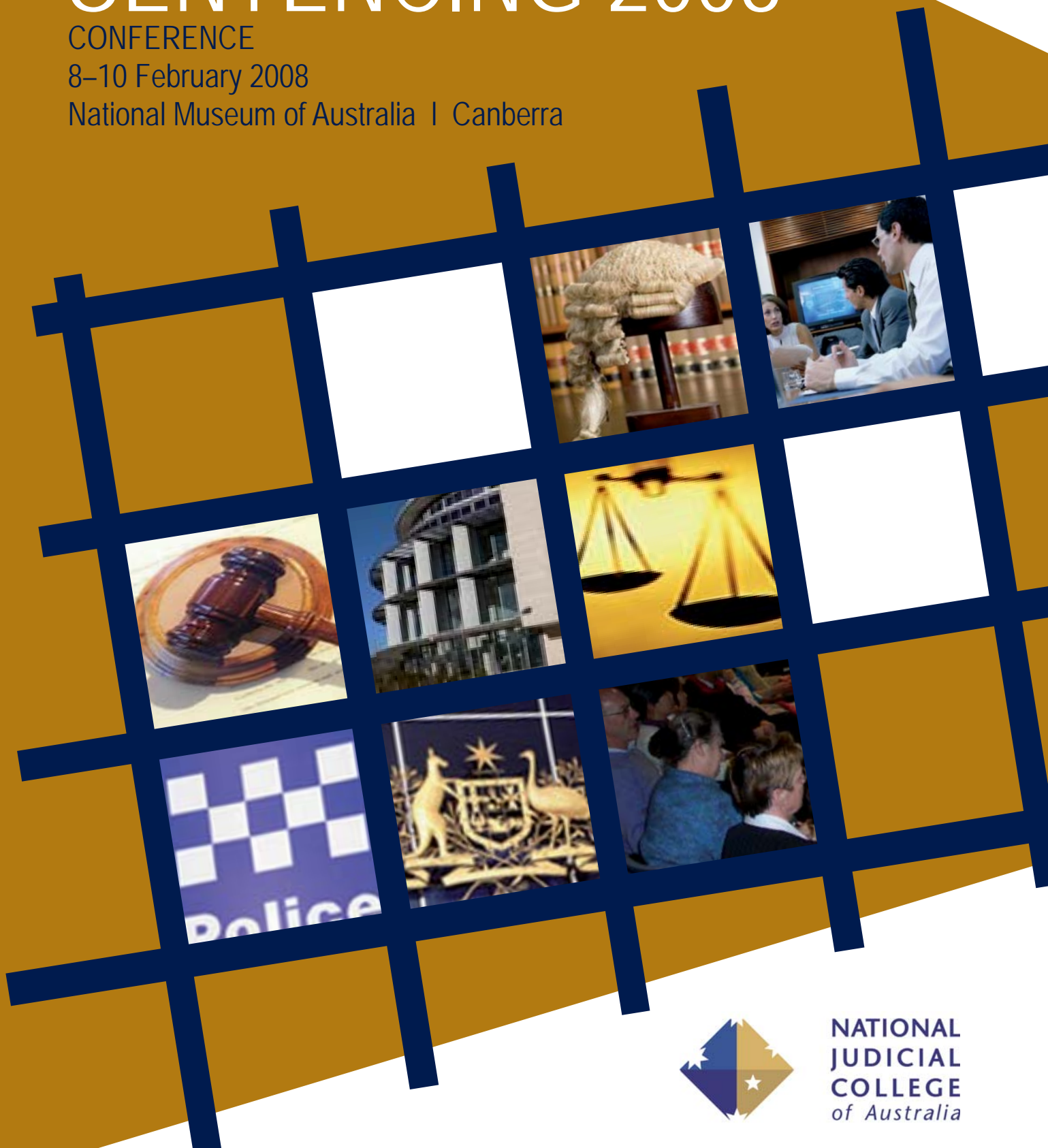


SENTENCING 2008

CONFERENCE

8–10 February 2008

National Museum of Australia | Canberra



NATIONAL
JUDICIAL
COLLEGE
of Australia

Hosted by the

- ▶ National Judicial College of Australia
- ▶ ANU National Institute of Social Sciences & Law
- ▶ ANU College of Law



