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Judicial
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Victorian Sentencing Manual

Peter Krause



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Victorian Sentencing Manual Judicial College of Victoria, 2022 *Victorian Sentencing Manual* Paul R. Mullaly, Fleur Gibbons, 1999 *Victorian Sentencing Manual* Paul R. Mullaly, 1991-01-01 **Remorse, Penal Theory and Sentencing** Hannah Maslen, 2015-04-30 This monograph addresses a contested but under discussed question in the field of criminal sentencing should an offender's remorse affect the sentence he or she receives Answering this question involves tackling a series of others is it possible to justify mitigation for remorse within a retributive sentencing framework Precisely how should remorse enter into the sentencing equation How should the mitigating weight of remorse interact with other aggravating and mitigating factors Are there some offence or offender characteristics that preclude remorse based mitigation Remorse is recognised as a legitimate mitigating factor in many sentencing regimes around the world with powerful effects on sentence severity Although there has been some discussion of whether this practice can be justified within the literature on sentencing and penal theory this monograph provides the first comprehensive and in depth study of possible theoretical justifications Whilst the emphasis here is on theoretical justification the monograph also offers analysis of how normative conclusions would play out in the broader context of sentencing decisions and the guidance intended to structure them The conclusions reached have relevance for sentencing systems around the world Sentencing and Criminal Justice Andrew Ashworth, 2015-08-20 Now in its sixth edition *Sentencing and Criminal Justice* has been extensively rewritten to reflect recent legislation guidelines and judicial decisions New material includes comparative sentencing research which looks at models from other countries in comparison with the approach in England and Wales and an additional chapter focusing on civil preventive orders and other ancillary orders Written with clarity of expression coupled with critical analysis this textbook offers an unrivalled combination of expertise accessibility and coverage This is the essential text for anyone interested in criminal justice **Justice Connections** Patricia Easteal, 2014-10-16 Former High Court judge of Australia the Hon Michael Kirby AC CMG in addressing the symposium that has evolved into this book stressed the need for vigilance in the pursuit and protection of justice *Justice Connections* is evidence of such vigilance The book is a veritable smorgasbord of subjects violence against women Indigenous people sentencing genetic profiling cultural exceptionalism arbitral proceedings and environmental law However certain themes are constant The notion of respect for the individual and their personal characteristics underpins the analyses in the book Accordingly a number of contributors examine the need to recognise and protect the potentially vulnerable in society There is recognition too of the significance of the public interest and public participation in just policy and decision making Whilst the principle of the rule of law is a constant in civilised society another message of the book is that its form is very much an evolving beast Furthermore the book illustrates that justice is not synonymous with law but more as Professor Margaret Thornton concludes a performative idea that is played out differently in different sites by different actors **Mitigation and Aggravation at Sentencing** Julian V. Roberts, 2011-08-25 This

innovative volume explores a fundamental issue in the field of sentencing the factors which make a sentence more or less severe All sentencing systems allow courts discretion to consider mitigating and aggravating factors and many legislatures have placed a number of such factors on a statutory footing Yet many questions remain regarding the theory and practice of mitigation and aggravation Drawing on legal and sociological perspectives and examining mitigation and aggravation in various jurisdictions the essays provide practical illustrations of specific factors as well as theoretical justifications After the foreword by Andrew von Hirsch a number of contributors address broad conceptual issues raised at sentencing These contributions are followed by several empirical chapters including an exploration of personal mitigation in English courts The authors are leading scholars from a range of common law jurisdictions including England and Wales the United States Canada Australia New Zealand and South Africa

The Palgrave Handbook of Australian and New Zealand Criminology, Crime and Justice Antje Deckert, Rick Sarre, 2017-11-03 This handbook engages key debates in Australian and New Zealand criminology over the last 50 years In six sections containing 56 original chapters leading researchers and practitioners investigate topics such as the history of criminology crime and justice data law reform gangs youth crime violent white collar and rural crime cybercrime terrorism sentencing Indigenous courts child witnesses and children of prisoners police complaints processes gun laws alcohol policies and criminal profiling Key sections highlight criminological theory and crucially Indigenous issues and perspectives on criminal justice Contributors examine the implications of past and current trends in official data collection crime policy and academic investigation to build up an understanding of under researched and emerging problem areas for future research An authoritative and comprehensive text this handbook constitutes a long awaited and necessary resource for dedicated academics public policy analysts and university students

