it essential reading for courses on sentencing criminal justice and criminal law      **Principled Sentencing** Andrew Von Hirsch, Andrew Ashworth, 1992

*Sentencing Fragments* Michael Tonry, 2015-12-02 Almost everyone agrees Right on Crime the ACLU Koch Industries George Soros's Open Society Foundation the editorial boards of the New York Times and the Wall Street Journal that America's current systems for sentencing criminal offenders are a shambles with crazy quilts of incompatible and conflicting laws policies and practices in every state and the federal system Most everyone agrees that punishments are too severe and too many people are in prison However the kinds of major changes required to undo mass incarceration and rebuild American sentencing are simply not happening Despite well intentioned rhetoric and media coverage there has been very little meaningful change In *Sentencing Fragments* Michael Tonry explains what needs to be done to rebuild just systems of sentencing and punishment and how to do it This book tells the story of sentencing policy changes since 1975 examines research findings concerning their effects and explains what does and does not work Beyond calling attention to the devastating effects on the lives of the poor and disadvantaged and the latest empirical evidence Tonry identifies the common moral theories behind criminal sentencing as well as their larger assumptions about human nature and discusses the ways in which different theories have bred very different sentencing policies *Sentencing Fragments* concludes with a set of proposals for creating better policies and practices for the future calling for American legislators and politicians to remake sentencing into the humane and just process that it always should have been In lucid and engaging prose Michael Tonry reveals the historical foundation for the current state of the American criminal justice system while simultaneously offering a game plan for long overdue reform

**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

*Prescription for Justice* Jack M. Kress, 1980 Crime and Justice, Volume 45 Michael Tonry, 2017-02-22 Sentencing Policies and Practices in Western Countries Comparative and Cross national Perspectives is the forty fifth addition to the Crime and Justice series Contributors include Thomas Weigend on criminal sentencing in Germany since 2000 Julian V Roberts and Andrew Ashworth on the evolution of sentencing policy and practice in England and Wales from 2003 to 2015 Jacqueline Hodgson and Laurie Soubise on understanding the sentencing process in France Anthony N Doob and Cheryl Marie Webster on Canadian sentencing policy in the twenty first century Arie Freiberg on Australian sentencing policies and practices Krzysztof Krajewski on sentencing in Poland Alessandro Corda on Italian policies Michael Tonry on American sentencing and Tapio Lappi Seppälä on penal policy and sentencing in the Nordic countries

Sentencing Multiple Crimes Jesper Ryberg, Julian V. Roberts, Jan Willem de Keijser, 2018 Sentencing Multiple Crimes confronts the practical and theoretical challenges for the criminal justice system when punishing multiple crime offenders including the proportionality of the crimes committed the temporal span between the crimes and the relationship between theories about the punitive treatment of recidivists and multiple offenders It provides a comprehensive examination of the dynamics involved with sentencing multiple offenders from the perspective of several legal theories

**The U.S. Sentencing Guidelines** Dean J. Champion, 1989-11-03 A distinguished group of noted criminal justice specialists here examines the impact of the new U S sentencing guidelines imposed in 1987 on law enforcement the prosecution and courts and corrections Although these guidelines were created with the expressed purpose of increasing judicial fairness and reducing prison overcrowding the contributors argue that their long range effects will be to aggravate present overcrowding problems to intolerably high levels To make their case contributors address individually such issues as plea bargaining the new role of parole and corrections officers the likely effects of the scheduled abolition of the parole board in 1992 and more Both students of criminal justice and practicing parole and corrections officers will find these chapters enlightening reading Following an introductory overview that puts the U S sentencing guidelines in perspective two chapters discuss their impact on law enforcement officer discretion and crime control and deterrence Turning to an exploration of the courts the contributors address prosecutorial discretion in plea bargaining judicial discretion and sentencing disparities case processing and sentencing alternatives and how predictions of dangerousness affect the sentencing process In their analysis of the relationship between the sentencing guidelines and corrections trends the contributors examine issues such as community

