

MAX PLANCK INSTITUTE
FOR THE STUDY OF
CRIME, SECURITY AND LAW



**ACADEMIC
WORKSHOP**

3-4 JULY 2023

**NEW PERSPECTIVES
ON SENTENCING,
PUNISHMENT, AND
ALTERNATIVE
SANCTION MODELS**

In cooperation with



McGill

Faculty of
Law

Faculté de
Droit

WORKSHOP DESCRIPTION

The fields of criminal sentencing and punishment have continuously been confronted with complex societal, ethical, and legal challenges. While some of these challenges have existed for decades, notably over-punishment and the over-representation of marginalized groups within the purview of punishment, others have more recently emerged from novel developments within society and policy, such as the rise of Artificial Intelligence and the employment of modern science and new technologies in criminal justice, which warrant further analysis. Against this backdrop, this workshop brings legal scholars from different jurisdictions together to discuss novel perspectives and alternative models addressing important diachronic issues and current questions within these fields. The talks will provide a broad analysis of current debates that surround the state of the art and future of sentencing, including its theoretical goals, principles, and factors, its implications for different groups of defendants and types of offenses, and the concrete potential of empirical and cross-disciplinary knowledge to aid in sentencing authorities. The overall goal is to offer a forum for discussing the dynamics, shortcomings, and comparative significance of modern sentencing trends and sanction models, with special focus on the aspects that are most in need of reform.

ORGANIZATION

DATE:

3–4 July 2023

LOCATION:

Max Planck Institute for the Study of Crime, Security and Law,
Fürstenbergstr. 19 (seminar room),
79102 Freiburg i. Br. / Germany

HOST:

Otto Hahn Research Group "Alternative and Informal Systems of Crime Control and Criminal Justice" in cooperation with the Centre for Criminology (Faculty of Law) of the University of Oxford and the Faculty of Law of McGill University

ORGANIZING COMMITTEE:

Emmanouil Billis, Federica Coppola, Marie Manikis, and Julian Roberts

CONTACT AND REGISTRATION:

Emmanouil Billis (e.billis@csl.mpg.de)

Monday, 3 July 2023

09:00–09:30

Arrival and Coffee

09:30–09:50

Welcome and Introduction

Tatjana Hörnle and Emmanouil Billis

MORNING SESSION

Chair: Morten Boe (Doctoral Researcher, MPI-CSL Freiburg)

09:50–10:40

**Before and After the Crime: Expanding
the Retributive Analysis at Sentencing**

Julian Roberts (Professor, University of Oxford)

10:40–11:00

Coffee Break

11:00–11:50

**Sentence Severity: Comparative Perspectives
and their Role for Law Reform**

Tatjana Hörnle (Director, MPI-CSL Freiburg)

11:50–12:40

A Respect Standard for Sentencing

Gabrielle Watson (Chancellor's Fellow, University of Edinburgh & Research Fellow, MPI-CSL Freiburg)

12:40–13:40

Lunch Break

Monday, 3 July 2023

AFTERNOON SESSION

Chair: Alexandra Giannidi (Doctoral Researcher, University of Cambridge & Otto Hahn Research Fellow, MPI-CSL Freiburg)

13:40–14:30

Socioeconomic Marginalization, Social Control, and the Criminal Justice Response to Persistent Low-Level Offending

Antje du Bois-Pedain (Professor, University of Cambridge)

14:30–15:20

Recognizing State Blame: Expanding the Communicative Framework of Punishment

Marie Manikis (Associate Professor, McGill University)

15:20–15:40

Coffee Break

15:40–16:30

When the Brain Can Make a Difference: False Myths and Meaningful Contributions of Neuroscience to Sentencing and Punishment

Federica Coppola (Senior Researcher, MPI-CSL Freiburg & Assistant Professor, IE Law School Madrid)

19:00

Dinner



Tuesday, 4 July 2023

09:15–09:30

Coffee

MORNING SESSION

Chair: Cristina Valega Chipoco
(Doctoral Researcher, MPI-CSL Freiburg)

09:30–10:20

Vacation as Punishment: Proposing Alternative Sanctions from an Old Idea

Carina Gallo (Associate Professor, San Francisco
State University)

10:20–11:10

Administrative or Criminal? Sanctioning of Tax Evasion in Norway

Stine-Karethe Løkvoll Jensen (Doctoral Researcher,
UiT The Arctic University of Norway & Otto Hahn Research
Fellow, MPI-CSL Freiburg)

11:10–11:30

Coffee Break

11:30–12:20

The Challenges of Modelling the Law of Sentencing for Algorithmization Purposes: Legal Reflections on a Computer Science Problem

Emmanouil Billis (Otto Hahn Research Group Leader,
MPI-CSL Freiburg)

12:20–13:20

Lunch Break

Tuesday, 4 July 2023

AFTERNOON SESSION

Chair: Manuel Cordes (Doctoral Researcher, MPI-CSL Freiburg)

13:20–14:10

**Computer-Based Decision Support Systems
in Sentencing – Intolerable Mathematization
or Necessary Rationalization?**

Linus Ensel (Doctoral Researcher, MPI-CSL Freiburg)

14:10–15:00

**AI and the Enhancement of Consistency and
Proportionality in Sentencing**

Elizabeth Tiarks (Assistant Professor, Northumbria University)

15:00–15:20

Coffee Break

15:20–16:00

Discussion and Final Remarks

