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Towards a Critical Model of Restorative Justice in Brazil: An approach from critical criminology.

The paper aims at discussing the potential of restorative justice to work as a means to reduce the demand for services in the criminal justice system, with a focus on the Brazilian situation. Analyses of previous penal reforms targeted at reducing the incidence of the criminal justice were made (Federal Laws n. 9.714/1998 and n. 9.099/1995), and the results indicate that, contrary to what such reforms were officially intended to, there has been a significant increase in social control, even though by the use of the so-called "alternatives to penal measures". Taking the results above seriously, it is proposed that the possible incorporation of restorative justice into the Brazilian criminal procedure should be preceded by a critical analysis of the concrete risk of net widening, to avoid that this promising mechanism becomes another tool for the enhancement of social control. From the theoretical framework of critical criminology and, specially, from penal abolitionism's propositions, the analysis aims to provide a distrusting look at the so-called "alternatives to penal measures" that should supposedly reduce the use of the penal system. Following the important contributions of Alessandro Baratta, Massimo Pavarini, Louk Hulsman, Nils Christie and Thomas Mathiesen, it intends to develop a critical background for the institutionalization of restorative justice in Brazil in such a way that it simultaneously better satisfies the victims of crimes and prevents the expansion of the penal system and the perpetuation of its well-known harms.

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Penal Abolitionism in Brazil: perspectives, challenges and contributions of the academic-scientific field.

Resulting from an exploratory survey in the scientific-academic field in Brazil, the project analyzes doctoral dissertations and master's theses which adopt penal abolitionism – in its different perspectives – as a theoretical reference and/or as a horizon for debate within their objects of study. It also analyzes research groups in Brazilian Universities which, directly or indirectly, develop their research following an abolitionist perspective. Based on data organized by official organisms of the academic-scientific field in Brazil (CAPES¹ and CNPq²), the survey comprises textual-discursive analysis of the studies found, as well as interviews with the authors and researchers identified. Preliminary results show a growing importance of penal abolitionism in the Brazilian academic field, assumed as a sensitizing theory which, from its negative criticism of the penal system, allows the establishment of concrete proposals to supplant the traditional penal system. However, the identification of only five official research groups in Brazilian Universities which highlight penal abolitionism in their research lines might demonstrate that, despite its growing importance, this issue is still on the margins of Brazilian academic life. These primary findings, albeit partial, define the political, cognitive and interventional-operational challenges that the present research project aims to address.

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¹ CAPES – Coordenação de Aperfeiçoamento de Pessoal de Ensino Superior (*Coordination of Improvement of Higher Education Personal*).

² CNPq – Conselho Nacional de Desenvolvimento Científico e Tecnológico (*National Council of Technological and Scientific Development*).



Rosalba Altopiedi
University of Turin/ Italy

The environmental disaster in Taranto, southern Italy. Up and down about ILVA issue in the public sphere.

The complete available knowledge scenario about the environment and health status in the Taranto area shows us a very critical situation for the citizen, the workers and for the most vulnerable people, like the children, caused by ILVA.

Also if the scientific framework should have some interesting insights for further study and analysis, the data already available have reached a level that can be considered sufficient to reach the final decision for save the environment, health and employment.

However, the study made in the latest years and the big amount of complains from the technicians, the physicians, the Trade Union Organizations and also the citizens have not a strong impact. A criminal investigation was been necessary to put the ILVA question on the public sphere, that means the change of the ILVA history from industrial to criminal disaster.

In the center of the discussion is stronger the conflict between judiciary and decision makers.

It's a conflict that recall other questions like the relations between the right to work and right to health, the contradictions of the capitalist system, the citizen capability to assert their voice in the public decisional sphere, etc.

The aim of the paper is to analyze the discourses about the ILVA question made from the different actors involved, like judiciary, decision makers, experts, Trade Union Organizations, Environment Organizations, Citizen movement, etc..

This paper aims to point out the role of the strategies of denial (for example through the removal and/or elimination of the important information) and the concurrent acknowledgement capacity (from the Environmentalist movement for example) to revealing the criminal nature of the behaviors object of this analysis.



Anne Alvesalo-Kuusi
University of Turku/ Finland

David Whyte
University of Liverpool/ UK

Researching the Powerful: reconstructing research ethics

This paper raises a series of questions about how appropriate established social science standards are for researching the powerful. Under some circumstances the only way of proceeding with studies of the powerful is to abandon ethical frameworks that are designed to protect those with less power than the researcher. In the context of studies of the powerful, they are therefore not fit for purpose. Studying the powerful therefore frequently requires researchers to subvert established disciplinary codes of conduct in a way that brings them into conflict with their peers and their 'home' institutions.

Drawing upon examples from our own work, and the work of others who research powerful institutions, this paper will argue for a reconstruction of professional standards and ethical codes by those who study powerful elites. It will consider a range of ways in which those issues have been dealt with in research codes of conduct in order to explore how we might reconstruct research ethics in ways that are meaningful for researching the powerful.



Robert Andersson
Linnæus University/ Sweden

Consuming and re-interpreting criticism – the legacy of the Swedish prison movement on Swedish crime and penal policy

Crime and penal policy during the last 40- 45 years has often been interpreted as a right wing reaction, a turn to extreme repression or as the result of a neoliberal rationale. These explanations all miss the fact that the call for democracy has colored many of the measures taken and the laws passed. Amongst other things, community policing as well as community crime prevention has been framed in terms of realizations of democracy – as visions of participatory democracy.

The prisoners' movement in Sweden, alongside a general movement in social policy during the late 1960s, shared a common belief that a participatory democracy ideal would, if implemented, change how we did penal policy and how we punished people. It was a belief that if the decision were brought down to the people, instead of the elites, real democracy would be possible and the proximity between those deciding policy and those affected would bring about a better world.

The hypothesis in this paper is that much of what in facts has happened in Swedish crime and penal policy for the last 30 to 40 years could be understood as a political consumption of these democracy ideals and a re-interpreting of them in policy. This then could make the focus on community as well as the ambitions to decentralize the Swedish welfare state that has come to be a central part of Swedish crime policy understandable and place this trajectory in a historical context.



Andy Aresti, Sacha Darke & David Manlow
University of Westminster / UK

Whose Side Are We Really On? Critical Criminology, Prison Research and the Need for a European Convict Criminology

It is now 46 years since Howard Becker published his influential paper in *Social Problems*, but the dilemmas it identifies for critical criminologists, in general, and for prison researchers, in particular, are still very real and are perhaps becoming even more pressing and urgent. The rise and consolidation of a 'market led criminology' in the UK, coupled with a the background of an increasing prison population and a popular punitiveness, has meant that critical voices are becoming increasingly even more marginalised and muted, both in academic criminology and in public discourses on prison reform (c.f. Squires, 2013). Furthermore, institutional 'exclusionary research protocols' and a preoccupation with risk have not only constructed firm boundaries around what is to be regarded as 'acceptable knowledge,' but are also beginning to dictate who are acceptable 'research subjects' and researchers, as well as prescribing 'which are suitable' sites of research. In seeking to circumvent this increasingly restrictive research environment, and challenge the conventional stereotypes and fear of criminality that help to sustain it which this has engendered, the British Convict Criminology movement calls for the development of forms of genuine 'participative action research' which challenges the distinction between the 'researcher' and the 'researched'.

By reflecting on some of the problems experienced in setting up a British Convict Criminology and developing prisoner (and former prisoner)- led knowledge, this paper will.....challenges criminologists to review their engagement with criminal justice agencies, their / involvement in 'policy-relevant' research and to debate: reflect on whose side are they are we really on?. More specifically, it asks whether the time is right for the development of a European Convict Criminology.

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Helen Baker
Edge Hill University/ UK

'Parent Abuse: The Emergence of a 'New' Social Problem'

Although parent abuse or child-to-parent violence is a comparatively well-known and researched issue in both North America and Australia, it has received little academic, social policy or legislative attention in the United Kingdom (UK). This paper seeks to explore issues in relation to the phenomenon of parent abuse within a UK legal and social policy context. It will explore what the phenomenon of parent abuse is and issues surrounding its contested definition. Through examining the historical emergence of comparable issues such as male domestic violence against women, it will explore why parent abuse as an issue, is emerging now as a social problem in the UK. It will question why there has been no specific Governmental legislative and Social Policy input in relation to the issue, and neither, up until recently, no academic 'interest' (for a recent exception see Themed Section 'Exploring Parent Abuse' (April 2012) *Social Policy and Society* Volume 11(2):211-303). This is despite the historical experience and awareness of practitioners working with families of the issue, and problems caused by parent abuse. The paper will also explore how the issue of parent abuse challenges traditional feminist paradigms for gendered violence. Furthermore, it will problematize how gender discourse is utilised in relation to parent abuse, with regards to teenage boys as the main potential perpetrators of it.

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Børge Bakken,
Hong Kong University/ Hong Kong

Big Brother and Big Bucks. Surveillance with Chinese Characteristics.

This paper will focus on the rapidly growing “social management” sector in China – here exemplified in particular by the CCTV (Closed Circuit Television) surveillance camera craze observed over the last years. The power to snoop is addictive everywhere, but I will try to explain what drives this craze in today’s China, and the answer lies as much in Adam Smith as it lies in George Orwell or Mao Zedong. There are vast capital gains in the industry, and we might talk about a Chinese surveillance industry driven by harsh capitalist market rationality. With Nils Christie’s famous book title “Crime-control as industry” (about the American prison state) as a model, we see “social management “and surveillance as industry in China today. Simultaneously we see the surveillance craze driven by an equally harsh administrative rationality based on cadre incentive systems and strict performance criteria. The whole bureaucracy has to pay heed to the performance of so-called weiwēn (维稳) – or the task of “maintaining stability”. This managerialism is characterized by a system of economic sanctions for cadres as well as other actors in the surveillance theatre. In combination we see an explosion of what I will term the Chinese “surveillance state”. Perhaps we can even talk of a special form of “State surveillance capitalism” with clear links to Western surveillance businesses and models. This combination of blatant managerialism and a totalitarian market represents surveillance with Chinese characteristics.



Vanessa Barker
Stockholm University/Sweden

Prison and the public sphere: toward a democratic theory of penal order

Vanessa Barker will locate penal excess and welfare retrenchment within a breakdown of American democracy and specifically the decline of public participation within the public sphere. She will argue that de-democratisation can lead directly to penal excess as weakened social bonds lead to greater political rigidity and entrenched political positions. In contrast however, greater public participation, she maintains, results in enhanced engagement with pressing social issues and consequently more empathy, solidarity, trust and calls for welfare interventions to social problems.



Vanessa Barker
Stockholm University/Sweden

Democracy & Deportation: Why Membership Matters Most

This paper argues that the structural contradictions of democracy create the conditions conducive to deportation and other forms of mobility control. It examines three major structural features that restrict and stratify mobility: the nation-state form of sovereignty; the paradox of democracy as a bounded community based on universal principles; and the persistence of racialized hierarchies and ethno-cultural membership. It suggests that European democracies unable or unwilling to apply full rights and protections to nonmembers, increasingly turn to more coercive measures to resolve this tension. By literally casting out nonmembers, European governments reassert the primacy of national belonging and group membership while weakening international and transnational claims and protections. The chapter highlights the restricted mobility of the Roma within the European Union.



Trent Bax

Ewha Womans University/ South Korea

‘Internet Addiction’ in Contemporary China: Pathological Internet Use or Pathology of Normalcy?

The *American Psychiatric Association* is about to publish the fifth edition of its *Diagnostic and Statistical Manual (DSM-5)*. Placed within Section 3 of the manual, an area of DSM-5 allocates for conditions still “requiring further study,” is a psychiatric condition called “*Internet Use Disorder*”.

While there has been a move to reconceptualise internet ‘addiction’ as ‘disorder’, in China the mental health authorities have gone for “pathological internet use” (*binglixing hulianwang shiyong*).

Despite these cosmetic makeovers, what we are witnessing is the medicalization and psychologization of internet use and the way deviant (“bad”) Chinese youths, living in a consumer-based *culture-of-excess*, are being forced – inside military-style boot camps and pseudo-medical clinics - to seek biological and biographical solutions to socially and structurally produced problems.

At the heart of this battle over “internet addiction” in China have resided two opposing Tao protagonists: military-psychiatrist Tao Ran and educator Tao Hongkai. The former filters *pathological* internet use through a psychiatric and biomedical-based model, while the latter locates *uncontrollable* internet use at the intersection between *excessive* family relations and a *disordered* education system.

Individual pathology or a pathology of normalcy? That is the question.

Based upon research with Tao Hongkai, I argue that when the stressful social conditions and *engulfing* interpersonal relations of the *individualising* ‘internet addict’ are analysed a non-pathological picture emerges. That is, *intensive* internet use can be partly thought of as a *remedy* - in saving one’s autonomy and a search for individual freedom - as opposed to a kind of imported *poison* called ‘electronic opium.’

More broadly, these ‘children-of-the-market’ are, in a subtle and rebellious way, telling the Chinese Party-State that by focusing excessively on economic development they have created a social system that is generally adverse to producing genuine human happiness and self-realisation.

And so the actions of these so-called internet addicts glaringly reveal the following structural problem: citizens cannot live on economic reforms alone.



Andrea Beckmann
University of Lincoln/ UK

"Now you see me, now you don't"-about the selective permissiveness of 'synoptic' exposure and its impact

This paper will critically explore the potential wider meanings and implications of a recent ruling of the European Court of Human Rights (2013) that reinforced a UK ban (2005) of an advertisement produced by an animal rights group. This criminological exploration is informed by insights of critical theory/pedagogy and could be seen to represent critical, postmodern-feminist and/or green criminological concerns and perspective(s).

The banned advertisement was not cleared by the UK Broadcast Advertising Clearance Centre (BACC) and was seen to represent political advertising. The ban was proclaimed to protect the public and to ensure a level playing field under Section 321 of the Communications Act. While the claimed intention of the Communications Act 2003 is to protect the public and to create a level playing field, corporations of course do have considerably more access to financial and political modes of power, and thus the reference to an 'even playing field' can only be considered to be a 'mystification of reality' (Box 1984).

The context of this mystification is the continued and intensified commodification of leisure as well as the impact that such commodification has on socio- cultural, economic and political life. In such a context commodities inhabit a representational-corporate realm that mis-represents the contexts of their production (e.g. distracting from the unequal human and non-human social relations they produce and reproduce (Robinson 1983; Lefebvre 1991; Massey 1994).

The ADI advertisement tried to raise public awareness of problematic, painful and ultimately harmful consequences of the 'normalised' and commercialised representation, use and abuse of primates in the 'entertainment' of human animals. As in 'synoptic space'(Mathiesen 1997) within neoliberal contexts "Important issues about politics, power, war, life, and death get either trivialized or excluded from public discourse as a market-driven media culture strives to please its corporate sponsors and attract the audiences it has rendered illiterate."

