Record Nr. UNINA9910821228503321 **Titolo** Previous convictions at sentencing: theoretical and applied perspectives / / edited by Julian V Roberts and Andrew von Hirsch Pubbl/distr/stampa Oxford; Portland, Oregon,: Hart Publishing, 2010 **ISBN** 1-4725-6515-0 1-282-98448-9 9786612984488 1-84731-591-7 Edizione [1st ed.] Descrizione fisica 1 online resource (268 p.) Studies in penal theory and penal ethics Collana Disciplina 345.0772 Soggetti Sentences (Criminal procedure) Recidivism - Prevention Recidivists Sentences (Criminal procedure) - England Sentences (Criminal procedures) - Wales Recidivism - England - Prevention Recidivism - Wales - Prevention Lingua di pubblicazione Inglese **Formato** Materiale a stampa Monografia Livello bibliografico Note generali Description based upon print version of record. Nota di bibliografia Includes bibliographical references and index Nota di contenuto Proportionality and the progressive loss of mitigation : some further reflections / Andrew von Hirsch -- First-offender sentencing discounts : exploring the justifications / Julian V. Roberts -- Recidivism, retributivism, and the lapse theory of previous convictions / Jesper Ryberg -- Repeat offenders and the question of desert / Youngjae lee -- 'More to apologise for' : can we find a basis for the recidivist premium in a communicative theory of punishment? / Chris Bennett --The questionable relevance of previous convictions to punishments for later crimes / Michael Tonry -- Prior-conviction sentencing enhancements: rationales and limits based on retributive and

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Sommario/riassunto

This latest volume in the Penal Theory and Penal Ethics series addresses one of the oldest and most contested questions in the field of criminal sentencing: should an offender's previous convictions affect the sentence? This question provokes a series of others: Is it possible to justify a discount for first offenders within a retributive sentencing framework? How should previous convictions enter into the sentencing equation? At what point should prior misconduct cease to count for the purposes of fresh sentencing? Should similar previous convictions count more than convictions unrelated to the current offence? Statutory sentencing regimes around the world incorporate provisions which mandate harsher treatment of repeat offenders. Although there is an extensive literature on the definition and use of criminal history information, the emphasis here, as befits a volume in the series, is on the theoretical and normative aspects of considering previous convictions at sentencing. Several authors explore the theory underlying the practice of mitigating the punishments for first offenders, while others put forth arguments for enhancing sentences for recidivists. The practice of sentencing repeat offenders in two jurisdictions (England and Wales, and Sweden) is also examined in detail