
the Howard League for Penal Reform

Early Career Academics Network Bulletin**January 2013 – Issue 18****Contents**

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Introduction



Welcome to the first ECAN bulletin of 2013. This is the year that the Howard League's Symposium [*What is Justice? Re-imagining penal policy*](#) begins to gather pace, as we engage with thinkers and practitioners and seek your input. In the coming months I hope you will be a part of the process to re-imagine, re-think and rework our model for the penal system. We want to look inside and outside criminology and law for solutions, we want to look at ideas emanating from the domestic arena as well as taking in those from other jurisdictions. Please contact me if you have any thoughts or if you want to contribute. I will be working alongside colleagues and our three lead academics on the

Symposium, Professors Stephen Farrall, Barry Goldson and Ian Loader, to develop opportunities for you to engage. Already in the pipeline are a blog and a conference in Oxford next October – look out for a call for papers in February. The Symposium is just one part of our plans, other things that I would urge you to look out for are:

Intelligent Justice: Balancing the effects of community sentences and custody

Written for the Howard League by Professors Mike Hough, Stephen Farrall and Fergus McNeill, this will be published in February.

What if? event 20 March, London school of Economics

Why some countries seem to be able to cope with fewer prisoners: what could be done to do the same? Presented by Dr Tapio Lappi-Seppälä, Director, National Research Institute of Legal Policy, Finland. Booking for this will open in the next few weeks.

Penal Landscapes: The Howard League guide to criminal justice in England and Wales

Edited by Anita Dockley and Professor Ian Loader and published by Routledge, this will be published in April.

The value and vibrancy of ECAN is determined by its members. If you have ideas or you want to contribute to this bulletin, please get in touch. Likewise, I am keen for the membership of ECAN to grow, so please introduce your friends and colleagues to the bulletin and encourage them to become a member too.

I am looking forward to meeting and getting to know more of you in the coming year.

Anita Dockley
Research Director

News

Probation privatisation plans

Responding to Justice Secretary Chris Grayling's announcement about probation privatisation on 9 January, Andrew Neilson, Director of Campaigns at the Howard League for Penal Reform said:

"This is the second consultation on reforming probation services in just under a year and yet there remains a disturbing lack of detail on how the Ministry of Justice intends to implement these complicated and radical reforms.

"At most we now know that probation will be privatised using a similar system of national commissioning as found in the Work Programme, the success of which has been far from clear. The government also wishes to expand probation services to offer support to short sentenced prisoners on release, although there is no convincing explanation of how this can be done as austerity continues to bite.

"In reality, the reason why so many people who leave prison quickly return to a life of crime doesn't lie with the probation service, but with the prisons themselves. In particular, short prison sentences are needlessly damaging and actively encourage more crime, as reoffending statistics demonstrate.

"Yet the government has shunned a fundamental reform of our prisons, which would involve a hard-headed look at who we send to prison in the first place and what then happens behind bars.

"Instead, the Ministry of Justice is embarking on an untested and opaque programme of reform to probation which invites difficult questions where none previously existed while ducking the hardest questions of all."

Prison building plans

The government announced plans to build Britain's biggest prison on 10 January.

In a move which echoes the ill-fated Titan jail proposal of the last decade, the Ministry of Justice (MoJ) has announced that it is to start feasibility work on a new prison that could hold more than 2,000 prisoners.



The project – combined with the planned construction of four new mini-prisons – follows the opening of the G4S-run Oakwood Prison near Wolverhampton, which has been dogged with problems from the outset.

Although the Howard League cautiously welcomes the MoJ's decision to close six older jails, the construction of new facilities means that the total number of places in the prison estate is to rise at a time when the government should be striving to save money by reducing the number of people in custody.

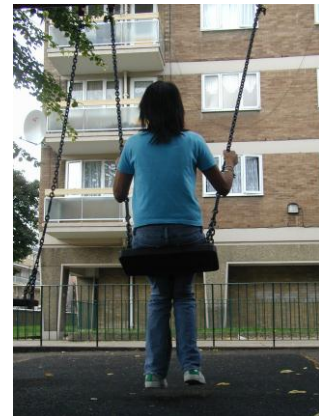
Frances Crook, Chief Executive of the Howard League for Penal Reform, said:

“For a government that claims its top priority is to get the public finances in order, the decision to spend hundreds of millions on a titanic prison is bizarre. Time and again, our prisons have proven a colossal waste of public money, with 58 per cent of those on short-term sentences going on to commit more crime within 12 months of release.

“The prison population is actually falling, so it makes little sense to start work on a huge jail at a time when public money is scarce. Rather than building extra capacity in the prison estate, the government should instead focus on ensuring the decline in prisoner numbers continues.”

Arrests of children in England and Wales

[Figures obtained by the Howard League for Penal Reform](#) reveal that a child was arrested every two and a half minutes in England and Wales in 2011. New research by the charity showed police made more than 206,000 arrests of boys and girls aged 17 and under during 2011. This number includes 2,117 arrests of children who were aged 10 or 11, meaning that on average six primary school children were arrested every day. However, in a huge success for the Howard League's campaign to reduce the number of child arrests, the figures represent a fall of a third since 2008, when more than 315,000 were recorded.



Police and Crime Commissioner elections

Elections for Police and Crime Commissioners (PCCs) were held across England and Wales on 15 November 2012. The Howard League's [U R Boss project](#) campaigned for candidates to sign a pledge to consult young people, including young people in contact with the criminal justice system, when developing their police and crime plans. 56 per cent of elected PCCs signed up to the pledge and the Howard League will be working with them to develop their police and crime plans.



Lincoln Prison inspection report

An inspection at HMP Lincoln revealed serious failings and highlighted overcrowding, drugs and violence problems. Responding to the findings the Howard League for Penal Reform’s Director of Campaigns, Andrew Neilson, said:

“If you want an example of the terrible consequences of overcrowding in our prison system, you need look no further than Lincoln. The damning inspectorate report is among the worst we have seen. This cramped and dirty prison holds 50 per cent more people than it’s meant to, with 20 per cent fewer staff in post than there were three years ago. Its shocking levels of violence and bullying are a symptom of this.”

Drop in GCSE passes of young people in custody

The number of GCSE passes attained by young people in prison has dropped by nearly a half. There were 119 GCSE passes in public sector young offender institutions in 2010–11, compared to 232 in 2009–10.

Frances Crook, Chief Executive of the Howard League for Penal Reform, commented:

“Children in prisons have been excluded from mainstream services and are forced to remain in cells for long periods with access to only the most basic education. If they are receiving just three hours teaching a day, is it any wonder that only a small number of them are leaving custody with the building blocks for the future?”

Howard League launches essay prize

Trial by tabloids: Do the media facilitate or threaten the administration of justice in England and Wales?

The relationship between the media, the criminal justice system and public opinion is complex. Photographs of suspects not yet charged on the front page: innocent until proven guilty? Tweets directly from the courtroom: sensationalist sound bites or transparent sentencing? Headlines declaring prisons holiday camps: reflecting public opinion or prejudicing penal policy?

We are asking undergraduate and postgraduate students to submit 1,500 words on the above question. Each winner will receive £100 and their essay will be published online. The competition will be judged by Eric Allison, Prison Correspondent for the Guardian. More details can be found on the [Howard League’s website](#).



