

# MEDIA RELEASE

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ATTENTION: Chiefs of Staff, News Directors

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## Research on show at UTAS

Jurors returning guilty verdicts generally agree with the sentence the judge imposes on their case, according to research at the University of Tasmania released today as part of a research showcase.

Tasmanian Law Reform Institute and School of Law Professor Kate Warner's research features in a new University of Tasmania publication *Research to Reality* launched today. The publication features eight different areas of research at UTAS ranging from separation science to financial markets and the management of phobias.

UTAS Pro Vice-Chancellor for Research Professor Jo Laybourn-Parry said UTAS is very competitive compared to other Australian universities in attracting research income and has a yearly research budget of almost \$64 million.

"Our research is critical in helping to drive innovation and change in a wide-range of industries and disciplines and it has implications on a local, national and international scale. We work closely with industry and research partners to ensure our research is targeted for the best outcomes," she said.

Prof Laybourn-Parry said a key example of this is Prof Warner's research, which is based on a jury system that has its origins in medieval Europe.

Prof Warner's research is first Australian study into sentencing, which looks at the views of those intimately involved in the case – jurors.

The researchers have been approaching jurors in all guilty cases held in the Supreme Court of Tasmania, in Hobart, Launceston and Burnie, to gain an understanding of public opinion on sentencing and crime.

Jurors are given questionnaires after the verdict asking them to nominate the sentence they think should be imposed in the case as well as asking them more general questions about crime trends and sentencing.

After sentencing, they are provided with the judge's sentence and reasons for it. In a second questionnaire they are asked their views on the sentence as well as again asking them views about sentencing in general.

The two-year study is on going and will finish in September, but the preliminary findings have just been released.

Results show 90 per cent of jurors viewed the sentence relating to the case in which they were a juror, appropriate. More than half the jurors suggested a sentence less severe than the judge's.

However, when asked about general views on sentencing, jurors generally stated sentences were too lenient, particularly for sex offences.

“There is a division between jurors’ views about the particular case and their views about sentencing in general which suggests that pre-existing perceptions about issues such as lenient sentencing may be difficult to change,” Prof Warner said.

Prof Warner said it was important to understand public attitudes to sentencing for three reasons.

The first was because these attitudes contribute to public confidence in the criminal justice system. Secondly it is generally accepted sentencing policy and practice should be responsive to public opinion. Finally perceptions of public opinion can change the law.

Prof Warner said the major advantage of talking to jurors was that they had a strong sense of the offender as a real person and a detailed knowledge of the offence.

“Preliminary findings suggest that surveying jurors can elicit interesting and useful information about sentencing. By asking about the particular offence tried, informed responses can be obtained about public views of appropriate penalty levels for particular crimes,” she said.

**For more information, please call Professor Kate Warner on 6226 2067.**

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