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 CSPS 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:


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:


10. Justice in Practice 6: Realities, risks and recall. Early release and parole following custody; resettlement in the community; recall to prison


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)
  (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.:
- Farrall, Goldson, Loader & Dockley (eds) *Justice and Penal Reform: Re-shaping the Penal Landscape* (2016)
- 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)
- Helena Kennedy, *Eve was shamed: How British Justice is failing women* (2018)
- Jessica Moor, *The Keeper* (2020)
- Peter Woolf, *The Damage Done* (2008)
• 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)
- 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](https://www.earhustlesq.com/listen) Episode 60

**Blogs / Articles / Youtube Playlists**
- British Society of Criminology Blog, BSC: [https://thebscblog.wordpress.com/](https://thebscblog.wordpress.com/)
- Border Criminologies, University of Oxford: [https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies](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=PLSOVnfXPJ2BSpKggUml8iSQXs5-VtgggYi](https://www.youtube.com/watch?v=HRj35PtXnLs&list=PLSOVnfXPJ2BSpKggUml8iSQXs5-VtgggYi)
- ‘Who gets to be afraid in America?’ by Ibram X. Kendi [https://www.theatlantic.com/ideas/archive/2020/05/ahmaud-arbery/611539/](https://www.theatlantic.com/ideas/archive/2020/05/ahmaud-arbery/611539/)
- David Garland on Penal Populism: [https://www.youtube.com/watch?v=5rDo5RSNFJs](https://www.youtube.com/watch?v=5rDo5RSNFJs)
- Jogging with Jody: [https://www.youtube.com/watch?v=_7UXpT8Za1q](https://www.youtube.com/watch?v=_7UXpT8Za1q)
- Crime and Punishment (Channel 4) Prison (Channel 4) [https://www.channel4.com/programmes/prison](https://www.channel4.com/programmes/prison)

**Websites to explore:**
- The Sentencing Council’s website: [https://www.sentencingcouncil.org.uk](https://www.sentencingcouncil.org.uk) (explore thoroughly – play ‘you be the judge’
- The Judiciary’s website: [http://www.judiciary.gov.uk](http://www.judiciary.gov.uk) (especially where they publish Crown Court ‘sentencing remarks’)
- Youth Justice Board: [http://www.justice.gov.uk/about/yjb](http://www.justice.gov.uk/about/yjb)
- Centre for Justice Innovation: [http://www.justiceinnovation.org/our-work](http://www.justiceinnovation.org/our-work)
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)