Members' notice board

Social Welfare Portal Launch

The British Library has developed a new portal website, [Social Welfare at the British Library](#), a single point of access to its vast print and digital collections of research and information on policy development, implementation and evaluation. The portal includes a collection of high quality full-text research and evaluation reports selected by social policy curators and available for immediate download free of charge. Howard League reports are available via the portal along with those of other organisations such as NACRO, NCVO, Crisis and Shelter. Publications from government departments and agencies, academic research centres and thinktanks are also available.



Can you help?

One of the Howard League's prisoner members is undertaking a PhD. He is particularly interested in offender behaviour programmes and their impact on prisoner reclassification. At the moment he is struggling to get access to books and journals that will help him with his research. If any ECAN member has any unwanted books or journals (either specific to his research interests or general criminological texts) please can you [contact Eleanor Biggin-Lamming](#) and she will facilitate delivery of the books.



Many thanks.

Feature

Dangerous Offenders: The End of the IPP?

Harry Annison, Centre for Criminology, University of Oxford



The New Labour government's landmark measure against 'dangerous offenders', the Imprisonment for Public Protection (IPP) sentence, again rose to prominence when the European Court of Human Rights (ECHR) ruled that the under-resourcing of the sentence had breached claimant prisoners' human rights. This brief article examines the European Court's ruling, before discussing my research into the New Labour years of the 'IPP story'. The Conservative-Liberal Democrat Coalition Government's legislative efforts in relation to the IPP sentence are then noted. In conclusion, the prospects for current IPP prisoners are considered.

On 18 September 2012, the European Court found that the continued post-tariff detention of the three applicants, all current or previous IPP prisoners, in the absence of access to training programmes became arbitrary and therefore breached Article 5(1) of the European Convention on Human Rights, the right not to be detained without proper justification.¹ The judgment did not state that the IPP sentence in itself was unlawful; rather, it stated the failure to adequately resource this system for indefinite detention. Nonetheless, the ruling appears to represent another nail in the coffin of this much-criticised sentence.

This issue had been addressed by the English courts in the High Court,² Court of Appeal³ and House of Lords.⁴ While the domestic courts concurred in ruling that the government had acted unlawfully (in judicial review terms, 'irrationally'),⁵ the Court of Appeal and House of Lords ruled that Article 5(1) and 5(4) were not breached and, further, that despite the adverse finding against the government, post-tariff IPP prisoners who remained in prison could not be said to be 'unlawfully detained'. The European Court therefore went further than the English courts, a move which was not welcomed by the Justice Secretary Chris Grayling:

¹ *James, Wells and Lee v The United Kingdom* (Applications nos. 25119/09, 57715/09 and 57877/09) (18 September 2012).

² *R. (Wells) v Parole Board; R. (Walker) v Secretary of State for the Home Department* (2007) EWHC 1835; (2008) 1 All ER 138.

³ *R. (Walker) v Secretary of State for Justice (Parole Board intervening); R. (James) v Same (Same intervening)* (2008) EWCA Civ 30; (2008) 1 WLR 1977.

⁴ *R. (James) v Secretary of State for Justice (Parole Board intervening); R. (Lee) v Same (Same intervening); R. (Wells) v Same (Same intervening)* (2009) UKHL 22; (2009) 2 WLR 1149.

⁵ *Associated Provincial Picture Houses Ltd v Wednesbury Corp* (1947) 2 All ER 680, (1948) 1 KB 223.

*I am very disappointed... This is not an area where I welcome the Court seeking to make rulings, and we intend to appeal this morning's decision.*⁶

My doctoral research constitutes a historical reconstruction of the IPP story – its creation, contestation and amendment during the New Labour years; exploring the connections between this important development in English sentencing law and broader developments in the penal sphere. The term ‘the new punitiveness’ has been coined to denote these prominent trends (Pratt *et al.*, 2005), including the ‘rise of risk’ (Brown, 2011) and the ‘rise of the public voice’ (Ryan, 2005).

The research found that the development of the IPP sentence demonstrated a confluence between the dominant ‘Third Way’ ideology of the time and the centrality of risk, uncertainty and vulnerability for those driving its creation.⁷ In other words, the sentence is demonstrably ‘New Labour’ in form, embodying a forceful desire to reform individuals and a view of ‘freedom from the fear of crime [as] a major citizenship right’ (Giddens, 2002: 17), while also reflecting actors’ preoccupation with risk, uncertainty and legitimacy. The introduction of such ‘tough’ sentences also served a political purpose as part of the broader ‘New Labour project’, balancing out ‘softer’ measures which the government sought to introduce.

Developments since the Conservative–Liberal Democrat coalition came to power in May 2010 underline this analysis. Veteran Conservative politician Kenneth Clarke took up the post of Secretary of State at the Ministry of Justice (MoJ). His installation as Justice Secretary and his early statements raised hopes that we would see the end of the ‘prison works’ philosophy promoted by Michael Howard and continued by the Labour government of 1997–2010 (Downes and Morgan, 2012). Clarke spoke of a ‘rehabilitation revolution’ (Ministry of Justice, 2010), suggesting that a small decrease in the prison population was desirable (Travis and Hirsch, 2010) and describing Labour’s effort against dangerous offenders as having ‘undoubtedly failed’ (Travis and Bowcott, 2011). In December 2010, the Ministry of Justice published the white paper *Breaking the Cycle*. Following a list of criticisms which directly echoed those in the Prison Reform Trust’s *Unjust Deserts* report (Jacobson and Hough, 2010), it was stated that the IPP sentence would be restricted ‘to the exceptionally serious cases for which they were originally intended’ (Ministry of Justice, 2010: para 189), with the four-year determinate equivalent minimum tariff introduced by the Labour government in the Criminal Justice and Immigration Act (CJIA) 2008 to be raised to ten years.

Proposals regarding the IPP sentence were not contained in the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Bill on 21 July 2011. However, that same day Prime Minister David Cameron announced that the IPP sentence would be replaced by “an alternative that is clear, tough and better understood by the public”, following a consultation process (Ministry of Justice, 2011a).

⁶ Chris Grayling, HC Deb, 18 September 2012, col 764.

⁷ It is also argued that the legal orientation of many of the officials centrally involved is an important feature of the IPP story.

The government announced the conclusion of the IPP consultation process on 26 October 2011, with new clauses and schedules relating to its abolition introduced by Kenneth Clarke on 1 November 2011, at the report stage of the Bill.⁸ These comprised the introduction of a 'two strikes' mandatory life sentence; an extension of offences liable to this sentence to include child sex offences and terrorism offences; an Extended Determinate Sentence (EDS) which will provide that 'dangerous criminals' convicted of serious sexual and violent offences will serve at least two thirds of their sentence in prison before release; and extended licence periods for former EDS prisoners (Ministry of Justice, 2011b).⁹ Finally, the Bill provided that the Secretary of State for Justice may amend the release test for those serving IPP sentences at a future date.¹⁰ The Bill received Royal Assent on 1 May 2012. All relevant provisions are prospective – they will only apply to those who have committed offences after the date these provisions are implemented.¹¹

The provisions reflect the coming together (and indeed contestation between) certain strands of traditional Conservative thinking on crime, punishment and the role of the state, and liberal concerns. Those holding the former view tend to desire 'tough' and certain punishments, often predicated on the view of criminals as rational actors (Wilson, 1985: chapter 12). Further, many of a conservative persuasion express 'unease about state expenditure and its effects, and an attendant concern to ensure that taxpayers' money is not needlessly wasted' (Loader, 2009). Those holding the latter beliefs view the prison as 'a most troubling and worrying institution', predicated as it is on the deprivation of liberty (Young, 1992: 435). These views converged in relation to the IPP sentence on the complaint that:

*The sentences in their present form are unclear, inconsistent and have been used far more than was ever intended... That is unjust to the people in question and completely inconsistent with the policy of punishment, reform and rehabilitation, which has widespread support.*¹²

Further, in the same way that the introduction of the IPP sentence fulfilled a political purpose for the Labour government, the nature of its abolition – and the simple, robust measures replacing it – speaks in part of the government's reading of public opinion in relation to law and order, and its appetite (or otherwise) for a move away from the penal arms race of recent years.