(Giroux 2008: 164) this UK ban confirmed by an European Court ruling is relevant to critical/green criminologists.



Emma Bell

Université de Savoie/ France

The prison paradox in neoliberal Britain

Emma Bell will examine the rise of ‘egotistic individualism’ and recent developments in penal policy in Britain , Identifying the current Conservative-Liberal Democrat coalition government as a contemporary manifestation of ‘authoritarian populism), she revisits Thomas Mathiesen’s (1990) ‘unofficial aims of imprisonment’ to explore their contemporary role in constructing symbolical boundaries and diverting attention away from increasingly stark social divisions. The penalisation of poverty is understood within the ‘paradoxical’ nature of public opinion and the rise of the ‘security-industrial complex’. Emma Bell concludes by emphasising the continued symbolic potency of penal incarceration.



Mary Bosworth
Oxford University/ UK

‘Can Immigration Detention Centres be Legitimate? Understanding Confinement in a Global World’

This paper critically assesses the purpose of immigration detention in the UK. Drawing on 18 months of fieldwork and interviews with detainees and staff in five immigration removal centres (IRCs), it examines the implications of these places for criminological understanding about carceral power under conditions of globalisation. Specifically, it considers whether the concept of legitimacy, that has been so productive elsewhere in criminology, can be a useful tool in developing a critical analysis and politics of immigration detention or whether this custodial practice exposes its limits. Can immigration detention centres be legitimate or do we need a new vocabulary to understand them?



Avi Brisman

Eastern Kentucky University/ USA

Nigel South

University of Essex/ UK

Folk devils, denial, climate change and environmental crime: Applying the work of Stan Cohen to green criminology

This paper pays homage to Stan Cohen by applying his work to green criminology. In the first part of this paper, we draw on Cohen's notion of 'denial' to analyze and assess 'climate change contrarianism'—organised efforts to downplay, diminish, or otherwise dismiss the scientific consensus on the existence and extent of climate change, its potential impact on human and nonhuman life, and its anthropogenic causes. We argue that 'climate change contrarians,' working in concert with the corporate powers that fund them, have painted climate change as a moral issue and have attempted to transform climate scientists into 'folk devils.' Drawing on Cohen's conception of 'moral panic,' we contemplate the meaning and significance of media representations of climate change and the way in which such depictions have contributed to the lack of consequential state and international measures, treaties or protocols on climate change. The second part of the paper extends this engagement with the politics and vocabularies of denial to consider the use of 'techniques of neutralization' and minimization of moral concern in cases of environmental damage and conflict. Finally, we note how Cohen (1982) also warned of the consequences of the imposition or export of 'modern' western crime control ideologies and models on the developing world and how this process, implemented with benign intent, could have malign outcomes. Similarly we suggest that we might consider how ecological modernization theory 'rests on the unacknowledged assumption that "green" technologies—developed and commercialized in core nations—will benefit, or at least have the capacity to benefit, all people universally' (Bonds and Downey, 2012: 168). In fact, the technological innovations that drive such modernization are dependent on raw materials that are frequently mined or produced in the developing world in conditions underpinned by conflict, repression, environmental degradation and human rights abuses. In Cohen's terms, 'paradoxical damage' may be following initiatives based upon the best of motives (1988: 185).



Gudrun Brottveit
Østfold University College/ Norway

Elisabeth Fransson
Correctional service of Norway Staff Academy (KRUS)/ Norway

The implementation of the reversal guarantee in Norway – a welfare benefit or a modern form of social control?

Recidivism among inmates is identified as one of the central problems in correctional services. Rehabilitation or "improvement" of prisoners have been a recurrent idea since 1700 and is considered a key part of the modern welfare state. The paper highlights the Norwegian Government's guarantee towards the reintegration of convicted persons into society (cf. St.meld.nr. 37). This is classified as a humanistic reform aimed at preparing inmates for a law abiding life after transition from prison.

Based on a qualitative study of convicted men's transition from a high security prison and out in society, the paper seeks to shed light on the unintended effects of the reforms. Earlier prison practice shows that release after 2/3 time is normal, if the inmate showing good progression and behavior in prison. Our conversations with inmates shows that several of those who sit on long sentences often have problems getting approved leave of absence at the expected time and release on 2/3 time. The official justification for rejection is usually that it is contrary to the general sense of justice, without any other form of individual grounds for refusal. In many respects it seems that the way out of prison is longer than before – and is this in accordance with the intentions behind the reversal guarantee? How are the guarantee implemented locally in the particular prison and what are the inmates experiences are key questions explored in the paper.

The overall goal with is to discuss whether reversal guarantee is a welfare benefit or a modern form of social control?



Marília De Nardin Budó

Federal University of Paraná / Brazil

A case of moral panics on youth crime in Brazil

This work analyses a case that caused a change in the way of understanding youth criminality in Brazil. On 7 February 2007, six-year-old boy João Hélio was killed dragged by the seat belt of his mother's car when it was being robbed by a group of four adults and a teenager in Rio de Janeiro. The newspaper Folha de São Paulo was studied from February to July 2007 with the aim of understanding how the case was constructed. The media discourse was compared to legislative activity and legitimizing discourses of changes in the law and the Constitution to respond to criminality in the same period. The results show that it was a case in which Cohen's concept of moral panic fits perfectly. Although the case involved four adults and one teenager, it was framed as a youth crime case, denouncing the leniency of the legislation. During the same six months, 24 propositions were presented in the Parliament to increase the punishment of teenagers. Protests took place for changes in the law and the pressure was great to the rulers. The role of moral entrepreneurs was played through the media and pressure groups. There was a strong impact on the political agenda, but it was more symbolic than concrete. There was no approval of any propositions, but the moral panic generated a significant enhancement in the already existing symbolic hostility against suburban black teenagers. Their condition of permanent folk devils and enemies can be viewed in the frequent killings carried out by the police in the slums, and in the complacent silence about these deaths in the same newspapers that created the studied moral panic.



UiO : **Department of Criminology and Sociology of Law**
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Tony Bunyan
Statewatch

The emerging EU state



Victoria Canning
Liverpool John Moores University/ UK

Trajectories of violence: exploring psychosocial responses from a critical perspective

This paper explores the impacts of, and psychosocial responses to, torture, rape and sexual violence in conflict. Based on arguments developed from previous research, which investigated sexual violence support for women seeking asylum in the UK, this paper highlights findings from research undertaken with torture rehabilitation professionals in Denmark (May/June 2013). It outlines experiences of, and responses to, violence and torture, particularly in terms of conflict related forced migration, life on borders and asylum.

This research explores a number of areas. Firstly, it re-opens Kelly's concept of the continuum of violence (1988), to further consider intersections of violence in the lives of refugee women. Secondly, reflecting on escalations in localised armed conflicts globally, and escalations in conflict related sexual violence therein, the paper questions if and how these intersections are recognised and responded to, during conflict, migration and the asylum process. Lastly, it considers what forms of responses are in place in Denmark, and if and how these differ from the UK.

This latter point unpacks questions of policy and approaches from a critical criminological perspective, particularly in unpicking the dominance of psychosocial responses to conflict sexual violence and torture. Importantly, the question of how policy and practice relate to contemporary dominant ideologies around migration and conflict, specifically in relation to fortress Europe, borders and crimmigration, will be explored, drawing conclusions on how structurally effective support can be for conflict survivors in an era of intensified social othering.



Bree Carlton
Monash University/ Australia

Resistance, Co-option and the Paradox of Women's Prison Reform in Victoria, Australia

The purported aims of gender responsive justice have been to reform corrective principles and penal practices to meet the specific needs of women in prison. This reform agenda has been targeted to alleviate discriminatory conditions and ultimately, curb the increasing criminalisation and imprisonment of socially disadvantaged women (Bloom et al 2003). Bloom's framework has informed women's prison reform programs in Canada, the UK, US and Australia. However, critics argue that related initiatives have failed to achieve their ends. In this paper I provide an abolitionist critique of gender responsive discourses and the paradoxes posed by this rebranding of reform in Victoria, Australia. The need to extend beyond decontextualised understandings of gender to account for intersecting systems of oppression such as race and gender is central to this analysis.

This paper focuses on the case study of the gender responsive *Better Pathways Strategy* in Victoria. In spite of its officially proclaimed success *Better Pathways* has been questioned by community advocates and activists due to its implementation coinciding with system expansion, unprecedented increases in women's imprisonment rates (particularly Indigenous and Vietnamese women) and ongoing evidence of systemic race and gender discrimination. This paper will explore the ways in which concerns and strategies articulated through anti-discrimination and abolition aligned campaigns triggered the emergence of gender responsive reform discourses in Victoria. My intention is to highlight the specific ways that such discourses have served to co-opt and neutralise concerns about systemic discriminatory practice and injustice in women's prisons. In this context they can be seen to adopt changes in ways which neutralise criticism and reinforce the legitimacy of institutions and agencies rather than effecting real change. I conclude my analysis by addressing the implications raised by co-option for social movements working to dismantle and transform structural injustice rather than improve the functionality of existing systems and institutions.

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Bree Carlton
Monash University/ Australia

Women Exiting Prison: A Radical Vision for System and Social Change

In this paper I will reflect on the research and journey that led us (with Marie Segrave) to compile *Women Exiting Prison: Critical Essays on Gender, Post-release Support and Survival* (with Marie Segrave, Palgrave Macmillan, 2013). A common theme that emerged through our localised research and this collection is the profound need for system change that begins with a radical revisioning and reclaiming of *gender justice*. This collection includes contributions from the US, UK, the North of Ireland, Australia and Canada, which together provide a consolidated critique of the ‘gender responsive’ correctional and programmatic framework. All contributions demonstrate how initiatives implemented under this banner in different jurisdictions have further compounded women’s experiences of institutionalized control. This has occurred as a result of the focus on monitoring and managing women’s individual behaviour and risk, the extension of correctional controls into community contexts under the guise of ‘therapeutic practice’ and ‘alternatives’, and the rise of the ‘reintegration industries’ (Carlen and Tombs 2006) comprised of a range of practitioner research, programmes, policies and initiatives purported to assist rehabilitation.

I want to move beyond merely critiquing and speak to the future challenges facing *both* critical researchers and activists working to support women with lived experiences of imprisonment. At core I argue to be effective, responses need to extend beyond correctional solutions to confront the contextual forces driving women’s criminalization and serial imprisonment. Achieving the task of *genuine* gender justice necessitates a multiplicity of alternative strategies and institutions that seek to improve social infrastructure and foster understanding, healing, self-determination (particularly among Indigenous women and communities), freedom from subordination and decarceration rather than increasing governance and social control. In short, what we propose is *genuine* structural and systemic change. How can this be achieved? We believe that this requires the following: recognizing intersectional sources and experiences of disadvantage and oppression; replacing the release - and reintegration-oriented focus and reframing individual responsibility; and importantly *reclaiming* research agendas.



Gilles Chantraine
Université Lille/ France

Uses of medical confidentiality in prison

Legal norms, practical norms and professional power relationships

Since two recent reforms, all psychiatric and somatic treatment in French prisons has been handled by doctors and medical teams from public hospitals and from psychiatric sectors, and not by prison administration representatives. Thus medical confidentiality constitutes a *legal norm* that is as powerful in prison as it is in the “free world”. Infringing medical confidentiality constitutes both a violation of the French medical association’s code of ethics and a criminal offence. These reforms made it possible to weaken penal power over the bodies and minds of prisoners. It made the institution a bit less total and its organization a bit more complex. And yet, falling short of this legal framework, day-to-day attacks against medical confidentiality take place in detention. Every day one hears that the inflexibility of medical confidentiality must be substituted by a more flexible *practical norm*, which stems from “good sense”, enabling medical teams to contribute to the establishment’s “internal security” and the “fight against recidivism”. Our contribution will attempt to describe the constitutive tension between legal norms and practical norms revolving around the question of medical confidentiality, its uses and its aims. First, we will show that confidentiality, whose status as a legal requirement is constantly recalled by medical personnel, supports the always delicate defence of a professional jurisdiction surrounding the act of treating and diagnosing. Next, we will show that in order to maintain a tolerable working framework and avoid dramas in detention, medical personnel are nonetheless forced to make concessions with their “partners”. It is therefore a matter of “telling without telling”, “making someone tell before speaking about it”, “telling everything while being totally vague”, or even “telling only open secrets”.



Charlie Cooper
University of Hull/ UK

Performing Sociology

This paper will evaluate the applicability of techniques drawn from participatory action research (PAR) and drama and performance to student learning in relation to sociological problems. It describes a project undertaken throughout the beginning of 2013, Performing Sociology, where these techniques were applied on a course the “‘Problem’ of Youth’ - a Level 6 module offered by its author in the Department of Social Sciences at the University of Hull to sociology and criminology students. The aims of the module is to critically analyse representations of ‘youth’ in mainstream media, political and academic discourse. By exploring this theme using PAR and disseminating the findings by way of performed readings of verbatim documentary theatre scripts, the project sought to offer important lessons of the applicability of these techniques for teaching and studying the ‘problem’ of youth as a theoretical sociological concern. The pedagogical approach adopted is designed to enable students to widen their comprehension of sociological questions by exploring them in a more reflective way. The key tool applied to enable this, PAR, involves a dialogical approach where tutor and student co-investigate the object of study. It is an approach that encourages students to explore dialectically the nature of social problems beyond traditional understandings invariably founded on positivist epistemological positions. It is a method that presents genuine opportunities for fostering what C. Wright Mills (1959) called a ‘sociological imagination’ - the means to perceive more clearly what is happening to us and to overcome ‘false consciousness’. Moreover, by building on the students’ own lived reality, PAR provides them with the conditions to strengthen their appreciation of competing theoretical positions. In contrast to conventional approaches, the tutor adopts a less didactic role and plays the part of ‘intellectual mediator’ – facilitating open dialogue in which various values and positions can be mapped out, evaluated, challenged and more clearly understood. Traditionally, PAR has been used as a style of critical pedagogy with predominantly marginalised communities as opposed to the relative privilege of the university classroom. A key motive for this project, therefore, was bell hooks’s work using critical pedagogy with privileged students and her insistence that they too should also be educated with critical pedagogical strategies to realise that their minds have been colonized in ways that allow them to passively accept the domination of others. In this way, critical pedagogy can be used as a means to liberate ourselves and others.



Vickie Cooper

Liverpool John Moores University/ UK

Punishing the detritus and the damned: penal and semi-penal institutions in Liverpool and the North West

Vickie Cooper will explore the convergence of penal and welfare institutions in the governance of the homeless in Liverpool. Exploring findings from an ethnographic study of homeless women in Liverpool, she will highlight how the boundaries between penal and semi-penal institutions have become increasingly blurred. She concludes by calling for the need for more 'utopian, socialist and abolitionist' strategies that can transcend the punitive ideologies and practices of the capitalist state.