based corrections and privatization inmate litigation and constitutional issues and recidivism Finally editor Dean Champion offers a perceptive synthesis of the volume by summarizing the serious problems posed by imposition of the U S sentencing guidelines Four appendices provide additional related information for the student and researcher Predictive Sentencing Jan W de Keijser, Julian V Roberts, Jesper Ryberg, 2019-05-16 Predictive Sentencing addresses the role of risk assessment in contemporary sentencing practices Predictive sentencing has become so deeply ingrained in Western criminal justice decision making that despite early ethical discussions about selective incapacitation it currently attracts little critique Nor has it been subjected to a thorough normative and empirical scrutiny This is problematic since much current policy and practice concerning risk predictions is inconsistent with mainstream theories of punishment Moreover predictive sentencing exacerbates discrimination and disparity in sentencing Although structured risk assessments may have replaced gut feelings and have now been systematically implemented in Western justice systems the fundamental issues and questions that surround the use of risk assessment instruments at sentencing remain unresolved This volume critically evaluates these issues and will be of great interest to scholars of criminal justice and criminology **Sentencing Law and Policy** Nora V. Demleitner, 2004 Four leading sentencing scholars have produced the first and only text with enough up to date material to support a full course or seminar on sentencing Other texts offer only partial coverage or out of date examples The chapters in Sentencing Law and Policy Cases Statutes and Guidelines present examples from three distinct types of sentencing guideline determinate and capital The materials draw on the full spectrum of legal institutions from the U S Supreme Court To The state court level with close consideration of the role of legislatures and sentencing commissions The only current full course text on sentencing this new title offers an intuitive conceptually based organization that looks at the essential substantive components and procedural steps following the sequence of decisions that typically occurs in every criminal sentencing examples covering three distinct areas of sentencing with chapter materials based on guideline determinate indeterminate and capital sentencing materials from a range of institutions including decision from the U S Supreme Court state high courts federal appellate courts and some foreign jurisdictions along with statutes and guideline provisions and reports from various sentencing commissions and agencies in text notes on sentencing policies that explain common practices in U S jurisdictions then ask students to compare different institutional practices and consider the relationship between sentencing rules politics And The broader aims of criminal justice **The Social Contexts of Criminal Sentencing** Martha A. Myers, Susette M. Talarico, 2012-12-06 Historically the announcement and invocation of criminal penalties were public spectacles Today fear of crime and disaffection with the criminal justice system guarantee that this public fascination with punishment continues In the past decade virtually every legislature in the country has undertaken sentencing reform in the hope that public concern with crime would be allayed and disparities in criminal sentences would be reduced if not eliminated Scholars have intensified their longstanding preoccupation with discrimination and the sources of disparate

treatment during sentencing issues that continue to fuel temporary reform efforts As documented in Chapter 1 empirical research on sentencing has concentrated much of its attention on the offender Only recently have attempts been made to embed sentencing in its broader organizational and social contexts Our study extends these attempts by quantitatively analyzing the relationship between the offender and the social contexts in which he or she is sentenced We use data on felony sentencing in Georgia between 1976 and 1985 to ask three questions The first addresses an issue of perennial concern during sentencing how important are offender attributes both those of explicit legal relevance and traits whose legal relevance is questionable or nonexistent The second question directs attention to the social contexts of sentencing and asks whether they directly affect sentencing outcomes

**Strafzumessung** Kai Ambos, 2020 In September 2018 the criminal law section of the 72nd Deutscher Juristentag DJT German Assembly of Jurists debated the question Sentencing Guidelines vs Free Judicial Discretion Is German Sentencing Law in Need of Reform Despite the expert opinion provided by Johannes Kaspar and the accompanying scholarly commentaries ensuing proposals for fundamental reform met with rejection The comparative perspective was limited to the US Federal sentencing guidelines The intention of this volume is therefore on the one hand to draw a more nuanced picture of Anglo American sentencing law focusing on three legal systems England Wales USA and Canada accompanied by commentaries from a German perspective on the other hand we want to make the German perspective better known within the Anglo American legal world by reproducing important DJT documents in English language To ensure the widest possible distribution we opted for a bilingual open access publication

