

Panel Session Overview:

Panel Session 1:

This would be the first Panel Session organized by the Criminal Law-Making Policy Working Group formed at the Budapest Conference last year.

It would deal with a range of topics that form the core of the Group's interests. Along with it, this Panel Session would represent extraordinarily the cross-national nature of the group and its ability to bring to a single and focused debate several national realities that, far from being out of tune, show a surprising connection in their criminal policy making dynamics as well as in the academic concerns linked to them.

Firstly, *José Luis Díez-Ripollés* will talk about rationality in criminal legislation, explaining his achievements in the building of a feasible model of rational decision making in complex socio-legislative processes, as our countries face. He will present a theoretical framework which is complex and complete enough to provide a conceptual structure that could be used in every criminal policy making analysis.

Secondly, *Julie Ayling* will focus her attention on cool-headed lawmaking for serious crimes, using a deliberative approach in the study of recent Australian laws that deal with the problem of outlaw motorcycle gangs. She will outline several practical steps that could be taken to incorporate deliberation into serious crime lawmaking like the creation of guides to legislative approaches for use by policy makers, the introduction of an ex ante impact assessment process or the establishment of actor networks registers to facilitate consultative processes, for instance.

The third presentation will be offered by *Petra Bard*, who will discuss the social conditions of the effective fight against hate crimes. She will use as her case study the role played by certain civil actors (i.e. human rights NGOs) in the drafting of the Hungarian Criminal Code and how they managed to achieve some positive results.

Fourthly, *Pablo Rando-Casermeyro* will explain the globalization law-making process in intellectual property topics on an International and European scale, trying to verify and describe the participation of prominent lobbies-specially from USA- in the creation and thereafter implementation of criminal law remedies concerning intellectual property issues during the "prelegislative stage".

And last, but not least, *Luis Velez-Rodriguez* will present his paper on how judicial review may improve the quality of criminal law, focusing his attention on the Colombian Constitutional Court's experience.

Panel Session 2:

This would be the second Panel Session organized by the Criminal Law-Making Policy Working Group formed at the Budapest Conference last year.

Similarly to Session 1 of the Working Group, our intention is to combine a wide enough range of topics to represent the core of the Group's interests with an attractive representation of the different national case studies that aim to bring up similarities and differences in

criminal policy creation from an international perspective.

As we have mentioned in the abstract sent for Session 1, these works show a surprising connection in their criminal policy making dynamics as well as in the academic concerns linked to them.

The paper that would lead this session would be *professor Persak's* work on "Rationality and normative legitimacy of criminal law", which proposes that harm-based arguments, drawn from criminal law philosophy and criminological research, can help recalibrate criminal law in the sense of re-claiming rationality or reasonableness as its main lens.

Secondly, *Jose Becerra-Muñoz* would show the results of his monitoring of criminal law-making processes in the UK and Spain through an evaluation that would inform of the differences among such systems and the possible impact of them in the outcomes that are finally obtained.

Thirdly, *Carlos Viveiros* will bring in the situation in Brazil through a case study that concentrates its attention in recent criminal reforms in the country and he will be followed, in the fourth place, by *Ascension García*, who would present her paper on noise management as an environmental crime and the role played by local authorities in Spain, as well as by civil associations, often claiming a genuine victimization process and being able to influence criminal policy making.

Second meeting of the Criminal Law-Making Policy Working Group.

In the Budapest Conference of 2013 a meeting took place to debate about the need of a working group that would study criminal law-making policy. The result of the discussion was clear: European countries face constant legal reforms that deeply affect the criminological legal framework. Such activity is most of the times unaware or even clearly in contradiction with scientific knowledge on different subjects. This concern leads our initiative, along with the certainty that a comparative perspective will be highly beneficial for this line of research. Consequently, 28 ESC members expressed their interest on the topic and supported the idea of launching a working group in the ESC and another 14 ESC members showed their interest on the matter and asked to be informed on the Group's upcoming activities. The Working Group was formally approved by the ESC Board on December 14th. 2013.

Since then, the Group's aims have been to build a scientific debate forum to study how criminal legislative decisions are taken and how they could be improved.

It is our conviction that higher quality in criminal legislation is possible and desirable, and the tools needed to achieve this goal should be made available by experts from social sciences.

We would also like to have our second meeting in Prague to continue our discussions about the panels, to debate our working plan and to build new ideas and strategies to consolidate this initiative.