Michael Coyle
California State University/ USA

Talking Criminal Justice: Language and the Just Society

In this presentation I discuss the research of my 2013 book, *Talking Criminal Justice: Language and the Just Society*. In my work I demonstrate that the words we use to talk about justice have an enormous impact on our everyday lives. As the first in-depth, ethnographic study of such language, my work examines the speech of moral entrepreneurs to illustrate how our justice language encourages social control and punishment. This book highlights how public discourse leaders (from both conservative and liberal sides) guide us toward justice solutions that do not align with our collectively professed value of “equal justice for all” through their language habits. This contextualized study of our justice language demonstrates the concealment of intentions with clever language use which mask justice ideologies that differ greatly from our widely espoused justice values. By the evidence of our own words I am able to show that we consistently permit and encourage the construction of people in ways which attribute motives that elicit and empower social control and punishment responses, and that make punitive public policy options acceptable.



Arnaud Dandoy

Université Quisqueya Port-au-Prince/ Haiti

The Criminology of Humanitarianism: A new Research Agenda

So far criminologists have never engaged with humanitarian issues, which are topics of inquiry largely monopolised by other disciplinary bodies such as international relations or political sciences. The lack of interest of criminology for the distant, international ‘outside’ may well be as a result of its close affinity with the modern nation state. Whilst the modern state is now ready to engage with the implications of an increasingly interconnected world, criminology continue to maintain its domestic orientation and shy away from engaging with issues beyond the home front. This paper calls for a criminology of humanitarianism that challenges geographical and disciplinary boundaries in order to address topics long neglected by criminologists, i.e. crime, control and social harm in humanitarian contexts. The opportunities to use criminological theories and methods to understand humanitarian issues are explored through an analysis of the problem of attacks against humanitarian actors and the reactions to it across the aid community.



Sacha Darke
University of Westminster/ UK

Researching Brazilian Prisons

Doing prisons research in the global South presents a number of methodological challenges. Principle among these is the tendency within comparative criminology to deny or otherwise essentialise cultural differences. In this chapter I critically reflect on how I have attempted, not always successfully, to navigate between these twin positivist and interpretivist traps of Occidentalism and Orientalism in researching Brazilian prisons. The paper is divided into three main sections. The first deals with the difficulties I have encountered developing a theoretical framework for the research. Here I focus on three inter-related conceptual themes in the human rights and sociology of prisons literature – order, authority and legitimacy – that I have found to be essential to my understanding of everyday life in Brazilian prisons – of cohabitation, communal survival, personal and professional inmate/staff-inmate relations – but at the same time of limited application as currently conceived in the case of, for instance, North American or European prisons. In the following two sections I explore how the misapplication (or at least my perceived misapplication) of Northern theories and concepts in the Brazilian context have impacted on my efforts to seek funding and ethical clearance for the studies, and on my experiences in the field.



Maurício Stegemann Dieter
Unicritiba and Passo Fundo University/ Brazil

Recent trends in Brazil's Criminal Justice System

I believe there are three key points for a critical analysis of Brazil's Criminal Justice System.

First, the frequent murder of "underclass" citizens as a result of the "war on drugs" policy. A reality that has worsened recently, due to military incursions on poor communities – ironically known as "pacification" – to "enable" the next two major sport events in the calendar (World Cup 2014, Olympics 2016). In order to justify its violent actions and "legitimate" all these deaths, Police is, more than ever, appealing to the "self-defense" claim, with manifest complicity of prosecutors and criminal judges, who tends to file such cases, as research proves.

Second, the "overcriminalization" scenario as a result of an irresponsible "legislative inflation" that began in the 90's. Although the exact number is unknown, the best estimative points out the coexistence of 1684 crimes in Brazilian federal Law. Paradoxically, despite the profusion of legal offenses, almost 70% of convicts serving sentences were condemned for drug trafficking, theft or robbery, in an explicit demonstration of selective criminalization.

Third, and last, our version of the "mass incarceration" phenomenon: Brazil reaches the position of fourth largest prison population in the world today, with almost 550 thousand inmates. There are, evidently, multiple factors that concurred to produce this humanitarian catastrophe. One of them, that particularly interest me, is the ideological enrolment of criminal judges as "crime fighters", a trend that express itself in an unusual high rate of convictions. Recent studies have shown that in Curitiba – the largest city in the south region of the country – Criminal Courts condemn the defendants in 78% of cases. Against constitutional provision, "presumption of innocence" and "reasonable doubt" seems out of sight.

My research and theoretical work explore these three issues, with emphasis on the last one, trying to identify and denounce the rhetorical shortcuts that deviate the Judiciary of its mission to protect the innocent trough due process of Law.

I understand that any serious attempt of building a public agenda for reforms that pushes social justice claims in Criminal Policy and tries to stop these violent strategies for social control should consider these three points carefully, so we can avoid most of the past mistakes determined by insufficient criminological analysis.

This initiative is, also, my own way to try to honor live and work of Stanley Cohen, in his continue struggle to bring more "justice" into what is nowadays wrongly called "the criminal justice system".



Bojan Dobovšek
University of Maribor/ Slovenia

Organized crime as a modern Robin Hood

As the financial crime is guilty for recent financial crisis, people will turn for help from organized crime, which provide work and goods to the people. Organized crime is becoming a modern Robin Hood who is taking from the reach and gives to the poor what they need. It is somewhat misfortunate that “classical” critical criminology received so much evidence about tier just in the light of the financial crisis, crisis that ruined so many lives of the common. While critical criminology is questioning the capitalistic system, we believed that the long present perception of organized crime and white-collar crimes should also be questioned. Reason behind this can be stated very simply - the deviant behaviour acts of the (ruling) elites resemble the definition(s) of organized crime in so much length that one cannot easily dispute the idea, that perhaps they actually are crime network. Building on the Sutherlands original idea of white-collar crime we characterize some behaviour of the elites as an organized white-collar crime. And in the worst of forms, this reckless (or perhaps planned behaviour) resembling not only financial crimes, but demonstrating also conflict of interest, revolving door phenomena and questionable “lobbying” caused the global financial crisis. In that financial crisis recovery approaches are somewhat folly as the main players remain in the positions of influence and bail-outs or stringent austerity try to fill the financial gap, yet the system causing that gap is not even questioned. That’s why classical organized crime will become a friend of pours and enemy of the elites (which are enemy of pours), according to the principle: Enemy of my enemy is my friend..



Julia Downes
Durham University/ UK

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Durham University/ UK

Doing and Undoing Gender Orders: Experiences of change and resistance to change in domestic violence perpetrator programmes

Domestic violence researchers have argued that the application of contemporary gender and sexuality theory offers a powerful tool to understand the complex, subtle and diverse ways in which violence and abuse is gendered within society and culture (Anderson 2005; Stark 2007; Morris 2009; Williamson 2010). This article utilises contemporary gender and sexuality theory to critically examine women and men's experiences of gender collected in Project Mirabal: a multi-site evaluation of domestic violence perpetrator programmes (DVPP) that extends conventional measures of 'success' (Westmarland, Kelly & Chandler-Mills 2010). Qualitative interviews were carried out with men and women at the beginning and end of involvement with an integrated DVPP. Interviews contained a section that asked explicitly about gendered experiences of being a man and being a woman followed by an adapted critical incident analysis that explored lived situations of everyday relationships, behaviour and family life. From an analysis of the specific gender questions a number of case studies were selected for in-depth analysis based on cases that (i) exhibited little to no change and (ii) demonstrated the most change in hegemonic gender orders. In conclusion this paper offers insights into both the progressive transformation in, and hegemonic persistence of, constructions of heterosexuality, gender and the family in contemporary British society.



Deborah H. Drake

The Open University/ UK

Divergences between official and practical norms in English Maximum-Security Prisons: The Mediating and Regulating Influence of Institutional History, Political Rhetoric and Public Opinion

Prison practices can vary considerably from institution to institution. Even those prisons which are designated to serve identical functions can differ substantially in their ‘real governance’ (de Sardan, 2008) as manifest in the local performance of procedures and practices. Ethnographic research conducted from 2005-2009 in all 5 English ‘dispersal’ (maximum-security) prisons revealed divergences within and between each of the institutions with respect to official and practical norms and discourses. However, some common threads ran through the way practical norms were informally regulated across the institutions. This paper examines some of the continuities and discontinuities of practice in these five institutions. It argues that institutional and organisational history, political rhetoric and perceived public opinion all had mediating and regulating influences on the way discipline staff carried out their duties, sometimes revealing contradictions between practical norms and espoused values based on ‘practice-wisdom’. The paper draws distinctions between practice wisdom, practitioner discretion and practical norms. ‘Practice wisdom’ is a term most often applied in the context of social work and describes ‘the accumulation of information, assumptions, ideologies, and judgments that have seemed practically useful in fulfilling the expectations of the job’ (DeRoos, 1990, p. 282). It is a form of professionally or locally held knowledge that practitioners may use when problem solving or when deciding how or when to use their discretion. Practice wisdom may or may not inform the use of practitioner discretion (which might, instead be based on practical norms or the individual agency of a rogue practitioner). Practitioner discretion usually occurs in a context of conflict between street-level or ‘front line’ workers and managers or when rules, guidelines or instructions are not or cannot be circumscribed (see Lipsky, 1980, p. 15). This paper argues that it is within this discretionary realm that the concept of practical norms may be most useful. Whilst the paper describes heterogeneity within and between institutional prison practices, it also suggests that a ‘habitus’ (Bourdieu, 1990) of maximum-security permeates, influences and regulates practitioner discretion (and practical norms) in ways that are at once consistent and in conflict with official and (wider) social norms.



Anne Egelund

Roskilde University and RUC/ Denmark

Sex, masculinity and HIV in Zambian prisons

The African prison remains understudied and poorly understood, particularly in relation to sexuality and HIV/AIDS. Based on a qualitative study (2011-13) this paper will attempt to shed light on how sexuality is part of the everyday reality in prisons.

Sexual relationships between men in Zambian prisons can generally be characterized transactional, and based on unequal power structures, fundamentally driven by poverty but also on reinterpretation/translation of gender roles in a homo-social environment. Sex is part of a struggle for social and physical survival. Prisoners deem it a 'system of sodomy', where those who enter it, cannot leave. This paper will examine an important aspect of sex in prisons, namely how it is understood and narrated in terms of masculinity and sexuality by prisoners in general and by those involved in it.



Kirsty Ellis
Sheffield/ UK

Obstacles and Opportunities for Abolitionism in England and Wales

This paper aims to provide a brief history of abolitionism and outline the place – if any – it currently occupies in contemporary Europe, with a central focus point of England and Wales. The paper then considers alternative community options, drawing lessons from the Maori natives of New Zealand and First Nations inhabitants in Canada.

The aim is to discover a common thread between countries with abolitionist tendencies, by examining different society's use of the same punitive strategy through mapping and coding moral values, attitudes and social norms.

The overarching objectives of abolitionism will be discussed such as a moratorium on prison building and community empowerment. The paper will propose a number of crimes suitable for decriminalisation and provide a discussion as to how and why Europe would go about implementing the argued strategy. Alongside this mass decriminalisation strategy there is a need to decarcerate those individuals imprisoned for now decriminalised acts. The paper will be concluded with the inevitable debate of how to deal with our most serious, serial and violent offenders.



Christina Ericson

The National Board of Health and Welfare/ Sweden

“Safety work with victims of partner violence whose partners are in treatment – Partner contact and risk assessment”

Victims of intimate partner violence are not always offered adequate safety planning and support while their partners receive voluntary treatment through the Swedish social services. I will present an ongoing project (commissioned by the Ministry of Health and Social Affairs, Sweden) to develop and test a feasible model for “partner contact” (a.k.a. “women’s safety workers”). This model will be linked to social service treatment programmes for abusive partners. The project is being conducted in collaboration with eight local council service providers. After submission of the final commission report in March 2015, a partner contact manual will be made available to all Swedish local council service providers.

The primary objective of partner contact is to promote victims’ and any dependent children’s safety. The victim is offered a contact person for the duration of the abusive partner’s treatment. The contact person meets or has telephone contact with the victim about five times in order to discuss questions related to their safety. A standardised risk assessment is conducted and provides a basis for these safety discussions. The victim also receives information about other help and support services available and their partner’s treatment.

In the presentation I will describe the project’s process so far, its design and potential success factors and risks.



Anna Eriksson
Monash University/ Australia

The bureaucracy of punishment and its de-humanizing consequences

The modern prison can arguably be viewed as a bureaucracy, reflected in hierarchical work structures, strict adherence to rules and technical procedures, and focus on task efficiency and effectiveness measured against Key Performance Indicators. However, bureaucracies, by their very nature, dehumanise, dealing instead with ‘objects’ removed from moral consideration. Max Weber purports that there are two central consequences of bureaucracy: firstly that they are incompatible with democracy, and secondly the tendency to develop secrecy. Moreover, as argued by Zygmunt Bauman, highly functioning bureaucracies erodes proximity between actions and consequences, which can have a devastating result for the ‘objects’ of its operation, since inhibitions against immoral behaviour do not act at a distance. However, the Nordic countries, with their centralised state and expansive welfare system are highly bureaucratic in their operation, and yet manages to produce institutions of punishment that are relatively humane and where ethical work practices are seen as core, raising questions around what other factors – cultural, social, political – might act as insulation against erosion of proximity inside and outside the prison walls. This paper will engage in a theoretical exploration of these themes and asks: what are the consequences for the objects at the core of the business of punishment, and are there ways in which the negative outcomes of bureaucratic management can be ameliorated, with moral and ethical considerations re-introduced as a principle of practice?



Giulia Fabini
University of Milan/ Italy

Making the critic stronger. A socio-legal perspective on immigration control mechanisms in Italy

A theoretical model aimed at investigating practical and theoretical consequences of the inextricable intertwining of the Italian immigration law with street-level police officers' discretionary decisions is here proposed. Police studies find it difficult to thread their way in Italy; yet, even where they are well developed, they generally focus just on practices and tend to put the law aside, thus failing, with a few exceptions, to inquiry the mechanisms of power behind those same police practices. I argue that a socio-legal perspective on police practices and rationalities would serve the purpose of investigating immigration control mechanisms through an “ascending analysis of power” (Foucault, 1997), thus from the micro to the macro level. Undocumented immigration control mechanisms in Italy are extremely complex, composed of several, strictly interconnected, elements: police officers, legislation (and its symbolic level), public opinion, mass media, courts, etc. Police officers are in a central position, since they make decisions at street-level (Lypsky, 1980), that is, at the first stage of immigration control. According to most police studies, police practices do not exclusively rest on legal guidelines; rather, both legal and extra-legal factors enter the decisions-making process at street-level (see Brooks 1993, Waddington 1999), which is why a socio-legal perspective is needed in order to deeply understand immigration law enforcement processes and the mechanisms of power subtending them. A deeper understanding of immigration control mechanisms is also needed in order to make the critic stronger: a more solid analysis will result from analyses which entail a socio-legal perspective than analyses which solely focus either on the normative elements or on the practices. This paper attempts to fill in this gap. Focus will be on law and police's mutual relationships, and on their implications at a legal, a political and an economic level.



