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Introduction



Next year the Howard League celebrates its 150th anniversary, and I am now in the process of organising one of its big events – [Justice and Penal Reform: Reshaping the Penal Landscape](#). This is a 3-day international conference,

16-18 March 2016 at Keeble College, Oxford. See the call for papers on page 37 and please put the date in your diary and tell your colleagues.

Turning now to the general election in just a few weeks, criminal justice does not seem to be high on the public (7th on one list) or media manifestations of the political agendas. This is no bad thing as popular political discourse always seems to gravitate towards who is the harshest in their policies to deal with crime and the penal system. It is inevitable, and desirable, for the political parties to consider their priorities for the criminal justice system, but I am happy that crime is not taking a prominent role. That said, what are your criminal justice priorities for the next government?: please email them to research@howardleague.org so they can feed into the work of [What is Justice?](#) or the Justice and Penal Reform conference agenda.

Anita Dockley, Research Director

News

Imprisoning children may lead to sexual offences in adulthood



For the past two years the Howard League for Penal Reform has led the first-ever independent review of sex behind bars. The Commission on Sex in Prisons includes eminent academics, former prison governors and health experts.

Following a two year inquiry recent findings suggest that it is difficult for children in custody to develop a healthy sexual identity, with punishment for normal sexual experimentation or behaviour leading to feelings of shame, which in turn may increase the likelihood of sexual offending. Recommendations suggested that on the rare occasions when a child needs to be incarcerated, they should only be held in small units with highly-trained and well-managed staff, where education, therapeutic and behavioural provision can be tailored to their individual needs. Frances Crook, Chief Executive of the Howard League for Penal Reform commented: "There is only one clear lesson – no child should be in a prison."

Revealed: £56m wasted on getting rid of prison staff

The Howard League recently gained access to a document that revealed more than £56 million of public money was wasted on staff severance payments in the prison system in 2014. The prison service's bill came in at nearly 10 times the previous year, as staffing levels were slashed across England and Wales. Notably the redundancies came in a year which saw a number of damning prison inspection reports, and the total

prison population rose by 483. The Ministry of Justice have since spent millions trying to recruit new officers to fill the void in staff numbers left by myopic government decision making.

One Idea for Change blog launched

As part of our What is Justice? symposium, we asked supporters 'If you could change one thing about the criminal justice system, what would it be and why?'. Lots of great ideas came in, and this week we [launched a blog](#) to share them and encourage others to submit their idea. The first idea is up already and the next one will be posted on Monday – [take a look!](#)

UK's Compliance with the UN Convention on the Rights of the Child

The Howard League has written a letter to the Joint Committee on Human Rights to assist with its review of the UK's compliance with the United Nations Convention on the Rights of the Child (UNCRC). In reference to children in prisons, the letter outlines a number of concerns regarding the lack of compliance with the Convention. While the number of children in prison has reduced significantly, those who are incarcerated are now held for longer. The Howard League has grave concern over the number of children who have taken their own lives in prison, as well as the inappropriate use of solitary confinement and use of force; and, following large cuts to legal aid in December 2013, children in prison are no longer eligible for legal aid to help with most of the issues affecting them in prison.

Oakwood: Years of failure will have created thousands of victims of crime

When inspectors visited the G4s-run Oakwood Prison in June 2013, they found high levels of violence and self-harm, with prisoners even claiming that "You can get drugs here but not soap". On Wednesday 18 February Her Majesty's Inspectorate of

Prisons published a follow up report, based on an announced inspection conducted last December, and concluded that the prison was still “not sufficiently good” at keeping prisoners safe and providing purposeful activity. A few of the serious concerns included: self-harm remaining a serious problem, bullying and issues relating to drugs were rife, and as much as twenty per cent of the population were locked up during the working day.

Sian James MP calls for “Welsh solutions to Welsh problems” in campaign to divert women and girls from crime



Frances Crook (Howard League), Sian James MP for Swansea East, Rosa Marne, [Isis Women's Centre](http://isiswomen.org.uk/). Photo: Prison Watch UK, <http://prisonwatchuk.com/>

On Tuesday 17 March Sian James launched a campaign calling for “Welsh solutions for Welsh problems” – a whole new approach to working with Welsh women and girls caught up in crime. Sian James, who has represented the Swansea East constituency in Parliament since 2005, will be supported on the campaign by the Howard League for Penal Reform after she steps down as an MP in May. At the campaign launch Sian James unveiled a 10-point manifesto urging Wales to build on developments in Welsh devolution and embrace a distinctive approach for women in trouble with the law. The manifesto includes a call for women to

be diverted from crime, with police working to resolve issues quickly, locally and cheaply. Sian James, a former Director of Welsh Women's Aid, said that Wales should stop criminalising women who are victims themselves. Arguing that “prisons are the past, Wales can have a better future”, she called for the creation of women centres and the provision of more specialist support in the community for women at risk of offending.

Success: Secure college plans shelved

Plans to build the largest children's prison in Western Europe have been shelved. The government wanted to build a 320-place 'secure college' in Leicestershire – with a view to constructing more at other locations across the country, but the Justice Secretary failed to get approval for the project before Parliament was dissolved for the general election. This is a huge boost in our ongoing drive to [reduce the number of children in the criminal justice system](#).

Public Accounts Committee - justice and home office inspectorates

On 30 March 2015 the Public Accounts Committee (PAC) published a report on inspection of home affairs and justice activity. The PAC said that current arrangements do not 'adequately secure, or guard against potential threats to, genuine independence' criticising that the Minister responsible for the areas inspected had control over appointments. Regarding the appointment of Paul McDowell, the Chief Inspector of Probation who resigned in February after it was revealed his wife's firm had won the largest number of contracts to run probation services, the Committee found that the Ministry of Justice had 'mishandled an entirely foreseeable conflict of interest'. The PAC called on the Cabinet Office to review whether inspectorates would be better served by independent appointment and sponsorship, and some direct reporting to Parliament. Download the full report [here](#).

Perrie Lecture 2015: Older Prisoners – Student Essay Competition

The Annual Perrie Lecture is being held on Friday 12 June 2015 at Prison Service College, Newbold Revel, Warwickshire. Students are invited to submit an essay, no longer than 2000 words, addressing the following question: “What is distinctive about the experiences of older prisoners? What could be done to better address their needs?” The winning entry will receive a free place at this year’s Perrie Lecture and the essay will be published in the Howard League’s Early Career Academics Bulletin. Entries should be made by Monday 11 May 2015. For more information please [see our website](#).

Justice and Penal Reform: Re-shaping the penal landscape



The Howard League for Penal Reform will be holding an international three day conference from 16- 18 March 2016 at Keble College, Oxford. The conference is a major event in the Howard League’s calendar to mark its 150th anniversary and is a major contribution to the Howard League’s symposium, [What is Justice? Re-imagining penal policy](#). This project is charged with generating the climate and the intellectual debate that can act as the springboard to contest the conventional role of the penal system and ultimately promote a new, achievable paradigm that will deliver a reduced role for the penal system while maintaining public confidence, fewer victims of crime and safer communities. This work is being led by our research director, Anita

Dockley, alongside Professors Ian Loader (University of Oxford), Barry Goldson (University of Liverpool) and Stephen Farrall (University of Sheffield). Current confirmed participants include Professor Alison Lieblich (University of Cambridge), Professor Michael P. Jacobson (The Institute for State and Local Governance), Dr Todd Clear (Rutgers School of Criminal Justice) and Professor Tom Vander Beken (Ghent University).

Ministry of Justice Bans Frances Crook from Visiting Prisons

On Friday 20 March, the Howard League Chief Executive Frances Crook received [an email](#) banning her from visiting two private prisons, not by G4S who had invited her but by the Ministry of Justice. The move was seen as an attempt to block access because the Howard League is a vocal opponent of prison privatisation. In response to the retraction of the invitation Julian Huppert MP tabled an [Early Day Motion](#) in the House of Commons urging the government to facilitate independent scrutiny of prisons. The cause was also taken up by Lord Ramsbotham who on 26 March asked a question regarding the withdrawal of the invitation in the House of Lords.

The John Sunley Prize – Closing Date Extension: 5 May 2015

Applications for the 2015 John Sunley Prize for outstanding Masters research dissertations are open and the closing date has been extended to 5 May 2015. This extension reflects the fact that the award will now be presented in November 2015, rather than October 2015, at the Howard League AGM. There will be three recipients of the prize, each of whom will receive £1,000 and have their dissertation published by the Howard League. Dissertations should offer genuine new insights into the penal system and further the cause of penal reform. For further information please see [our website](#).

Youth justice policy in Wales: Children first, offenders second

Kevin Haines and Stephen Case, Swansea University

This article sets out current thinking on youth justice strategy in Wales. The United Kingdom of Great Britain and Northern Ireland is a complex legislative and constitutional entity. Such is the complexity of our structures of governance that it is quite difficult to make wholly accurate statements concerning the polity of the United Kingdom. Indeed, one could say that the United Kingdom is, at the same time, both one country and four countries – although this is not quite accurate. Social and political life in the UK and its four constitutive entities is a complex mix of jurisdictional authorities and responsibilities. Whilst some matters are dealt with at a UK level, others are dealt with at national level. The complexity of who governs who and in respect of what has, of course, deepened with the processes of devolution and the establishment, at the end of the 1990s, of a national Parliament in Scotland and National Assemblies in Wales and Northern Ireland.

The jurisdictional differences in legal systems in the various parts of the UK have meant that both traditionally and in the present, both Scotland and Northern Ireland have had their own separate and distinct juvenile justice systems. Wales, on the other hand, shares the same juvenile justice system as England. In Wales, therefore, as in England, at the present time, youth justice is the responsibility of the Ministry of Justice and the Youth Justice Board although, in practical terms, juvenile justice services throughout England and Wales are provided (mainly) by Youth Offending Teams, located within the management and organisational structures of local authorities.

At face value, therefore, in terms of governance, policy, strategy, management and practice youth justice in Wales is/should be the same as that in England. However, in recent times, a distinctively Welsh juvenile



Kevin Haines and Stephen Case

justice has begun to emerge, a process referred to as dragonisation. In this respect the (ongoing) debate about the formal/constitutional devolution of juvenile justice to Wales is moot, to the extent that the majority of services provided by YOTs and other organisations are already under the devolved authority of the Welsh Government and require, at the very least, the co-operation of Welsh services to exist.

Managing this devolved/non-devolved set of arrangements is complex and falls to the Welsh Youth Justice Advisory Panel (WYJAP, a joint Welsh Government and YJB high level strategic body). In July 2014 WYJAP oversaw the production of a revised All Wales Youth Offending Strategy entitled *Children and Young People First: Welsh Government/Youth Justice Board Joint Strategy to Improve Services for Young People from Wales at Risk of Becoming Involved in, or in, the Youth Justice System*. This new strategy spells out the approach to be taken to youth justice in Wales.

Firstly and significantly, a strong indication of the trajectory of the strategy is given in the title: '*Children and Young People First*'. The evident commitment in Wales to taking a children first approach is clearly stated in the vision statement:

We want a country in which we all work to prevent children and young people from entering the youth justice system. But if young people do offend, we want to ensure the system and associated services do all they can to help and support them to have the best chance of not having further convictions. Children and young people at risk of entering, or who are in, the youth justice system must be treated as children first and offenders second in all interactions with services. Wales will be a country where young people are able to contribute more positively to their communities, crime is reduced and there are fewer victims of crime.

It is clear from this vision statement that taking a children first, offenders second approach is designed to enable children to lead positive lives and that this will have a positive effect on reducing offending by young people and crime victimisation. It is also clear that the strategy makes adults responsible for achieving this vision. In this latter respect the strategy is focused on achieving eight specific outcomes:

1. Children and young people are engaged in mainstream services through access to, high quality prevention, treatment and support.

2. All services work in holistic, multi-agency partnership and are accountable for meeting the needs of children and young people.

3. Children and young people are not unnecessarily brought into the youth justice system and are diverted into services which are accountable for and able to meet their needs.

4. Offending behaviour is challenged and responded to proportionately with an opportunity for young people to make amends.

5. Children and young people are recognised as being made vulnerable by contact with the criminal justice system, and are safeguarded from harm.

6. The values, attitudes, knowledge and skills of practitioners enable young people to stop offending and lead crime free lives.

7. Sentencing children and young people to custody is a last resort, reserved for crimes so serious no community sentence is an appropriate response.

8. Children and young people make a seamless transition between a youth justice sentence and an independent, crime free life.