THE AUSTRALIAN NATIONAL UNIVERSITY

PROGRAM

FRIDAY 8 February 2008

10.30 – 11.30am REGISTRATION

11.30 – 11.45am WELCOME

Chief Justice Peter Underwood AO
Chair, Council of the NJCA
Professor Michael Coper
Dean ANU College of Law

11.45am – 12.30pm SESSION 1 (plenary)

KEYNOTE ADDRESS

Consistency and Sentencing

Chief Justice JAMES SPIGELMAN AC,
Supreme Court of New South Wales

12.30 – 1.30pm LUNCH

1.30 – 3pm SESSION 2 (plenary)

SENTENCING: PARLIAMENT AND THE COURTS

Sentencing Legislation or Judicial Discretion?

JUSTICE BRUCE DEBELLE, Supreme Court of
South Australia

Sentencing Legislation or Judicial Discretion?

MR BILL STEFANIAK, Shadow Attorney-General,
ACT Legislative Assembly

3 – 3.30pm AFTERNOON TEA

3.30 – 5pm SESSION 3 (plenary)

SUSPENDED SENTENCES

Do Suspended Sentences Undermine Public Confidence
in the Justice System?

Prof ARIE FREIBERG & Ms VICTORIA MOORE,
Sentencing Advisory Council, Victoria

Research on the Judiciary's View of Suspended
Sentences

Ms LORANA BARTELS, Faculty of Law, University
of Tasmania

7pm – CONFERENCE DINNER

Venue: Great Hall, University House, ANU Canberra

Guest speaker:

Justice IAN HARRISON, Supreme Court NSW

SATURDAY 9 February 2008

9 – 9.30am SESSION 4 (plenary)

LAUNCH OF THE COMMONWEALTH SENTENCING DATABASE

Mr Robert Debus MP, Minister for Home Affairs

9.30 – 11am SESSION 5 (plenary)

SENTENCING & ABORIGINAL (CUSTOMARY) LAW

Culture and Sentencing Aboriginal Offenders

Professor MICK DODSON AM, ANU College of Law

Mainstream Law and Culture Should be Allowed to Work
Together with Aboriginal Law and Culture

Mr REX WILD QC, Barrister, Northern Territory, Co-chair
of the Protection of Aboriginal Children from Sexual Abuse
Inquiry (NT 2006)

The 'Recognition' of Cultural Background in Indigenous
Sentencing

Dr IRENE WATSON, Faculty of Law, University of
Sydney

11 – 11.30am MORNING TEA

11.30am – 1pm SESSION 6A (concurrent)

SENTENCING IN LOCAL COURTS

Sentencing in Magistrates' Courts

Mr IAN GRAY, Chief Magistrate, Magistrates Court
of Victoria

A Looking Glass on Summary Sentencing in New
Zealand

Judge RUSSELL JOHNSON, Chief Judge District
Court of New Zealand

11.30am – 1pm SESSION 6B (concurrent)

JURIES—A ROLE IN SENTENCING?

Jurors as a source of informed public opinion and a
vehicle for improving public knowledge

Prof KATE WARNER, Faculty of Law, University of
Tasmania & Dr JULIA DAVIS, University of South Australia

Examining the Case for More Jury Participation in
Sentencing

Dr DAVID TAIT, School of Law, University of Canberra

Sentencing: Should juries have a say?

