

## Contributors

**Arie Freiberg is the Chair of the Victorian Sentencing Advisory Council.** Professor Freiberg is the Dean of Law at Monash University, after spending ten years as the Foundation Chair of Criminology at the University of Melbourne. With degrees in both Law and Criminology, he has focused his academic attention over the years on topics such as sentencing, confiscation of the proceeds of crime, corporate crime, juries, juvenile justice, sanctions and victimology, among other areas of interest. He is Australia's acknowledged expert in the field of sentencing issues and has undertaken extensive research on sentencing theory, policy and practice. In 2002 Professor Freiberg completed a major review of sentencing for the Victorian Attorney-General, which was published as *Pathways to Justice* (2002). One of the outcomes of this report was the establishment of a Sentencing Advisory Council as an independent statutory body.



**Karen Gelb is the Senior Criminologist at the Victorian Sentencing Advisory Council.** Dr Gelb obtained her doctorate in Criminology from New York University and is currently the Senior Criminologist for the Sentencing Advisory Council in Victoria, Australia. She spent five years at the National Centre for Crime and Justice Statistics, part of the Australian Bureau of Statistics. Since 2005 Dr Gelb's work at the Sentencing Advisory Council has focused on the issue of public opinion on sentencing, and on developing a suite of methodological tools for the Council's use in measuring public opinion in Victoria. She has also conducted research and policy development work on the issue of detention and supervision of high-risk offenders. Her publications include *Myths and Misconceptions: Public Opinion versus Public Judgment about Sentencing* (2006) and *Recidivism of Sex Offenders* (2007).



**The Hon Alan Abadee AM RFD QC** is a former Chair of the New South Wales Sentencing Council and is a retired Judge of the Supreme Court of New South Wales. He was admitted to the Bar in 1964 and appointed one of Her Majesty's Council (QC) in 1984. He was also a Deputy Judge Advocate General of the Australian Defence Force between 1996 and 2000. Mr Abadee was the Chairperson of the Sentencing Council from 2003 until April 2006.

**Rob Allen** is Director of the International Centre for Prison Studies, King's College, London. Between 2001 and 2005 he was the Director of Rethinking Crime and Punishment, an organisation set up by the Esmeé Fairbairn Foundation to raise the level of debate about prison and alternatives to it. He was previously the Director of Research and Development at the National Association for the Care and Resettlement of Offenders and Head of the Juvenile Offender Policy Unit in the UK Home Office. He was a member of the Youth Justice Board for England and Wales from 1998 to 2006 and has extensive experience of international penal reform work, mainly in the field of juveniles and alternatives to prison. Mr Allen also chairs CLINKS, an umbrella body representing charities working in the criminal justice system in England and Wales.

**Andrew Ashworth** is the Vinerian Professor of English Law at the University of Oxford. In 1993 Professor Ashworth was elected a Fellow of the British Academy and in 1997 he was appointed a QC *Honoris causa*. In 1999 he was appointed a member of the Sentencing Advisory Panel, and in 2002 he became a member of the Criminal Committee of the Judicial Studies Board. Professor Ashworth has published books on criminal law, sentencing, the criminal process and European human rights law, and pursues a wide range of interests in the field of criminal justice.

**The Australian Law Reform Commission (ALRC)** is a permanent, independent federal statutory corporation. Established in 1975, the ALRC conducts inquiries into areas of law reform at the request of the Attorney-General of Australia. The ALRC is not under the control of government, giving it the intellectual independence and ability to make research findings and recommendations without fear or favour. ALRC recommendations provide advice to government but do not automatically become law. However, the ALRC has a strong record of having its advice taken up, with nearly 80 per cent of its reports having been either substantially or partially implemented.

**Richard Frase** is the Benjamin N Berger Professor of Criminal Law at the University of Minnesota Law School where he teaches courses, seminars and clinics in criminal law, criminal procedure, comparative criminal procedure and sentencing. He has also taught several times in exchange programs at French and German law schools. Professor Frase is the author or editor of six books and over 50 articles, essays and chapters on various criminal justice topics. His principal research interests are sentencing reform (especially sentencing guidelines in Minnesota and other States), punishment theory and comparative criminal justice.

**Nancy Gertner** is a Judge of the United States District Court for the District of Massachusetts. Judge Gertner graduated Barnard College and Yale Law School and received her MA in Political Science at Yale University. She practiced for 23

years as a criminal defence lawyer and a civil rights lawyer. During her career as a practising lawyer, she also taught at Harvard and Boston University. In 1994 she was appointed by President William J Clinton to the United States District Court for the District of Massachusetts. She has continued her teaching at Yale Law School, teaching sentencing for the past six years. In addition, she has taught at Boston College, Northeastern University and University of Iowa. She has been the Charles R Merriam Distinguished Professor at Arizona State Law School and lectured on sentencing throughout the United States. Judge Gertner has been on the faculty of the American Bar Association – Central & Eastern European Law Initiative Advisory Council, and is now on its Advisory Board. She has also lectured on women’s rights, human rights and criminal law in China, Vietnam, Cambodia, Turkey and Israel.

