

PAPER GUIDE HSPS TRIPOS Part IIB & PBS Part II 2023-4

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

Course Organisers

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Lecturers

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Supervision

We operate a centralised supervision system whereby College Directors of Studies should contact CSPA supervisors listed on the Law Faculty Moodle website. Alternatively Course Organisers can allocate supervisors if DoS's are unable to do so.

Lectures

Title of Lecture Series: **CRIMINOLOGY, SENTENCING AND THE PENAL SYSTEM**
The order of lectures document is on the Moodle site and at the time of writing it is expected that all lectures will be given in person in the Law Faculty on **Thursdays at 4pm and Fridays 11am**.

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, the discretion to divert people who have offended to out of court options or to prosecute, and an introduction to legitimacy (a theme which runs throughout the course).
3. *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.
4. *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.
5. *Justice in Practice 1: Community Penalties.* What works with offenders in the community and other issues relating to community penalties; the complexities of supervision in the community
6. *Justice in Practice 2: Prisons and Imprisonment.* (e.g. privatisation, imprisonment rates and social order in prisons).
7. *Justice in Practice 3:* What works with BAME offenders and issues of discrimination, fairness and justice:
8. *Justice in Practice 4:* Female offenders. What works with women and issues relating to discrimination, fairness and justice.
9. *Justice in Practice 5:* Young offenders. What works with young offenders and issues relating to fairness and justice.
10. *Justice in Practice 6: Realities, risks and recall.* Early release and parole following custody; resettlement in the community; recall to prison
11. *Justice in Practice:* Justice reconsidered. A review of topics and themes.

Supervisions: 9 supervisions, plus 1 revision supervision (4 in both the Michaelmas and Lent terms, and 2 in Easter term). Individual supervisors will produce reading lists for each of the ten supervisions. In addition, there will be template supervision sheets available on the Faculty of Law moodle site. ALL students taking this course will be given access to the site and

administrators should send a list of students with their CRSids to Daniel Bates at the Law Faculty db298@cam.ac.uk

Materials: Access to powerpoint slides and lecture handouts will be provided via Moodle.

Assessment: TO BE CONFIRMED

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 books or ebooks:

- *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)
- *Sentencing and Criminal Justice* Ashworth, A. & Kelly, R. 2021) (7th edition). (Bloomsbury/Hart)
- *The Penal System. An Introduction.* Cavadino, M., Dignan, J., Mair, G. and Bennett, J. (2020) (Sage)

**LONG VACATION READING LIST Summer 2023
For Academic Year 2023-24**

Paper 34 – Criminology, Sentencing and the Penal System and Soc 15/Crim 4 (HSPS) and CR2 (PBS)

Criminology, Sentencing and the Penal System

This is a long list – with lots of variety. Needless to say you are not expected to read everything – the suggestion is that you dip into the things which look interesting to you to get a feel for the issues.

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

- Rob Canton *Why Punish? An Introduction to the Philosophy of Punishment* (2017)
- Farrall, Goldson, Loader & Dockley (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)
- Independent Commission into the Experience of Victims and Long-Term Prisoners (2022): <https://icevlp.org.uk/wp-content/uploads/ICEVLP-Making-sense-of-sentencing-web-copy.pdf>
- *Criminal. Real-life stories of the people trapped in our failing justice system* by Angela Kirwin (who worked in prisons for many years) (Trapeze, 2022).

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

- Abdul Wahid Shaikh, *Innocent Prisoners* (English translation of *Begunah Qaidi*) (2021)
- Alexandra Wilson, *In Black and White* (2020)
- *Cut Short* by Ciaran Thapar <https://www.theguardian.com/books/2021/jun/15/cut-short-by-ciaran-thapar-review-at-the-sharp-end-of-austerity>
- Erwin James *Redeemable: A Memoir of Darkness and Hope* (2016)
- Helena Kennedy *Eve was shamed: How British Justice is failing women* (2018)
- Jessica Moor, *The Keeper* (2020)
- John Podmore *Out of Sight, Out of Mind: Why Britain's Prisons are Failing* (2012)
- Michelle Alexander *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (2010)
- Nazir Afzal, *The Prosecutor* (2020)
- Ngugi wa Thiong'o *Wrestling with the Devil: A Prison Memoir* (2016)
- Nina Wilde *The Monstering of Myra Hindley* (2016)
- 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)
- Peter Woolf *The Damage Done* (2008)
- Phoolan Devi, *I, Phoolan Devi: The Autobiography of India's Bandit Queen* (1997)
- Ruth Wyner *From the Inside: Life in a Women's Prison* (2003)
- 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)

Television/Film

- I May Destroy You (Michaela Coel/BBC One, 2020)
- Man Like Mobeen (Guz Khan and Andy Milligan/BBC Three, 2016)
- Pride (Stephen Beresford/Fox, 2014) [On a related note, you might also be interested in *Miners Shot Down* by Rehad Desai, Uhuru Productions 2014]
- Small Axe – Episodes 1 (Mangrove) and 3 (Red, White and Blue) (Steve McQueen/BBC One, 2020)

Podcasts

- I'm Not a Monster Series 2: The Shamima Begum Story (BBC 2022)
- Law in Action, BBC Radio 4 (2019) <https://www.bbc.co.uk/programmes/b006tgy1/episodes/downloads>
- The Secret Life of Prisons, Prison Radio (2019) <https://prison.radio/the-secret-life-of-prisons/>
- University of Oxford, Centre for Criminology Podcasts (2019) <https://podcasts.apple.com/gb/podcast/enemy-in-between-ambivalence-hostility-joint-enterprise/id918031612?i=1000414939873>
- 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> Episode 60

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=PLSOVnfXPJ2BSpKqqUm8iSQXs5-VtqqgYi>
- '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 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).

**Dr Alpa Parmar and Dr Arushi Garg, June 2023
(Course Convenors, 2023-24)**