⁸ Kenneth Clarke, HC Deb 1 Nov 2011, col 785

⁹ Sections 122-128, Chapter 5, Legal Aid, Sentencing and Punishment of Offenders Act 2012

¹⁰ As the Act states, the Secretary of State may 'amend section 28 of the Crime (Sentences) Act 1997 (duty to release IPP prisoners and others)': s128(3)(a) Legal Aid, Sentencing and Punishment of Offenders Act 2012.

¹¹ Subsection (1) of new section 224A to the Criminal Justice Act 2003, as inserted by section 122, LASPO 2012.

¹² Kenneth Clarke, HC Deb 1 Nov 2011, col 785-787

Conclusion – the end of the IPP?

We can conclude by asking whether the recent European Court ruling, combined with the LASPO provisions, spell the end of the IPP sentence. It is important to note; first, that the European Court's ruling only becomes final, and compensation payable to the claimant prisoners, if the Ministry of Justice decide against an appeal.¹³ Second, we must note that at time of writing the provisions of the LASPO Act relating to the IPP sentence have yet to come into force, meaning that IPP sentences continue to be imposed.¹⁴



It is also clear that the IPP sentence has a 'long tail' (HM Chief Inspector of Prisons and HM Chief Inspector of Probation, 2008: 4). Over 6,000 people were serving an IPP sentence in prison at the end of March 2012, with just 502 IPP prisoners having been released and over half of all IPP prisoners now post-tariff (Prison Reform Trust, 2012: 21–22). In 2010 HM Chief Inspectors of Prisons and Probation described the situation as 'not sustainable', with numbers far exceeding 'the capacity of the probation service and the prison system (and the Parole Board for that matter) to deliver the necessary quality of service' (HM Chief Inspector of Prisons and HM Chief Inspector of Probation, 2010: 7). Given the financial cutbacks imposed on the Ministry of Justice by the Treasury, it must be doubted that the situation has vastly improved, despite the best efforts of those working within the penal system (Jacobson and Hough, 2010: chapter 5).¹⁵ As noted above, LASPO provided the Secretary of State with the power to amend the release test for IPP prisoners. However, with Chris Grayling now appointed as Justice Minister – widely interpreted as a 'toughening up' of the Conservative's approach to law and order – the prospect of this occurring seem distant.

Those currently serving an IPP sentence, therefore, find themselves in a difficult and somewhat iniquitous position (Howard League for Penal Reform, 2007; Prison Reform Trust, 2007; Sainsbury Centre for Mental Health, 2008). With the narrative of the IPP's abolition taking hold, these prisoners and their families face a battle to ensure that their plight is not forgotten. In this regard, it is interesting to note the increasing prominence of internet-based campaigns such as 'IPP Prisoners Campaign for Release Dates'¹⁶ and 'Justice for Joe.'¹⁷ These efforts, largely organised by families affected by the IPP sentence, represent another line of attack in addition to the efforts of established penal

¹³ The deadline for an appeal being lodged is 18 December 2012.

¹⁴ 19 November 2012.

¹⁵ One positive development is a substantial recruitment drive by the Parole Board, which has led to 40% more lifer and IPP oral hearings than before (Parole Board of England and Wales, 2011).

¹⁶ <http://www.ippprisonerscampaign.com/aboutus.htm> (accessed 17 November 2012)

¹⁷ <http://www.justiceforjoe.org.uk/> (accessed 17 November 2012). Another important online presence has been Sir Brian Barder (<http://www.barder.com/ephems>, accessed 17 Nov 2012).

reform groups. Therefore, while we are certainly nearer to the conclusion of 'one of the least carefully planned and implemented pieces of legislation in the history of British sentencing' (Jacobson and Hough, 2010: vii), substantial problems remain.

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About the author

Harry Annison is the recipient of an ESRC 1+3 Studentship. He began his DPhil in 2009 under the supervision of Professor Ian Loader at the Centre for Criminology, University of Oxford.

Feature

Watching the Cops: a case study of production processes on police drama, *The Bill*

Dr Marianne Colbran, Centre for Criminology, University of Oxford

Introduction

I recently completed my PhD thesis, "Watching the Cops: a case study of production processes on police drama, *The Bill*" at the LSE where my supervisors were Professor Robert Reiner, Professor Paul Rock and Dr. Janet Foster. The thesis explored the impact of production processes on representation of the police, policing and crime in television police dramas, specifically *The Bill*, the longest running police drama in the UK.



The thesis is now being published by Palgrave Macmillan. The book will also explore the impact of production processes on storytelling in a number of other seminal British dramas, including *Prime Suspect*, *Between The Lines*, *The Cops*, *The Vice*, *Without Motive*, *The Ghost Squad*, *Single-Handed*, *Life on Mars*, *Trial and Retribution* and the successor to *The Bill: Crime Stories*, which was screened in November 2012.

Background to the research

Before coming to the LSE to study for an MSc in Criminology and then a PhD, I worked as a television scriptwriter for thirteen years, including seven years as a staff writer for *The Bill*. It was not until I started to study for an MSc, and began to read the extensive literature on television police drama and about the world in which I had played a part for so long, that I started to think more deeply about the stories I had been writing that had regularly been seen by anything up to 18 million viewers.

For many people, the mass media are the main source of knowledge and perceptions of the police and there is considerable evidence to bear this out. In the *Policing for London* survey, 80 per cent of respondents said that the news media were their principal source of information about the police, while 29 per cent of respondents got their information from 'media fiction' (Fitzgerald *et al.* 2002). But although much has been written about the content of media representations of police drama, very little has been written about the production of these series or the organisational dynamics, ideology and imperatives of media workers in creating these shows.

However, as Silverstone (1985) and Devereux (1998) argue, gaining access to the world of television may be one of the main reasons so few studies of the production process exist. The world of television fiction is a particularly closed shop to outsiders – future storylines are shrouded in secrecy and writers on some shows are even obliged to sign agreements that they will not

divulge any details of future episodes to anyone who is not directly involved in the story creation process. But as Greer (2010) points out:

The study of media content can provide important insights into the role of expressive cultural forms in interpreting our social world and constructing particular versions of reality. But this research is at its richest, and surely has the greatest explanatory potential, when the process of production is considered as well as the product that results.
(Greer 2010: 3)

As someone who had spent nearly all her adult working life writing police dramas, this was an area of research I wanted to explore further and I was lucky enough to have friends and contacts throughout the television industry who made this research possible for me.