Importantly, the strategy sets out eight principles that are to be followed in pursuit of the above objectives:

- *Young people are children first, offenders second;*
- *Young people in the youth justice system have the same access to their rights and entitlements as any other young person;*
- *The voice of the young person is actively sought and listened to;*
- *Services focus on early intervention and holistic multi-agency support;*
- *Promotion of a culture where identifying and promoting effective practice is fundamental to improving outcomes for young people;*
- *Services are held to account for addressing the needs of young people;*
- *The youth justice sector is supported to develop the knowledge and skills to understand and address the needs of young people;*
- *The voices of victims are heard, and they are provided with the opportunity to share their views and take part in restorative approaches.*

To achieve the above outcomes in the manner proscribed the strategy sets out and details five priorities:

1. *A well-designed partnership approach.*
2. *Early intervention, prevention and diversion.*
3. *Reducing re-offending.*
4. *Effective use of custody.*
5. *Resettlement and reintegration at the end of a sentence.*

These priorities are linked to eight specific objectives for the treatment of children in the Youth Justice System (YJS): *engaging children* in mainstream services; *multi-agency partnerships* for meeting children's needs; *diversion* out of the YJS and into needs-based services, *challenging offending behaviour* and responding proportionately; *recognising vulnerability and safeguarding* children; enhancing the *values, attitudes, knowledge and skills of practitioners* to enable children's desistance and crime free lives; *custody as a last resort*; enabling *transitions* from the YJS into an independent, crime free life.

Each of these objectives is to be pursued through eight key *principles* of practice:

1. *Children first, offenders second;*
2. Children in the YJS have the same access to their *rights and entitlements* as any other child;
3. The *voice of the child* is actively sought and listened to;
4. *Early intervention* and holistic *multi-agency support*;
5. *Effective practice* as fundamental to improving outcomes for children;
6. *Accountable services* that address children's needs;
7. *Supporting the YJS* to develop the knowledge and skills to understand and address children's needs;

8. *Victim consultation* and meaningful participation.

The bedrock and driving force of the strategy is multi-agency *partnership* working. Having outlined 'a well-designed partnership approach' as its first priority, *Children and Young People First* goes on to assert an expectation that services:

[W]ork together to provide coordinated, multi- agency, wrap-around support which is consistent across Wales so young people do not fall into 'service gaps'; or move back and forth between services where there are disputes with regard to who is responsible for providing the relevant support. ... Partnership working is fundamental to ensuring young people have access to services when they need them.

These partnerships are not just those between the agencies that comprise the YJS, as important as these partnerships are. They extend to include and direct children toward those agencies that provide 'mainstream' and other targeted services to children. Furthermore, the partnership approach applies to the delivery of services from diversion and prevention (strategy priority two), through to those children embroiled in the YJS (priorities three and four), to those children transitioning out of the system (priority five) – at all stages and ages.

The strategy clearly states that 'prevention in all its forms is the key to stopping young people coming into the justice system'. This is to be achieved through a tiered approach that moves from early intervention and prevention services (tier one) to targeted YOT prevention (tier two) to alternatives to charging and diversion (tier three). Whilst the strategy uses the terms 'early intervention and prevention', the intention here is clear and avowedly children first and entitlements/ rights-focused. Intervention in the lives of

children in Wales is presented as a good thing and predicated on improving children's access to their entitlements (under *Extending Entitlement*) in a proactive, forward looking manner in which the outcomes for children are improved. The strategy sees a proper and full role for YOTs in both tier one and two prevention, in a manner consistent with the principle of partnership:

There will be young people who risk falling into a 'service gap' because their needs are too complex for easy integration into universal services yet who have not met the threshold for statutory intervention....It is in instances like these we believe targeted multi-agency prevention is appropriate. YOTs are the primary providers of services to identify and prevent children and young people from offending, however this work is often delivered in partnership with others from the voluntary and public sectors.

The strategy prioritises *diversion* from prosecution and formal system contact for children in conflict with the Law and the Youth Justice System. Diversion is framed within an overarching early intervention and *prevention* focus (which also incorporates the prevention of/diversion from future (re)offending), with a commitment to 'prevent young people entering the youth justice system'. *Children and Young People First* asserts that 'Police-led alternatives to charging exist as a mechanism for diverting children and young people away from the youth justice system and into mainstream services'. Notably, the *Bureau* model is highlighted as the key (police-led, alternative to charging) vehicle to achieve the strategy's diversion-prevention objectives (For more information about the Bureau model see [Justice for Young People](#), Howard League, 2013) .

The problems faced by those children now entering the YJS and the challenges this poses to YOTs and others are growing more complex and this is acknowledged in the strategy's focus on children demonstrating multiple, complex needs (for example, emotional and mental health issues, substance use, victimisation) as the group at highest risk of reoffending. In the face of this challenge, the strategy offers support for the principle of systems management as a tool to unblock children's restricted societal opportunities and tackle their inherent vulnerability and disadvantage:

We will work to overcome any systemic obstacles, so service provision is based around the needs of the young person rather than how services are organised and delivered.

In terms of working with children in the YJS, *Children and Young People First* heralds the new *AssetPlus* assessment and intervention framework for its privileging of children's 'views and experiences' and practitioners' discretion, both of which are central features of the participatory and engagement-led practice promoted by a *Children First* approach to youth justice. However, the implementation of *AssetPlus* (at the time of writing) remains to be tested. The authors believe that *AssetPlus* has the potential to lead to improvements in the delivery of youth justice services to children in Wales and England. This potential can be increased if *AssetPlus* is augmented in the service of a coherent philosophy – something that it currently lacks. *Children and Young People First* provides such a philosophical basis through its underpinning principles for practice: engagement with children, families and practitioners (for example enhancing participation and discretion), advocacy of a thorough-going entitlements-led (anti-risk) focus for all work with children and cohering policy and practice around the promotion of positive

behaviours and outcomes, rather than the prevention of the negative.

Children and Young People First represents a bold statement from the Welsh Government and the Youth Justice Board of a distinctively Welsh approach to youth justice. Gone are notions of punishment, risk factors and responsabilising children. In their place is a positive view of children, a positive view of and role for the state (at national and local levels), a positive view of intervention focused on achieving positive outcomes for children, systems management and responsabilising adults, all in the service of a children first, offenders second philosophy.

At present, however, *Children and Young People First* represents official youth justice policy in Wales. Much remains to be done to thoroughly animate this policy across all Youth Offending Services in Wales, and many challenges remain. As in England, youth justice practice across Wales is characterised by a significant degree of local variation. The 'constitutional' position of Youth Offending Services, standing between mainstream local management structures and national agencies, particularly in the growing context of 'localism' and exacerbated by tensions wrought through austerity, create the conditions where ever greater local variations in practice can flourish. Whilst a degree of local discretion is required to respond to the extant characteristics and particular circumstances found in different

localities, the challenge remains, across Wales and England, to cohere local variation around a consistent philosophy and approach. *Children and Young People First* is the first step in this process.

About the authors

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Fighting for change: Narrative accounts on the appeal and desistance potential of boxing

Deborah Jump, Lancaster University

Introduction

This article is based on recent ethnographic research into the sport of boxing as part of my PhD with the University of Manchester. It explores how the sport can potentially act as a hook for change, engaging and incapacitating men when they might otherwise be involved in crime. Evidence from my research suggests that the appealing nature of the sport is instrumental in engaging young men. However, the masculine discourses inherent in the gym environment are not always conducive to change and desistance promoting strategies. I argue that policies surrounding sport's efficacy and desistance promoting potential need to be rethought, and that masculine discourses inherent in contact sports need to be acknowledged, before the potential that the sport has to support desistance can be realised.

Boxing has been part of Western culture for millennia but has always been a contentious sport, one that attracts and repels in equal measure. Like other sports, it emerged from ancient Greece as a formalised and socially acceptable form of martial violence adapted to peacetime, and expressed the 'male imperative' to take up arms and fight to protect citizen and polity. Boys were taught to box just as every able-bodied man was trained to fight to protect the city from foreign aggression and to uphold the prevailing ethos. Boxing was thus seen as being a civilising influence in society by providing an outlet for male violence, while at the same time helping to promote the masculine 'virtues': courage, strength, ingenuity and endurance. This ethos has remained fundamental to boxing throughout its long history. Today it still forms part of the sport's appeal, motivating its institutionalisation not only in the armed



Deborah Jump boxing

services but also within civil society and professional sport.

Boxing has further formed the basis of political debates surrounding its transformative potential, with many professionals and policy makers arguing that it is a useful vehicle for engaging and reforming those involved in offending behaviour (the *Guardian*, 2008; Laureus Report, 2011). This was evidenced very recently when Cheshire and Greater Manchester Community Rehabilitation Company published its good news letter in October 2014 titled: 'Ex offender gives crime a body blow', accompanied by a photograph of a person who had previously offended in boxing gloves and a smile. The *Manchester Evening News* (2014) subsequently followed the same story with an article discussing how 'ex convicts are helped off the streets by a former boxing pro playing it straight'.

It seems therefore that boxing is increasing its appeal for and also exposure to both men and women, and is being viewed by criminal justice professionals and agencies as a tool to be used in the reduction of crime and violent behaviour. In this article I begin to unravel the complex relationship between desistance from crime

and sport. I do this through presenting men's narratives and exploring how they make sense of violence as a result of participating in the sport, and also how they subsequently rehearse and practice violence in their everyday lives both in and outside of the gym walls.

The efficacy of boxing: "Without the gym I would either be in prison or dead"

Historically, vague and unexamined claims surrounding sport's efficacy in addressing issues of anti-social behaviour and crime have underpinned public investment in sport (Coalter, 2007). From nineteenth century concerns with social order and the moral condition of the new urban working classes (Bailey, 1978) right through to the establishment of the Wolfenden Committee in 1957, government bodies have sought to investigate the contribution that sports and outdoor activities might make in promoting the general welfare of society. The most significant policy debate however, was the inception of the 1975 White Paper on Sport and Recreation, as this paper outlined sport as 'part of the general fabric of the social services' (Coalter, 2007: 10). This paper stated that a reduction in boredom and urban frustration through participation in recreational activities contributed towards the reduction of hooliganism and delinquency among young people, establishing the idea of recreation as welfare (ibid.).

Policy developments such as this occurred during a period of emerging economic crisis, with the Labour government bringing an end to the previous period of welfare expansion in the UK. Accordingly, economic decline and rising unemployment became the norm and inner city areas became rife with decay. As a result, there was a general shift of monies away from local government leisure services to more urban sporting programmes that concentrated on targeting particular social groups in deprived areas (Henry, 2001).

The Labour Government of 1997 set about replicating previous ideas and brought in a number of not dissimilar policy initiatives. However, the New Labour government, as well as aiming to tackle delinquency, brought sporting programmes under the umbrella of Crime and Disorder Reduction Partnerships, which sought to place sport (among other social agencies) more centrally on the broader social political agenda (Coalter, 2007). Key indicators such as community cohesion, pro-social development, health and fitness, housing, employment and reduction in anti-social behaviour were added to the list, with sport in particular becoming a source of what Putnam (2000) refers to as 'social capital'.

As a result of this link to social capital, sport policy and target-driven agendas started to appear nationally, with participation in sport becoming a requirement for all young people under the policy banner of Every Child Matters (DCSF: Department of Children School Families 2010). However, accompanying this newer more systematic emphasis on the social role of sport, there was an increased general concern regarding evidence of its effectiveness. In the UK especially, New Labour placed emphasis on what they termed 'evidence based policy making' and 'value for money' (Coalter, 2007), focusing on 'welfare effectiveness' as a key outcome for further public expenditure (ibid). In other words, sport had to prove itself. Could it really be effective in accumulating social capital? And more importantly, could it be effective in reducing crime and disorder?

Although the health benefits of sport are well established, the evidence for sport's impact on education, crime, and community cohesion is limited and largely anecdotal (Collins and Kay, 2003; Laureus Report, 2011). Coalter (2007) argues that vague and unexamined claims about sport's ability to address issues of anti-social behaviour and crime have always underpinned public investment in sport. In the main, however,

sport has traditionally been seen to have moral components; with the ability to instil values that are transposable to other areas of life (Coalter, 2007; Nichols, 2006; 2007). These values range from character building attributes to the development of self-efficacy, locus of control, self-discipline and fair play. Moreover, qualitative policy documents are often littered with ad hominem statements of how sport 'saved me from a life of crime' (Coalter, 2007: 62). The main focus of this paper however, is on the relationship between sports participation and crime reduction. Can participation actually reduce criminal activity, and if so how?

