

PAPER GUIDE HSPS TRIPOS Part IIB & PBS Part II 2021-22

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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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 delivered in person (but there will be a Plan B in place for lectures on line if need be).

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, 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. *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). 10 supervisions in total.

PLEASE NOTE – unlike some HSPS and PBS supervisions students are not expected to produce an essay for each supervision; rather, there is an expectation of two essays per term + other supervision tasks (e.g. a five minute presentation on a criminal justice issue). In the Easter Term students often write essay plans which supervisors are willing to read and comment on.

Assessment: Online assessment as in June 2021 - to be confirmed.

Outline of Lectures: see separate attachment

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

The plan is to give the LECTURES in person, but there will be a Plan B which will involve online lectures (if needed).

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 Lieblich, Shadd Maruna and Lesley McAra (Oxford University Press, 2017).

LONG VACATION READING LIST Summer 2021

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

Criminology, Sentencing and the Penal System

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)
- Elaine Freer *Sentencing: New Trajectories in Law* (Routledge, 2021)

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>
- 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/>
- Equal Justice Initiative – Racial Equality Playlist <https://www.youtube.com/watch?v=HRj35PtXnLs&list=PLSOVnfXPJ2BSpKqgUm8iSQXs5-VtggqYi>
- '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')
 Runnymede Trust: <https://www.runnymedetrust.org>
 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 – subject).

COURSE READING LIST for 2021-22

In addition to the fortnightly supervision sheets which will be sent to you by your allocated supervisor, you may find the following reading list useful. (There is no one text which covers the entire course I'm afraid).

Recommended textbooks

Ashworth, A. & Kelly, R. 2021) *Sentencing and Criminal Justice* (7th edition). (Bloomsbury/Hart)

OR

Easton, S. and Piper, C. (2016) *Sentencing and Punishment*. (Oxford University Press). (includes an e-update facility).

Recommended Reading

- Cavadino, M., Dignan, J., Mair, G. and Bennett, J. (2020) *The Penal System. An Introduction*. (Sage).
- Canton, R. (2017) *Why Punish? An Introduction to the Philosophy of Punishment*. (Red Globe Press).
- Roberts, J. (2015) *Criminal Justice. A Very Short Introduction*. (Oxford University Press).
- Newburn, T. (2018) *Criminology. A Very Short introduction*. (Oxford University Press).
- Roberts, J. (Ed) (2015) *Exploring Sentencing Practice in England and Wales*. (Palgrave Macmillan).
- Farrall, S., Goldson, B., Loader, I. & Dockley, A (eds) (2016) *Justice and Penal Reform: Reshaping the Penal Landscape*. (Routledge).
- Tata, C. (2020) *Sentencing as a Social Process: Re-thinking Research and Policy*. (Palgrave Socio-legal Studies). [+ebook]
- Liebling, A., Maruna, S. and McCara, L. (eds) (2017) *Oxford Handbook of Criminology (6th edition)* (Oxford University Press).

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