Why I chose *The Bill* as a case study

The forthcoming book explores the impact of production processes on a number of seminal British police dramas from the last twenty-five years. In my thesis I decided to concentrate mainly on one case study – *The Bill*.

I chose *The Bill* for three reasons.

Firstly, the show always placed particular emphasis on procedural accuracy and, for that reason, may have been seen to be particularly influential on audiences in terms of making claims for authenticity (Leishman and Mason 2003).

Secondly, because of its frequency, it was possible to portray a much more diverse and broadly representative

array of different kinds of police officers and police work than most series or one-off films. Lastly, as I mentioned earlier, I was myself a scriptwriter on *The Bill* and this gave me unique access to, as well as direct participant experience of, the social world of its production.



Research methods

In order to understand the process of storytelling on *The Bill*, I observed working practices over a period of four months. I sat in on meetings covering the development of a number of scripts, from early meetings to discuss initial ideas, through planning meetings where these ideas were developed into a storyline or the rough outline of a script, to commissioning meetings where the show's writers would be brought in and asked to develop these outlines further. I supplemented this ethnographic observation with interviews with key production personnel involved in the creation of storylines, freelance writers and police advisers, past and present, on the show. I also interviewed other media workers and police advisers from a number of key police dramas from the last 25 years as an additional source of data on changes in the television industry, and to allow me to situate my analysis within a broader social, cultural and economic setting.

Finally, I held focus group interviews with police officers from two forces, the Metropolitan Police Service and the Greater Manchester Police Service, to ascertain how they might receive and interpret the storylines of these specific episodes and how they thought such storylines might affect public knowledge and understanding of policing.

Research findings

Past research has argued that changes in the storytelling process in television drama are, in part, due to shifts in public attitude, changes in the genre and changes in the political climate.

My thesis takes a different stance and suggests that, in the case of *The Bill*, a complex and interlocking set of factors, including commercial imperatives, working processes, the fluctuating economic climate of the television industry and the constraints of the format, played a part in determining representation of the police.

I also argue that, at times, depiction of the police on *The Bill* was at odds with what was actually happening in everyday policing, indicating that these structural factors may be more important at any one time in determining storytelling in television police drama than changes in the genre or wider political climate.

The 1980s and 1990s were marked by a number of high profile cases of abuses of power, such as The Guildford Four, The Birmingham Six and The Tottenham Three, the murder of Stephen Lawrence, and the case of sexual discrimination brought against the Greater Manchester Police by Senior Police Officer, Alison Halford. However, representation of the police on the show during this period was largely favourable. This was partly due to the ideological values of the makers and partly due to the format: stories had to be resolved within a half-hour time-slot, which militated against writers being able to tell stories about racism, sexism and corruption. In addition, because scripts were not scheduled months in advance as in a serial format, it was almost impossible to predict whether or not a particular character would be available for filming and writers were thus encouraged to write stories that could easily be given to another of the regular characters at the last minute.

In 1994, *The Bill* introduced television's first ever black female detective inspector. But, as one writer explained, the format made it impossible to write scripts dealing with the kinds of issues that might have faced a real-life black female detective inspector in the 1990s because, once in production, the script might have to go to another actor if the actress playing the black detective inspector was not available.

However, in the late 1990s and 2000s when, following the recommendations of the Macpherson Report, the police organisation underwent significant reform, stories on *The Bill* showed the police in an increasingly controversial and critical light.

In the late 1990s, the television industry changed with the advent of multi-channel broadcasting. This resulted in more choice for the television viewer

and, inevitably, a decline in viewing figures for the existing terrestrial channels – including ITV1, the broadcaster screening *The Bill*. At the same time, there was pressure from advertisers and sponsors on terrestrial channels to attract increasingly younger audiences, particularly the 16–34 demographic seen to be particularly desirable in terms of being more malleable to suggestive advertising.

In order to attract a younger audience, the show was reinvented as a serial. Although the new format afforded new opportunities for writers to explore issues of racism, sexism and corruption, two factors militated against any in-depth exploration of these issues.

Firstly, in an increasingly unstable media world, storylines became more sensationalised in an attempt to attract younger audiences. One storyline featured an attempt by one of the uniformed officers to blow up the station with a petrol bomb and the story I observed being created was about a police officer dispensing his brand of rough justice on the streets of South London.



Secondly, whereas previously stories were generated and developed by the freelance writers, stories were now developed by an in-house story production team. However, because of the exigencies of the new schedule, there was very little time for research and this led increasingly to story ideas being based on other police shows, particularly American police dramas, setting up ‘media loops’ (Manning 2003). Accordingly, storylines became increasingly inaccurate, even though the makers of the show claimed *The Bill* reflected ‘the reality of policing in the 21st century’. Findings from focus groups with officers from the Metropolitan Police Service and the Greater

Manchester Police also showed that, on occasion, storylines concerning the handling of witnesses on the show and depictions of interview procedures had hampered officers when carrying out investigations.

The thesis concludes that there is inevitably arbitrariness at the heart of making any television show, that what ends up on screen is the result of a process of decision-making undertaken by a number of people and influenced at each stage by a number of complex factors, some of which may be more important at different times than others. The thesis also argues that whether the police were depicted favourably or unfavourably on *The Bill* was determined increasingly by the need to attract a certain audience demographic, and restrictions in the format increasingly had little to do with changes in the political climate or ideological intent on the part of the programme-makers or scriptwriters – the two main reasons for change in representation put forward by previous academic research.

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About the author

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Feature

“Being set up to fail?” The role of the CJS in perpetuating cycles of repeat criminalisation for substance-addicted women

Serena Wright, Institute of Criminology, University of Cambridge

These women are deemed prolific offenders, but they live chaotic lives – drug addiction, sex work – stuff like that. I just feel locking a woman away [doesn't work]... you have to look at the bigger picture.

(Project worker from the St Giles Trust, quoted in White, 2012)

You're gonna waste your money, spending on sending us to prison – 'cos it costs a lot of money to keep us in here – rather than spending your money on trying to help us keep clean and stop going back to prison?

(Foxy, aged 26, PPO, sentenced to 3 and a half years for burglary)



Whilst interest in persistent reoffending has come increasingly to the forefront of criminological concern in recent years, the study of repeatedly criminalised women¹⁸ has remained comparatively neglected (Soothill, Ackerley and Francis, 2003). This is because, statistically, women are ‘infrequently repeat offenders’ (Kong and AuCoin, 2008), and thus rarely a priority for research or resources. Even within the broader discussion centred on the ‘particular vulnerabilities’ and penological [mis]management of women within England and Wales, kick-started five years ago by the Corston Report (2007), the minority of women who are repeatedly criminalised remain conspicuous by their absence.

My doctoral research aimed, to some extent, to begin to contribute to this absence, interviewing women who could broadly be defined as prolific/persistent¹⁹ offenders, as well as providing the first in-depth, qualitative study of the lives and experiences of women identified as Prolific and other Priority Offenders (PPOs), a group representing ‘the most active and locally damaging’ recidivists across England and Wales (Home Office, 2010). This latter point was, I felt, particularly important since all of the published PPO research (e.g. Dawson, 2005; Millie and Erol, 2006; Dawson, 2007; Dawson and Cuppleditch, 2007) focused on cohort characteristics, the implementation of the PPO strategy, and establishing best practice, and broadly failed to engage humanistically with the individuals thus identified. Moreover, these

¹⁸ Following Maidment (2008), I use the term ‘criminalised’ woman to refocus attention on the processes contributing to this status, and the impact on the person, rather than focusing on their status as a ‘persistent reoffender’ without questioning how this came to be.