Methods

The methods I used to address these questions involved immersing myself in the social world of boxing for a period of six months. This was during the Olympic games of 2012, and during that period I spoke to over 20 men varying in age from 16 to 62 years, regarding their experiences of violent crime, the appeal of boxing for them, and how they felt the sport could or could not contribute towards desistance from crime. I was interested in their lived experiences as opposed to their rates of violence, and therefore approached the methodology from a Biographical Narrative Interpretative approach (Wengraf, 2001).

Findings

Having collected the men's stories and analysed the data using thematic analytical techniques, the evidence demonstrated that boxing can and does act as a 'hook for change' (Giordano, 2002). Indeed, it is appealing across varying age ranges and genders, and on average the number of people registered with the Amateur Boxing Association England has tripled since 2009 (ABAE, 2013). It can provide a site to incapacitate men when they might otherwise be involved in crime and anti-social behaviour and the men's narratives in the gym evidenced this:

Boxing saved my life man, if I just had to sit at home all day being on the dole and that, then I'd go mad and get in trouble. Boxing gives me something to do, something to focus on, and I get by with what the social give me.

(Baz, 38, amateur boxer who has previously offended)

The idea of the boxing gym being a place of purpose and resolve is common among those who have conducted ethnographies in them (see Sugden, 1996; Wacquant, 2004; Trimbur, 2009). In this particular study, the vast majority of the men reported that the gym was like 'family', and that they could not imagine their life without the gym and its structure:

Can't get a job coz of my criminal record, so I help out at the gym, Marcus lets me train for free if I mop once a week and sort out the glove box and stuff, helps me save on subs and that, and I get to work out every day, keep myself in shape, keep myself sane.

(Baz, 38, amateur boxer who has previously offended)

Without the gym I'd either be in prison or dead.

(Frank, 32, amateur boxer)

Never been nothing, never did nothing, until I started boxing. I just used to hang around on the streets with my boys causing trouble.

(Ricky, 20, semi-professional boxer)

Based on this evidence, it would be fair to state that the sport occupies a person's time and provides structured activities for those whose lives may be lacking routine. As I discovered during the six months ethnography, boxing works principally by absorbing the men's time rather than as a positive restraint. During the course of the research I observed that men would attend the boxing gym whenever possible, usually

in the region of three times a week for amateurs and five times a week for professionals. In fact, men would spend at least nine to ten hours a week in the gym and when there would fanatically devote their time to the sport. However, in their personal lives outside of the gym, attitudes and behaviours were less structured, as the men in this study often reported that they did exactly what they liked outside the regime and routine activity of sport:

In the gym I'm dedicated, I do what I'm told you know what I'm saying, outside I do what I like, ain't nobody out there who's gonna tell me what to do - only my trainer gets to do that.

(Jonny, 19, semi-professional boxer)

Boxing incapacitated these men on a regular basis, and taken at face value, it could be argued that their behaviour when in the gym was respectful and legal. Regardless, my interest lay in their overall understanding of violence and its rehearsal outside the gym walls, so it became imperative to assess how they understood their own behaviour both inside and outside the boxing gym:

It takes a certain kind of person to wanna get hit for fun; you know what I'm saying. I don't think you'd get many kids from posh areas taking it up. Boxing is for lads who can take a punch, none of this 'glass jaw' stuff. Growing up where I did you had to be able to look after yourself, and that set me up for boxing you know what I mean.

(Jonny, 19, semi-professional boxer)

Nah, you can't ever back down, because that's seen as weak. If I back down then people are gonna think that I'm an easy target. Don't matter whether it's inside or on the streets you got to act like you won't put up with anyone coming at you.

(Michael, 28, amateur boxer who has previously offended)

I try not to fight outside the gym, but if you get some dickheads coming at you in a bar, I'm not gonna act like a pussy am I?
(Ricky, 20, semi-professional boxer)

These examples from Jonny, Michael and Ricky among many others formed part of the overall ethos of the gym. Indeed, the attitudes fostered in the gym led me to believe that not only had the men not changed their attitudes towards violence, these attitudes were reinforced by boxing and the gym. The boxing gym assisted in teaching men that violence is a practical solution to a problem through its very ideologies; these being ones that represented and perpetuated images of masculinity and respect attained through violence; a win at all costs attitude. Indeed, men's sporting discourses are littered with these messages, and stories of athletes and their relationship towards violence, in particular violence against women, have been hotly debated in the global media very recently (See Oscar Pistorious, Ched Evans and Ray Robinson).

In some cases, therefore boxing elaborated the rehearsal of violence for the outside world, as some men attested to currently being involved in violent behaviour, or not afraid to employ it when deemed necessary, especially if threats to masculinity or ideas of respect were significantly challenged. Because of this fact, men did not consider 'walking away' as this would demonstrate a fear to engage in violence, and reduce their credible threat. This would lead to feelings of humiliation and shame, and potential exclusion from the masculine domain of the boxing gym. Accordingly, men invested in violent retaliation to avoid shame and humiliation, and to stay engaged in a hyper-masculine domain that places onus on retaliation as a way to maintain respect. All too often, the boxers could be heard talking about altercations they had been involved in over their life-course, like Eric the retired boxing trainer who often remarked:

Done a lot of scrapping in my lifetime, both in and outside the ring, I've got grit and that's all you need to win.

It was these particular narratives and vignettes that assisted in the surmising of my theory. The discursive meanings that were entrenched in the social world of boxing saw the men finely attuned to violence, and the trajectories of these men had already demonstrated a significant relationship towards it, as Jonny stated: 'It takes a certain kind of person to want to get hit for fun'.

Indeed, the habitus and significant appeal of the gym, with its emphasis on competition, muscle, and violent potential proved to be not only reflected in the bodies of these men (Bourdieu, 1977) but also ingrained in their consciousness as a system to live by. Boxers are committed to violence. Violence sustains their identity as men who demand total respect and are unable to compromise, as this would remove the essence of their identity, their self-concept. The gym is a reinforcing mechanism that prescribes these very discourses. Indeed, every semblance of a boxer's body is 'packed into a framework of confrontational options which are then manifested as violent potential' (Hobbs, 1995: 122), and the men define themselves in terms of a cultural inheritance both in and outside of the gym that gives primacy to violence. As a result, the gym cultivates a willingness to engage in violence wholeheartedly, separating boxers from the rest of the population which is generally reluctant to engage in violent reproach. Because of this, boxers command fear and respect; and their physical armour that is honed daily in the confines of the gym adds to this image.

Conclusion

Throughout this brief article I have paid particular attention to the participants' understanding of violence, and also how the logic and discourses of the boxing gym can

reinforce attitudes favourable to violence and the maintenance of respect. Moreover, this article discusses and elaborates on existing assumptions in sporting and desistance literature, and argues that while relevant, diversionary activities and sport-based programmes that incapacitate are only one element in the theory of change. In conclusion, I have argued that boxing actually traps men in an attendant culture of respect that requires them to respond in aggressive ways to maintain an image of both masculinity and respect. This attendant culture, that is transposable between gym and street, can override the pro-social incapacitating elements that the gym can offer, and reinforces the logic and discourses that evokes and traps men in habits of responding to violence. Therefore, in terms of future policy and practice, new directions need to be sought.

About the author

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‘Nordic exceptionalism’ versus ‘Anglophone excess’ in the context of desistance: Female routes out of crime and criminal justice in Sweden and England

Linnéa Österman is a PhD candidate at the University of Surrey, and was the 2014 recipient of the Howard League’s bursary to attend the British Society of Criminology Conference. This is an edited version of the paper presented at the conference.

Introduction: Women, crime and criminal justice in cross-national contexts

This article presents a selection of findings from my thesis; a cross-national qualitative study looking at the female journey through crime and criminal justice in Sweden and England. Situated at the crossroads of feminist criminology and cross-national qualitative frameworks, my PhD research aims to make a unique contribution to the internationalisation of criminological knowledge about women, crime and criminal justice. Owing to concerted efforts by feminist scholars and activists working in the field, the last couple of decades have seen the plight of women in criminal justice contexts making a decisive entry onto the criminological arena.

However, reflecting traditional borders within the criminological field, this growth in knowledge is not evenly distributed across the globe. Specifically, research on gender and crime is largely produced in the Anglo-American world, with studies predominantly applying monocultural perspectives (Barbarett, 2014). What we know about women who offend is therefore very limited cross-nationally. Moreover, corresponding to criminology’s characteristic focus on the extreme, this is especially true for countries with lower crime rates and milder forms of sanctioning (Barker, 2013). This is arguably significant, as cross-cultural research carries the potential to both challenge and improve structures and models. At a time when an increasing amount of political and academic attention is being dedicated towards improving penal responses to women – ultimately aiming to make sanctions less damaging and more



effective – cross-cultural research can provide important knowledge about alternatives and hence, offers a valuable foundation for reformative debates.

‘Nordic exceptionalism’ versus ‘Anglophone excess’?

Recently, penal policy in the Nordic countries has received an increasing amount of attention. Sweden is a country commonly presented in the literature as an example of ‘Nordic exceptionalism’ (Pratt, 2008); characterised by low rates of imprisonment, humane prison conditions and a criminal justice process accentuating normalisation. England, in line with the broader ‘Anglophone’ group, is conversely a country often depicted as an example of penal excess (Pratt and Eriksson, 2013), with a justice system orientated more towards processes of differentiation. This categorisation is linked to the fact that much of the Anglophone world has of late witnessed increasingly punitive criminal justice discourses, with an unprecedented system expansion. Worryingly, this growth has been especially marked for women caught up in criminal justice processes (Gelsthorpe, 2004). In contrast, Sweden has in recent years seen a decrease in imprisonment rates, with lowered demand for prison places leading to, for example,

the closure of four prisons in 2013 (Sveriges Radio, 2013). In view of such diverse penalty trends, Pratt (2008: 135) suggests that the Scandinavian model should 'in the contemporary era of penal excess' be given 'the opportunity to act as a focal point of difference and opposition'.

However, penal systems cannot be separated from their wider context, being intrinsically linked to historical developments and cultural values. To borrow Melossi's (2001) familiar conceptualisation of penality; crime and punishment are understood to be embedded in broader socio-economic, political and societal processes and norms. So for example, key explanations of the Nordic exceptionalism thesis include particularly inclusive penal policies (Cavadino and Dignan, 2006), based on strong welfare investments and high levels of trust and solidarity. In turn, it is suggested that such processes derive from a historical culture of equality, supported by a consensual orientated political culture as well as an educationally-responsible press (Lappi-Seppälä, 2012; Pratt and Eriksson, 2013). Due to how penality is embedded in broader societal structures, direct 'policy transfers' in criminal justice are rather unlikely. That said, learning from other cultural models is a good starting point for bringing to light assumptions inherent in one's host culture (Barbarett, 2014) and can, at a bare minimum, act as a powerful tool for 'stretching our imagination of what is possible' (Nelken, 2010: 23).

The study: Framing and findings

Grounded in a feminist methodological framework, my research draws on 24 life-story narrative interviews with women who have had repeated interactions with the criminal justice system, across Sweden and England. In a modest attempt to start to redress the overwhelming dominance of quantitative work in comparative criminology

(Nelken, 2010), and with the aim of unpacking qualitative mechanisms of change, the study focuses exclusively on the lived experience of criminal justice. Moreover, the research very much emphasises the importance of situating the female experience of justice in the totality of lived experience, including in the context of gendered pathways into crime and particular female experiences of criminal justice processes. This brief article will focus specifically on one particular part of this journey, namely women's routes out of crime and criminal justice (CJ).

By comparing routes out of crime and CJ for women in different national contexts, it becomes evident that different structural models, in criminal justice terms specifically as well as in wider society more generally, carry significant meaning for how the desistance process is experienced first-hand. Although it should be pointed out that there are no magic bullets, the findings from this comparative analysis indicate that the Swedish model may offer a setting which is more conducive to the formation of lasting female desistance narratives. Two particularly influential processes are identified to underpin this finding: Firstly, a more robust and accessible infrastructure for change, manifest in well-resourced and durable service provisions addressing individual need. Secondly; the opening of societal doors and the enabling of more positive relationships between the reforming individual and wider society, including the use of state capital to open up opportunities for inclusion and participation for people with offending histories. The following section explores these two processes in further detail, highlighting the core underpinning qualitative mechanisms identified in the analysis.