New Directions in Sexual Violence Scholarship Kate Gleeson, Yvette Russell, 2023-05-30 This edited collection brings together leading and emerging scholars in the important field of sexual violence scholarship The last ten years have witnessed an international reckoning on sexual violence typified in the mainstream imagination by the MeToo movement acknowledgement of the violence of university campus life and the overdue recognition of the enduring harms of child sexual abuse While the state has been forced to respond through law and other political processes at times revealing its agility and at other times its archaic investment in the past much of the real work responding to sexual violence and abuse has taken place within communities and in the personal responses of the individuals writing the scripts of their experiences This volume explores the nuances of these individual experiences and considers how they are shaped and reflected by intersecting axes of power including gender race class age and able bodied status It reflects on law and law reform in the area and suggests new modes and frames through which to explain and understand sexual violence and institutional responses to it Debates within this contested personal and political arena do not map onto longstanding binaries of liberal and radical feminism nor conservative and progressive politics This interdisciplinary volume traces that murky terrain and features some

of the leading international scholars writing on sexual violence in English today This book will appeal to scholars and students across the broad disciplines of law and legal studies criminology gender studies political science and sociology

Sentencing New South Wales. Law Reform Commission,1996 *Safeguarding the Quality of Forensic Assessment in Sentencing* Michiel Van der Wolf,2022-09-30 This edited collection provides an interdisciplinary and cross national perspective on safeguarding the quality of forensic assessment in sentencing offenders Taking an in depth look at seven different Western countries each chapter provides an overview of the role of assessment in sentencing offenders as well as a focus on formal ways in which the respective country s legal system and disciplinary associations protect the quality of forensic assessment Each chapter explores how to assure better decision making in individual cases based on assessments of psycholegal concepts such as mental disorder insanity criminal responsibility and dangerousness Combining the perspectives of lawyers legal scholars and clinicians working in the field this book is essential for those working in and with forensic assessment The Open Access version of this book available at <http://www.taylorfrancis.com> has been made available under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4 0 license

Victorian Reports Victoria. Supreme Court,2001 Incorporates the Victorian law reports and the Australian law times reports **Revenue and Customs Enforcement - Fraud** ISBN 9781527223608 - KRAUSE Peter Krause,2018-05-01 A general guidance aimed at those wishing to gain a basic understanding of the operational side of revenue enforcement and the criminal investigation and prosecution of revenue and customs frauds Various chapters and parts of this manual is dedicated to inter alia Revenue and Customs Administration Revenue and Customs Enforcement Civil and Criminal Investigations Criminal Prosecution Fraud within the Revenue and Customs environment Common law and Statutory offences commonly used in the United Kingdom and United States Related frameworks and offences related to Conspiracy Money Laundering and Corruption and Penalties and Punishment This manual was not written with the view to be a blue print of the law and practice surrounding criminal investigations in any one particular jurisdiction but was written with the view to point out what is common practice in most English speaking jurisdictions

The Criminology of Criminal Law William Laufer,2017-07-05 The Criminology of Criminal Law considers the relation between criminal law and theories of crime criminality and justice This book discusses a wide range of topics including the way in which white collar crime is defined new perspectives on stranger violence the reasons why criminologists have neglected the study of genocide the idea of boundary crossing in the control of deviance the relation between punishment and social solidarity the connection between the notion of justice and modern sentencing theory the social reaction to treason and the association between politics and punitiveness Contributors include Bonnie Berry Don Gottfredson David F Greenberg Marc Riedel Jason Rourke Kip Schlegel Vered Vinitzky Seroussi Leslie T Wilkins Marvin E Wolfgang and Richard A Wright The Criminology of Criminal Law concludes with an analysis of the results of a study on the most cited scholars in the Advances in Criminological Theory series This work will be beneficial to criminologists sociologists