**Determinate Sentencing** Pamala L. Griset, 1991-01-01 This book discusses in depth the rise and fall of the determinate ideal once heralded as a replacement to the old order of criminal justice Using new materials and combining political empirical and theoretical perspectives Griset examines the attempt in New York State to establish determinate sentencing punishment for its own sake to replace the existing policy of rehabilitation In portraying New York's experience against the backdrop of a national reform agenda she analyzes the development and ultimate failure of a major social movement

Sentencing and Artificial Intelligence Jesper Ryberg, Julian V. Roberts, 2022 This book is the first collective work devoted exclusively to the ethical and penal theoretical considerations of the use of artificial intelligence at sentencing Jesper Ryberg and Julian V Roberts bring together leading experts in the field to investigate to what extent and under which conditions justice and the social good may be promoted by allocating parts of the most important task of the criminal court that of determining legal punishment to computerized sentencing algorithms

*Sentencing Matters* Michael Tonry, 1996-01-18 Michael Tonry an internationally recognized authority on criminology offers in these pages a comprehensive overview of current research policy developments and practical experiences concerning sentencing and sanctions He examines the effects of increased penalties and considers whether they have made America a safer place Tonry contends that in order for sentencing to be fair and effective comprehensive and defensible policies must be in place and mechanisms must exist to implement those policies

He also looks at mandatory penalties community sanctions and sentencing changes in other countries and proposes sentencing policies for the twenty first century Sentencing has been going through reform for over twenty five years yet political debate on the subject has changed remarkably little By offering a complete survey of new developments in both research and policy Sentencing Matters is certain to spark fresh dialogue on this divisive issue **Criminal Justice**

Stephen R. Mitchell, Emily S. Ross, 2012 CRS Report for Congress prepared for members and committees of Congress

**Sentencing Guidelines** United States. Congress. House. Committee on the Judiciary. Subcommittee on Criminal Justice, 1988 **The Oxford Handbook of Sentencing and Corrections** Joan Petersilia, Kevin R. Reitz, 2012-04-06 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 **Handbook on Sentencing Policies and**

**Practices in the 21st Century** Cassia Spohn, Pauline Brennan, 2019-06-14 Sentencing Policies and Practices in the 21st Century focuses on the evolution and consequences of sentencing policies and practices with sentencing broadly defined to include plea bargaining judicial and juror decision making and alternatives to incarceration including participation in problem solving courts This collection of essays and reports of original research explores how sentencing policies and practices both in the United States and internationally have evolved explores important issues raised by guideline and non guideline sentencing and provides an overview of recent research on plea bargaining in the United States Australia and the United Kingdom Other topics include the role of criminal history in sentencing the past and future of capital punishment strategies for reducing mass incarceration problem solving courts and restorative justice practices Each chapter summarizes what is known identifies the gaps in the research and discusses the theoretical empirical and policy implications of the research findings The volume is grounded in current knowledge about the specific topics but also presents new material that reflects the thinking of the leading minds in the field and that outlines a research agenda for the future This is Volume 4 of the American Society of Criminology's Division on Corrections and Sentencing handbook series Previous volumes focused on risk assessment disparities in punishment and the consequences of punishment decisions The handbooks provide a comprehensive overview of these topics for scholars students practitioners and policymakers **Just Sentencing** Richard S. Frase, 2013 This title presents a fully developed punishment theory which incorporates both utilitarian and retributive sentencing purposes The author describes and defends a hybrid sentencing model that integrates theory and practice blending and balancing both the competing principles of retribution and rehabilitation and the procedural concern of weighing rules against discretion

The book delves into Sentencing And Criminal Justice. Sentencing And Criminal Justice is a vital topic that must be grasped by everyone, from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Sentencing And Criminal Justice, encompassing both the fundamentals and more intricate discussions.

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