

PAPER GUIDE HSPS TRIPOS Part IIB & PBS Part II 2020-21

CRIM4 / SOC15 (HSPS) & CR2 (PBS) Criminology, Sentencing and the Penal System

This is a shared Paper with Law – where it is Paper 34 for Part 1B and Part II students.

PAPER GUIDE

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A. N. Other

Supervision We operate a centralised supervision system whereby students are allocated to supervisors by the Course Organiser – unless College Directors of Studies have made other arrangements. The allocation will take place *before Term starts*.

NB. At the time of writing it is expected that all lectures will be pre-recorded on panopto.

Outline of the Course: Aims and Objectives:

1. To allow students to gain a critical and informed understanding of patterns of crime, pathways into and out of crime, and critical issues regarding law, policy and practice in relation to criminal justice and sentencing.
2. To introduce students to contemporary theoretical debates on the purposes of punishment, and on the aims of specific parts of the criminal justice system, and through this work to enhance students' ability to handle normative issues in relation to legal and sociological topics more generally, and enable them to assess, in an informed manner, policy proposals from government, pressure groups and others.
3. To introduce students to the reading and understanding of empirical research materials relating to aspects of what is known about what works with offenders (in terms of future behaviour), sentencing, criminal justice, and the penal system in England

and Wales; and thereby to enable them to appreciate more generally the potential relevance of empirical research in the study of legal systems and social problems in modern societies.

4. To enable students to bring together, in an intellectually coherent way, reading materials and ideas relating to normative issues, sociological understandings of the shape of criminal justice in contemporary society, substantive law, and empirical research studies (i.e. 1, 2 and 3 above).

Syllabus:

1. *Crime and punishment in modern Britain*. Characteristics of modern Britain. What is crime? Trends in crime and data sources. Pathways into and out of crime: i) the causes of crime, ii) criminal careers (including age-related crime patterns); *Pathways out*: i) crime and the life-course, ii) individual and family factors, iii) community and situational factors. Desistance theories.
2. *Routes into the criminal justice system*. Policing decisions in regard to stops and searches on the street, diversion, cautions, fixed penalties and the discretion to prosecute; pre-court criminal justice and an introduction to legitimacy (a theme which runs throughout the course)
3. *Dealing with offenders*. The sentencing framework: law and practice - focusing on fines, community orders, imprisonment (both determinate and life sentences); special sentences for serious and dangerous offenders; 'ancillary' orders.
4. *Theories of punishment and links with sentencing*. What penal theories underpin sentencing? (why do we punish and what are the aims of sentencing?); Deterrence and Incapacitation; Desert; Rehabilitation; Restorative Justice
5. *Justice in Practice 1: Community Penalties*. What works with offenders in the community, what is meaningful and other issues relating to community penalties (e.g. the failure of privatisation); the complexities of supervision.
6. *Justice in Practice 2: Imprisonment*. Offenders in prison and other prison issues (e.g. privatisation, imprisonment rates)
7. *Justice in Practice 3: Dealing with specific groups of offenders*: What works with BAME offenders and issues of fairness and justice: *Female offenders*. What works with women and issues relating to fairness and justice.
8. *Justice in Practice 4: Young offenders*. What works with young offenders and issues relating to fairness and justice.
9. *Justice in Practice 5: Realities, risks and Recall*. Early release and parole following custody; resettlement in the community; recall to prison
10. *Justice in Practice 6: Justice reconsidered*.

Supervisions: 9 supervisions, plus 1 revision supervision (4 in both the Michaelmas and Lent terms, and 2 in Easter term)

Assessment: 3 hour Exam Paper or online assessment as in June 2020 - to be decided.

Outline of Lectures: see separate attachment

Title of Lecture series: **CRIMINOLOGY, SENTENCING AND THE PENAL SYSTEM**

The LECTURES will be presented online on Panopto.

Key Texts:

Further reading will be given throughout the course, but it may be useful to encourage your departmental and college libraries to ensure that they have the following ebook:

Sentencing and Punishment (fourth edition) by Susan Easton and Christine Piper (Oxford University Press, 2016); *The Oxford Handbook of Criminology* (sixth edition) edited by Alison Liebling, Shadd Maruna and Lesley McAra (Oxford University Press, 2017).