¹⁹ Many statistical and colloquial definitions exist for such individuals – for the purposes of this research, women were ‘repeatedly criminalised’/prolific recidivists if they had six or more offences on their record over the past two years at liberty.

studies followed the ‘comparative neglect’ trend identified more broadly by Soothill *et al* (2003), and thus their voices and experiences of being ‘a PPO’ had remained unheard. By engaging with women’s life stories, and their histories of repeat criminalisation within this context, I aimed to get at the bigger picture behind the ‘prolific offender’ label for women in England and Wales.

When speaking with these women, it became clear that their substance addiction – all except one of the women had long histories of dependence on drugs and/or alcohol – was the constant variable underpinning their repeat criminalisation. Moreover, it seemed that the repeated failure of the penal system to respond appropriately to their specific needs as substance-addicted women not only prevented these women from breaking out of the cycle of repeat criminalisation but, in many cases, actually contributed to its continuation. The interaction between two key phenomena – namely, the failure of short sentences to support a sustained recovery from addiction, and the lack of appropriate post-release accommodation – was a central issue in this, and is discussed below.

On the failure of short sentences to support recovery ‘maintenance’

For the women in my sample, repeated short sentences offered little in the way of supporting a sustained recovery from addiction, which was what they really wanted – not just to get ‘clean’, but to be supported in maintaining this; that is, staying ‘clean’. This was identified as the foundation for everything else falling into place, and the key to avoiding future re-criminalisation, since most of the women’s prior convictions had related to acquisitive offences for funding their drug use:

With short sentences, you know you’re gonna use as soon as you step out the door.

(Amy, PPO, aged 31, sentenced to 3 years for robbery)

[I]t’s that period of time that I relapse that I offend? If I don’t use drugs, I don’t offend?

(Savannah, PPO, aged 29, sentenced to 3 years 6 months for burglary)

I just hope, you know, that I’ve got the strength to, to stay clean, basically. That’s what it all comes down to – if you’re clean, everything will fall into place, d’ya know what I mean?

(Louise, PPO, aged 23, sentenced to 2 years 4 months for burglary)

However, simply undergoing primary detoxification in prison – which many of them did – was not enough. As Prochaska *et al* (1992) note in their model of change, action such as this is but one stage; the most important stage for addiction recovery is maintenance. During this stage, ‘people work to prevent relapse and consolidate the gains attained during action’ (Prochaska *et al*,

1992, p.1104). The constant cycle of short-term sentences, however, meant that these women were repeatedly making it to the action stage, but - owing to the lack of mandatory follow-up support and



throughcare associated with these disposals - change was rarely maintained. This meant that the cycle of relapse, offending (either in a state of intoxication, or specifically to fund drug purchase), and re-criminalisation had continued, for decades in some cases:

I've been in here for a fourteen-week prison sentence, you do half, I've done seven, then they gave me a ten-week, you do half again so I done five, but I'm no bein' funny, these short sentences have been no good to me, 'cos all's I'm doin' is gettin' the sentence, off the drink, an' as soon as I get out where do I go?
(Lennox, non-PPO, aged 62, remanded for breach of ASBO)

There's not a lot of support set up for [short-sentenced women] in the prison? Courses, and things like that, they're not there long enough to do them? Um, you're basically in limbo – you just get pushed to the side.
(Amy, PPO, aged 31, sentenced to 3 years for robbery)

Temporal factors were central in this - the time spent in prison on a short sentence was too brief for positive change to occur. However, it was often just long enough to ensure a host of negative outcomes, including the loss of benefits, and – crucially, for this discussion – the loss of their tenancy, rendering them homeless:

People with short sentences don't get housed? I mean I've never been re-housed, ever, since I've been in prison.
(Amy, PPO, aged 31, sentenced to 3 years for robbery)

Every time I come here, I walk out the gates with nowhere to live, d'ya know what I mean?... Every time I come in here, I never- I'll go down, I'll try and sort out housing. Erm, nothing gets set up. Nothing, so then I have to go to the Homeless Persons Unit the day I get out and get a hostel.
(Foxy, PPO, aged 26, sentenced to 4 years 6 months for burglary)

[I]f you're on like a short sentence, there isn't anyone who comes and picks you up... when you've been released from a six-month sentence, you've got nothing; you've had all your benefits stopped, [and] you've probably lost your home.
(Third Sector Women's Centre Service Manager)

Inadequate housing provision is a well-documented issue for women in the criminal justice system, particularly for those leaving prison. In assessing the government response to implementing the recommendations in the Corston Report, Women in Prison (2012) argued that 'more supported accommodation should be provided for women on release to break the cycle of repeat offending and custody'. Similarly, the most recent bulletin of the Academy for Justice Commissioning (2012) saw the chair of trustees at the Elizabeth Fry Charity arguing for more approved premises for women. I would urge caution against capacity building, however, without first engaging in a thorough investigation of existing post-release accommodation for women which, in

many cases, seemed to represent the biggest threat to those attempting to maintain recovery/stay 'clean' – indeed many considered this was almost impossible in a system which routinely sent them to “junkie-filled hostels”, where relapse was inevitable. From there, the return to offending, and then to prison, was similarly unavoidable. Despite a recent evaluation stating that drug use in probation hostels was ‘not an overwhelming issue’ (Criminal Justice Joint Inspection, 2008), the women with whom I spoke – who had repeated experience in such accommodation - painted a very different picture, and it is to this related issue that we now turn.

Impact of the lack of appropriate post-release accommodation

[I]t's alright me doin' [a detox], it's the help that I need after? There's no point in me doing a detox and then throwing me back in a fucking junkie-filled hostel.

(Foxy, PPO, aged 26, sentenced to 4 years 6 months for burglary)

According to Maidment (2008: 4), inadequate housing provision post-release acts as a central force ‘propel[ling] women back into prison’. Certainly this seemed to have been the case for a number of women in the study, but with a slight semantic caveat – it was not necessarily that there was a lack of accommodation provision for these women, but rather that what was available was often wholly inappropriate, given their histories of substance addiction. Indeed, many of the women – and in particular the PPOs – considered accommodation in a probation hostel as serving only to sabotage their attempts to get out of addiction. Over half of my sample had lost their accommodation during their current sentence, and overwhelmingly, their greatest fear was that their fledgling addiction recovery process would be jeopardised by forced post-release accommodation in a probation hostel. Many of the women described previous periods of residence in these hostels, and the ways in which it had ultimately led to relapse, re-criminalisation, and re-incarceration:

They put me in a house with like five other women, and there was, erm- there was nobody in the house to watch you or anything... like I needed a lot of support, and they'd put me in a really low support place? And... it wasn't very safe – they were all using drugs in there, and that's what sent me off key really, like I started using again because it was all around me, you know?

