

CRIMINAL LAW JOURNAL

Volume 38, Number 1

February 2014

EDITORIAL

The need to increase to penalties for “king hit” killings and wider implications for the sentencing system	3
---	---

ARTICLES

The High Court on crime in 2013: Analysis and jurisprudence – *Stephen Odgers*

This article discusses all of the High Court decisions in 2013 that relate to criminal matters. It examines the principles that derive from these cases and identifies jurisprudential themes from the decisions. It also discusses the significance of the cases and their possible wider consequences.	4
---	---

The Thomas Kelly case: Why a “one punch” law is not the answer – *Dr Julia Quilter*

The tragedy of a young man’s death in King’s Cross in 2012, and the perceived leniency of the sentence for manslaughter handed down to his killer in 2013, have ignited calls for a special criminal law to cover situations in which death results from a senseless act of violence: a specific “one punch” law. Through an examination of the operation of the existing one punch law in Western Australia, and the operation of manslaughter by unlawful and dangerous act in one punch fatality situations in New South Wales, this article argues that a new offence of assault causing death is neither necessary nor desirable. It concludes that a guideline judgment on one punch manslaughter offers a more appropriate and constructive path to responding to community concerns about alcohol-fuelled acts of fatal violence.	16
--	----

Retrospective on Ridgeway: Governing principles of controlled operations – *Brendon Murphy*

In Australian law there are few law enforcement powers as controversial as the controlled operation. Controlled operations involve authorised unlawful conduct by police or informers in the course of an investigation. Introduced as an apparent reaction to the High Court’s decision in <i>Ridgeway</i> in 1995, controlled operations law has evolved into a national framework that aims to authorise and regulate undercover investigation at the local, national and transnational level. This article examines the scope of controlled operations in Australia, and their governing doctrinal and normative principles. The article concludes with a consideration of the role that controlled operations law plays in shaping new forms of sovereignty and the entrenchment of Richard Ericson’s counterlaw thesis.	38
--	----

PHILLIPS’ BRIEF

The Hilton bombing, calling out the troops and turning points in history – <i>Kate O’Donnell</i> and <i>Simon Bronitt</i>	59
--	----

DIGEST OF CRIMINAL LAW CASES	63
------------------------------------	----