LONG VACATION READING LIST Summer 2020

Criminology, Sentencing and the Penal System: General

There are many interesting introductory or short books e.g.:

- Rob Canton *Why Punish? An Introduction to the Philosophy of Punishment* (2017)
- Farrall, S., Goldson, B., Loader, I. & Dockley, A. (eds) *Justice and Penal Reform: Re-shaping the Penal Landscape* (2016)
- Julian Roberts *Criminal Justice. A Very Short Introduction* (2015)
- Cyrus Tata *Sentencing as a Social Process: Re-thinking Research and Policy* (2020)

Read widely to think about the context. Here are some ideas, mostly biographical and autobiographical accounts:

- Michelle Alexander *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (2010)
- Fox Butterfield *All God's Children* (1996)
- Ta-Nehisi Coates *Between the World and Me* (2015)
- Reni Eddo-Lodge *Why I'm No Longer Talking to White People About Race* (2017)
- Erwin James *Redeemable: A Memoir of Darkness and Hope* (2016)
- Helena Kennedy *Eve was shamed: How British Justice is failing women* (2018)
- Ngugi wa Thiong'o *Wrestling with the Devil: A Prison Memoir* (2016)
- John Podmore *Out of Sight, Out of Mind: Why Britain's Prisons are Failing* (2012)
- Walter Rideau *In the Place of Justice: A Story of Punishment and Deliverance* (2010)
- The Secret Barrister *Stories of the Law and How It's Broken* (2018)
- Nikesh Shukla (ed) *The Good Immigrant: 21 Writers Explore What It Means To Be Black, Asian, And Minority Ethnic In Britain Today* (2016)
- Nina Wilde *The Monstering of Myra Hindley* (2016)
- Peter Woolf *The Damage Done* (2008)
- Ruth Wyner *From the Inside: Life in a Women's Prison* (2003)

Podcasts

- The Secret Life of Prisons, Prison Radio (2019) <https://prison.radio/the-secret-life-of-prisons/>
- Law in Action, BBC Radio 4 (2019) <https://www.bbc.co.uk/programmes/b006tgy1/episodes/downloads>
- University of Oxford, Centre for Criminology Podcasts (2019) <https://podcasts.apple.com/gb/podcast/enemy-in-between-ambivalence-hostility-joint-enterprise/id918031612?i=1000414939873>
- Any criminology-related Audio long read from the Guardian: <https://www.theguardian.com/news/series/the-audio-long-read>
- Ear Hustle - podcast about prison life produced at San Quentin State Prison by current/former inmates and a visual artist who volunteers at the prison. US context. <https://www.earhustlesq.com/listen>

Blogs / Articles / Youtube Playlists

- British Society of Criminology Blog, BSC: <https://thebscblog.wordpress.com/>
- Border Criminologies, University of Oxford: <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies>
- Equal Justice Initiative – Racial Equality Playlist <https://www.youtube.com/watch?v=HRj35PtXnLs&list=PLSOVnfXPJ2BSpKgqUm8iSQXs5-VtgqgYi>
- ‘Who gets to be afraid in America?’ by Ibram X. Kendi <https://www.theatlantic.com/ideas/archive/2020/05/ahmaud-arbery/611539/>
- David Garland on Penal Populism: <https://www.youtube.com/watch?v=5rDo5RSNFJs>
- Jogging with Jody: <https://www.youtube.com/watch?v=7UXpT8Za1g>
- Crime and Punishment (Channel 4)
- Prison (Channel 4) <https://www.channel4.com/programmes/prison>

Websites to explore:

Prison Reform Trust: <http://www.prisonreformtrust.org.uk/>

Centre for Crime and Justice Studies (CCJS): <http://www.crimeandjustice.org.uk/index.html>

Howard League: <http://www.howardleague.org/>

The Sentencing Council’s website: <https://www.sentencingcouncil.org.uk>

Explore thoroughly – play ‘you be the judge’

The Judiciary’s website: <http://www.judiciary.gov.uk> (especially where they publish Crown Court ‘sentencing remarks’)

Ministry of Justice: <https://www.gov.uk/government/organisations/ministry-of-justice>

Youth Justice Board: <http://www.justice.gov.uk/about/yjb>

Centre for Justice Innovation: <http://www.justiceinnovation.org/our-work>

The Sentencing Academy: <https://sentencingacademy.org.uk>

Other things to do by way of preparation:

- Read newspapers/media reports of sentencing cases
- Visit the local courts to observe justice in the making...(Crown Court and Magistrates' Courts if in England and Wales, parallel courts if elsewhere).

Loraine Gelsthorpe

July, 2020