Abstract

In contemporary time, there has been a kind of discursive transformation in the penology, called Risk-Oriented penology. This paper discusses the features and strategies of this notion. With the approval of laws such as Iranian Penal Code (April 2013), Iranian Code of Criminal Procedure (June 2015) and the evolution of Penalties, this trend of penology has, indirectly, seems to entered Iranian criminal law system. It is therefore desirable to be considered in a strategic manner. Risk penology focuses more on addressing the risk of potential offenders and the probability of recidivism through emphasizing the risk of offenders as well as managerial strategies. Indeed, while traditional penology emphasizes crime, as well as clinical and rehabilitative attitudes to determine a criminal response, in risk oriented penology the principle of certainty in the determination of crimes and punishments, loses its significance. Moreover, in this new approach of penology, assessment tools are widely used to exclude and incapacitate the risky offenders, and generally speaking, control, manage and reduce the risk. In Risk-oriented penology, however, enough emphasis is placed on the rationality in determining punishment, programming along with principles such as the principle of precaution in addressing risk.