1) Infrastructures for change: Addressing 'internal' and 'external' barriers to change
On the whole, barriers to change feature more prominently in the English female

narratives. The type of barriers present can be categorised into two groups; 'external' and 'internal'. For anyone remotely familiar with the area of gender and crime, none of these barriers will come as a real surprise. Major external barriers include lack of stable housing, lack of access to liveable incomes (sufficient to support both themselves and in many cases also children) and 'entrenchment in the scene'. This theme of 'entrenchment' relates to an identified barrier of immobility, i.e. being unable to re-locate from an area associated with offending and, very commonly, long-term drug use. An illustration of this theme is for example found in a woman's inability to re-locate away from a neighbourhood where she has survived on the streets via prostitution, and an associated struggle to re-construct a local identity that is deeply entrenched in not only drug-use and offending, but also in sexual exploitation and victimisation. In this way, 'entrenchment' and 'housing' act as mutually reinforcing 'external' barriers to change.

This study also identifies major internal barriers to change, including a strong link between mental well-being and the ability to make a successful route out of crime. Notably, this is a universal link, presenting much more symmetry across the sample groups than the external category. Indeed, the presence of mental health issues among women who offend is well-documented in criminological literature, with Baird (2003) suggesting this amounts to an 'epidemic' for women in the English prison estate. In turn, this is a forceful reminder of the importance of situating the experience of women in criminal justice in the totality of lived experience, with women's pathways towards crime often being paved by victimisation and trauma. I conceptualise such traumatic and/or abusive factors and experiences in the woman's biography that, in one way or another, are linked to her route towards offending as 'pathway luggage'. An important finding in this area is

that, comparatively, the women in the English sample overall carry more 'pathway luggage' at the entry point of CJ. In turn, the weight of such 'luggage' inevitably makes it more challenging to overcome barriers to change.

Rather than presenting new knowledge, these highlighted external and internal barriers reinforce much of what we already know about the nature of offending among women. The next level of analysis, however, is arguably of more significance. By exploring how these barriers are experienced in different national contexts, different types of infrastructures that enable and/or support positive change can be identified. I conceptualise these as structural 'ladders'. It is at this point that the most pronounced differences in experience begin to emerge between the two sample groups. Specifically, the Swedish narratives are rich in stories of subjective experiences of structural ladders being put in place for overcoming both external and internal barriers to change. In contrast, these are very rare in the English data.

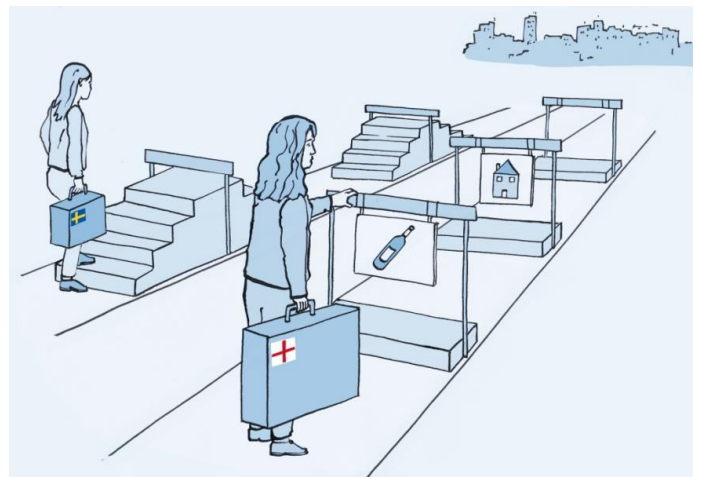


Image: Tom Senior

Looking at these ladders in more detail, a chief example of a structural ladder for overcoming internal barriers to change is detected in the area of alcohol and substance support service provision. Many of the Swedish women have spent periods of up to 18 months at a time at residential

rehab to address their drug and alcohol problems. This stands in stark contrast to the English experience, where drug support for women typically involves short-term day programmes, with minimal residential options. Importantly, the data suggests that the value of these provisions needs to be understood in terms of cumulative impact over time, providing essential building blocks for change in the long-term. Through durable alcohol and substance support services, it is argued that the route out of crime and CJ becomes more accessible, as the woman gains, as expressed by one participant; 'lessons in ordinary life'. In addition, an important cumulative impact of quality treatment over lengthier periods is notable improvement in the woman's physical and mental health.

A second example of a structural ladder, relating more specifically to the area of external barriers, is found in the area of housing. An initial step on this ladder is about the provision of stable and secure housing. As argued by Carlen (2003: 34); the suggestion that women should think about their life-choices when they do not even have a roof over their heads is 'irresponsible nonsense'. However, going one step further, interlinking housing with the noted barrier of entrenchment, an additional step on this ladder is about providing options for geographical re-location. In practice, this translates into a choice in terms of where the woman wishes to 'work' on her route out of crime and CJ. Thus, while the vast majority of participants in the Swedish setting have re-located away from regions where they have an active offending identity, through a well-built support context, the majority of the English women have spent years in local temporary accommodation, where they typically have daily contact with familiar criminal/drug-using networks. Importantly, the aspect of choice identified in the Swedish data emerges as a hugely valuable ladder in

itself, allowing the woman to take ownership of her desistance process.

2) Opening societal doors: Opportunities for participation and inclusion

The second process is more closely related to the end destination of the journey, which is conceptualised here as participation and inclusion in 'mainstream society'. The findings suggest that the Swedish women view inclusion and participation opportunities as more accessible, feasible and attractive in comparison to the English women in this study. An important consequence of this is that the Swedish women experience a strong subjective sense of support, which in turn makes a significant contribution to a lived feeling of inclusion, legitimacy and, importantly, a willingness to participate. The analysis suggests that this internally experienced emotion of inclusion and legitimacy provides a far stronger motivator for maintaining change than any external force, such as threats of further sanctions and exclusion.

In the journey towards a desisting lifestyle, employment is found to play a key role. Though employment is generally identified as useful for building routines and filling time, the data suggest that for long-term lasting change additional factors are significant. Thus, if a job is to be a valuable desistance tool it needs to be a job that, at the very least, allows the woman to stay above the poverty line. Moreover, this financial position needs to be situated in the context of other challenging strenuous circumstances, such as being in debt. Indeed, the vast majority of the women in this study, across the sample groups, have experiences of huge debts. This is where the quality of employment comes to the forefront, marking a significant difference across the two samples. For example, several women in the English sample had recently resumed shoplifting for food, despite being in part-time employment, as their casual jobs did not provide enough

income to cover rent, bills and food. Recognising that homelessness and/or living in hostels is a huge 'puller back' to the lifestyle that they are trying to desist from, they had to make difficult decisions with a limited income. Contrasting this to the Swedish data, this 'survival narrative', linked to a lack of living wage opportunities, is completely absent. The narratives around the theme of a 'good job' in the Swedish setting go beyond survival factors and also interlink to the chance to start to re-build a new life and construct a non-offending identity. This includes, for example, being able to pay off debts and start to develop, and engage in, new interests, which in turn contributes to reduced levels of boredom and the formation of more pro-social networks.

Having identified the importance of employment, when we explore the particular experiences of women (re)entering the labour market following involvement in the criminal justice system, it becomes evident that differently organised labour markets, interlinked to wider state structures, can act as either an enabler or barrier to a successful route out of crime and in to societal spaces of inclusion. In recognition of the fundamental value of employment for successful routes out of crime and CJ, Sweden has used creative employment solutions to enable better connections between people exiting criminal justice and potential employers. Specifically, this is done via active labour market policies and wage subsidy schemes. Thus, a collaboration between different statutory organisations, including probation, social services and the job centre, offers training and work guidance for people in Sweden with criminal records, leading on to periods of work experience and consequently, in most cases, the offer of full-time employment via a wage subsidy scheme. This subsidy to the employer is then gradually phased out, over a maximum of four years. All of the women in the Swedish sample have overwhelmingly

positive experiences of this type of collaborative work program linked to wage subsidy schemes, and many are now in permanent employment as a consequence. Looking at the qualitative experience of this, in addition to the financial benefits of earning a decent living wage, the women particularly emphasise the value of having been given a chance to prove themselves in a working role, being trusted with responsibility, having an active daily routine and becoming part of a new pro-social setting. In turn, these narratives are closely intertwined with subjective emotions of inclusion and self-worth, along with a lived sense of making a valuable contribution to society. These experiences are understood to have significant positive influences on the desistance process, relating to heightened levels of personal motivation to stay 'straight', as well as having the financial means to effectively construct a lasting non-offending/non-drug-using identity.

Concluding reflections: Cross-national lessons in women's routes out of crime and CJ in Sweden and England?

This article has briefly presented a selection of findings from my thesis, looking specifically at women's routes out of crime and CJ in Sweden and England. Ultimately, my argument concludes that if the goal of criminal justice policy and practice is to help more women to desist from crime, it is necessary to look beyond the borders of criminal justice and also include a consideration of broader socio-economic processes. Via a cross-national analytical lens, evidence has been presented to suggest that wider structural mechanisms can be put in place to help create routes out of crime and CJ for women that are shorter, more feasible and more attractive. A starting point for this involves building robust and durable infrastructures addressing a diverse range of internal and external barriers to change. Additionally, these processes need to include the opening up of routes in towards participation and inclusion for

women with offending histories; many of whom have lived for extensive periods in social exclusion. Looking at lessons from a European neighbour, this article illustrated an example of how active labour market policies can effectively be utilised in this context as a structural desistance tool to open up vital access to employment.

For these types of structural desistance tools to be considered in the 'Anglophone' setting, however, a fundamental shift in strategy is required. Specifically, policy formation needs to give emphasis to long-term thinking, underpinned by inclusionary values that actively aim for accessible citizenship processes and positive participation. The current European climate, including a suggested 'fracturing' of the neoliberal hegemony in the UK following the 2008 financial crash (Reiner, 2012), as well as a renewed wider European interest in exploring more egalitarian social solutions (Andersson, 2009), arguably provides an ideal time to open up the debate on alternative, less exclusionary, models of criminal justice. Primarily this is a humanitarian argument concerning societal investments in individuals and the search for a more equal society. Secondly, this is about mitigating against relapses back into crime and CJ, thus producing long-term savings for not only an incredibly costly but also hugely damaging system.

About the author

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Re-imagining justice for young women in Scotland: An age and gender informed approach

Gail Wilson, Up-2-Us

Introduction

In 2013 the Scottish Government attributed anti-social and criminal behaviour to a small number of young people, that is, 5 percent of 8 to 17 year-olds. Research indicates that this 'type' of young person is more likely than not characterised by growing up in a chaotic family, experiencing care placements, and having poorer opportunities than their counterparts from less disadvantaged socio-economic areas (see for example, Social Research Unit, 2013). Their parent is often the corporate one, and this means statutory and voluntary support services have an important role in guiding their transition from childhood to adulthood. These young people most at risk of offending are often exposed to equally adverse environments growing up. However, research has shown they also have gender specific vulnerabilities. For instance young women are more likely to be at risk sexually (Roesch-March, 2014), to experience intimate partner violence, and to have mental health concerns which might trigger offending behaviours (Bateman and Hazel, 2014).

Gender is also thought to make a fundamental difference to responses to intervention and engagement in support (Gelsthorpe and Worrall, 2009), for instance, we are told that prison does not work for women as it does for men (Commission on Women Offenders, 2012). This paper seeks to further this assertion and focus on the population specific needs and approaches relevant to young women, who are some of the most vulnerable people in society, yet substantially overlooked within research and policy due to their few numbers. This paper will discuss the impetus for welfare approaches for young women facing the Criminal Justice System.



High risk young women

There is a group of young women in society who are highly vulnerable and facing the prospect of locked accommodation. Typically, they experience challenges from birth, including a history of care placements, neglect, exploitation, exposure to violence and trauma, and loss (McNeish and Scott, 2014; Wilson and Edgar, 2014). This is often due to generational cycles of low income, poor family attainment, poor health status including reduced access and/or willingness to attend health care, and few available or appropriate adults for healthy emotional attachment or positive learning experiences (McNeish and Scott, 2014). These young women grow up with a lack of stability and opportunity to flourish in the developing years.

From a sociological perspective, this group of young women's attitudinal and behavioural references are often people who have been and are similarly disadvantaged. As a result they often develop normative responses to anti-social behaviour and violence (Batchelor, 2005). Research has found that experiencing multi-problematic and disruptive family life is a stronger predictor for offending for girls than boys (Cauffman, 2008). This could be said to be large scale Social Learning (Bandura, 1977), a theory which is relevant to every type of 'class' and indicative of the

relevance of money and poverty, and their impact on subculture. Young women comment that they struggle to gain respect and opportunity in wider society because of where they come from, and their background (Young women cited in Wilson, 2014b). There is often disparity between their ability and their ambition. It is therefore key that positive community role models are championed, and services exist to engage young women positively, to develop their talent, and to encourage them to access education, skills development, work, and positive hobbies.

