



Leading judge to deliver Kerferd Oration

George Briscoe Kerferd

25 May 2011

Justice David Harper AM, a judge of the Supreme Court of Victoria, will deliver the annual Kerferd Oration in Beechworth in July. Justice Harper will talk about sentencing and the perception that sentences handed down in courts of law are too lenient.

His Oration, entitled *Sentencing: public perceptions, the reality, and their social implications*, will include reference to research in Britain, Canada and the US which consistently shows that members of the public, when given details of the considerations that go into the sentencing process, are more lenient than judges.

“The simplistic approach says the courts should be more punitive in sentencing. But the reality is more complex. The protection of the community requires us to pay attention to both sentencing and rehabilitation for the long-term benefit of the community and offenders,” Justice Harper says.

A Tasmanian study, released in February this year, using jurors in real trials to gauge public opinion, showed that more than half of the jurors suggested a more lenient sentence than what was imposed. The difference between the jurors and the community was that the jurors, being part of the judicial process, were fully informed of the facts of the case and the background of the offender.

To flesh out this contentious subject, there will be four lead-in events prior to the Kerferd Oration on 31 July which will look at the issue of sentencing from different perspectives and the implications for Beechworth of being a gaol town.

The first event, **Community Insight 1**, *What is the impact of imprisonment on prisoners during both imprisonment and post release?* is on Wednesday 8 June at the Beechworth Correctional Centre in Flat Rock Road. This will involve prisoners talking about their experiences, as well as a question and answer session chaired by the Beechworth Neighbourhood Centre Manager Judy Lazarus. This first event will run from 5pm to 7pm and numbers are limited to 30. A light supper will be provided by prisoners studying hospitality at Goulburn Ovens TAFE, at Beechworth Correctional Centre. As this event is being held at the correctional centre, it is essential to RSVP for this session. If you would like to attend, please contact Kerferd Committee member Joan Simms on joansimms@bigpond.com or 03 5728 2747.

The other three events are:

- **Community Insight 2: Beechworth a prison town – what are the implications?** Thursday 23 June, 5pm-7pm, at The Rectory opposite the Beechworth Neighbourhood Centre. This event

will involve prisoners and staff talking about the work they do in the local community as well as the educational opportunities open to the prisoners.

- **Community Insight 3:** *Sentencing: the effects on police and police prosecutors*, Wednesday 6 July, 7.30pm- 9.30pm, at the Hotel Nicholas in Camp Street, Beechworth. This will be a panel discussion, chaired by Inspector Dave Ryan from Wangaratta Police.
- **Community Insight 4:** *The old and the new – where to from here?* Thursday 21 July, 5pm- 7pm, at the Beechworth Historic Courthouse. This final event before the Oration will include an overview of the history of the old gaol and the impact of the new gaol in terms of rehabilitation for prisoners and the benefits to the community.

In 2008, Justice Harper was made a Member of the Order of Australia for his service to law reform, the judiciary, and in the area of international humanitarian law, and to the community through support services for the care and resettlement of offenders and their families.

He has been the president of the of the Victorian Association for the Care and Resettlement of Offenders since 1995 and is Chair of the Australian Red Cross (Victorian Division) International Humanitarian Law Committee, and is the president of the Judicial Conference of Australia, which seeks to maintain an independent judiciary.

The annual Kerferd Oration is a free community event supported by WAW Credit Union, La Trobe Beechworth and Indigo Shire Council. It starts at 11am in the Kerferd Conference Centre at La Trobe Beechworth on Sunday 31 July. Tickets are not required.

The Oration is named after one of the founding fathers of Beechworth, George Briscoe Kerferd, whose career in public office culminated in his elevation to the office of Victorian Premier in 1874.

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For more information:

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