

INTERNATIONAL UNION OF JUDGES
3rd Study-Commission

Theme of our next meeting in 1982 in Portugal :

ALTERNATIVES TO SHORT SENTENCES OF IMPRISONMENT AND THEIR APPLICATION

O u t l i n e o f Q u e s t i o n s

I. Are there alternatives to short sentences of imprisonment in the legislation of your country ?

A. Give a list of these with their characteristics and dates when brought into effect.

B. Application by the Judge

1. Qualitative appraisal (details as to the application of various alternative sentences).

2. Quantitative appraisal (statistics where possible).

C. The carrying out of the alternative sentences - advantages and
-- disadvantages

D. Results

Critical appraisal both of the relevant legislation and its application.

II. Whether or not such alternatives exist, can the judge still mete out short sentences of imprisonment according to your legislation ?

A. Describe the present state of affairs regarding relevant legislation.

1. Length of short sentences

2. Conditions to be fulfilled for their implementation, if any.

B. Application by the Judge

1. Qualitative appraisal

2. Quantitative appraisal.

C. Are the short sentences of imprisonment in fact carried out ?

1. If not, state :

a) the exceptions

b) the motives behind these exceptions

c) the consequences of such a practice.

2. Do special methods apply for putting these short prison sentences into effect ?

Critical appraisal.