Relational Theory (Miller, 1976) tells us that a woman's ability to form relationships affects her self-concept, and that her attachment style underlies this. Research by McRobbie (2000) shows that young women who have experienced neglect, and have unsupportive families have less secure attachments than others. They may struggle to develop emotionally appropriate and adequate relationships, and this lack of positive social inclusion can diminish their sense of societal accountability (McRobbie, 2000). Young women (cited in Wilson, 2014b) count their relationships as being one of the foremost reasons for both desisting from, and influencing offending. Therefore relationship based support has great value as an intervention, to provide healthy and positive role models that encourage secure attachment, appropriate and safe relationship boundaries, and taking personal responsibility. Consistency and mutual respect are key in developing the relationship between the professional and the young woman. Encouraging young women to remove themselves from difficult, negative and often violent or traumatising relationships can take time, and they need to have built up trust and genuine rapport in other relationships before they consider taking that step (Burman and Imlah, 2012).

Culture

The Commission on Women Offenders (2012) has heralded change in how Scotland approaches criminal justice for women. In addition literature tells us that using a gender informed approach to intervention reduces reoffending (Clinks, 2014; Burman and Imlah, 2012). However, we want to look further than that, and acknowledge that gender informed practice also has positive effects on other presenting issues, such as wellbeing, education, employment, and relationships (Zahn in McNeish and Scott, 2014). The thread of thought in advocating for changes to the criminal justice system, is that women deserve equality, and to achieve that they need a system designed for their own needs, not the needs of men (House of Commons Justice Committee, 2013).

Women are a minority in the criminal justice system, and young women an even smaller population; and so are considered less pertinent to the reviewing of criminal justice policies (Prison Reform Trust, 2014). However, it is important that responses to woman are also age-informed, because stages of development in the transition to adulthood impact on engagement and motivation to desist (Clark, 2014). 'As women grow older their gendered experiences change' (McNeish and Scott, 2014, p. 27). Yet research and policy papers are rarely inclusive of the pivotal development of girls from childhood to adulthood. For example, the recommendations of Dame Elish Angiolini (Commission on Women Offenders, 2012) sought to rethink and redesign justice responses to women, but did not consider the requirements of young women specifically. Furthermore, when the Scottish Prison Service (SPS, 2014a, 2014b) published demographic surveys of the 2013 prison population, thematic reports were presented about 'female offenders' and 'young offenders' but neither made reference to young women. Government

policy takes a strategic view on women, and young people generally, but there is also credence for gender informed youth policy.

The recent *Clinks Who Cares?* (Clark, 2014) paper called for champions of women and girls in the criminal justice system and within society generally. In Scotland, there is a Champions Group for Vulnerable Girls and Young Women which is summoned through the Centre for Youth and Criminal Justice. This group informs the common strategies for supporting young women through welfare and criminal justice systems and is innovative in developing partnerships and approaches to practice. Such champion groups are relevant and important in influencing cultural changes, but often need wider coverage to engage and influence circles of people outside of the immediate interest group.

Current Youth Justice policy in Scotland

The Kilbrandon Report (1964) raised concerns over criminalising young people, and informed the creation of Scotland's Children's Hearing System. However, today this celebrated welfare approach is often superseded by the punishment ethos of the court, regularly encouraged by the media, and resultantly many young women are growing up in locked accommodation, graduating to prison, and living institutionalised lives. The welfare and criminal justice systems are designed to intervene in an effective manner, to reduce reoffending, maintain public confidence, and ensure fewer victims of crime (Scottish Government, no date). Therefore there is cause to re-visit our welfare and criminal justice approaches and ensure we are delivering on them for their intended benefit for young women.

In the Strategy for Justice (Scottish Government, 2012: 6), the then MSP Cabinet Secretary for Justice Kenny MacAskill noted 'we do not want to turn foolish youngsters into hardened criminals by jailing them unnecessarily.' To combat this, the government launched Building

Safer Communities and Reducing Reoffending policies to reduce crime by young people and support improved opportunities and outcomes at a local level. The existing strategies that the corporate parent and voluntary sector work to are Getting it Right for Every Child (GIRFEC), Whole Systems Approach, and Preventing Offending by Young People. These acknowledge the effect multiple deprivation, poverty, poor health and poor attainment has on local communities and on the growth and development of children (Scottish Government, 2012) and promote 'activities that prevent offending...a holistic, joined-up approach that reaches out from justice into areas such as health, housing and education' as an early intervention strategy (Scottish Government, 2012: 6).

Social workers and voluntary agencies promote the importance that prevention and early intervention has in lowering the number of young women in the criminal justice system, and acknowledges the need for improved multiagency communication to support young women make healthy and happy transitions to adulthood, and not to prison (Wilson, 2014a). Youth Justice literature recognise that problems exist for girls at 16, 17 and 18 due to the curtailing of welfare based responses in place of criminal justice ones (Burman and Imlah, 2012). The switch in system severity from the Children's Hearing to Criminal Justice highlights a policy gap concerning transitions of young women between child and adult systems and the lack of time given to young women to develop and mature at a pace which is in line with their history and experiences growing up. A re-imagined approach to lessening this transitional chasm will follow.

For those who do go through the Criminal Justice System, one of the aims of Reducing Reoffending is to ensure adequate social services are available throughout the journey. Through Care is available to young people, and in place to

support planning for release and making successful transitions from locked accommodation. However, it is only statutory for those who were Looked After away from home at the age of 16. Therefore the needs of young women in prison are met by a mix of statutory and voluntary services. In England and Wales the Offender Rehabilitation Bill 2014 means that 'virtually all offenders' will be given 12 month supervision in the community on their release, and probation services will be required to consider the specific needs of female offenders (Ministry of Justice, 2014). This safety net approach should ensure all individuals have the level of support needed to re-integrate into the community. However, young women can be difficult to engage, often due to their life stage, readiness to change, and the chaos of their peers and family around them. They respond most openly and consistently with professionals that they know and have built up trust with (Burman and Imlah, 2012). There is potential that the impact of this policy will see young women being further criminalised, if systems do not recognise the context of their lives in the community, and the likelihood that there will be times they do not comply to probation appointments.

Re-imagining Youth Justice with a gendered approach

Welfarism

The Scottish Government has put their policy spotlight on welfare, early intervention, and promoting young people's rights. We know that over half of women in prison have been Looked After (Batchelor, 2005), which is why it is important that the recent Children and Young People's (Scotland) Bill 2014 gave those who are in or moving on from care more rights. Continuing Care will allow young people to live, and return to care until they are 21. However this is initially restricted to those turning 16 in 2015, and will be rolled out on a yearly basis. Importantly, young people

are entitled to After Care up to 25 years old, which allows them to ask for information and guidance, and which can provide monetary support. As it is, the new bill is very ambitious in a time of austerity, therefore the third sector will retain its role in continuing to fill the gaps of corporate parenting. Yet, there is also concern at the continuation of policies entitling only those who are Looked After at 16 years old. There is the potential that young people who moved on from Care before 16 are missing out on support which might make a big difference to their trajectories.

The government aims to divert young people to the Children's Hearing System, but unfortunately the policy is not always utilised consistently. Children can be prosecuted from the age of 12 and most are dealt with in the Hearings System up to 16 years old. Young women tend to be removed from Supervision Orders at 16 years old and many already involved in offending tend to surface within the courts in the same year (Wilson, 2014c). Involvement in The Children's Hearing System in itself predicts further engagement in offending, which raises questions about the effects of labelling and processing of formal intervention (McAra and McVie, 2013). However, that discussion is for another paper. Regardless, court and its remit is very different to the Children's Hearing System, and the transition can be quite shocking (McTaggart, 2014).

This paper proposes that the Hearing System should have the remit for young women until they are at least 18 years old, and that the Hearing system should utilise intensive community services instead of using secure accommodation for punishment. If this happened there would be fewer young women institutionalised, and it would potentially prevent criminalisation in later life, by giving young women more time to grow out of low level offending, achieve goals so that offending no longer has any value to them, stabilise relationships so that

they want to live in the community, and promote readiness to engage with mental health support.

Young women's offending

Rates of youth offending have been on a downward trajectory in Scotland: between 2008 and 2013 they decreased by 45 per cent (Lightowler, Orr and Vaswani, 2014). However, young women are arrested for exactly the same crimes as they were 40 years ago.¹ The same societal, historical and lifestyle factors have remained common to young women who become entangled in the criminal justice system since the 1970s.²

Research tells us that young women who offend have common backgrounds and are often victims and survivors of crime themselves. Batchelor (2005) reported that three quarters of young women she interviewed in Cornton Vale said they had been through the children's hearing system. A survey by SPS (2014a), showed that three in ten (30 percent) female prisoners had been in care as a child, while Arens (2015) noted that at least 60 percent of young women at risk of custody have been in care.

Girls' offending is overwhelmingly low level and non-violent (Burman and Batchelor, 2009). The most common crimes committed are breaches of orders, breaches of the peace, drunk and disorderly, possession of drugs and assault. Academics note that motivation for offending is likely a result of excitement seeking, self-protection, or to achieve status, and is often committed under the influence of alcohol, drugs and poor mental wellbeing (McVie, Fraser, Burman and Batchelor, 2010). Girls are normally charged with more than one offence on arrest, in relation to their chaos and intoxication, and are on average sentenced to six months in prison (Wilson, 2014c). Individuals released from short prison sentences have a much higher number of reconvictions on average than those given community sentences (Scottish Government, 2014). In 2013, 30 percent of a sample of young women serving

sentences in HMP Cornton Vale were re-remanded or re-sentenced within the year, and six percent were back in prison more than twice in the year (Wilson, 2014c). Remand can cause the same disruptions and devastation as sentences, with jobs lost, families separated, and housing terminated. Girls can be remanded from a few days to a number of months, and only about 30 percent of women receive custodial sentences (Commission on Women Offenders, 2012).

The New Economics Foundation (2012) demonstrated that the investment of £1 in alternative non-prison based sentencing for women generated a return of £14, while a six month prison sentence costs £16,186 based on Prison Service's 2011/12 annual estimate (cited in Howard League Scotland, 2014). The figures show that community sentencing is more financially viable than prison, it also reduces the pressure which prison can create and allows women to rehabilitate in the community, and to face their problems in the most relevant place. The government have recently scrapped plans to build HMP Inverclyde for around £75 million. It is hoped that this will encourage discussions and generate a motion towards intensive community supports for young women, with the availability of small, local prisons for the 35 per cent of women in prison for violent offences (Scottish Government in Soroptimist International, 2013).

Views on the criminal justice system

Research has been carried out that suggests girls are generally not deterred by prison: 'when you're young you don't care, prison doesn't bother you' (Young woman cited in Wilson, 2014b). Prison can sometimes even provide girls with a more stable 'home' life than they are used to. It is relatively safe and sociable if you have friends, it allows girls to rehabilitate from drugs, and gives them an opportunity to work and learn. Girls who grow up in secure accommodation can also experience these

benefits plus additional psychological and wellbeing therapies. These positive outcomes however, are only tangible in these environments. Any benefits overwhelmingly disappear once girls and young women are liberated. This is because the communities and homes that girls go back to do not change in the time that they do, meaning any kind of rehabilitative work will have little long-term effect if it is not continued into the community (Dyer, 2014). A young woman who used the Time for Change project³ said;

with young people in prison, a lot become institutionalised, they're lost without the structure and stability. They don't know how to do simple things like get a post office card because in prison everything is done for you
(Interview from Wilson, 2013).

Remaining in the community to serve a criminal justice punishment means a young woman is in an environment where she can engage in her community through pro-social rehabilitative opportunities and can readjust her social norms in a permanent environment. Research has found that young women felt that they had more to gain from remaining in the community and noted they would comply to orders when they had something to lose, such as a relationship, college, a job, or the care of their children (Wilson, 2014b). The girls with these views tended to be older. However, the resounding impression of community payback schemes is that they 'can get you into a routine but it doesn't teach you anything.'

Young women's opinions on prison and community alternatives appeared to vary based on their stage of life. This lends some evidence to the school of thought which promotes the theory of adolescent limited offending (Moffitt, 1993). However, due to their life experiences, these young women tend to need intensive, trauma informed support in order to get to grips with the deep rooted triggers and causes of their

attitudes, behaviours and offending. It is much more relevant to deliver this support in a community based environment, because young women can learn to adapt and use strategies from day one and not have to start all over again when they come out of prison.

Transitioning

As part of Through Care policies the corporate parent and voluntary services support young women to engage in the community on release from secure accommodation and prison, they help them to find and maintain accommodation, support them to address their use of alcohol and substances, and interact with friends and family in a way that is healthy and helpful. Academic literature considers that maturity, the taking on of adult responsibility, and re-construction of social norms are the key influencing factors in desistance. Importantly, women often want to be seen as desisting, most likely as result of the influence of gender norms (McNeill, 2002).

