



	INSTITUTE
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of the Czech Academy of Sciences



The European Group on Sentencing & Penal Decision-Making

Cultures of Sentencing and Penal Decision-Making: A European Conference

Thursday 30th – Friday 31st May 2019

**Faculty of Law, Charles University
Prague, Czech Republic**

Call for Participation

This conference brings together academic researchers, as well as practitioners, policy officials and others to learn from each other and to debate the role of culture in judicial sentencing and across broader penal decision-making.

The formalist view of law declares that culture has little to do with 'the law' which is deemed to be determinate both in its meaning and application. It is thought to be sovereign and removed from the vagaries of 'culture'. Yet,

anyone who thinks deeply about sentencing and penal decision-making will before long confront the idea that 'culture' is, in reality, centrally important. Laws may be passed, for example, but their implementation and enforcement cannot be guaranteed if the 'culture' works against the law. Moreover, when applied to concrete situations law is rarely a matter of mechanical application. The law and the situation have to be interpreted: culture is unavoidable.

But what does 'culture' mean in this context? Sometimes, it is tempting to dismiss anything which does not seem to be rational as 'culture', making the term no more than a repository of what seem to be powerful forces that we cannot understand.

This conference aims to take 'cultures of sentencing and penal decision-making' seriously. Sentencing and penal decision-making operate within and through webs of meaning. Culture animates official decision processes, but also the meaning of sentencing and penal laws themselves. It considers how sentencing and penal decision-making is both generated by and generates cultural ideas and communication.

This conference will tackle key normative and empirical questions about the place and role of culture in and by sentencing and penal decision-making. For example:

- If culture is so vital to the making, application and meaning of sentencing and penal laws, what does this mean for the idea of legal and state sovereignty?
- How can we understand the role of culture in the use of rule-like instruments (e.g. sentencing guidelines)?
- What are the dynamics of sentencing and penal decision-making cultural change? What lessons does a deeper understanding of culture offer the sentencing and penal decision-making reformer?
- In sentencing and penal decision-making what is, and should be, the relationship between culture, equality and power?
- What cultural challenges are faced by sentencing and penal decision-making in nation states moving on from the legacy of a very different (e.g. communist) regime? How are they, and should they, move forward?

- Despite differences, does European sentencing and penal decision-making cultures have a commonality? Do different (e.g. inquisitorial and adversarial) approaches tend, in practice, to generate some broadly similar phenomenon?
- Is it meaningful to talk of different countries having their 'own' sentencing and penal decision-making cultures? In what ways are they similar and different?
- How can and should sentencing and penal decision-making cultures be compared? Can this be done in a more revealing way than simply juxtaposing one country with another? What would a more thoroughly 'comparative method' look like?
- How are seemingly universal sentencing and penal decision-making principles (e.g. legal equality, impartiality, independence proportionality) interpreted and given different cultural inflections? What implications does this suggest?
- How do different cultural ideas link with ideas of professional cultures in sentencing and penal decision-making? How do they generate ways of knowing and thinking? For example, how can we understand judicial, prosecutorial and lawyer cultures? How should they be understood and what role do they play?
- How are the subjects of sentencing and penal decision-making processes (e.g. defendants, victims etc) interpreted and depicted? How do different cultures require them to present themselves?
- What challenges and opportunities are posed by the rise of new sentencing and penal decision-making technologies? How do and will they interact and be mediated by cultural ways of doing and knowing?
- What do images, architecture and iconography tell us about cultures of sentencing and penal decision-making?

These indicative and other questions will be addressed at the seminar.

Proposals to Present a Paper

If you wish to propose a formal paper please send a title and abstract to the Conference Chair (Prof Cyrus Tata) at Cyrus.Tata@strath.ac.uk before the end of Friday 30th March. Abstracts should be 200-500 words in length. Papers may be conceptual, empirically-based (whether by quantitative or qualitative work) or inspired by one or more disciplines.

Not all papers may be accepted. In general, there is a preference for work at a relatively mature stage of completion and/or more ambitious in nature, as well as also encouraging speakers from a range of jurisdictions. However, it may be possible to accommodate shorter work-in-progress presentations in some panels. Different formats for panels (e.g. author meets critics) will be considered – please put forward your ideas!

The language of the seminar will be English. Native English-speakers are asked to bear in mind that others are listening, and speaking in a second language – we thank them for that!