Maritza Felices-Luna
University of Ottawa/ Canada

Becoming the Coloniser: Doing Critical Criminology in the Democratic Republic of Congo

As a Peruvian having been schooled in Canada and now working in a Canadian university I have always thought of my research and teaching as means of challenging what I perceive to be a primary ethnocentric and western view of the world. When I was given the opportunity to collaborate in an international project to develop a school of criminology at the University of Lubumbashi in the Democratic Republic of Congo, I thought it would allow me to “practice what I preach” and to work with local researchers and criminologists in an attempt to develop a “criminology from the south”. After four trips in five years, teaching a course, making three presentations and conducting two small research projects I found myself confused by the frustrations, incomprehension and dejection that I felt. Even though I was conscious of issues around power as well as cultural differences, I thought that as someone from the south we would be able to emphasise our commonalities instead of our differences. My good intentions and efforts to build a relationship were faced with masked resistance. I tried to find ways to address their resistance but it was only after reflecting on my experiences that I came to realise I had asked the wrong questions and that I should have focused on addressing: how do I negotiate my own interests and concerns with those of the local population? How do I use and teach research techniques (interviews, observations, analytical strategies...) that make sense and work within societies quite different from the ones in which they were developed? How can I establish “rapport” when there are so many social markers that emphasise distance and difference? How can I build a partnership based on collaboration and open communication when the medium of interaction (research and teaching – scientific knowledge production and dissemination) has been used as a tool of oppression and colonisation by West? Moreover, science as a form of knowledge has been produced by the West and imposed on the rest of the world who has overtime accepted and incorporated it. However, as a critical criminologist I challenge this particular way of doing science and therefore found myself attempting to persuade them to disregard what they thought science and knowledge was and to adopt an alternative way of doing science. By doing this I was not only devaluing the knowledge they had but I was putting myself in a position of the expert who was showing them how their way of doing science was perpetuating forms of oppression whereas I was suggesting a way of doing science that was “liberating” and “empowering”. By discussing the challenges I faced and the strategies I deployed to develop collaborative relationships with local researchers, students, criminologists and practitioners within the criminal justice system, this paper asks more questions than provides answers. It is in fact an invitation to reflect on how we can do critical criminological research in non-western countries without unknowingly becoming the coloniser.



Valeria Ferraris
Italy

Profiling: Definition and human rights infringements

Starting from the definition of human, organic and machine profiling given by Hildebrandt (Hildebrandt 2006; 2008), this paper focuses on machine profiling, by exploring its definition and the potential infringement of fundamental rights and moral values embedded within it.

This paper will firstly explore the issues surrounding the definition of profiling; the term itself is frequently used in ambiguous ways which morph its meaning and render it conceptually unattainable. In an effort to obtain a concrete understanding of the implications of the term profiling, the paper will provide an overview of the distinctive features of machine profiling (non-automated and autonomic profiling; personalised and group profiling; direct and indirect profiling).

In its second stage, the paper will tackle the risks that profiling can entail with regards to fundamental rights and basic moral values. This part of the analysis will focus on the security and criminal investigation domains.

This paper is drawn from the background studies conducted for a project named profiling that commenced in November 2012 (<http://profiling-project.eu>)



Ragnhild Feyling
Norway

Psychological survival of prisoners after release confronting moral panic

In their book *Wayward Icelanders* Helgi Gunnlaugsson and John F Gallihier describes fear of substance abuse and substance crime in Iceland leading to increase in incarcerations as a result of a moral panic like the one in Boston described by Erikson in *Wayward Puritans*. They explain this by inner instability threatened by great changes in the social structure and outer borders threatened by tourism, resulting in finding a new social cohesion in a war on drugs. I interviewed a substance abuser in Iceland released from prison in the period described by Gunnlaugsson and Gallihier. When released he was convinced that he had no future in Icelandic society.

Stanley Cohens works informs us on both the perspective of the prisoners and of society: In *Psychological survival* how long term prisoners constructed meaning in their lives in harsh surrounding in prison. In *Folk Devils and Moral Panics* following the perspective in *Wayward Puritans*³, describing deviants as created by society as part of social control. If there is “a need” for deviants in society, what then about the release from prison of these persons targeted as folk devils and what about their integration as ordinary citizens?

Can we see in decisions about whether granting gradual liberty and prerelease, that prison authorities pays respect to public sentiment? And what about the difference for prisoners between being released to shame or to honor (like some political prisoners)? And does this seem to make a difference when it comes to effects of imprisonment? And finally, is there a need for a *symbolic universe* (Berger and Luckmann, *The social construction of reality*) not only for the prisoners meaning making while in prison, but for their inclusion into society after release?

³ This he states explicitly himself (Cohen 1987, s 15).



Samantha Fletcher
Staffordshire University/ UK

Critical criminology Vs. Capitalist Realism: Seeking extraordinary transformations in consciousness

Using post-2011 global protest movements as a vehicle for discussion this paper will identify and explore a series of challenges for critical criminologist activists. The paper will draw upon the emerging literature regarding various activist activities post 2011, which can be broadly captured under the anti-capitalist banner, alongside a series of qualitative interviews conducted with activists associated with the Occupy movement. The paper will focus on exploring the gauntlet of challenges that face contemporary critical criminologist activists today particularly in terms of activities that seek to facilitate extraordinary transformations in consciousness. The issues brought forward for discussion will include 'new' and extended forms of pacification and silencing, the 'virtual' arm of the state and the varied and ever changing apparatus of state power that hinders efforts seeking the actualisation alternative futures to capitalism.



Luca Follis

Lancaster University/ UK

Power, Crime and Justice: Probing the Legitimacy of Criminal Law

The ongoing global economic crisis has brought into sharp relief the complex transnational character of financial trading and speculation. Indeed, intricate financial instruments, elaborate global transaction trails as well as diffuse networks of risk and responsibility confound criminal law's capacity to address basic questions of malfeasance and fair-play. Even as the material and symbolic costs of the crisis continue to deepen, academics, policy analysts and business leaders remain divided on what structural reforms will avert another crisis or prevent the current one from worsening. Yet less attention has been paid to the legitimacy deficit that regulatory incapacity has introduced into the realm of criminal justice. Drawing upon criminological theory and research, this talk outlines key barriers to fiscal accountability from a legal perspective and suggests normative starting points for resituating the place of criminal law in the debate.



Alejandro Forero
University of Barcelona/ Spain

For a policy of harm reduction: against criminology

The paper seeks to formulate what we might call a "policy of harm reduction" from an epistemological critique of criminology.

For this critique, which seeks to generate more useful tools to face the great processes of suffering there will be used the following analytical framework: first, the proposed extension of the subject and the treatment of the processes of harm formulated by the social harm approach (eg. P. Hillyard *et al* 2004, D. Dorling *et al*, 2008), and, secondly, the elaboration in Stan Cohen's *Against Criminology* (1988) of the notion of repressive tolerance, to project a proactive formulation that seeks to break the limits of knowledge (many unreal) as reactivation of political resistance.

From this analytical framework, therefore, we must understand as starting point that all criminological or sociological analysis are political, and should have a very clear purpose: the reduction of suffering.

From that point on, we will discuss several ideas (some of them very crucial for Latin America): 1 - The importance of crime control models (Cohen 1982, 1985, 1991, 1993, 1995) 2 - Crimes of State and the sociology of denial (especially its central book: *States of Denial*, 2001) 3 - the limits of criminology: the ethical-political horizon of critical criminology or the need to go beyond it (social harm perspective)

Key Words: criminology, social harm approach, epistemological debate, mass crimes.



Liv Stoltze Gaborit
University of Copenhagen/ Denmark

Subjectification in Filipino jails

This paper will discuss the processes of subjectification in Filipino jails. The discussion is based on data from participatory observation of the work of a local NGO in the Philippines and interviews with their clients within the jails.

In studies of subjectification, it is often emphasised that the subject has a choice; the subject can either take on or reject the subject position offered. This paper will address what happens when subjectification is not offered but is forced upon the subject. Can the subject maintain opposition to the subjectification? And how does the opposition affect the subjectification process and the subject? These questions will be explored by studying the subject positions offered, resisted and adopted by three groups of inmates: the innocent, the Muslims and the communists.

It is characteristic for the group who claim to be innocent that they search for meaning and have difficulties handling the subjectification as inmates. For some, the subjectification as inmates pose a risk of becoming not only inmates, but even criminals, because they take on the subject position as inmates with all it implies. Contrary, the Muslims focus on opposing the subjectification as terrorists and this makes the subjectification as inmates become less problematic for them, and prevent them from taking on the subject position as criminals, even if they are also innocent. A third strategy is seen among the communists who continue their struggle inside the jail by occupying positions of leadership within the jail. While they are enemies of the state, they become perfect inmates and play by the rules, thus even playing the system inside the jail.

This paper will explore how subjectification processes unfolds in numerous ways among these different groups and how they handle the forced subjectification in the unequal power structure of imprisonment.



Andre Ribeiro Giamberardino
University of Paraná/ Brazil

“I just wanna justice to be done”:

The unexplored potential of restorative justice and the possibilities of social control without pain from what murder victims in Curitiba/Brazil have to say

The analysis of 483 interviews conducted by a psychologist and a social worker between 2007 and 2012 with defendants, victims or their families in cases of homicide that occurred in the city of Curitiba (Brazil) supports the critical reinterpretation of the traditional concepts of harm and formal social control with the needs of victims as starting point. Among the 250 interviews which effectively heard the victim or his family, in only 52 was shown an explicit purpose of imposing suffering on the offender. In 61 cases, it was clearly expressed a *non-punitive* approach and 67 of them spoke only on the consequences of the crime, despite the question that was asked about what to expect from the trial. Finally, in 70 cases victims expressed their wish of some kind of censure in the form of phrases like "I just wanna justice" which means primarily a yearning for censorship, not necessarily punishment, through the restoration of trust and the public recognition of their suffering and that what happened was wrong. Without returning to an etiologic perspective on crime and aware of the risk of *net widening* (S. Cohen), it seems possible to delegitimize prison as our main penalty through forms of social control that permit the production of censure through restorative justice practices, shifting the focus from the state to those effectively involved in the conflict (Christie; Hulsman). The greatest challenge in Brazil to implement restorative practices appear to be, on the one hand, the need to take into account the great social inequality - we need in this sense a “transformative justice” (A. Woolford) - and, secondly, the importance of guaranteeing individual rights facing a State whose agents often act outside the law. The institutionalization of restorative justice and penal mediation in this context is an open question to be debated in the coming decades.



Lieve Gies
University of Leicester/ UK

After human rights: Some reflections on loss, retreat and (possible) reinvention in the margins of the UK's beleaguered Human Rights Act

Do critical criminologists believe that human rights still have emancipatory value? This question is inspired by my research on the UK's Human Rights Act (HRA), a piece of legislation introduced by a triumphant Labour government when it regained power in 1997 after 18 years of opposition. The HRA was heralded as a new dawn which would engender a 'human rights culture' and place human rights values at the heart of public life. Instead, critics argue, there has been an unprecedented assault on civil liberties during the first decade of the HRA in the name of security. Human rights are meant to protect citizens' rights during times of crisis and emergency; however, according to critics, the HRA failed at the first hurdle thrown up by the war on terror instituting a regime of excessive surveillance, indefinite detention and torture.

Sections of the British press, feeling threatened by the impact of the HRA on privacy law, have engulfed the Act with cynicism, attacking it for being a 'villains' charter' protecting 'unworthy' groups (criminals, asylum-seekers, immigrants, and so forth) at the expense of law-abiding citizens. Anti-European sentiments have also tainted the image of HRA which is closely entwined with the European Convention of Human Rights (ECHR): the right-leaning press and politicians are increasingly mobilizing against a perceived interference with domestic laws by 'foreign' judges residing in Strasbourg.

Thirteen years after the HRA came into force, the Conservatives in the UK have openly stated their intention to repeal the Act-something that was once deemed inconceivable by constitutional experts- and if necessary cancel Britain's membership of the ECHR itself, a treaty championed by none other than Winston Churchill after the Second World War. Human rights advocates fear that such a move would undermine the UK's moral authority on human rights around the world.

Should we mourn the demise of human rights if there were to be a repeal of the HRA and a British retreat from the ECHR? Or would it once and for all expose the hypocrisy of Western governments preaching human rights values in countries that do not conform to their neo-liberal ideals whilst rejecting the same values at home? Is there anything that could replace human rights and reclaim their emancipatory potential? What kind of imaginary would we need to reinvent the ideals of equality and social justice that once made human rights the 'secular religion' of our time?



Faith Gordon

Queen's University Belfast/ Northern Ireland

**Applicability of Cohen's Theorisation in a Society in Transition:
A Northern Ireland Case Study of Contemporary 'Folk Devils'**

Cohen's work in the early 1970s was seminal in highlighting the role the media has played in influencing society's negative perception of children and young people in conflict with the law. The Ph.D. study on which this paper is based, considered the role of the media in constructing negative images of children and young people, in particular those in conflict with the law. Located in the early months of devolved policing and justice in Northern Ireland, the research examined the U.K. Government's legacy regarding 'criminal' and 'anti-social behaviour' of children and young people. Drawing on Cohen's (1972) conceptualisation of 'folk devils' and 'moral panics', this paper explores the impact of labelling and demonisation on children and young people who are framed as contemporary 'folk devils' in Northern Ireland. It considers the significance of negative media representation in the construction of popular discourse and political debate regarding the regulation and disciplining of children and young people. The paper also considers the implications for children and young people labelled and policed, formally and informally, as contemporary 'folk devils'. It concludes by arguing that Cohen's theorisation of 'moral panics' retains analytical relevance and provides a framework for understanding the complex dynamics of a society in transition. As Simpson (1997: 15) states, 'unless this is done we face the prospect of living in a society where the marginalisation of youth continues to produce the devils we fear'.

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David Rodríguez Goyes
Antonio Nariño University/ Colombia

Dimensions of conflict and punishment, an analysis of the acid attacks towards women in Colombia.

In the year of 2012, at least four attacks with nitric acid towards women were reported on the news in Colombia. Moreover, since 2009, total amounts of 16 acid attacks have been reported in Bogotá. Motives behind those attacks shown on police reports as well as on news reports, ranges from robbery intents to attacks from jealous partners. This phenomenon caught the attention of the media, of politicians and, of some feminist groups, since it has been read as gender violence. Therefore, different kinds of social and political action was aroused from those crimes.