Finding work or education is often a very stabilising factor in desistance. With reference to employment in particular, young women are often inhibited by their criminal records in terms of moving forward and contributing to society. A young woman who used the Time for Change project commented that

my criminal record makes it really difficult to get a job, they discriminate against you, and so I have less opportunities. As I get older how am I supposed to get a good job? I can't even get a job in a call centre
(Interview appears in Wilson, 2013).

In Scotland, an offence can be 'spent' from between 6 months and 10 years and reforms to disclosure policies are being considered as part of Reducing Reoffending. Reforms in England and Wales have reduced such lengthy rehabilitation periods in line with supporting people to move on from their past as quickly

as possible (Unlock, 2014). Supporting young women to have equal access to employment is vital to prevent a situation where their only options are unskilled work or benefits. It is also important that they feel they have options to stop the impoverishment of dreams and attainment. No Offence! are a voluntary organisation who have taken heed of the difficulties 'offenders' have in getting jobs and have developed a scheme whereby employers use a key symbol on their advert to subtly advise that they do not discriminate against people with a criminal record. Innovation like this will help young women to overcome the anxieties and social pressures of applying for work. Alternatively, Lord Carlile has advocated for absolution of the records of young people who desist at the age of 18 in order to give them a clean slate for adulthood (BBC News, 2014).

Even more radically, this paper proposes that young women aged up to 21 and committing low level offences should be diverted from criminal justice in the first instance. The criminal justice system is rarely a deterrent to this group, who have grown up surrounded by family members and peers going through the courts and to prison, and does not often target the problems causing the offending in the first place. When targeted support is provided through the courts, the conditions of the orders are such that further criminalisation is highly likely.

Desistance is dependent on holistic approaches to young women and in order to help a young woman move on from chaos, we need to provide the environment for her to flourish. This is about bringing equality to our welfare and criminal justice systems, and not assuming that what works to rehabilitate young men will work for young women.

Concluding remarks

The Chief Executive of the Scottish Prison Service (McConnell, 2014) re-imagines the criminal justice system as a partnership of

agencies and the community working together to support individuals. He imagines the liberation of individuals at the prison gate as the passing place to re-stating societal equality. This is something to aspire to for those already in the system. Supporting the integration of young women into our communities involves us listening to their stories, understanding the context to their lives and sharing in the corporate responsibility to care instead of judge.

This paper intended to advocate for a continually overlooked population of extremely high risk and vulnerable young women in Scotland. It has proposed a re-imagined age and gender informed version of welfare approaches and youth justice which will protect young women from graduating into the prison system, and perhaps even the criminal justice system at all.

The paper recommends the following;

- A re-imagined system which statutorily strives to keep non-violent young women out of prison using intensive community support and services.
- The provisions under the Children and Young Peoples Bill 2014 to be realised and their powers extended to include young people who left care before the age of 16.
- The powers of the Children's Reporter to be extended to keep young women protected by the welfare system until they are 18.
- More comprehensive Through Care support to all young women leaving prison, which ensures they have safe and appropriate accommodation, support with the job centre or applying to further education, and a positive community activity.
- Practice guidance to be developed which cites intensive, relationship based, trauma informed, and age

centred approaches to work with young women.

- Better and more challenging opportunities for disadvantaged young women.
- Fairer spending, cuts and taxation by government to encourage social equality.
- Ring-fenced budgets for age and gender informed projects.

About the author

Gail Wilson is the Research and Policy Officer for Up-2-Us, a charity that provides Accommodation, Care and Housing Support Services to vulnerable and high risk children and young people in the care and justice systems. Her position is funded by LankellyChase Foundation as part of their Promoting Change Network, to evaluate what works to support young women in or at risk of involvement in the criminal justice system. Gail has an MSc Forensic Psychology from Glasgow Caledonian University and BSc Psychology (Applied) from Heriot-Watt University. She is also an Honorary Assistant Psychologist with the IVY project at Strathclyde University, and volunteers with a local Social Work department.

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¹ See video about building of HMP Cornton Vale in 1972 at <http://t.co/WPn6X68NcS>.

² See Man Alive series episode 'Gale is Dead' circa 1970s. Available to view at <http://www.youtube.com/watch?v=VRT7u0S9uzA>.

³ Time for Change project is an Intensive Service for young women in West Central Scotland. It provides 24/7, holistic support to vulnerable girls in the community at risk of, or transitioning out of, locked accommodation. Please see www.u-2-u.org for further information.

Read and Grow and the University of Portsmouth unite to teach people who offend to read in the community

Sarah Lewis, University of Portsmouth, Heather Oram, University of Portsmouth, and Frankie Owens, Read and Grow

With 48 per cent of prisoners having the literacy skills expected of an 11-year-old (Natale, 2010); reading and its benefits are lost on a great number of people who find themselves in prison. It is suggested that attending a reading project once a custodial sentence has been completed will improve the chances of prisoners and reduce reoffending rates (Ministry of Justice, 2014). This may not only provide former prisoners with greater self confidence and opportunities, potentially supporting their journey away from crime, but also transform their lives on a daily basis and in a meaningful way.

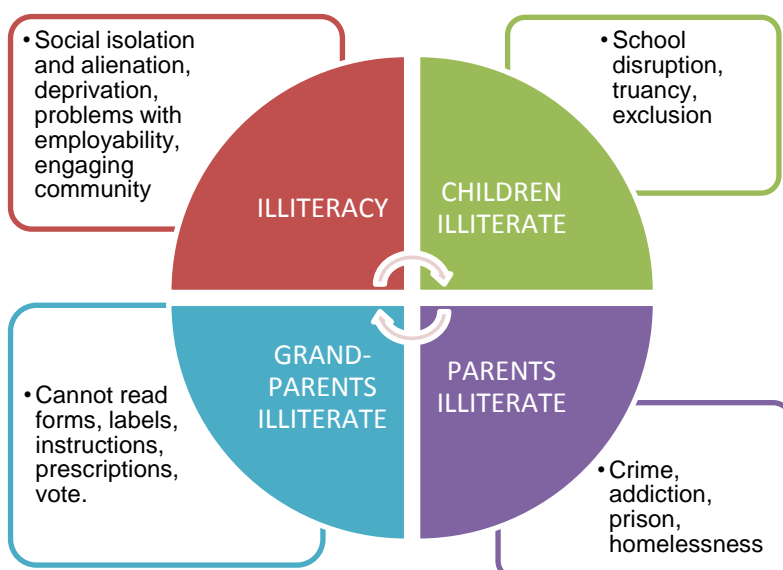
In January 2015, the Institute of Criminal Justice Studies joined forces with Read and Grow, who support people who offend in the local community of Portsmouth to learn to read. This organisation was co-founded by Frankie Owens (the award winning author of *Little Book of Prisons*), who has worked hard to deliver a service for people who offend to meet with student volunteers who can support them with their literacy needs. Read and Grow aims to



teach thirty individuals to read in the first six months of the project through innovative methods that are both engaging and empowering. They claim that through photo phonics, a learner can grasp the key aspects of reading within three months and they are currently working hard to engage more learners and secure additional funding to sustain the project.

Frankie is famous on the University and student Howard League lecture circuit for delivering talks on prison and highlighting how combating illiteracy is critical to focusing on positive futures, rather than a negative past. He has recruited students across the country who want to take part and teach people who have offended and those at risk of offending to learn to read. As he says; "it truly changes lives!"

In order to break the cycle of illiteracy, it is important to take a whole systems approach as well as focusing on the individual learner and their needs. Hurry, Rogers, Simonot and Wilson (2014) highlighted that young men who offend who cannot read are nine times more likely to be unemployed, suggesting that illiteracy may be just one barrier in a person's life. Hurry



et al. (2014) go on to note that while prison education programmes are in place, it is estimated that less than a third of prisoners will receive education during their custodial sentence (Hurry et al., 2014). With limited access to books, missed opportunities are commonplace within a prison environment. Further to this, prison education programmes can help those prisoners who have some basic literacy skills but many prisoners are not offered the services or do not participate in the activities (Bryan, Freer and Furlong, 2007).

Whilst creating a positive environment within prisons is vital, valuable work can be carried out in the community to address literacy needs with individuals who have offended. Creating a positive climate for learning and a comfortable space to make mistakes is therefore paramount to any learner, particularly if they have negative associations with learning in the past. Read and Grow provide a welcoming and relaxed environment, which focuses upon the individual and their own journey. Situated within a local community centre, the project is gaining momentum with referrals from the National Probation Service and Motiv8, a charity for young people at risk of offending.

Sarah Lewis comments

It is not only the former prisoners who are gaining something from this project. Criminology students at the Institute have found this to be a valuable learning experience and have gained a great deal from working with Frankie, the learners and the other volunteers.

Additionally, reading holds great significance for me within my work as a lecturer, whether that involves cementing my academic passions through the words of others, or simply seeing things through a different lens. I value reading and since working with Frankie at Read and Grow, I recognise that I take this for granted. At the Institute of Criminal Justice Studies, we

regularly urge students to immerse themselves in the literature to uncover new ways of thinking and as a department we enjoy watching our students grow as a result of this process. We hope that we can broaden this further through our partnership with Read and Grow as it is projects like this that need local support from Universities, to instill a passion for learning locally in the community and assist in the process of reintegration.

For more information about the project contact Frankie Owens:

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Events

Behind Closed Bars: Sex in Prison

17 March 2015, The King's Fund, London
reviewed by Mia Harris

The 'Behind Closed Bars: Sex in Prison' conference was held on 17 March 2015, the same day that the Commission on Sex in Prison published its final research paper *Sex in Prison: Experience of Former Prisoners*. The Howard League for Penal Reform established the independent Commission to investigate the nature and scale of consensual and coercive sex in prisons, as well as the sexual development of young people in prison, with the aim of offering recommendations to make prisons safer.

This conference provided the opportunity for members of the Commission to present their findings, and for academics and advocates to provide contextualisation by explaining what is known about sex in prison in other jurisdictions, and in different secure settings. Very little is known about sex and sexual development in prisons in England and Wales, and this conference, alongside the Commission's five publications, signals the start of a much-needed debate on these topics. In particular, the Howard League hopes the work undertaken by the Commission will make it easier for academics to gain access to secure institutions for research on sex in prison in the future.

The morning panel focused on consensual and coercive sex in prisons, with presentations by Frances Crook, Professor Pamela Taylor and Lovisa Stannow. Frances Crook began by emphasising the need to have a "grown up conversation" about sex in prison. She framed consensual sex in prisons as a public health issue (sex in prisons can lead to the transmission of infections and viruses) and as an important part of rehabilitation agendas (loving sexual relationships between prisoners and their partners in the community can strengthen family relationships). On this latter point, she emphasized that British practices are at odds with many other European jurisdictions, such as France, where families can visit their partners in more home-like environments within the prison.



In conversation with Andrew Neilson, Phillippa Kaufmann and Alisa Stevens

Pamela Taylor emphasized the potential risks as well as benefits that might accompany consensual sex in prisons, and argued that it is important to utilise existing research findings on sex in secure hospitals. Finally, Lovisa Stannow focused on the "crisis" of sexual abuse in all forms of detention. She began by screening a short film where survivors of prison rape talked about their personal experiences. This allowed the audience to put a face and a name to some of the 200,000 people who are sexually abused behind bars in the United States each year. She ended her presentation by emphasizing that the US government was starting to address its responsibility to keep prisoners safe, introducing national standards in 2012 aimed at eliminating prison rape.

The first panel of the afternoon focused on the research conducted by the Commission. Dr Alisa Stevens (academic consultant to the Commission) and Andrew Neilson discussed the Commission's research methodology, findings and the difficulties faced in gaining access. Alisa Stevens explained that the National Offender Management Service (NOMS) under Justice Secretary Chris Grayling was very opposed to allowing the Commission to conduct qualitative research on sex in prisons, but was also unwilling to adequately facilitate quantitative

research. NOMS's aversion to research on sex in prisons was reiterated throughout the day, and Frances Crook suggested that this aversion was largely due to ministers being 'puerile' and embarrassed about discussing sex. Grayling's alleged personal opposition to this research has received media attention, including [claims that he intended to suppress information on sexual assaults in prison](#).

Refused access to serving prisoners, the Commission conducted interviews with former prisoners. Alisa Stevens summarised the main findings on consensual and coercive sex in prisons; who had sex, where, why, and how it was responded to. This included a discussion of the availability of condoms. Individual institutions had different policies; some prisoners were refused access to condoms, while in one prison condoms were available but prisoners were required to return used condoms before they could access more.