Who Should Attend?

The conference particularly welcomes attendees from a range of jurisdictions, and disciplinary backgrounds.

- *As well as scholars and researchers, practitioners, policy-makers, members of the third sector and all those with a serious interest in this subject are warmly encouraged to join the conference.*

Deadline for Registration: Friday 30th March 2019

If you wish to participate in the seminar, including if you are not offering a formal paper please email the Chair, Cyrus Tata. Cyrus.Tata@strath.ac.uk

Thanks to our hosts at *The Faculty of Law, Charles University*, as well as *The Institute of State and Law of the Czech Academy of Sciences* and *The Czech Society of Criminology*, there will be no registration charge for taking part in the seminar itself. **However, places are limited so please get in touch as soon as possible and before 30th March.**

There will be **dinners** (self-paying) on Thursday and Friday evenings – these will be informal, inclusive and convivial evenings. Accompanying persons are welcome to join us. Further information to follow.

Conference Venue

Our venue is the Faculty of Law, Charles University, in central Prague (nám. Curieových 901/7). Further details to follow.

Conference Format

By deliberately having a limited number of participants, the seminar will contrast with the approach of large conferences where time for discussion and exchange about the implications of a paper can be limited. In this focused conference we have more time to think and converse in a relatively intimate setting. Having a limited number of scheduled formal presentations on a focused theme allows generous time for inclusive and challenging discussion and debate.

Getting to Prague is Easy

From Prague Airport. The Faculty of Law is located in central Prague. The easiest way to arrive there from Prague airport is to take bus 119 (runs every 3-5 minutes on a weekday during a day) to its terminal station, a metro station Nádraží Veleslavín (green line A). Then take the metro to Staroměstská station (5 stops): the Faculty of Law is 5 minutes on foot from it. If you prefer taxi, consider taking a taxi from the official stands at the airport to avoid scams.

Getting around Prague. The easiest and cheapest way to travel in Prague during your stay is to buy a 3-day ticket on the airport (it costs 310 CZK ~ 12 €). Public transport is safe, frequent and reliable and runs through day and night.

If you arrive by train to the Main Station, Faculty of Law is 20 minute walk. You can also take a Metro C (red line) to Florenc and a bus 207 in direction Staroměstská and descend at the station Právnická fakulta (Faculty of Law).

Currency. While the majority of shops in the centre accept either credit cards or payments in Euro, some accept only Czech crowns. The middle rate oscillates around 25,5 – 26 CZK for 1 €. While there are some currency exchange services in the centre or at the airport offering very low rate, there are some fair ones, such as Golden Exchange at Na Poříčí 33, Praha 1.

Further links and maps will be made available closer to the time of the conference.

Suggested Hotels

There is abundance of hotels and other accommodations available at airbnb.com or booking.com. Below are a few suggested options. **Be sure to book early** – Prague gets very popular by late May!

Intercontinental hotel (<https://www.icprague.com/>), opposite the Faculty of Law.

Golden Star below Prague Castle <https://www.hotelgoldenstar.cz/>
Underneath Prague Castle. 15 mins on foot to conference venue

Residence Retezova <https://www.retezova.com/en/> apartments in a very central location and a short walk to the conference

Jury's Inn <https://www.jurysinnprague.com/> within walking distance to the conference

Certovka Hotel https://www.tripadvisor.co.uk/Hotel_Review-g274707-d282040-Reviews-Certovka_Hotel-Prague_Bohemia.html (*not to be confused with Certovka restaurant*). Mid-priced

Hotel Ibis 10-15 minutes' walk from the conference venue (Faculty of Law) Mid-priced <https://www.accorhotels.cz/destinace/ceska-republika/praha/ibis-stare-mesto/>

Salvator Superior Suites <http://www.salvatorapartments.cz/> close to the conference venue, a little more inexpensive than Residence Retezova

Pushkin Apartments
<http://www.apartmentspushkin.com/apartments?lang=en> Relatively inexpensive and great location

Hotel Adalbert (<https://www.hoteladalbert.cz/en/>), part of a monastery, mid-way between the airport and the Faculty of Law, but approximately 20 min by tram from the Faculty of Law.

With particular thanks to our hosts, Jakub Drápal and the Faculty of Law of Charles University, Institute of State and Law of the Czech Academy of Sciences and the Czech Society of Criminology.