(Mary, PPO, aged 40, remanded for burglary with intent to steal)

[W]hen I come out of jail last time, they put me in a hostel full of drug users, full of dealers, um, kept me in there even though I told them 'You've gotta get me out of here' – they kept me in there... It's a vicious circle that they're putting me in.

(Foxy, PPO, aged 26, sentenced to 4 years 6 months for burglary)

I wanted to go home to my mum's, but they wanted me to go to [the local] bail hostel? Erm, it's a dump, and it's full of drug addicts, and I don't want to be around that as soon as I get out [because]... it's a trigger for me? So I don't wanna go there.

(Amy, PPO, aged 31, sentenced to 3 years for robbery)

The women were very vocal in their desire to avoid this fate. Unfortunately, for those on longer sentences, or being managed under the Prolific and other Priority Offender scheme, there was little real choice. Even if they could find somewhere else to go – which was unlikely - failure to reside at their assigned post-release accommodation would constitute a violation of the terms of their licence, and result in them being recalled to prison to serve the remainder of their sentence:

I don't want to go into a hostel because it's full of drug users? An' I come from a clean environment – well, I say clean, but, cleanish, d'ya know what I mean? – to in a hostel where it's full of drug users... It's just nasty, horrible... [But] this is my Licence Conditions - to do with the PPO actually, my Licence Conditions – um, I must [emphasises] reside – I must do all these, right? If I don't, I'm gettin' recalled, cos I'm a PPO.

(Louise, PPO, aged 23, sentenced to 2 years 4 months for burglary)

These women seemed to be stuck in a Catch 22 situation; it is perhaps of little surprise that Louise felt that substance-addicted women like her were being set up to fail by a criminal justice system which demanded abstinence from substances, and then forced them to reside in an environment where drugs and alcohol were routinely available, and their use encouraged (which, as Robins, 1993, notes, are key factors in the failure to maintain addiction recovery).

Lessons to learn

According to McGraw (2012), the criminal justice system 'is failing women'. It is clear from the findings of my doctoral study that within the context of this broader failure, substance-addicted, repeatedly criminalised women are experiencing a dual 'failure'. As it currently exists, criminal justice provision and policy may not only routinely prevent substance-addicted female recidivists from escaping the cycle of repeat criminalisation, but - through its various actions and inactions - actually contribute to its continuation, creating a situation where these women are effectively set up to fail as soon as they get through the prison gate. If this situation is to change for substance-addicted, repeatedly criminalised women, changes must be made to the current system. Lessons must be learned from healthcare and drugs treatment research. Firstly, treating drug and alcohol addiction – note the difference between this and 'substance use/misuse' – as just another criminogenic risk factor for female recidivists is myopic, and may act to the detriment of attempts to reduce later re-criminalisation. Secondly, it is not enough to provide detoxification in prison – focus on health and emotional well-being, support in terms of identifying and addressing 'triggers', and throughcare provision following release are crucial. Thirdly, it is not enough to simply secure post-release accommodation for women; this must be appropriate, and not an environment that – in jeopardising their attempts to 'stay clean' – is effectively setting them up to fail.

Finally, further research is required into the tensions between my findings, which indicate the role played by probation hostels in women's relapse and repeat criminalisation, and the findings of the Criminal Justice Joint Inspection (2008) which did not consider drug use to be an issue in the broader estate. I hope that some of these issues might be addressed in the forthcoming Justice Select Committee inquiry into women offenders.

Brief Bio: Lennox, non-PPO

Lennox was a 62 year-old woman who had begun using alcohol as a coping strategy to manage a series of traumatising events in her teenage years, including the unexpected death of her mother, being subsequently removed from her siblings by her step-father and forced into a convent, and being raped (and having fallen pregnant from this assault, lost the baby after giving birth in prison). Lennox was still distressed by these events, some 40 years later, and throughout all of the criminal justice interventions over this time, had never received emotional support for what she pinpointed as the foundations of her alcohol addiction. Her life story was punctuated by long periods of homelessness, incarceration, and the use of alcohol as a coping strategy – more recently, she has found herself subjected to repeated short sentences after receiving an ASBO (received, in her words, "*because of the drink again*"), which she has subsequently breached some 26 times. Each breach has either been as a result of offences committed whilst intoxicated, or simply by virtue of drinking alcohol in public, contrary to the conditions of the Order.

Brief Bio: Foxy, PPO

Foxy was a 26 year-old woman who had grown up in East London, and described herself as "*the black sheep of the family*", having turned to drugs to cope with the trauma induced by the death of her sister when Foxy was 13 years old. To avoid "*what was going on at home*" during this emotional period, Foxy started spending more time on the streets, "*smoking weed and stealing cars*". This may have been a phase confined to Foxy's adolescence had she not experienced another traumatic bereavement at the age of 17 – this time, it was the death of her own son, from meningitis, which led to a re-engagement with and escalation of drug use. From that point on, Foxy "*got in with a bad crowd, started to do burglaries, robberies; anything to make money really... when I started on crack it was more serious; I needed money to feed, for my drug habit*", and had subsequently been to prison so many times she had lost count. She told me that nothing ever changed for her because every time she left prison, there was always an absence of support, and so "*you find yourself going out to what you know best, which is crime, and drugs*". This cycle had continued for almost a decade, a fact that had not been altered despite being identified as a 'PPO' some years ago. She was adamant that prison was never going to support positive change in her life – "*I know I ain't gonna get rehabilitated in here*" and that it simply represented a place "*away from all the madness outside*" before you "*go back out and start all over again*".

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About the author

Serena Wright is currently writing up her ESRC-funded doctoral thesis, which provides the foundations for this article, and is supervised by Prof. Roger Tarling and Dr. Karen Bullock at the University of Surrey. The thesis focuses on the lived experiences of repeatedly criminalised women in England and Wales, which includes the first qualitative research into the female individuals behind the 'Prolific & other Priority Offender' label.

Serena is currently working as a Research Associate at the Institute of Criminology, University of Cambridge. Located within the Prisons Research Centre, she is working on an ESRC-funded research project with Dr Ben Crewe and Dr Susie Hulley, titled '*Experiencing very long term imprisonment from young adulthood: Identity, adaptation and penal legitimacy*'.

Research update

Not hearing us: An exploration of the experience of prisoners in English and Welsh prisons

Dan McCulloch



Not hearing us aims to provide an updated review of the experiences of deaf prisoners in English and Welsh prisons. The research focuses upon one particular group of hearing impaired prisoners - those who are profoundly deaf. This population consists of a wide range of individuals, who are able to hear little or no sound, with varying degrees of proficiency in written and spoken English. To explore the experiences of profoundly deaf prisoners, the research considered the accounts of three different sub-populations of participants:

- Service users – profoundly deaf prisoners and former prisoners.
- Service providers – representatives from the CJS and the Government (at the time of research).
- 'Other stakeholders' – people who had experience of working with profoundly deaf prisoners.

The research has a qualitative approach, having employed semi-structured interviews, emails and letters to build dialogues with the participants.