**Mike Hough** is Professor of Criminal Policy at the School of Law, King’s College London, and Director of the Institute for Criminal Policy Research. He has published extensively on public attitudes to crime and sentencing and has a long-standing interest in research on policing and police effectiveness. Professor Hough has also written on topics including crime prevention and community safety, anti-social behaviour, probation and drugs. Recent publications include *Surveying Crime in the 21st Century* (with M Maxfield), *Understanding Public Attitudes to Crime* (with J Roberts) and *Mitigation: The Role of Personal Factors in Sentencing* (with J Jacobson).

**Neil Hutton** is co-Director of the Centre for Sentencing Research at the University of Strathclyde and was a member of the Sentencing Commission for Scotland. Professor Hutton is Dean of the Faculty of Law, Arts and Social Sciences at the University of Strathclyde. He is a leading member of the team that developed the Sentencing Information System for the High Court in Scotland. Recent research projects include a study of public knowledge and attitudes to sentencing and punishment in Scotland, and an examination of social enquiry reports and sentencing funded by the Economic and Social Research Council.

**David Indermaur** is a Senior Research Fellow at the University of Western Australia Crime Research Centre. Dr Indermaur has a PhD in criminology and has worked in the field of corrections and criminology since 1976, teaching in this field in both Canada and Australia. He has published various articles exploring public perceptions of sentencing since 1987 and was a co-author of *Penal Populism and Public Opinion* published in 2003. His current work is largely centred on the evaluation of therapeutic jurisprudence, offender treatment and crime prevention initiatives.

**Thérèse McCarthy** is the Deputy Chair of the Victorian Sentencing Advisory Council. Ms McCarthy has a long history of involvement with community organisations such as Centres Against Sexual Assault and other Victorian domestic violence and community legal services. She has worked to enhance the relationship between courts and the community in her role as the inaugural Director, Community Relations, Federal Court of Australia and as the Executive Director of Court Network, a Victorian support organisation. Ms McCarthy was an adviser to the Victim and Witness Unit at the International Criminal Tribunal for

the Former Yugoslavia, training support staff in sensitive witness assistance procedures. She has also worked with Amnesty International in Papua New Guinea and, as adviser to the Public Prosecutor there, she assisted in the development and delivery of training programs that implemented new legislation protecting victims in rape trials and improving the understanding of rape law. Ms McCarthy has published in the areas of rape law reform, victim impact statements and “battered woman syndrome”.

**John Pratt** is Professor of Criminology and Reader in Criminology at Victoria University of Wellington, New Zealand. He has published extensively in the field of punishment and corrections, most notably the book *Punishment and Civilization* (2002), and his work has been translated into French and Spanish. Dr Pratt was Editor of the *Australian and New Zealand Journal of Criminology* from 1997 to 2005. His most recent publication is the book *Penal Populism* (2007).

**Julian V Roberts** is a Professor of Criminology, Faculty of Law, University of Oxford and Assistant Director, Centre for Criminology, University of Oxford. Professor Roberts has explored various empirical and theoretical issues in the area of sentencing and has conducted many original research studies in the field of public opinion, crime and criminal justice. His books include *Punishing Persistent Offenders* (Oxford University Press, forthcoming, 2008); *Understanding Public Attitudes to Criminal Justice* (2005, with M Hough); *The Virtual Prison* (2004); *Public Opinion and Penal Populism* (2003, with M Hough, D Indermaur and L Stalans); *Changing Attitudes to Punishment* (2002, with M Hough) and *Public Opinion, Crime and Criminal Justice* (2001, with L Stalans).

**Stephan Terblanche** is Professor of Law at the College of Law at the University of South Africa. He was appointed in the Department of Criminal and Procedural Law in 1992, after a career as a magistrate. His research and teaching experience centres on sentencing, with the law of evidence as a secondary interest. Professor Terblanche is the author of the current standard textbook on sentencing in South Africa: *A Guide to Sentencing in South Africa* 2nd edn (2007). His recent articles in South African law journals have focused in detail on the mandatory sentencing scheme that has been in place in South Africa since 1998, as well as the need for sentencing guidelines in that country.

**Warren Young** is the Deputy President of the New Zealand Law Commission. Dr Young was appointed a full-time Law Commissioner for a term of three years from 3 May 2004. He was appointed Deputy President from 23 May 2005. Prior to that he was Deputy Secretary for Justice for four years, with responsibility for criminal law, criminal justice and crime prevention. From 1980 to 2000, Dr Young was Director of the Institute of Criminology and then a Professor of Law at Victoria University of Wellington. He also served as Assistant Vice Chancellor (Research) for five years. He was a Fulbright Fellow in 1985 and has been a co-author of *Adams on Criminal Law* since 1992.