and scholars of legal studies *Advances in Criminological Theory* is the first series exclusively dedicated to the dissemination of original work on criminological theory It was created to overcome the neglect of theory construction and validation in existing criminological publications *Criminal Justice and The Ideal Defendant in the Making of Remorse and Responsibility* Stewart Field, Cyrus Tata, 2023-05-18 This book investigates how defendants are assessed by criminal justice decisionmakers such as judges lawyers probation officers parole board members and those involved in restorative justice What attitudes and emotions are defendants expected to show How are these expectations communicated The book argues that defendants at various stages of the criminal justice process are expected to show a more or less free acceptance of guilt and individual responsibility along with a display of appropriate emotions ideally including genuine remorse It examines why such expressions of individual responsibility and remorse are so important to decision makers and the state With contributors from across the world the book opens new comparative possibilities and research agendas E-Justice: Using Information Communication Technologies in the Court System Martinez, Agusti Cerrillo i, Abat, Pere Fabra i, 2008-07-31 This book presents the most relevant experiences and best practices concerning the use and impact of ICTs in the courtroom Provided by publisher **Trauma-informed Criminal Justice** Katherine J. McLachlan, 2024-05-06 This book is the first to examine trauma informed criminal justice responses to the commission of crime and its impact through empathy and humanity Trauma informed criminal justice uses compassion to achieve a safer community for everyone There are three parts the first examines how adversity trauma and crime are related The second focuses on trauma informed criminal justice responses to people who have offended victims of crime and professionals at risk of vicarious trauma The third focuses on trauma informed sentencing and compassionate justice through therapeutic jurisprudence and judicial empathy Each chapter is designed to be a stand alone resource *Sex in the Brain* Amee Baird, 2020-02-04 What controls our sex lives Our brains Yet there is surprisingly little research into how our brains influence one of the most fundamental of all human behaviors And there is even less understanding of what can happen to the sexuality of a person who suffers a brain injury or illness such as a stroke Parkinson s disease or dementia In *Sex in the Brain* clinical neuropsychologist Amee Baird explores fascinating case studies of dramatic changes in sexual behavior and explains what these exceptional stories have to say about human sexuality She illuminates the extraordinary insights into how the brain works that injury or disease can divulge Each chapter includes striking personal accounts many from individuals Baird has met in her clinical practice of unexpected shifts in sexuality Until now these fascinating frightening and funny stories have been hidden in medical journals or untold outside of the clinical setting This revealing and sometimes heartbreaking book unfolds a better understanding of the links between brain function and our sexual selves **How Judges Sentence** Geraldine Mackenzie, 2005 How do judges sentence This question is frequently asked but infrequently explored What factors are taken into account How do judges see their role How do they apply the aims and purposes of sentencing How are factors such as public opinion taken into account How Judges

Sentence explores these questions through interviews with Queensland judges The judges explain how they come to their decisions when sentencing how they view judicial discretion and how they exercise it The book carefully examines their comments within the legislative and theoretical contexts of sentencing The analysis yields valuable insights into judicial methodologies perceptions and attitudes towards the sentencing process How Judges Sentence provides a major contribution to debates on sentencing

New Directions for Law in Australia Ron Levy, Molly O'Brien, Simon Rice, Pauline Ridge, Margaret Thornton, 2017-09-22 For reasons of effectiveness efficiency and equity Australian law reform should be planned carefully Academics can and should take the lead in this process This book collects over 50 discrete law reform recommendations encapsulated in short digestible essays written by leading Australian scholars It emerges from a major conference held at The Australian National University in 2016 which featured intensive discussion among participants from government practice and the academy The book is intended to serve as a national focal point for Australian legal innovation It is divided into six main parts commercial and corporate law criminal law and evidence environmental law private law public law and legal practice and legal education In addition Indigenous perspectives on law reform are embedded throughout each part This collective work the first of its kind will be of value to policy makers media law reform agencies academics practitioners and the judiciary It provides a bird's eye view of the current state and the future of law reform in Australia

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