Ms DONNA HAYWARD, Law Reform Commission NSW

1 – 2pm LUNCH

SATURDAY continued**2 – 3.30pm** **SESSION 7A** (concurrent)**PREVENTATIVE DETENTION AND INDETERMINATE SENTENCES**

Preventive Detention in Criminal Matters and the Judicial Assessment of Risk

Dr HEATHER DOUGLAS, TC Beirne School of Law, University of Queensland

Balancing Rights: Arguments for indefinite sentencing in Australia

Ms HETTY JOHNSON and Ms CAROL RONKEN, Bravehearts Incorporated, Qld

The Changing Face of Preventive Detention in New Zealand

Mr CHRIS HURD, Sentencing & Corrections Team, Ministry of Justice, NZ

2 – 3.30pm **SESSION 7B** (concurrent)**SENTENCING FOR ENVIRONMENTAL OFFENCES**

The Prosecution of Environmental Offences in New Zealand

Mr TREVOR DAYA-WINTERBOTTOM, School of Law, University of Waikato NZ

Sentencing for Environmental Offences: An Australian exploration

Dr ROBYN BARTEL, School of Human & Environmental Studies, University of New England, NSW

3.30 – 4pm **AFTERNOON TEA****4 – 5.30pm** **SESSION 8** (plenary)**APPEALS AGAINST SENTENCING DECISIONS**

Crown Appeals Against Sentence: Pitfalls for the prosecutor

Mr NICK COWDERY, Director of Public Prosecutions NSW

Crown appeals in NSW: Success rates and the residual discretion

Mr HUGH DONNELLY, Director, Research & Sentencing, Judicial Commission of NSW

5.30 – 6.30pm **DRINKS****SUNDAY** 10 February 2008**9 – 10.30am** **SESSION 9** (plenary)**SENTENCING DISCOUNTS, OFFENDER ASSESSMENTS**

Discounting Sentences

Justice ROD HOWIE, Supreme Court of NSW

Sentencing Indications & Discounts in Magistrates Courts

Dr ANDREW CANNON, Deputy Chief Magistrate, SA

Offender Assessments: Their meaning, rationale and implications for court

Mr ROSS FEENAN, Manager, Offender Assessment, Long Bay Correctional Complex, NSW

10.30 – 11am **MORNING TEA****11am – 12.30pm** **SESSION 10A** (concurrent)**MENTAL CONDITIONS AND SENTENCING**

Crime, Punishment and Mental Illness

Ms JENNY SPEED, Deputy Director

Australian Mental Health Consumer Network

Mental Illness and Prescription Medication: Implications for offending behaviour

Ms GEORGINA SPILSBURY, Senior Specialist Psychologist, NSW Dept Corrective Services

Sentencing Offenders with Autistic Spectrum Disorders

Ms VICKI GIBBS, Clinical Psychologist, Autism Spectrum Australia

11 – 12.30pm **SESSION 10B** (concurrent)**SENTENCING - CHILDREN AND YOUNG PEOPLE**

Sentencing Children and Young People: A judicial perspective

Magistrate PAUL MULRONEY, Children's Court NSW

Subjective Reactions to a Sentencing Hearing Before the NSW Children's Court

Mr ANDREW MCGRATH, Centre for Early Childhood, Macquarie University NSW

What Happens to the Kids When a Parent is Sentenced?

Ms HELEN WISEMAN & Ms GLORIA LARMAN
Shine for Kids**12.30pm** **CONFERENCE CLOSE**

GENERAL INFORMATION

Conference venue

The National Museum of Australia
Lawson Crescent, Acton Peninsula, Canberra
W: www.nma.gov.au

The Museum is 20 minutes by taxi from Canberra airport. Buses from the airport operate to Canberra City, which is a 20 minute walk to the Museum.

Accommodation

Details on accommodation within walking distance of the National Museum are available on the Conference website: <http://law.anu.edu.au/nissl/sentencing08.htm>

Registration Rates

Earlybird rate (by 21 December 2007)	\$450
Individual rate	\$550
Academic / NGO rate	\$300
Full-time student rate	\$120
Conference dinner	\$90

To Register

LIMITED NUMBER OF PLACES.

Please complete and return the enclosed registration form to:

Sentencing 2008 Conference
PO Box 8102
Australian National University ACT 2601

Registration forms are also downloadable at: <http://law.anu.edu.au/nissl/sentencing08.htm>

Enquiries

T: (02) 6125 6655 or (02) 6125 2906
F: (02) 6125 6651
E: sentencing@law.anu.edu.au
W: <http://law.anu.edu.au/nissl/sentencing08.htm>

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