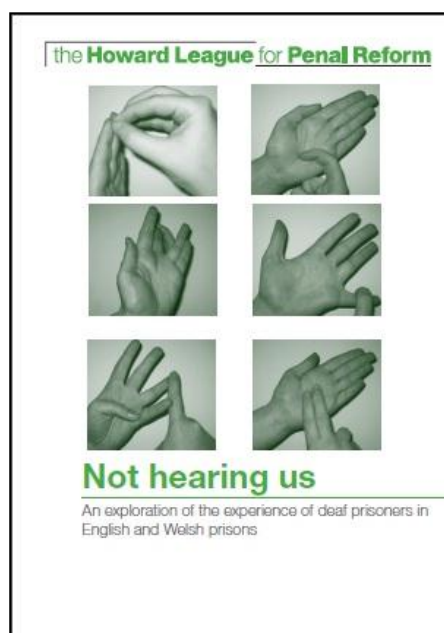
Why should we be interested in the experiences of profoundly deaf prisoners?

Profoundly deaf prisoners occupy a particularly interesting position in academia, since the nature of their hearing impairment makes them of interest to scholars of penology, disability, and communication matters. Profoundly deaf prisoners can be particularly vulnerable because of communicative difficulties, which can present a host of issues in prison.

By law, the Prison Service is obliged to ensure that deaf prisoners are not placed at a disadvantage to other prisoners because of their disability (Equality Act 2010). Whilst documents (such as PSI 32/2011) are designed to ensure that this is the case, previous examples from the literature suggest that deaf prisoners are not able to fully access all elements of the prison regime. One of the pivotal arguments in considering deaf prisoners is that prisons are required to make 'reasonable adjustments' to meet the needs of deaf prisoners, however the nature of what is 'reasonable' is open to discretion.

Research findings

The research considers the accounts of the three participant sub-populations individually. The research findings from the service providers suggest that whilst there is a desire for prisoners to access all elements of the prison regime, this might not currently be a reality for all deaf prisoners. One of the participants noted that the Prison Service did not have current statistics for the number of profoundly deaf prisoners in England and Wales and that there were variations in service delivery for disabled prisoners due to the local nature of staff training on disability issues. These responses suggested provisions that should be in place, but acknowledged that they may not be available to all profoundly deaf prisoners.



The majority of service users felt that their needs had not been fully met in prison. Many accounts contained experiences of being unable to communicate with other prisoners and staff effectively. This lack of communication had a number of subsequent effects, such as prisoners being unable to fully understand the prison regime (both formal and informal elements); being at higher risk of danger; and suffering poorer relationships with staff. Prisoners also expressed feelings of loneliness and isolation, both with other prisoners and with family members outside of prison. Additionally, some of the service users suggested that their deafness had negatively impacted on their ability to access the rehabilitative elements of prison, such as training courses, employment and offender behaviour courses. However, a minority of prisoners did state that they had been treated well in prison, with a number of adjustments being made to accommodate them – however these were isolated cases, with less than one third of the service users highlighting positive experiences inside prison.

The 'other stakeholders' showed an understanding of the difficulties in accommodating deaf prisoners, not least because disability can be seen as a 'burden' on prison resources; but also suggested that provision for deaf prisoners is often inadequate. These participants pointed to a number of examples of inadequate provision for profoundly deaf prisoners, and highlighted the range of attitudes towards deaf prisoners. They also noted that as there is no central budget for adjustments in prison, these adjustments could be seen as a 'strain' on tight prison budgets, especially when the aids provided do not travel with prisoners, potentially becoming obsolete once the prisoner moves to another prison.

Conclusion

Not hearing us aims to provide an updated analysis of the experiences of profoundly deaf prisoners in English and Welsh prisons. It is hoped that the experiences of profoundly deaf prisoners will be understood in greater detail as a result of the research. The findings from the research suggest that whilst there are some cases of adequate provision being made for the needs of these prisoners, the majority of profoundly deaf prisoners are still treated inadequately. The full report also makes a number of recommendations for service providers to ensure that the needs of deaf prisoners are met.

The full report and a short, detailed summary of the research are available to download from the [Howard League's website](#).

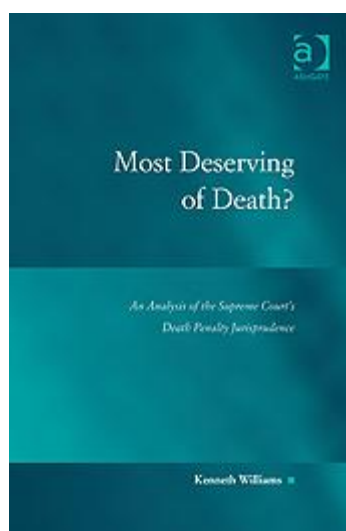
About the author

Daniel McCulloch was the first recipient of the Howard League Bursary for the MA in Criminology at Birmingham City University. He is currently undertaking a PhD at the Open University.

Book Review

Dr Jenny Clifford, University of Bath

Most Deserving of Death? An Analysis of the Supreme Court's Death Penalty Jurisprudence by Kenneth Williams (Ashgate)



Having knowledge of the US Supreme Court and the process and procedures surrounding the death penalty is not a necessary requirement when considering this text. The book is written in such a way that any anxieties potential readers may have are soon allayed. The author outlines from commencement that the aim of the book is to determine whether the Supreme Court has achieved its goal of reserving the death penalty for the worst offenders – those who are ‘most deserving of death’. In order to answer this question, the book provides the reader with the opportunity to engage with moral, ethical and legal issues emanating from the decisions made by the Supreme Court.

We are provided with a historic account of capital punishment in the US. This is helpful as it enables early engagement with the Constitution, the Bill of Rights, the influence of criminal theorists such as Beccaria, the Civil War, and the North–South divide, which places issues of racial discrimination at the forefront of the death penalty (racism being a theme continued throughout the book). In providing a thought-provoking historical account prior to *Furman v Georgia*, Williams demonstrates how the imposition of the death penalty had been haphazardly applied. The Supreme Court’s decision to regulate the death penalty and standardise procedures in an endeavour to create a system ‘that is fair and accurate in determining those most deserving of death’ (p15) is a question the author seeks to address in the following chapters.

Williams outlines distinct areas in which the application of the death penalty is shrouded by inconsistency and discrimination. One of the most worrying features presented in this book is the absence of effective legal representation. The author demonstrates how most defendants do not have the representation they are entitled to under the Constitution – even when facing death.

Limited evidence is often placed before juries and mitigating circumstances continually withheld. Throughout the book the author emphasises how race distorts who is sentenced to death and how jurors with moral qualms are often removed. Proving that representation is inadequate and ensuring fair and factual hearings requires the defendant to prove his case – ‘proof of prejudice’. The Supreme Court’s adoption of a prejudice requirement is seen as primarily being responsible for the poor representation that death row inmates receive. Going even further, Williams claims that states and trial judges who preside over capital cases have proven to be disinterested or

ineffectual. When combining factors such as poor mental health, limited intellectual functioning and financial impoverishment, it is unlikely that many death row inmates would be able to fulfil the prejudice requirement. As it is only the Supreme Court that can ensure the Sixth Amendment of a guarantee of effective assistance of counsel, insistence on proof of prejudice has to undermine that right.

Throughout the book the author demonstrates the inconsistency of the application of the death penalty through case examples. The chapter on racism is very powerful in bringing to life the racial tensions experienced by black people in the US. If this book set out to demonstrate how racial discrimination is omnipresent within capital cases then it has succeeded. The blatant discrimination that is evidenced throughout the case law cited is a damning indictment on civil liberty. Case after case shows how if the defendant were white he would not have received the death penalty. The Fourteenth Amendment and its guarantee of Equal Protection of the laws are challenged throughout this text. According to Williams, African Americans constitute just 13 per cent of the population, yet account for almost half of the population on death row. This book is full of such examples that show the impact of racial discrimination in capital cases.