In this paper, I intend to show, based on those events, the complexity of conflict and punishment, specifically in what deals with “gender”. I plan to engage in a discussion about different valid theoretical perspectives from which gender studies and feminist perspectives propose to build criminal policy (I will occupy only of what deals with *difference feminism, equality feminism, deconstructing feminism* and *gender perspective*). Therefore, I intend to get involved in such a theoretical discussion, departing from the reality of acid attacks towards women in Colombia. The idea is to show:

- a. What advantages and disadvantages some representative theoretical approaches offers to the specific case of acid attacks.
- b. Propose a further discussion of how an ideal criminal policy seems to go against the desires of individuals who have suffered those attacks.
- c. Tackle, at the end, the question of: “how this specific challenge should be met by criminology”?

In order to accomplish such goals I will start by reviewing some examples of acid attacks in Colombia (not limiting to those in which the victim was a woman); following, I will expose the main ideas of the named theoretical branches of feminism and I will categorize them in criminological terms; later I will present my reading of this phenomenon and it’s theoretical possibilities, in order to conclude by showing how complex this phenomenon is.



Allison Gray and Ronald Hinch
University of Ontario Institute of Technology/ Canada

Food Crime: An Exploration in the Creation and Enforcement of Food Law

This paper will explore the potential for further development the emerging area of food crime. First discussed by Hazel Croall, food crime as an area of interest within criminology has begun to produce significant findings with respect to understanding how laws regulating food production, processing, marketing, and safety have been created and enforced. These findings suggest that the law is often create and enforced within a context that favours corporate agribusiness at the expense of smaller producers, food safety and nutrition. This paper will explore specific examples of the way the laws governing food production, processing, and safety compromise the environment, animal care, and consumer safety to serve corporate interests.



Paul Gray
Manchester Metropolitan University/ UK

The role of unresolved trauma in the self-harming behaviour of young people in custody

The report, *Fatally Flawed*, published last year by the Prison Reform Trust and INQUEST highlighted the prevalence of trauma in the lives of many of those young people who have died in custody over the last decade. Drawing heavily on the work of Gwyneth Boswell, this paper uses the life histories of a sample of young offenders to investigate the role that unresolved trauma plays in the self-harming behaviour of young people in custody. The paper argues that the very nature of custody itself exacerbates the feelings that many of those young people who have lived through trauma may be experiencing, and as such, simply compounds those young people's self-destructive behaviour.



Bailey Guminny and Ronald Hinch
University of Ontario Institute of Technology/ Canada

Teen Serial Killers

This paper will review what is known about teenage serial killers, comparing them to other serial killers.

While there are studies of adult male serial killers, female serial killers, serial killers with military histories, and numerous other studies of specific types of serial killers, there have been no studies to date focusing on teenage serial killers. It is our intent in this paper to review the case histories of known teen serial killers focusing on such issues as family backgrounds, involvement in deviant or criminal activity prior to becoming killers, mental health histories, type of people targeted for killing, methods of killing, and probable motives for killing. Our data sample for this project are known serial killers from the United States and Canada who were active killers during the period 1970 to 2005. This time period was chosen in order to increase the reliability of data and to ensure that no cases were still before the courts. The data are taken from published accounts of teen serial killers including accounts published in the true crime literature and the news media. True crime literature, such as Newton's Encyclopedia of Serial Murder, was used to identify named teen killers and Lexis-Nexis was used to locate news media accounts of the named killers in hope of uncovering as much information as possible about these killers. The intent of the paper is to illustrate similarities and differences between teen serial killers and other types of serial killers.



Helene I. Gundhus

Norwegian Police University College/ Norway

Transnational policing inside the national – police professionalism revisited

Based on an idea that transnational police co-operation needs to be understood not only from a top-down perspective, but also through bottom-up insight, this paper examines national and local contexts which enhance or slow down police professionalism. It will particularly focus on how to think about police professionalism within the framework of increased global north – south divides. In the paper globalization is conceptualized as something taking place *inside* the national, rather than just over it. Daily work in police practices, connected to different ‘global’ crime problems such as mobile offenders and policing non-citizens, require particular methods, co-operations and procedures in order to succeed. However, most studies of police professionalism are based on the presupposition of physical and cultural proximity to the public. International police co-operation, on the other hand, can be described as a form of policing-at-a-distance. In line with the conference aim to discuss challenges with studying social control in a changing world, this paper will particularly reflect on how Norwegian police attempts to cope with the global north – south division. Several Norwegian policy documents have in recent years highlighted the need to develop and adopt novel approaches, the need for which is raised by the growing transnational interconnections. In line with this the paper aims to think about the limits and possibilities to think critically about police professionalism in periods where internationalization is framing the everyday tasks.

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Ines Hasselberg
University of Oxford/ UK

After Detention: discipline and punishment in conditions of bail from detention in the UK

Drawing on ethnographic fieldwork conducted in London among foreign-national offenders facing deportation from the UK, this paper seeks to examine how migrants experience and understand state policies of control. Worldwide, migrants are increasingly subjected to forms of state surveillance, not just when crossing the border but also during their stay within a given state's territory. Detention centers, weekly or monthly reporting requirements, and electronic monitoring are already common migrant surveillance strategies allied to deportation policies in many countries across the globe. These forms of state control are conceived legally as administrative practices necessary to control migrants whose status is still being adjudicated and to enforce the removal of unwanted migrants. This means that they are not inflicted through a judicial process, even though these same practices are used within the context of punishment in penal supervision and incarceration. In fact, the lived experience of migrant deportability and associated state surveillance highlights the punitive and coercive effect of detention and related conditions of bail. Ironically, but perhaps not unintentionally, those who are deemed a risk and subjected to surveillance and banishment are therefore constantly feeling vulnerable and in need of protection. Because they don't consider themselves a risk to society, they understand surveillance over them not as a measure of control, but rather as punishment for wanting to stay – it is in their eyes, a technique designed to coerce them to leave. And yet, as this paper discusses, an examination of the experiences of detention and bail reveals how such forms of surveillance also work to discipline deportable migrants.



Patrick Hebberecht
Ghent University/ Belgium

The congress of the populist radical right ‘Flemish Block’ of 1993 on hard repression of crime. Twenty years later.

The populist radical right party ‘Flemish Block’ was founded in 1978. This new party had in the first place a radical nationalist political agenda, the independence of Flanders from Belgium. In the beginning of the 80s, their political campaigns were oriented on new themes as immigration and criminality and culminated in its breakthrough vote in the 1991 federal elections.

In April 2004, an appeal court ruled the party as racist .The ruling was confirmed by the Belgian High Court. The leaders of the party seized the occasion to dissolve the party and start afresh under a new name ‘Flemish Interest’ party, which enjoyed a massive increase of votes by the next elections. Only recently their popularity is decreasing.

The ‘Flemish Block’ organized in 1992 a congress on immigration which formed the basis of their Program in 70 points to combat immigration. In 1993 they organized a congress on their second central electoral theme, crime and insecurity. In this contribution we are comparing the analysis of crime and insecurity and the proposals for a hard repression of crime discussed during the congress of the ‘Flemish Block’ in 1993 with the analysis and proposals of the ‘Flemish Interest’ twenty years later. The recent period (2010-2013) is analyzed on the basis of the electoral programs of the federal elections (2010) and municipal elections (2012) and of the draft penal laws of their representatives in the Federal Parliament (2010-2013). The influence of their analyses and proposals on the criminal policy in Belgium is indicated. The political ideological meaning of their analyses of crime and insecurity and of their proposals of a hard repression is showed.



Joanna Hill
University College London/ UK

A working typology of poaching and the potential utility of computer simulation modelling

Wildlife poaching, defined as the illegal extraction of wildlife, is a serious and growing problem in developing countries. Different approaches to the problem exist, but one common strategy is to identify those locations at which poaching appears to be most likely so that rangers can be deployed to them to either prevent or detect poaching activity. Alternatively, community-based approaches aim to prevent poaching by providing alternative livelihoods to local communities. Evidence suggests both approaches can be highly effective in many cases. Nevertheless, failure to recognise the different typologies of poaching, each with its own set of drivers, motivations and methods, may lead to the adoption of anti-poaching policies that may be ineffective or even unintentionally detrimental to wildlife and local people. Computer simulation modelling is currently gaining traction in the social sciences, and is particularly relevant here. It enables practitioners to assess the viability of a proposed policy, and provide insight into the contexts within which it might be successful and those in which it might (for example) backfire; all within an artificial environment. This paper will firstly outline a working typology of poaching based upon ongoing fieldwork in Uganda as a case study. The utility of simulation modelling for the purposes of developing more holistic methods to reducing these different kinds of poaching will then be discussed.



Anette Bringedal Houge
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Perpetrators of sexualized war violence: a cross-conflict qualitative analysis

Most research on sexualized war violence focus exclusively on the experiences of victims. To the extent perpetrators' experiences are included, they tend to be based on theoretical assumptions deduced from victims and witnesses' accounts. To the degree that criminologists have dealt with sexualized conflict violence, our discipline is no exemption. Effective measures against wartime sexual violence depend on knowledge about the experiences of perpetrators, as it is against potential perpetrators preventive measures must be addressed. The purpose of my research is to generate knowledge on perpetrators of sexual war violence: Why do soldier perpetrators of sexualized war violence opt for this particular form of violence? What are the similarities and differences between individual perpetrators' respective explanations within and across conflicts?

I will focus in on three conflicts; the occupation in Iraq with special emphasis on US troops' maltreatment and torture of prisoners in the Abu Ghraib detention center; Rwanda, with emphasis on cases before the ICTR and potentially also before gacaca-tribunals; and Indonesian troops' sexualized violence directed against Timorese civilians, especially during the increased intensity of the conflict around 1999.

Being at a relatively early stage in the research process I would very much appreciate feedback and comments from experienced peers, especially related to methodological concerns and the development of my theoretical framework.



Magnus Hörnquist
Stockholm University/ Sweden

Pleasure, punishment and the professional middle class

Magnus Hörnqvist will provide an innovative analysis of why middle class professionals work in penal bureaucracies. He will carefully consider how the professional middle class constitutes itself as a class in and through the desires, fears and fantasies played out within the institutional domain of the prison. Drawing upon the insights of Pierre Bourdieu and Jacques Lacan, and utilising a number of examples from Swedish prisons, Magnus Hörnqvist reveals that not only are prisons places of ‘pacification’ facilitating social order and suppressing fear, but also represent/create a unique environment facilitating engagement in both the pleasures and fantasies of violence *and* mundane humanitarian interventions all done, of course, for the higher interests of the state.



Hilde Jackobsen
University of Bergen/ Norway

The Criminology of Humanitarianism: A new Research Agenda

Sexual and gender-based violence (SGBV) in humanitarian contexts in Africa has gained increasing attention in the international community. This paper takes a closer look at the forms, consequences and implications of this attention in light of critical criminological theory on gender and violence. The case study of SGBV in Africa is used to illustrate two points. First, to show that there is clearly a place for critical criminology in humanitarian studies, and for humanitarian contexts in criminology. Secondly, it explores some of the epistemological and ethical issues that critical criminology faces in relating to humanitarian contexts. The paper argues that making criminological sense of social phenomena in the Global South is both more complex and more simple than stances such as ‘post-colonial’ or ‘Southern Theory’ assume.



Andrew Jefferson

DIGNITY – Danish Institute Against Torture/ Denmark

Facts and fantasies: prisoner and prison staff perspectives on rules in the Philippines

‘Working to rule’ is a well-established form of resistance engaged in by workers to protest exploitation. It works because no organisation or institution can function optimally if only the letter of the law is followed. The withdrawal of goodwill excises the spirit and threatens the functioning of any organisation. It is well known that penal institutions depend on the co-operation of those at the sharp end of punitive practices, and that the operation of the penal machine depends on the acquiescence or simply ‘dull compulsion’ of the incarcerated. Prisons are thus institutions characterised by uneasy compromise and accommodation. Yet simultaneously they are heavily rule-governed – from the height of universal (but soft) human rights legislation and minimum standards to the minutiae of standing orders and procedural rules governing individual behaviour and conduct. This paper draws on material from a practice research project in the Philippines to illuminate the actual and imagined role of rules in the lives of prison staff fighting to maintain a semblance of stability, and in the lives of political detainees struggling to cope with the loss and melancholia that characterises their experience of confinement in a prison of around 13000 inmates. Local facts and fantasies about rules will be juxtaposed with rule-oriented reform discourses with a view to reality testing the ambitions of the latter.



Nicolay B. Johansen
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Governing the funnel of expulsion: Agamben, the dynamics of force, and minimalist biopolitics

In this paper it is argued that expulsion of refused asylum seekers must be seen as a distinct field of politics which is termed “the funnel of expulsion”. Through a concerted effort from institutions in different political areas, refused asylum seekers are denied access to most arenas to find necessities of life: food, clothes, medicines, money. Deprived of means for sustenance, the objects of control are manipulated to return to their country of origin, or at least leave the territory. They are forced out inasmuch they can be fixed in their situation and loopholes are plugged. This is the mechanism in the funnel of expulsion. But there is more to these politics than destitution. They are not completely “abandoned”, as homo sacer, in the terms of Agamben. Rather, it is claimed that the politics of expulsion is understood as a form of “minimalist biopolitics”.



Berit Johnsen

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Being a prison officer: The body in prison officer work

The purpose of this paper is to discuss the meaning of the body in prison officer work. In the privileged position of turning the perception of prison officer work from a craft to a (semi)-profession, a needed step is to translate “doing” into language and concepts. In a study of prison officers we have approach this translation-process by focusing on the body and embodied knowledge. Our approach is guided by the work of Maurice Merleau-Ponty and Pierre Bourdieu, where the concepts of “perception”, “habitus” and “symbolic capital” are central. This means that the body is of importance in the everyday activities of the prison officers, not only in situations where the use of physical forced is needed.



Robert Jones
Cardiff University/ UK

'Apathy isn't it': Penal Activism and Devolution in Wales

Critical Criminology, Wales and Devolution will critically discuss the role that criminology has to play in informing the nature and trajectory of debates around criminal justice in Wales. In particular, within the context of a UK government led commission on devolution in Wales (Silk Commission), the paper aims to consider the extent to which critical criminology can influence and inform debates around the transfer of responsibility for justice and penal policy from the UK Government to the National Assembly for Wales.

In building upon the authors previous work (in press), the paper draws attention to the dominance of an anglicised criminology whilst stressing the importance of expanding the criminological imaginary in Wales to help consider and understand the social changes and challenges which face people in Wales. This includes the problems being presented to Wales through the UK government's revived punitive rhetoric on crime and justice. In terms of penal policy, specific attention will be drawn to the potentially disproportionate effects presented to Wales through UK Government proposals to revitalise plans to construct a new 'super prison' and the development of 'mini prisons' (known as 'house blocks') within the grounds of four existing prison establishments.