The final panel of the day featured presentations on the sexual development of children in prison by Louise Bowers, Dr Laura Janes and Lorraine Atkinson. Louise Bowers argued that imprisonment hinders the healthy sexual development of young people. She explained that on release from a long custodial sentence, young people face difficulties due to their limited experience of romantic and sexual relationships, and further that young people on parole can be punished for engaging in sexual behaviours that are common for their age. Indeed, Laura Janes said that we must recognize that children younger than 16 (the age of consent in the UK) routinely engage in sexual activities and this are not necessarily problematic. Lorraine Atkinson concluded the panel discussion by explaining how being in custody negatively affects the sexual



development of adolescent boys, emphasising that a punitive culture and the commonplace use of force to gain compliance renders these young people more likely to sexually assault others.

The conference brought together a wide range of academics and practitioners from across the UK, and around the world, to discuss sex in prisons, an issue that has been kept 'behind closed bars' far too long. Given the size of the audience, the stimulating nature of the panel discussions, and the animated conversation among participants during the breaks, I am confident that much more light will be shed on these topics in the future. As a PhD student investigating people in prison with non-conforming sexual orientations and/or gender identities I was pleased to meet other young academics with similar research interests. Criminology is beginning to acknowledge the distinct criminal justice experiences of LGBTQ people, making this conference particularly timely.

Mia Harris is a PhD Candidate at the Centre for Criminology, University of Oxford and a member of ECAN.

Commission on Sex in Prison publications

[Consensual sex among men in prison](#)

[Women in Prison: consensual and coercive sex](#)

[Coercive sex in prison](#)

[Healthy sexual development of children in prison](#)

[Sex in prison: Experiences of former prisoners](#)



Justice and Penal Reform: Re-shaping the penal landscape

International 3-day conference, 16–18 March 2016, Keble College Oxford

Call for papers

This conference forms part of the *What is Justice? Re-imagining penal policy* symposium. Western societies are grappling with how to manage social institutions, not least those impacting on the penal system, in a time of austerity. The same jurisdictions are also experiencing the potentially conflicting phenomenon of *crime drops* while supporting policies of penal expansion. This conference will enable the consideration of the prospects and possibilities of creating social and penal institutions that can contribute to the realisation of a safer and more cohesive society at this time.

The conference will also form part of the Howard League's 150th anniversary celebrations.

The Howard League is looking for papers from academics, policy makers, practitioners, PhD students and researchers from within the criminological and legal disciplines, however we are also keen to include contributions from fields of study including philosophy, geography, political science and economics. We will consider theoretical, policy and practice-based contributions around a wide range of issues that encompass the broad theme of What is justice? as well as papers on the themes of:

- Local justice and participation
- Social justice, human rights and penal policy
- The role of the state
- Penal reform strategies
- Learning from history
- Relationship between social policy and penal policy



Abstract guidelines

Proposals should be titled clearly and should not exceed 250 words. Please include the proposer's name, contact details and job title or role

Please submit abstracts via email to: marie.franklin@howardleague.org

Closing date: 21 September 2015. Decisions will be made by end of October 2015

More information about *What is Justice?* and how to attend the conference can be found at www.howardleague.org/justice-and-penal-reform/

What happens after submitting?

If accepted, you will receive further details concerning the conference and any other information required. The decision of the Howard League on the acceptance of a paper is final and the Howard League is unable to enter into correspondence on the subject.

Best PhD Paper Prize

The conference seeks to promote the work of early career academics through awarding a prize for the best PhD paper. Entrants will need to complete the application form and submit this by **21 September 2015**. For application forms please contact Marie.Franklin@howardleague.org

The prize-winners will be decided by the conference committee and the winning papers will be announced at the conference.

Conference fees

All conference participants, whether presenting a paper or not, are expected to pay conference fees. The Howard League is a registered charity which receives no statutory funding. A limited number of bursaries are anticipated. Information will be posted shortly.

Upcoming events

What is Justice: How did Thatcher's social and economic agenda shape justice in England and Wales?

Tuesday 14 May 2015, 6.00pm – 7.30pm

UCL Laws, Bentham House, Endsleigh Gardens, London WC1H 0EG

Speaker: Professor Stephen Farrall, University of Sheffield

Chair: Dr Elaine Genders, University College London

Using Margaret Thatcher's (and John Major's) time in office as a case study, this talk explores the ways in which social and economic policies are associated with changes in crime rates and criminal justice responses, and, in so doing, charts the ways in which such processes unfold over a number of years, producing unanticipated consequences 'downstream'.

To book please visit the [UCL Laws website](#).

What if...? Women's imprisonment was abolished

Tuesday 23 June 2015, 6.30pm – 8.30pm

London School of Economics, Room NAB 2.04, New Academic Building, 54 Lincoln's Inn Fields, London WC2A 3LJ

Part of the What If? pamphlet series challenging conventional thinking on penal issues. The idea will be propounded by Professor Michele Burman, Professor of Criminology at the University of Glasgow.

To book your place please visit [our website](#).

Living among sex offenders: Identity, safety and relationships at Whatton prison

Tuesday 27 October 2015, evening event at the Institute of Criminology, Cambridge

2013 Sunley Prize Winner Alice Levins, Institute of Criminology, University of Cambridge, will discuss her research with Dr Victoria Lavis, University of Bradford, who works on diversity and equality in prison.

More details to follow.

Perrie Lectures 2015: Older Prisoners

Friday 12 June 2015, 9.30am – 3.45pm

Prison Service College, Newbold Revel, Rugby, Warwickshire

As the number of older offenders in prison increases so does the debate around the service provision on offer to meet the needs of this very distinctive group. This year the Perrie Lectures ask speakers to consider why the increase in the numbers of older prisoners is happening and is this likely to continue? Are the individual needs of each of these prisoners being met and do establishments understand the physical, mental and social needs of this type of prisoner population? If not, how should NOMS respond in order to address these issues?

Speakers:

Seena Fazel, Professor of Forensic Psychiatry at Oxford University

John Illingsworth, Governor of HMP Wymott, with Drs Mary Turner and Marian Peacock, University of Lancashire

Stuart Ware, Restore Support Network

Nigel Newcomen, Prison and Probation Ombudsman

Student Essay Competition

Students are invited to submit an essay, no longer than 2000 words, addressing the following question: "What is distinctive about the experiences of older prisoners? What could be done to better address their needs?"

The winning entry will receive a free place at this year's Perrie Lecture and the essay will be published in the Howard League's Early Career Academics Bulletin.

Entries should be made by Monday 11 May 2015.

More information: <http://www.howardleague.org/post-graduate-opportunities/>

The future of pre-charge police bail

Wednesday 17 June 2015, 9.30am – 4.00pm

20 Bedford Way, London, WC1H 0AL

Organised by the Centre for Criminal Justice Studies in the School of Law, University of Leeds, this seminar will bring together experts in pre-charge bail to discuss this controversial police power which has significant implications for suspects', victims' and the public's view of the legitimacy of the police. It will examine the current operation of pre-charge police bail, current plans to amend the law and policy; consider the findings of an independent empirical research study; and assess possible futures for pre-charge bail and its alternatives in terms of law, policy and practice.

Attendance is free, but booking is essential. [Book your place](#). Contact: lawrje@leeds.ac.uk.

Recent research

Remembering the riots: Citizenship and 'social cleansing' after the London riots of 2011

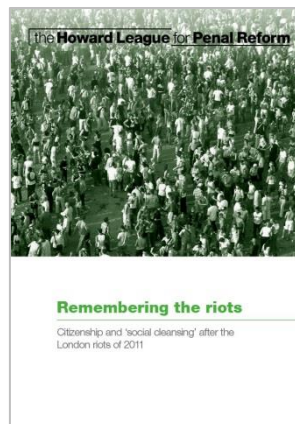
Update by Laura McDavitt, Howard League Research Intern

Chloe Peacock's report, *Remembering the riots: Citizenship and 'social cleansing' after the London riots of 2011* is the first of the 2014 John Sunley Prize winners to be published. The John Sunley Prize is awarded to outstanding Masters dissertations that offer new insights into the penal system and further the cause of penal reform.

In this paper, Chloe Peacock, who completed her Masters at the University of Sussex, provides an ethnographic exploration of the ways in which the 2011 London riots and the riot 'clean-up' are remembered and talked about. Drawing on interviews with students in a South London comprehensive school, Peacock explores the ways in which dominant discourses are variously embodied, resisted and challenged. The students' discussions reveal a degree of complexity that is lacking in much of the simplistic, polarised media and political coverage of the riots.

Focusing on the memories, views and subjectivities of a group of young people situated – geographically and socially – close to the riots, the report aims to contribute to the existing literature on the riots, and to address the relative lack of critical literature on the riot clean-up. In contrast to the polarised debate that has been played out in the media and political spheres, this research reveals ambiguity, nuance and an interweaving of competing moral claims.

The findings of the research explore how the students negotiated dominant discourses on the causes of the riots, how they morally evaluated the severe criminal justice response to the riots and finally the



Chloe Peacock

ways in which they discussed the riot clean-up.

The research found that the prevailing ideas in the media and political rhetoric did, to some extent, flow through the discussions and shape the boundaries of the girls' moral imagination of the riots. At the same time, however, the discussions were more nuanced and complex than the dominant narratives:

I think it wasn't just doing it for the sake of it. I think it had, like, a purpose behind it. Like, because they were frustrated at the police and the government, young people – OK, I shouldn't say young people – but the rioters, they... I don't know how to explain it, but, like, because they don't have a voice for people to actually speak up for them, I think that's the only way they actually found they could get their point across. Like, we're angry with the police and the government, so we'll do damage to what we can get to, to actually make that point.
(Shona)

Peacock states that the girls often drew on alternative narratives to construct nuanced accounts of the riots and their meaning and

in comparison to the simplistic, individualising explanations that were seen in the media, their discussions drew on broader social ideas of responsibility and morality:

A lot of the youths were complaining that they don't have jobs. And, for example, Michael Gove's making it so hard for people to go to university. And inevitably if you're not getting decent money you will resort to crime – well, I wouldn't, but people will resort to crime. So if they're still frustrated that they don't have a status in society, they will resort to crime. Riots will be worse.
(Chanel)

In sum, this report delivers an illuminating ethnographic exploration of the complex manner in which the 2011 London riots and the subsequent 'clean-up' are evoked and discussed.

The full report is [available to download](#) on the Howard League website.

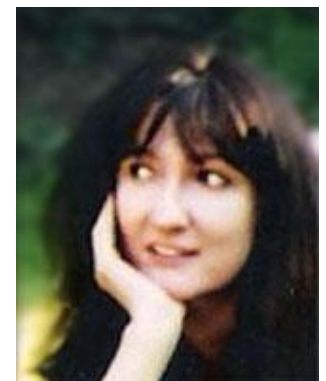
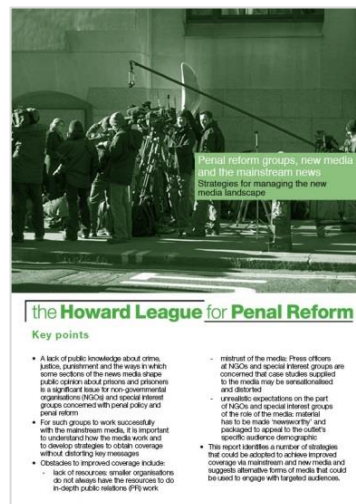
The other 2014 John Sunley prize winning dissertations will be published later this year. [More information about the 2015 prize and how to enter.](#)

Penal reform groups, new media and the mainstream news: Strategies for managing the new media landscape

Update by Jack O'Sullivan, Howard League Research Intern

To explore why NGOs struggle to engage news media in productive penal debate, Dr Marianne Colbran, LSE, conducted qualitative interviews with a variety of journalists, as well as directors and press officers at a number of NGOs. The report recommends new strategies to inform, influence and engage the public in policy discussions.

Throughout the past two decades the way news media is reported and received has undergone a fundamental transformation. With the introduction of 24 hour news channels and the expansion of the internet the capacity for, and access to, news stories has increased dramatically. It could be presumed that such an increase in the appetite for news stories would equate to a corresponding rise in the coverage of Non-Governmental Organisations (NGOs) and special interest organisations, but in fact this has not been the case. Contemporary media coverage has little scope to inform and discuss complex policy issues.