The biggest concern regarding imposition of the death penalty has to be that of determining guilt and ensuring the innocent are not wrongly sentenced to death. The chapter on innocence evidences the many obstacles that defendants face in order to prove their innocence. Equally as thought-provoking is the chapter on mental illness, which also considers limited intellectual functioning and the psychological trauma of life on death row. The Supreme Court set broad parameters prohibiting the execution of those they deemed as being 'mentally retarded', or, who became 'insane', whilst leaving procedural details such as defining mental impairments and burdens of proof to the states.

The numerous and complex rules and procedures that apply only to capital cases and appeal procedures are reviewed, explained and well-illustrated. Further to this, the unique position of judges is examined, which enables the reader to engage with the personal and professional conflict sometimes experienced. This is considered within the legal and political sphere in which they operate.

There is some repetition in the book, however this can be justified as it is probably not a book one would sit down and read cover to cover. There are many interesting chapters that, read in isolation, contribute to specific debates on the death penalty both in the US and worldwide.

On completion, has the book achieved its mission in defining who is the most deserving of death? The answer, as expected, is no. The author's goal was to assess the Supreme Court's success in attempting to limit the death penalty to the worst offenders. Chapter after chapter, the book evidences that this has not been the case. There appears to be no logic as to who will end up on death row. Therefore, despite the intervention of the Supreme Court, the death penalty continues to be administered in a way that defies justice and is

morally and ethically questionable. Does the academic community need yet another text to tell us these things? Possibly not. However, what this book does through illustrative case examples serves as a constant reminder that neither deterrence nor retribution is achieved through capital punishment. To be reminded of discrimination, injustices and the inhumanity of death row is not a bad thing; it is preferable to complacency. The author pulls no punches in his commentary and, as such, challenges the system and his own profession.

Dr Jenny Clifford has worked for many years as a practitioner within criminal justice services, both statutory and voluntary. Her area of interest is with life sentence/long term prisoners. She works with prisoners in custody and ex-offenders within the community.

Books available for review

We would really like our members to take the time to appraise the latest contributions to the wider body of criminological knowledge. We have two new books waiting to be reviewed:

- *Explaining Criminal Careers: Implications for Justice Policy* by John F. Macleod, Peter G. Grove and David P. Farrington
- *Involving Children and Young People in Health and Social Care Research* edited by Jennie Fleming and Thilo Boeck
- *Offender Rehabilitation and Therapeutic Communities* by Alisa Stevens

If you are interested in reviewing these or you would like to review future books please email [Eleanor Biggin-Lamming](mailto:Eleanor.Biggin-Lamming@howardleague.org) and let her know your area of academic interest/expertise.

Upcoming event

Out of Place: Exploring the Criminalisation of Sexually Exploited Girls and Young Women

The next ECAN event is being held as part of the [Scarman Lecture Series](#) at the University of Leicester on Wednesday 20 February 2013 at 5.00pm. The event will explore [Professor Jo Phoenix's research](#), commissioned by the Howard League, into the policing and criminalisation of sexually exploited girls and young women. The research drew on her vast experience of researching prostitution, sexual exploitation and youth justice to examine the way in which practitioners make decisions about whether or not to prosecute and use criminal justice sanctions against sexually exploited girls.



The lecture will be followed by a wine reception. To book your place at this free event, please email [Eleanor Biggin-Lamming](#).

Review

Desistance: Understanding *The Road from Crime*

ECAN and the British Society of Criminology (Yorkshire and Humberside) jointly hosted an event to explore the concept of desistance at Leeds University.

The aim of the event was to blend academic research with the view of practitioners. A film, [The Road from Crime](#), was used as a stimulus for the discussion which was led by an extensive panel:

- Professor Stephen Farrall, University of Sheffield, one of the film makers
- Paul Foweather, Governor HMP Full Sutton
- Sue Hall, Chief Probation Officer West Yorkshire;
- Raymond Lunn, a former prisoner, and
- Richard Monkhouse Deputy Chairman Magistrates' Association



The film used first-hand accounts from academics, practitioners and former prisoners in Great Britain and the US to delve into the factors that are important in helping people move through their journey to desist from crime and to remain crime free. These insights lead to a lively and informed discussion.

Member profile

Gemma Lousley
Birkbeck, University of London



I'm a first year MPhil/PhD student in the law department at Birkbeck, University of London, researching the sentencing of non-UK nationals in England and Wales. The path that has led me to this research could, with some fairness, be described as meandering. Having completed an undergraduate degree in English Literature and an MA in Women's Studies, during which I focused on sixteenth and seventeenth-century women's writing, and after spending a brief period as an antiquarian bookseller, I wasn't entirely sure what to do with the rest of my life. So, I took a job, through a temp agency, working for a charity that provided advice and support to people who were long-term unemployed, and following this I joined the Creative and Supportive Trust (CAST), an educational charity for women with a history of, or at risk of, offending.

Working at CAST was something of a turning point, and sparked an as yet undampened fascination with the criminal justice system. Whilst there, I began studying for an MA in Criminology and Criminal Justice at King's College, London, and completed my dissertation on the experiences of women on probation. Following a year as the Policy and Campaigns Officer at the Criminal Justice Alliance, I started my current job at the Detention Advice Service (DAS), a charity providing immigration advice, information and support to foreign nationals in prison.

My work at DAS has confirmed the poor situation for foreign national prisoners in the prison system. However, little is known about the experiences and treatment of non-UK citizens at earlier points in the criminal justice system, and it is this gap that has prompted my research. My research is looking at the factors that influence the sentencing of foreign nationals convicted of a criminal offence; specifically, I'm interested in what Professor Andrew Ashworth has marked out as the 'informal' influences on sentencing decisions, including sentencers' attitudes and beliefs, and the working practices of others who play a part in the sentencing process, such as prosecutors, defence lawyers, and probation officers. Essentially, I'm exploring whether there are informal influences on sentencing decisions that are particular to non-UK nationals, and through this, whether the disadvantage suffered by foreign nationals in prison is evident at the sentencing stage.

Working, as I am, within a fairly niche field, the Early Career Academic Network is particularly important for me as a way of making connections with others doing related work, and exchanging ideas and findings across these networks. It also helps to ensure that I don't become too tunnel-visioned, and keeps me engaged with research that's being conducted across the broader criminological field.

Guidelines for submissions

Style

Text should be readable and interesting. It should, as far as possible, be jargon-free, with minimal use of references. Of course, non-racist and non-sexist language is expected. References should be put at the end of the article. We reserve the right to edit where necessary.

Illustrations

We always welcome photographs, graphic or illustrations to accompany your article.

Authorship

Please append your name to the end of the article, together with your job description and any other relevant information (e.g. other voluntary roles, or publications etc.).

Publication

Even where articles have been commissioned by the Howard League for Penal Reform, we cannot guarantee publication. An article may be held over until the next issue.

Format

Please send your submission by email to anita.dockley@howardleague.org

Please note

Views expressed are those of the author and do not reflect Howard League for Penal Reform policy unless explicitly stated.