To date, criminology in Wales has failed to provide any attempt to consider what effects or changes might be brought about by the devolution of justice powers to Wales. Within the context of Westminster justice policy, the paper aims to assess the role that critical criminology in Wales might play in helping Wales to resist punitive penal policy and to promote anti-penal activism as an attempt to subvert the architects of penal expansionism in Westminster.



Aleksandra Jordanoska

Queen Mary University of London/ UK

Policing by Financial Regulators: the Social Construction of Financial Crime

This paper ties regulation theory with criminological scholarship to address the contentious role of financial services regulators in tackling financial crime. It focuses on the issue of *policing* financial crime by the essentially *non-police* UK regulator of the financial services industry - the Financial Conduct Authority (FCA). The FCA is a non-governmental ‘super-regulator’ with wide supervisory jurisdiction and extensive investigative and enforcement powers. It is also a hybrid regulator that can choose in discretion whether to instigate criminal action, regulatory or civil action against offenders.

The paper draws upon data gathered from analysis of regulatory enforcement decisions, observations of in-house administrative practices and in-depth interviews with regulators, regulatory lawyers and police officers to address FCA’s practices and decision-making ‘on the ground’. The paper will elaborate on the themes that have hitherto emerged:

- 1) The financial crisis, connected bank failures and the criticized ‘light-touch’ regulation approach in enforcement have prompted the FCA to adopt the more intrusive ‘credible deterrence’ strategy accompanied by increased regulatory penalties, consumer redress activities and criminal prosecutions. The paper explores in depth the ways in which (and whether) these policy changes have been translated into both investigative practices and enforcement outcomes.
- 2) In a substantial number of fraud cases, FCA’s regulatory activity was the only legal response due to the dominant focus of the traditional criminal justice agencies on the risks of ‘street crime’. For example, the criminal justice response to the LIBOR scandal was provoked only after FCA’s regulatory penalties against some of the banks.

The paper analyses these findings through a social constructivist approach. It argues that misconduct and crime in the financial services sector are shaped and produced partly through regulators’ institutional priorities and decision-making. To understand financial crime we must understand the factors and context that give rise to regulatory priorities, as well as the levels of involvement of various, often powerful, stakeholders in the regulatory enforcement process. This is especially relevant in the light of the increasing importance of non-state agencies in both financial governance and in shaping criminal justice policy.



Maria Lucia P. Karam

Institute of Criminology of Rio de Janeiro/ Brazil

Challenging punishment in order to make human rights effective

Punitive laws and practices have always been a critical barrier to the full realization of individuals' fundamental rights. The contemporary global expansion of the power of punishment deepens this barrier to the point that crime-control laws and policies within democratic States are increasingly disconnected from basic human rights norms and dangerously weakening the idea of democracy itself. While maintaining the formal structures of the democratic state, the police state surviving within it is being reinforced. Increased intervention of the criminal justice system—the key mechanism for controlling the marginalized and the poor—has become the advertised solution for all problems. Throughout the world politicians of the most varied political slants present the criminal justice system, not only as an easy—but certainly false—response to individual anxieties about security, but also as an alleged—but obviously unfeasible—instrument of social transformation or emancipation of the oppressed. A significant proportion of human rights movements paradoxically embrace punishment, extracting supposed criminalizing obligations from a distorted reading of the international declarations of human rights and democratic constitutions. The criminal justice system, which only acts negatively and always causes violence, selectivity, harm, and pain, is contradictorily presented as an instrument of positive action, “protection”, or a means for the realization of rights. In such a context, it is urgent to create awareness that the criminal justice system leads to much more serious and painful situations than the conflicts called crimes, which it misleadingly purports to resolve. It is urgent to challenge all trends that support the violent and harmful power given to States to punish and deprive people of their liberty. It is urgent to create awareness of the necessity to abolish the criminal justice system in order to make individuals' fundamental human rights truly effective.



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Vasileios Karydis
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Greece in crisis: Society, racial violence and politics



Nilay Kavur
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The role(s) of prisons for uncentenced prisoners

Being the most severe form of punishment in most countries, today, imprisonment is even used synonymously with punishment and yet, in certain periods and certain states, defendants on remand occupy a considerable space in prisons. 91% of all young prisoners in Turkey are not sentenced to imprisonment but are held on remand. At the same time, specific groups of people such as newspaper reporters, some retired military members, student protesters and youth who are in conflict with the police as a result of the Kurdish-Turkish tension are remanded to custody besides the defendants accused of various offences. Although, the situation of these different groups of defendants should be illuminated by different explanations, the growing importance of these remand populations leads to the question: 'is this the best way for the government to manage certain groups of people in the justice system? The growing tendency to incarcerate defendants suggests the need for research into the roles of the prison for unsentenced prisoners.

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So, this paper examines the prominent theories on punishment and imprisonment and discusses the role(s) of the prison, as required by the State, for different groups of defendants on remand. It is argued that, while the concept of 'disciplinary power' introduced by Foucault provides an explanation to the governance of some prisoners, 'sovereign power' and 'biopower' from the viewpoint of Agamben opens up a fruitful basis to discuss the situation of other groups of prisoners. Moreover, regardless of the role(s) of the prison for the defendants on remand, this paper argues that the use of imprisonment for defendants should be replaced with alternative mechanisms. So, possible alternative models for different groups of defendants are also discussed.



Jacqueline Kerr
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Women's resettlement in Northern Ireland: An unsettling experience?

This paper draws on primary qualitative research on women's resettlement experiences in Northern Ireland and presents findings from a 3 year PhD study.

Recently the adoption of gender responsive measures within criminal justice policy and practice has been accompanied by a growth in the incarceration of socially disadvantaged women. Given the ever burgeoning female prison population, more women are being released into the same gendered spaces of severe economic marginalisation and social exclusion which prompted their contact with the law. As prison exacerbates women's complex, unmet needs the lack of support beyond the prison gates and the conditions of neo-liberalism results in a high proportion returning to prison, often repeatedly for minor crimes.

In Northern Ireland women comprise approximately 3% of the prison population. Women exiting prison share histories of severe disadvantage in relation to housing, employment, income, education, training, mental and physical health. Most are serving short sentences, often for non-payment of fines. Despite the 1998 Good Friday/Belfast Agreement, violence and conflict persist, particularly in those communities most vulnerable to severe economic deprivation. Research conducted for the Northern Ireland Prison Service in 2004 found that a high proportion of women in prison felt unsafe in their communities prior to being imprisoned. A higher proportion reported that they would feel unsafe following release. Of late, the introduction of gender specific policies, a gender specific strategy for women prisoners and the introduction of the probation lead Inspire Women's Project marked an acknowledgement of women's penalty by the Department of Justice.

Framed within a Northern Ireland milieu, this paper will demonstrate the correlation between the implementation of a gender responsive framework and the increasing criminalisation and imprisonment of women. Presented through the voices of women in the criminal justice system and the practitioners delivering the services and provision, this work reveals the post release realities for women exiting prison.



Katrin Kremmel
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Frames of justice: the case of the refugee protest movement in Vienna

A growing European movement of migrant struggles contests authoritarian border regimes and the migration policies of the European Union and its member states through a rise of political protests throughout European countries. While many non-European countries are devastated with war, military aggression, social backwardness and poverty because of European colonialist politics, Europe is not currently able to address the backlash of the movement of refugees and asylum seekers, and fails to equally respect the human rights discourse at home and abroad. This paper will analyse the case of the refugee camp in Vienna and their ongoing protest movement in the framework of critical theorist, Nancy Fraser's three dimensional political theory of justice, which includes the elements of redistribution (the 'what' of justice), recognition (the 'who' of justice), and (political) representation (the 'how' of justice). We will argue through the case of the refugee camp in Vienna that all the dimensions are crucial for framing questions on justice.

We will also make recourse to the concept of 'counterpublics', which as defined by Fraser provide parallel discursive arenas where members of subordinated social groups create and circulate their coherent, sustained, and collective counter discourses and counter narratives based on oppositional identities, interests, and needs, creating a space and a means to exercise their voices, to challenge assumptions, and to contest the *status quo*.

We will challenge the concept of identity politics by focusing on a politics that is based on a trans-identity alliance, on a commonality of difference, based on elements like precariousness, or resistance to otherness. At the same time, we will offer insights about the process of constituting, being constituted as, and resisting constitution as 'the other', and also the interconnection between 'otherness' as an abstract theoretical concept and 'otherness' as lived experience.

Finally, we will focus on issues of framing/misframing (self-framing, media framing, framing from politicians). The tensions between different discourses will be pointed out, whereby for the state it becomes a matter of criminality and dealing with order, for the refugees it is a matter of social and political (in)justice. Frames, as Judith Butler points out, are operations of power that occur on an ontological, epistemological and ethical level. They regulate the affective and ethical dispositions through which phenomena are not only understood but also constituted. Frames also matter on the level of who and what gets recognised as a subject, as part of a broader understanding of humanity, or as a life form worth protecting. When questions of justice are framed in a way that excludes some from consideration, the consequence is a special kind of meta-injustice, in which one is denied the chance to press first-order justice claims in a given political community. Similar to the loss of what Hannah Arendt called 'the right to have rights', that sort of misframing is a kind a 'political death'. Those who suffer it become non-persons with respect to justice. We will argue along with Fraser and Butler, that processes of misframing have become the defining injustice(s) of a rapidly globalising age, which are carried out as day-to-day operations on a discursive level.



Sarah Lamble
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**“It’s so complicated”:
Considering the challenges and possibilities of non-state / community
based responses to gendered, racialised and sexual violence**

Due to longstanding and persistent failures within criminal justice systems in Western liberal democracies, ‘alternative’ forms of justice have gained considerable interest among community groups, policy makers and state officials. Much of the analysis of alternatives, however, has focussed on formal state policies and practices that seek to integrate ‘restorative justice’ approaches within existing criminal justice systems (such as Victim Offender Mediation, Family Group Conferencing and Sentencing Circles). Less attention has been devoted approaches that operate independently from the state. Yet non-state / community-based models of ‘transformative’ justice are (re)gaining currency in many contexts, particularly in communities where reliance on police and prisons is seen as ineffective, risky or dangerous. Within these contexts, a growing number of grassroots feminist, queer, antiracist and anti-prison community groups are developing new models for responding to gendered, racialised and sexual violence that do not rely on prisons or police. These models seek to move away from punitive state practices and instead develop community-based safety and accountability protocols, which prioritise victim safety, offer pathways for collective responsibility, and attend to structural and systemic factors that contribute to violence. On the one hand, these models are based on principles and protocols that radically challenge conventional assumptions about ‘justice’ and offer greater space for healing and transformative change. On the other, these models are complicated and challenging to adopt in practice. Drawing on interviews with community-based organisers who are engaged in such work in the USA and Canada, this paper considers both the challenges and possibilities of such community justice models, and their potential use within European contexts.



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Brazilian Graffiti Writers and Pixadores subculture: visual resistance at urban space

This paper points out the process of rupture in Brazilian graffiti writer's subculture into at least three different groups – *pichadores*, *pixadores* and *grafiteiros*, by considering the hypothesis that this breakup happened in two different, though complementary levels. The first one is the commodification and co-optation of graffiti by successive media campaigns and by the state through the penal control. The second stage could be considered as a side effect of the first one and consists of a new form of resistance, or the emergence of a subculture within another subculture: the *pixação* movement.

By exploring the history of graffiti problems in Brazil, not only as successive chain of events, but as a dual process within the opposition of contradictory strains – commodification and criminalization – this paper discusses how these tensions have contributed for the advent of a new form of political resistance through actions defined by *pixadores* as 'acts of attack'. Instead of merely writing or *tagging* their signatures and messages in the walls of the city, their aim is to claim the attention for the right of use of the urban space and to contest the extremely importance that property has in the late modernity context.

Considering that the subject of research has an intrinsic multidisciplinary approach, which comprises a diversity of issues such as art value, crime, resistance, legal control, deviance and its cultural constructions and social interactions, the theoretical framework is developed in the field of cultural criminology and its evocated style and subcultural theories.

Key words: Brazilian graffiti, *pixação*, criminalization, commodification and resistance.



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Social Skills Training and Social Exclusion

This paper will present some basic perspectives from a new Danish research project that deals with some new tendencies related to normative regulation of social interaction. Scandinavian debate and policies has currently a sharp focus on social skills – or rather on the lack of them. Forms of behaviour that in the past were seen as acceptable, or as undesirable but ordinary, may today, due to changes in outlook and categorization schemes, be judged as expressions of a lack of social skills, and thereafter become objects for pedagogical/ psychological intervention or medical diagnosis. The project will examine different educational efforts aimed at training social skills and stopping behaviour that is considered anti-social. In this paper we will draw some lines between the training programmes in social skills which currently are offered to children in kindergartens and schools on the one hand and on the other the programmes for violent offenders offered in prisons. The main questions in this paper will be: What kinds of behaviour are found appropriate and inappropriate today, and for whom (depending on age, gender, class, ethnicity etc.)? Does training in social skills lead to inclusion or to exclusion of the socially vulnerable? What are the connections between the focus on social skills and more general social tendencies, such as individualism and neo-liberalism?



Kjersti Lohne
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The Criminology of Humanitarianism: A new Research Agenda

International criminal prosecutions have in recent decades become considered a fundamental cornerstone to social repair, reconciliation and justice in the aftermath of large-scale conflicts and mass atrocities. International human rights organizations and other non-governmental organizations have been central to the ‘fight against impunity’ for international crimes, to the extent that the establishment of the International Criminal Court (ICC) is often referred to as an achievement of ‘global civil society’ altogether. This paper begins to dissect a segment of the ‘global civil society’ by enquiring into motivations, perceptions and practices of the international criminal justice entrepreneur, here defined as advocates and lobbyist working in the NGO sector on international justice in The Hague. How are justice conceptualized, what are the working ideologies and rationales for international prosecutions and punishment, and how are the irreconcilable ambitions of the ICC rendered meaningful – if at all – to those that work in its pursuit?



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Political Economy and Green Criminology: The Theoretical Structure of the Political Economy of Green Criminology, and Capitalism as Crime and Injustice

The purpose of this work is to provide a theoretical framework for the study of crime, law, and justice within green criminology. We argue that this theoretical framework is needed because green criminology is mostly focused on issues and problems that do little to challenge significant forms of environmental harm. We suggest that the political economic perspective on green criminology has important theoretical relevance for the field. To demonstrate how this framework applies to the emerging field of green criminology we describe seven propositions that criminologists must consider when developing a green criminology. Importantly, these propositions also suggest that the environmentally destructive forces of capitalism are opposed to nature. We argue that capitalism and nature cannot both survive over the long run and therefore argue that the system of capitalism must itself be defined as a green crime because it will drive the death of nature.