Dr Marianne Colbran, LSE

The author begins by stating that the effective operation of criminal justice systems is dependent upon public confidence; and suggests the media is central to public perceptions of crime and justice (Indemour and Hough, 2002), meaning representations of crime and justice in the media are a key concern for NGOs advocating debate on penal reform. Jewkes (2007) argues that media

representations of prisoners' lives and prison conditions offer at best a partial picture, and at worst a highly distorted depiction. Coverage of salient issues such as overcrowding, lack of staffing and increased violence in prisons is sparse. In contrast, stories echoing prior narratives of 'prisons as holiday camps' or politicians appearing 'tough on crime' occur too frequently.

When investigating why penal policy receives little recognition in the press, a number of journalists suggested that NGOs had unrealistic expectations. Stories lacked 'newsworthiness', case studies or personalisation. One journalist stated: 'The News media is a business, not an information service.' In addition to this, it was proposed that NGOs need to do more of the groundwork, deciding the angle of the story to create a complete news package for journalists.

When discussing their coverage in the media and in response to the journalists' comments, representatives of NGOs expressed concerns over the use of case studies to increase personalisation, particularly that important issues could be ignored due to an obsession with 'newsworthiness', stories could become distorted and there could be negative unforeseen consequences for the subjects of stories. Additionally, when reacting to the suggestion that NGOs need to do more groundwork, a number of smaller organisations thought that this disadvantaged them due to lack of resources.

Colbran states 'there is an impasse between the news media's need to publish or broadcast stories that will appeal to a general audience and NGOs and special interest groups' desire to raise the quality of debate about penal issues and increase

public knowledge through the media,' and proposes six strategies to improve NGO engagement with the media: provide the press with new stories or give them privileged information, engage journalists beyond the penal affairs remit, be more selective with press releases, critique existing assumptions in the press, build contacts outside the national press and finally influence the public through emotional as well as informational content.

Additionally, the author demonstrates the potential for NGOs to utilise less 'traditional' forms of media in order to raise their profile. Having considered the success of the Howard League's Books for Prisoners campaign, Colbran recommends the use of social media websites to enable more direct interaction with the public, and suggests that blogs may be employed to promote 'unpopular narratives' and to abandon the need for 'newsworthiness'. Finally, Colbran notes the potential for television dramas to explore specific issues and raise public awareness.

Colbran concludes by stating that NGOs and special interest groups need to develop strategies to better engage with the media; however, for this to work it is imperative they hold realistic expectations and understand how the media operates.

The report is [available to download](#).

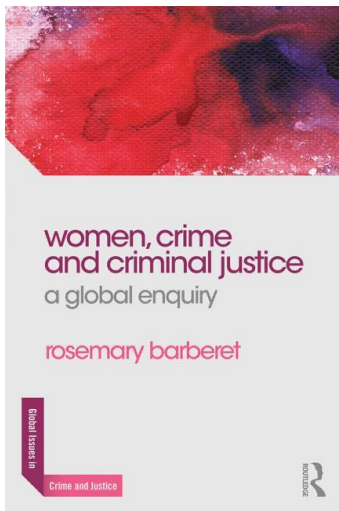
References

- Jewkes, Y. (2007) 'Prisons and the media: the shaping of public opinion and penal policy in a mediated society' in Y. Jewkes (ed.), *Handbook on Prisons*. Cullompton: Willan, pp. 447–466.
- Indermaur, D. and Hough, M. (2002) 'Strategies for changing public attitudes to punishment' in J. V. Roberts and M. Hough (eds.), *Changing Attitudes to Punishment: Public opinion, crime and justice*. Cullompton: Willan, pp.198–214

Book reviews

Women, crime and criminal justice: A global enquiry by Rosemary Barberet (Routledge, 2014)

reviewed by Jessica Southgate, Head of Policy, 4Children



In this award-winning, fully internationalised book, Rosemary Barberet expertly synthesises her professional experience in international comparative criminology and feminist research on women and crime to focus on

women when they offend, as victims and as justice professionals. The book draws upon Barberet's extensive professional experience as well as research and reference points from an international community of academics, policymakers and activists.

Women, Crime and Criminal Justice is split into three sections: global forces; violence against women; and justice for women. Reviewing a wide variety of sources for each chapter, Barberet provides concise summaries of complex and at times contentious literature, covering subjects including the forces of development and globalisation; instruments of international law, human rights and women's activism; perspectives on all forms of violence against women in peacetime, conflict and post-conflict; sex-work, prostitution and trafficking; women's offending and incarceration; and finally women's roles as justice professionals.

As a feminist Barberet is explicit in her intellectual grounding and theoretical context, and she locates herself clearly in the work. For each area she breaks down

the victim-offender binary which feminist criminologists have long argued to be unhelpful. By taking account of a social harm perspective she considers not just that which is legally defined as 'crime' but also that which causes harm to society and manifests in differently gendered ways, often disproportionately affecting women. Despite the scale of her vision, the book never overwhelms; the sections are broken down into clear readable chapters and each could stand alone as an overview of the respective subject area. Barberet moves the debate firmly from the abstract theoretical to the actual, and the book benefits from extensive references, figures, tables and appendices of films and biographies used to illustrate her argument.

By privileging global over domestic perspectives, Barberet frames women's experiences on a broader scale and encourages what she describes as a 'stretching' of the criminological imagination (p.97). By widening the readers' gaze beyond the Anglo-American global North, and by taking account of international (and domestic) gender regimes, global trends in criminal justice policy and macroeconomic forces; Barberet achieves her aim of making the reader think differently about women, crime and justice.

The book's consistently international focus offers globally diverse feminist perspectives with the aim of opening up discussion and allowing reflection. By considering women in this context the variety of ways in which both local and global forces can impact on their vulnerability, crime and criminalisation can be seen. The cross-disciplinary links Barberet makes throughout the text reflect

an example she gives in the context of transnational activism as a spiral of consciousness raising, the final step of which she describes as 'when transnationalised groups realize that their issues are more complex than can be represented by a simple summation and start to examine what global trends are at the root of these issues' (p. 62-63).

Barberet's work addresses important gaps in thinking amongst those working in the area of women, crime and justice, highlighting that which has been largely absent from discussions about women and crime, for example, the active community of women's rights civil society groups, and complicating the roles women play in crime such as drug trafficking, human smuggling, genocide and suicide terrorism. The book identifies areas of neglected or overlooked research and makes a number of recommendations about the ways in which feminist criminologists, as well as academics from other disciplines, should advance and direct their study in future; encouraging the acquisition and

dissemination of international skills and voice, and the creative contribution work of this kind can make to international policymaking.

Ambitious, topical, highly engaging and impressively comprehensive, this book will be of interest to those studying or working in the fields of not only criminology but also violence against women, gender studies, international development, political science, public policy, health, economics and peace and security studies. As Barberet reminds us, looking globally is an ambitious approach but one with exciting potential implications, as success at this level could have a positive effect on girls' and women's lives across the world.

Jessica Southgate is Head of Policy at 4Children and Advisor to Women's Breakout, the national representative body for a national network of women's centred community alternatives to custody.

John Sunley Prize 2015 open for submissions!

The Howard League for Penal Reform is seeking to reward and encourage Masters students who generate outstanding research dissertations that are both topical and original; and can also offer genuine new insights into the penal system and further the cause of penal reform.

Each year thousands of exceptional Masters dissertations are researched and written but few are even lodged in university libraries or shared with the wider penal affairs community. Many will be of publishable standard and would contribute to the pool of knowledge about penal issues. The John Sunley Prize has been established to ensure that the best of these dissertations now get the recognition they deserve.

There will be three recipients of prize, each of whom will receive £1,000, and the winning dissertations will be published by the Howard League.

The deadline for entries is **5 May 2015**. Find out how to apply [on our website](#).

RAG member profile

Professor Valsamis Mitsilegas

Valsamis Mitsilegas is Head of the Department of Law, Professor of European Criminal Law and Director of the [Criminal Justice Centre](#) at Queen Mary University of London. From 2001 to 2005 he was legal adviser to the [House of Lords European Union Committee](#).

His interests and expertise lie in the areas of EU law (with particular focus on the evolution of the Union into an Area of Freedom, Security and Justice), global security governance and human rights. He has published widely in the fields of European criminal law, immigration and asylum and security and counter-terrorism law. He is also an expert in the field of legal responses to transnational organised crime, corruption and money laundering. His work explores the impact of globalisation and Europeanisation on the relationship between the individual and the state.

Professor Mitsilegas was General Rapporteur to the [2012 Congress of the International Federation for European Law \(FIDE\)](#), held in Tallinn (stream on the Area of Freedom, Security and Justice). He is currently the Queen Mary Principal Investigator on a multinational interdisciplinary research project on [EU Action to Fight Environmental Crime \(EFFACE\)](#) funded by the European Commission under the 7th Framework Programme for Research. This 40-month project (2012-2016) aims to assess the impact of environmental crime and develop effective and feasible policy options for combating it at EU level.

Professor Mitsilegas provides regular advice to the UK Government and the Judiciary of England and Wales. He is actively engaged with the legal profession as regards the impact of European Union law on the domestic legal system. He is the first contributor of a specific chapter on the



relationship between EU law and domestic criminal law in [Blackstone's Criminal Practice](#). He is member of a team drafting case commentaries for the Criminal Law Review. He is also Consultant Editor to [EU Law in Criminal Practice \(OUP, 2013\)](#).

Professor Mitsilegas is also active with NGOs, think tanks and academic networks aiming to shape European and domestic law and policy on immigration and crime. He is an active member of the European Union Sub-Committee of the [Immigration Law Practitioners' Association \(ILPA\)](#). He was member of a Working Party convened by the Federal Trust which in 2007 produced a Report on EU Justice and Home Affairs and a member of the International Advisory Group to the Refugee Council which, in December 2008 produced a Report entitled [Remote Controls: how UK border controls are endangering the lives of refugees](#) which informed the Council's policy in the field

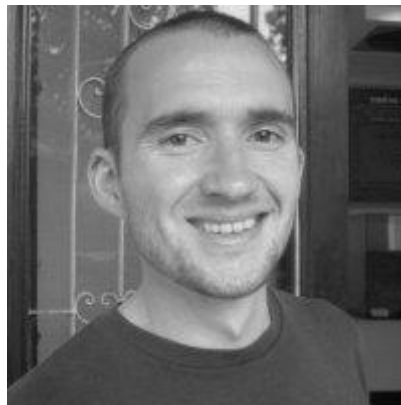
I am delighted to be joining the Howard League Research Advisory Group and look forward to making an active contribution to the League's activities in this capacity. My involvement with the Howard League reflects my long-standing commitment to participating in the public dialogue and policy debate around issues of criminal justice at the local, national and European level. I believe firmly that the involvement of academics in shaping policy via their involvement in leading organisations such as the Howard League brings substantial benefits to academic research, the strengthening of civil society and the development of evidence-based policy.

ECAN member profile

Dr Sam King

I am a Lecturer in Criminology at the University of Leicester. My main research interest is desistance from crime, an area I became interested in when I read Stephen Farrall's 2002 book *Rethinking What Works with Offenders*. I was gripped by the probationers' views on offending and desistance, particularly around the obstacles that they faced in attempting to desist, and I felt that this was something I wanted to explore more for myself. I was awarded my PhD from the University of Birmingham in 2011, and my doctoral research examined the impact of probation supervision on the early narratives of desistance among a group of men who were being supervised by probation at that time. One of the findings from this research was that some of the men could identify obstacles that needed to be overcome but that, trapped by situations where there were few opportunities and resources, they resorted to familiar patterns of behaviour in their attempts to achieve this.

Since then I've been involved in some small research projects with colleagues looking at other areas of desistance, how different groups encounter it and how it might be facilitated by certain situations, contexts or significant others. Most recently, I've begun looking at how sentencing guidelines and various statutory provisions might serve to promote or inhibit desistance. For example, how deferring a sentence might allow for an individual to



demonstrate their motivation to desist and, therefore, receive an alternative sentence that may be more appropriate to their desistance journey.

I think it is fair to say that, over the past decade or so, the subject of

desistance has attracted an increasing number of early career academics, all working around the similar themes, albeit in a variety of different ways, of how individuals desist and what could be done to help them. I enjoy meeting other people working in this area and hearing about the various ways that they are approaching the subject, and the Early Career Academic Network provides a valuable opportunity for that kind of 'knowledge exchange' to take place. There are many challenges currently being faced, both in terms of academic research and also for the people actually 'doing the desisting', but there are many opportunities too. Having the opportunity to share ideas and learn from each other – especially those approaching desistance from other disciplinary areas – is an exciting one, and one which should ensure that our understanding of the subject continues to grow.

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.