Helena Machado

University of Minho/ Portugal

Criminal DNA databases from the point of view of citizens: new paths for civic genomic pragmatism?

New and developing technologies in human molecular genetics are being applied in criminal investigation cases and are assuming a prominent role in social control: the number of databases worldwide containing genetic data used to prevent and combat crime and global terrorism has expanded considerably in a rapid and far-reaching way. There are also successive attempts to build a pan-European system for the transnational exchange of forensic genetic information, although there is no coherent European policy in this field. In this paper I argue for the need of developing a critical and more empirically grounded approach to the 'positive' and 'negative' consequences of using DNA technology for crime fighting. I will explore the results of 628 opinion questionnaires applied in Portugal about the perceived risks and benefits of DNA databasing for crime investigation.

Several commentators have pointed out that operating criminal DNA databases raises important human rights concerns, with ethical, legal, political, and social consequences resulting from the inappropriate use of such databases. From the point of view of surveillance studies and of some criminology commentators, DNA databases represent one of the instances by which new and effective modes of social control have been configured and associated with political and governmental crime prevention and control strategies. The storage of individual DNA profiles in a database may allow for greater surveillance of potential offenders and re-offenders within societies that are less tolerant towards citizens who are suspects, facilitated by public support for the fight against crime.

I propose to address this theme by investigating the grounded assessments of forensic genetic technologies constructed by individuals in their biopolitical relationships with institutions and communities. My goal is to fuel criminological imagination on the basis of a more empirical and comprehensive understanding of layered and individuals sense-making and collective attitudes to the use of technology for social order purposes.



Feargal Mac Ionnrachtaigh
Northern Ireland

‘An Ghaeilge faoi ghlas’ (Irish behind bars)

Language, resistance and revival: Republican prisoners and the Irish language in the North of Ireland

In introduction, this paper will briefly explore Ireland’s cultural colonisation as part of the wider British imperial project which necessitated the demise of the Irish language as Ireland’s spoken language. The consequences of this process will be seen to have inspired an ideology of decolonisation and resistance which has been a central motivating factor in successive generations of republican prisoners learning and using the Irish language as a ‘language of struggle’ while incarcerated. It will also draw on the historical context of political imprisonment in Ireland and its crucial role in influencing the political strategy of various governments tasked with maintaining ‘law and order’ in Ireland while simultaneously shaping resistance movements and their political struggles outside the prison walls.

Drawing on recently published primary research (*Language, Resistance and Revival: Republican Prisoners and the Irish Language in the North of Ireland*, Pluto Press 2013), the paper will explore the untold story of the ground-breaking linguistic and educational developments that took place among republican prisoners in Long Kesh prison 1972-2000. During a period of bitter struggle between Republican prisoners and the British State, the Irish language was taught and spoken as a form of resistance to political incarceration. Finally, the paper analyses the rejuvenating impact it had on the cultural revival in the nationalist community beyond the prison walls. Based on unprecedented interviews, it examines a key period in Irish history through the ‘insider’ accounts of key protagonists in the contemporary Irish language revival.



Tomas Max Martin

Roskilde University and the Danish Institute for Human Rights/ Denmark

Local prison governance with global human rights – the merging of professional and practical norms in Ugandan prisons

Senior and junior officers enact the ‘real’ governance of Ugandan prisons by balancing the practical norms of everyday prison life with the human rights-based professional norms of prison policy. It makes sense to pit these two repertoires of norms against each other to locate the interface where policy interventions are in fact appropriated by local social actors. However, in practice practical and professional norms also merge. Through fieldwork-based data, I show how “dynamic security”, a globally applauded rights-based reform policy that prescribes humane, inter-personal staff-prisoner relations, gains traction in Ugandan prisons as a means to re-legitimize the outsourcing of authority to privileged prisoner leaders, the katikiros. Katikiros are officially vilified as colonial and deviant but they remain essential to core custodial objectives. By taking on discourses and technologies of dynamic security – e.g. counseling – the inherently unequal and violent governance of katikiros is both consolidated and changed. Similarly, the notion of “individual responsibility” (i.e. holding perpetrators personally accountable) is pursued by national and international human rights advocates as a means to challenge the impunity of Ugandan state officials. This approach is taken up by prison managers as they redirect the blame for structural problems to subordinate staff. Consequently, “individual responsibility”, in practice, comes to consolidate the practical norms of “keeping quiet” and “dying alone” that reproduce staff’s submission to para-military authority. In conclusion, I argue that such merging of professional and practical norms is a significant empirical manifestation of the encounter between global discourse and local agency. The contested, volatile synergy of these processes enables local hands to reach out for human rights as a malleable, but also highly productive means to both govern and update an African state bureaucracy, namely the Ugandan Prisons Service.

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Erica Meiners

Northeastern Illinois University/ USA

Schooling the carceral state: challenging the school to prison pipeline

Erica Meiners will critically examine the relationship between the school and the prison in the USA, emphasising the role public education performs in the surveillance, discipline and control of children of colour and non-heterosexual youth. To escape from the ‘prison industrial complex’ and its collateral consequences she will argue that we need to abandon existing categorisations of childhood and develop a new way of thinking that can allow for the recognition of a (young) persons shared humanity. What is ultimately required is the adoption of an abolitionist vision which can decolonise the punitive rationale lying at the heart of contemporary schooling practices in the USA.



Michele Miravalle
University of Torino/ Italy

Daniela Ronco
University of Torino/ Italy

Giovanni Torrente
University of Torino/ Italy

Space, time and interactions in the daily life of the Italian prisons

On the 8th of January 2013 the European Courts for Human Rights condemned Italy for the violation of art. 3 of the ECHR. The structural conditions of the Italian prisons (overcrowding, high rates of pre-trial prisoners etc.) represent a case of “State-torture”. Which are the connections between these structural ill-treatments and the everyday life in prison?

Many “classics” of the sociology of prison introduced some fundamental theoretical constructs to understand the impact of living in prison on the human being and the interactions among individuals. The *prison sub-culture* (Sykes, 1958), the *prisonization* (Clemmer, 1941), the *stigmatization* and *infantilization* (Goffman, 1961) may still be considered the background for the participant or direct observation of a total institution. The Antigone Association conducts a Prison Observatory activity since the end of the 90's, visiting prisons and collecting a great amount of qualitative and quantitative data. The paper (presented by some of the coordinators of such activity), aims to present a *phenomenological* description of what observed during the visits.

Berger and Luckmann (1961) theorized the predominance of the daily-life sphere, among the various dimensions of reality. This is particularly and dramatically true inside a total institution, where time and space are structured in a strongly coercive way. Equally, the face to face interaction is preponderant, because of the poverty of social relationship and global interactions which are typical of the contemporary world (Bauman, 2001). Therefore the attention is put especially on the temporal, spatial and relational dimensions of life in prison. The authors will focus on the evolutions in the organization of spaces, the recurring irrationalities in the use of time, the raising individualism among prisoners and the sense of powerlessness expressed by many prison officers. They will also underline the impact of some important reforms, about health, mentally ill offenders' treatment and recidivism.



Sigmund Book Mohn
University of Oslo/ Norway

People beyond populations, punishment beyond crime: statistics in the field of migration control

In criminology crime statistics have long been seen as the epistemological gold standard. While critical criminology have managed to turn it from a tool for studying the distribution and aetiology of crime into a tool for studying the punitive control of the state, the governmental definition not only of what is a crime but also what is punishment still stands strong. In the field of migration studies there is a parallel in studying movement of people by the use of the official population registers. Immigrants are seen as those accepted by the state as newcomers. Both these methodological traditions are challenged by the control of persons more loosely (or reluctantly) connected to the state and its population and territory. In this presentation I take a look at some of the developments in the broader field of criminal and non-criminal sanctioning of non-residents.



John M. Moore
UWE Bristol/ UK

From Corporal to Carceral? Changing economies of punishment in England from 1780-1850

This paper challenges the existing consensus that the late-eighteenth and early-nineteenth centuries saw a movement from corporal to carceral state punishments. Using England as a case study it argues that the key characteristic of this period was a substantial expansion of state punishment. This included an increase in children, women and men subjected to transportation, corporal and capital punishments as well as an expansion in the use of imprisonment.



Kerry Moore

Cardiff School of Journalism, Media and Cultural Studies/ UK

Policing and racism in UK public discourse since the summer 2011 riots

Racism and policing have been very much in the British news media spotlight in recent months. In April 2012, following successive media revelations of alleged instances of police racism and institutional failures to adequately investigate them, Metropolitan Police Commissioner, Bernard Hogan-Howe made an extraordinary public address to his staff proclaiming himself the 'implacable enemy' of racists. From allegations surrounding events during the summer 2011 UK riots to the arrest of an off duty Met Inspector in north London, at least 13 separate cases investigating alleged racism were reportedly ongoing during summer 2012 in the Metropolitan police alone. This paper analyses how dominant mainstream news and political discourses have articulated alleged police racism since the summer 2011 riots. It explores the wider discursive context (not least the circumstances surrounding the death of Mark Duggan which sparked the riots in Tottenham, and the conviction in January 2013 of two men for the killing of Stephen Lawrence) and examines the symbolic rituals at play in the Met racism crisis, considering whether Hogan-Howe's intervention should be read as a transformative intervention and shift towards more critical scrutiny of racism and policing practices, or alternatively, as a pragmatic move towards the re-integration of the existing institutional and symbolic order.

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Wayne Morrison

Queen Mary University/ UK

Searching for Justice in a Global world: the case of Bangladesh and war crimes trials

In his classic work on the continuation of atrocity and suffering (*States of Denial: Knowing about Atrocities and Suffering*, Cambridge 2001) Stan Cohen referenced W.H. Auden's poem of the Bruegel painting *Landscape with the Fall of Icarus*. In Auden's reading ordinary people engrossed in the concerns of everyday life are locked in a 'fated detachment': 'suffering is always happening elsewhere'. One challenge of a critical criminology is to show the interconnectedness of our world and break the contemporary myths that hold that atrocities always happen elsewhere, outside of our systems of law and order, not as a consequence of them.

For most people Bangladesh is another place, far from their everyday consciousness: they may however be wearing cloths manufactured there in conditions they have no awareness of.

The subject of this paper is the continuing search for 'justice' and 'truth' concerning the atrocities of the 1971 'war of liberation' in which Bangladesh was constituted as an independent nation-state. Beginning in 2010 a new set of trials, termed domestic trials for 'international crimes' claimed to be committed by collaborators, have been conducted in which several members of opposition political parties, predominantly Islamic, have in 2013 been convicted of genocide and crimes against humanity. In response there have been massive street protests - on the one side Shahbag protests supporting the trials and energised by new forms of social media and blogs in which young people have sought to break the grip of the 'official narratives'; on the other hartals (strikes reinforced by violence) called by Islamic groups claiming that the trials are anti-Islamic - in which over 200 have died.

Western media, for example the Economist, have largely seen this as a local issue and the trials as failures of due process, as a function of the corruption of the political process and abuse of power. In Bangladesh it is more commonly seen as a struggle over identity: pitting a secular constitutional state against an Islamic future.

This paper presents the issues in terms of the systems of thought and practice that characterised modernity, systems in which justice was an internal matter of the nation state and 'inter-national' justice a matter of the negotiations of state elites. Does the contemporary struggle in Bangladesh portend a future in which the power of the state to organise and the 'fated detachment' of people are cast aside by new movements and new technologies? Or are protests such as Shahbag temporal outpourings of frustration and unable to effect real change towards global justice?



Giuseppe Mosconi

Università degli studi di Padova/ Italy

Louk Hulsmans approach to the criminal law in an abolitionist perspective

This paper tries to analyze how suitable is the Louk Hulsman approach to the criminal law in an abolitionist perspective, taking in account its reality today and the contemporary changes within it., as a core example of a critical approach to crime and punishment social construction

The first raised question is if the depth and complexity of the criminal law cultural and institutional roots can leave any chance to overcome its hegemony dealing with what is defined as a crime. Starting from this point several other aspects are considered, in order to evaluate the adequacy of the abolitionist proposal: the use of the prison as a simple mean of control of the under classes today, and as a mean of producing symbols about Security and Justice: a complex net of paradoxes concerning the official functions of punishment, compared with a hidden “hard core” of prison and punishment real functions today; a wide network of ambivalences affecting the penitentiary functions and legislation today; as well as an evident tendency, in many aspects, to leave the classical criminal law principles and rationality in order to implement just more efficient means of social control .But from another side, on the contrary, we need to consider many signs of a new success of dogmatic and rhetoric aspects of the criminal law, like new retribution, hostile penal law, minimal punishment as new ideology . Because that the crucial aspect of the contemporary crisis affecting the criminal law is this clear and paradoxical contrast between the evident process of corruption of the fundamental elements characterizing the modern penal law, and the reaffirmation of its ideology and rhetoric, as means of legitimating new inclusive forms of control. That’s why the abolitionist approach of Louk Hulsman can play as well a crucial role for deconstructing the terms of such a paradoxical symbiosis between crisis and reaffirmation of the criminal law. This is particularly important if we take in account the lack of democracy and the authoritarian rush embedded in the context in which this process is taking place. Aim of this paper, face the particular nature of nowadays crisis of criminal system, is to give to abolitionist approach new chances and perspectives.



Felipe Heringer Roxo da Motta
Universidade Federal do Paraná/ Brazil

A changing world in an unchanging world-system: criminal control as means to conserve the colonial difference

The critical criminologists have pointed out, since their first publications in the New Deviancy Conference, how selective criminal control was neither neutral nor random. It played a huge role in maintaining social inequalities. That can be used to show how social formations are based on conflicts, out of which come the unbalanced representations in creation and enforcement of laws that define criminal behaviour – following a direct projection of class conflicts. Thus, it is understood that penal punishment fulfils goals (real ones, not to be mistaken for the officially declared roles) destined to act upon its commonly selected inmates. With that in mind, it's possible to see clear reasons for the on-going legitimacy crisis faced by the criminal system. Even though that perspective is necessary for a deeper understanding of the criminal justice system, it's not enough from a point of view based on the periphery of the Modern World-System. Post-colonial thought deals with a vast array of subjects, but it normally exposes how the colonial form of domination didn't end with the independency movements – it just assumed new ways of maintaining the geopolitical differences (e.g. economy, culture, knowledge production). Nils Christie asserted how the genocidal practices during the holocaust were not a novelty of that time, but, on the other hand, a continuation of a larger process that marked all colonial history. Based on that, it's demonstrated how that is part of a form of conflict expressed by Enrique Dussel with the relation between totality and exteriority. With some examples of this sort of conflict (gender, race, colonialism) it is possible to understand that every dimension of the contemporary mode of life production is potentially pervaded by this genocidal logic – by extension, so are the ways of carrying out punishment. Therefore, criminal control is not only able to reproduce social inequalities, but it can also influence the geopolitical level – keeping the colonial difference.

Key-words: post-colonial condition; critical criminology; geopolitical control through the criminal system.



William Munro
University of Stirling/ UK

Utopia and Penal Constraint: The Frankfurt School and Critical Criminology

Rusche and Kirchheimer's 1939 text *Punishment and Social Structure* (2003) not only aimed to outline the links between a society's response to crime and the social system from which that crime arose, but also argued that a society's aspirations for the future is *structurally* inherent in the present. According to Rusche and Kirchheimer (2003) the necessary connection between successful progressive penal reform and progress in general was severed by the political limits and the inevitable narrowness of both social and penal reform programmes. This paper examines the relationship of Utopia to this central text of critical criminology. The relationship between utopia and critique in this case, is in the shared focus on the historically particular as a means of revealing the domination of existing constraints. The paper offers a counter reading to traditional readings of Rusche and Kirchheimer and its relation to Frankfurt School criminology (Garland, 1991; Melossi, 2003; Jay, 1973; Wiggershaus, 1995). In particular, the paper will examine the book's account of social constraint and its relationship to historical consciousness, conceptualisations of the future and the Utopian principle of hope.



Laura Naegler
University of Kent/ UK
University of Hamburg/Germany

Addressing the Political and the Critical within Cultural Criminological Ethnography

In most critical criminological research concerning political activism, social movements, protest and resistance, the researcher is, sooner or later, confronted with the personal and political decision of ‘taking sides’. Here, political standpoints and aims often converge with academic interests, and lines between the researcher and activist can easily blur. In this personally and intellectually challenging situation, the method of ethnography offers important values and advantages; however, ethnography produces, in itself, various dilemmas – for instance, the ‘reification of representation’ (Young 2011), displays of over-coherence, ‘Othering’ and the reinforcement of existing power relations through knowledge production.

In order to address and reflect upon these difficulties, and against the backdrop of the author’s own research on anarchist urban social movements and their control and criminalization, this paper argues for an ethnographic approach that unites the ‘ethnographic sensibility’ of cultural criminology (Ferrell et al. 2008) and the approaches of a *critical ethnography*, in the tradition of critical anthropology and post-structuralist/neo-Marxist approaches. Here, the critical ethnographic view that any research cannot exist ‘outside’ of power relations is of fundamental value for research on protest and resistance, for, while ethnography holds ‘counter-hegemonic’ potentials (Clifford 1986) that open up the possibility of utilizing critical/cultural criminological research for achieving transformative change, it can also risk the reproduction of existing power relations. Building on this argument, this paper addresses the role of the ‘political’ and the ‘critical’ in ethnographic research, and calls for its emancipatory contribution. It will also ask how – through a convergence of both ethnographic approaches – a political critique can be formulated and utilized for a critical methodology.



Ida Nafstad
University of Oslo/ Norway

The Criminology of Humanitarianism: A new Research Agenda

NGOs operating in Palestine increased 61 % between 2000 and 2007. The old grass-root organizational model from the first intifada is almost gone, replaced by international funded NGO's. This "NGOization of Palestine" has had an enormous impact on the Palestinian civil society. Does it also have an impact on understandings of crime and control? The Palestinian law enforcement authority applies only to 18 % of the West Bank, the so-called A-areas. In the majority of the West Bank, B- and C-areas, the Palestinian police do not have authority. Most villages in the West Bank are situated in B-areas. When the state can't offer law enforcement, how is crime, or unwanted actions, defined and handled? Is the question of crime and control channeled downwards, dealt with by local actors, outwards to Israel, or upward to a global level dealt with by international bodies? This paper will discuss a research project trying to figure out how and by whom understandings of unwanted actions and how to deal with them are formed when the state's law enforcement are unable to act.



Lorenzo Natali
University of Milano-Bicocca/ Italy

Exploring Environmental Activism. A Visual Qualitative Approach from a Folk-Green Criminological Perspective

In the framework of “eco-global criminology” (White 2011), environmental activism is a very relevant and crucial phenomenon which deals not only with acts and omissions that are already criminalized (such as illegal dumping of toxic waste), but also with events that have yet to be designated officially as harmful and have shown evidence of having potentially negative consequences.

In this contribution, starting from an “eco-global criminology” perspective combined with a “green-cultural criminology” (Brisman & South 2013) which uses a visual approach, we will explore how a video – uploaded in the web by an important Italian newspaper and depicting an interaction in an environmental conflict – is commented upon by the virtual community of the Facebook page of the environmental movement “NO TAV” to define and fight for the “real” meaning of that video. One of the tasks of “eco-global criminology” is, in fact, that of identifying the multiple discourses – often in competition with each other – that contribute to the description of environmental issues, and, among them, there are also those of the activists and those that emerge from the use of the social network (See Heckenberg & White 2013). I include these narratives and discourses in what I define “folk green criminology”, that is that knowledge, often ignored by the professional worlds of criminology, developed by the “common people” in their daily experiences concerning environmental harms and conflicts.

In the light of an emerging symbolic interactionist approach, we suggest that a qualitative exploration of the possible meanings attributed to that video will provide more opportunities for understanding the complexity of that event. Our objective will not be to establish which of the opposing parties is right or wrong, but to suggest, from a green criminology perspective, the importance of exploring the ephemeral, ambiguous and ever-changing border between the image, the environmental conflict represented and the words used to describe it.



Martin O'Brien

University of Central Lancashire/ UK

Changing Criminology in a Critical World

The central myth about the state of critical criminology is that critical criminology exists as a meaningful social entity (with apologies to McClintock, 1974). In fact, there are as many criminologies as (if not more than) there are letters in the alphabet. Indeed, the conference website itself notes the continual accretion of intellectual nodes in its reference to *cultural criminology*, *post-colonial criminology*, *queer criminology*, *gothic criminology* and *feminist criminology*. To these, of course, can be added everything from administrative criminology to zemiology. It is as if criminology were a black hole whose gravitational pull is so powerful that no issue or standpoint could possibly escape its colossal attraction. To be 'critical' in this context represents a journey through a political minefield whose intellectual edification devices threaten to blow criminology to conceptual smithereens at any instant. In this paper, I put the proposition that it is the world that is critical, rather than any one criminology or combination of criminologies per se and that criminological scholars and practitioners are, and have been for some considerable time, playing a kind of reactionary catch-up with events and processes on which they have little, if any, leverage.



Vineet Pandey
University of Delhi/ India

Frozen Criminological Imaginations and Unintended Outcomes of Penal Laws Relating to Family Problems in India: Locating differentials of victimhood

Women's issues have been seen across the world in the backdrop of intersectionality and multiple realities of women's existence. Penal laws across the world, pertaining to marital disputes, have been used as tools for women in vulnerable situations and rightly so. However the laws pertaining to family disputes between spouses, under Indian Penal Code, do not look beyond the traditional basis of "matrimonial offences", where only women are looked at as potential victims, in such matters. On the other hand, the annual data on suicides published by the National Crime Records Bureau (NCRB) of the Government of India indicates that the number of suicides due to family problems among men belonging to age group 30-44, is almost double, as compared to women.

By analyzing the laws pertaining to marital dispute in India and the suicide data published by NCRB, Government of India, the present paper uses empirical and theoretical basis to argue that the Laws dealing with family/marital matters in India should go beyond the old basis of looking at women as solely vulnerable, in the family disputes. Thus, it becomes pertinent that the criminological imaginations for victimhood in family matters are broadened to accommodate the possibility of male victimhood. Likewise, the Penal Laws on Marital disputes must recognize the empirical reality that distasteful manipulations can be inflicted on the laws, courts and policing practices, against alleged male offenders, in case, female victimhood is seen as the only form of victimhood possible in marital disputes.

Criminological imaginations need to be more cautious with reference to the stereotype on which they are constructed, the manner in which Penal Laws are implemented and their unintended outcomes.



Ioannis Papageorgiou
The Rhodes Project/ Greece

Georgios Papanicolaou
Teesside University/ UK

“The police referred me to Golden Dawn”:

The roots and rise of extreme right politics of the police in Greece

The spectacular rise of the Greek extreme right Golden Dawn political group became evident with the results of the consecutive parliamentary elections of 6 May and 17 June 2012, and the presence and activity of this group has become regular news on national and increasingly international media. One particular aspect of the group’s political advance has been its success in capturing a considerable portion of the police vote on 6 May, as well as its electoral resilience among the same group of voters in the highly polarised 17th June election. In this paper we offer a detailed analysis of the police vote in Greece’s capital which comprises the Hellenic Police’s headquarters and several of its largest units. The extent and distribution of Golden Dawn vote is alarming among the riot control and quick response departments, the frontline of Greek police. This voting behaviour is not a temporary expression of a confused, misinformed and strained part of the electorate. We argue that these results do not indicate any radical change of police officers’ political sentiment but rather its concurrence with the emerging extreme right movement, in the form of a new and novel political outlet that is explicitly hostile and violent particularly towards migrant populations. This development should be approached under the light of the structures that, on the one hand, define the position, role and changing operational modalities of the police apparatus in Greece and, on the other, the wider repositioning of political discourse towards conservatism and nationalism. To this extent, officers’ votes to Golden Dawn indicate the results of a long-term strategic readjustment of the position of the police within the Greek state’s power structures, geared towards the management of Greece’s changing demography within a conjuncture of deep economic and social crisis.

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Keywords: Greece, police, extreme right, crisis, migration, racism



Olga Petintseva
Ghent University/ Belgium

What's new? On the incorporation of the concepts 'established' and 'outsiders' as a conceptual lens in understanding new migration

This paper discusses the widely used concept 'new migration', a term that is characterised by its vagueness, the clumsily formulated adjective 'new' and rather limited theoretical underpinning. The main issue is the use and the meaning of the term in the literature. After an overall overview, I discuss what distinguishes 'new immigrants' and argue for a figurational interpretation of 'new', particularly in specific circumstances, where strictly legal definitions or objectivations appear to be limited. To do so, Elias' and Scotson's notions 'established' and 'outsiders' are utilised as a conceptual framework. I first go into the original theory of established-outsider figurations and the main criticisms it received (criticisms that are particularly relevant for applications in broad (new) migration related topics). Next, some of its applications in migration studies are discussed. To illustrate the value of a flexible, yet straight forward and theoretically grounded understanding of what we refer to as 'new migration', I elaborate on the particular context of juvenile justice decision-making and the role of being 'new' therein. I conclude with considerations of the value of translating of Elias' concepts into new immigration topics, where 'new' acquires a specific dimension, beyond its linguistic or common sense meaning.

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Justin Piché

University of Ottawa/ Canada

The ‘Unfinished’ as an Abolitionist and State Strategy

In his book *The Politics of Abolition*, Thomas Mathiesen (1974) describes how the ‘unfinished’ was used as a strategy to work towards the abolition of repressive state policies and practices in Norway in the 1960s and early 1970s. The ‘unfinished’ entails the development of alternative ways of conceiving and responding to criminalized conflicts and harms that do not reproduce the language of dominant apparatuses of carceral control or provide clarity concerning the outcomes of their implementation. Mathiesen argues that this approach is necessary for alternatives to avoid being coopted (‘defined-in’) or dismissed (‘defined-out’) by proponents of the status quo. Recent efforts by the Government of Canada to conceal the projected impacts of their ‘tough on crime’ measures forecasted by civil servants (e.g. prison population increases and related expenditures) can be understood as being part of a larger ‘unfinished’ like strategy used to prevent scrutiny from their opponents to intensify punitiveness. This paper explores some of the ways in which this ‘unfinished’ tendency of the state has manifested itself and has been (un)successfully contested in Canada to inform abolitionist strategy in a global context of expansionary penalty and the further entrenchment of government secrecy.



Monika Platek
University of Warsaw/ Poland

New trends in criminalizing Sexual offences in Polish Criminal Law – between engendering and endangering.

The presented text will discuss the changes in the Polish criminal law as an example of tension between politics of using criminal law as the major tool of control and efforts to enhance gender sensitivity within civil policy. The negative attitude of part of authority towards the Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS210) and the discourse on needs for changes concerning the law on rape in Poland is worth debating. It reflects the tension between the recognition of discrimination of women in law, especially in criminal law, and effort to minimize the role of criminal law on shaping the civil policy. The text will demonstrate the false assumption of neutrality of law. It hopes also to contribute to theoretical discussion on possibilities of fair representation of gender interests within criminal law.

The text will concentrate on changes in the rules of prosecution of rape and will provide broad explanation of the requirements in theoretical changes from theory of freedom to sexual autonomy. The new accepted changes in Polish criminal law refer only to procedural rules concerning rape prosecution. It is not however cover the new theory of sexual autonomy. The text will consider the necessary steps to adopt the new way of treating both the perpetrator and the victim and its impact on gender equality in the Polish society.



Shoshana Pollack

Wilfrid Laurier University/ Canada

The Spaces in Between: Feminist Criminology and Discursive Reconstitution of Imprisoned Women as Knowers

As I was being ‘processed’ into the women’s prison, the guard at the front desk asked, “What are doing here tonight?” I responded, “I am meeting with my students for the first day of class”. A look of bewilderment came over her face as she tried to make sense of the information being provided to her. “Students?” she said with a mixture of confusion and irritation. “Yes” I said “I am a university professor and am meeting with the students in my Diversity class”. Still unable to comprehend why I was requesting entrance into the prison, she repeated “Students?” “Yes” I repeated, this time adding, “I am teaching the Inside-Out Prison Exchange Program. “Oh!”, she said, an amused smile making its way across her face, “You mean the inmates!”

How can critical criminology help us understand the epistemic dilemma confronting this officer as she attempts to negotiate the discursive space between the construct of ‘students’ and that of ‘inmates’? What gendered, raced and classed discursive processes rendered these two notions incompatible? In this paper, I take as my starting point the boundary blurring/boundary crossing articulated by one of my inside students’ in her graduation speech: “Pre-conceived notions. We are all guilty of harbouring them. Notions of what we think things are supposed to be. Things like prison, and education. Of what and who the student is, and what and who the convict is”. Drawing upon my experiences teaching Inside-Out classes – university level classes that bring incarcerated and non-incarcerated students together to study for a semester in a prison setting – and my research on the impact of these classes on student learning - I examine how the ‘spaces in between’ the constructs of university student and inmate lead to a reconstitution of incarcerated women as intelligent knowers.



Chris Powell
University S. Maine/ USA

International Occupational Police Cultures: -A Critical Review

This is an analysis of cartoons appearing in the 'in house' magazines of a number of international police forces. The objective is to argue that such cartoons reflect and reproduce collective Police perspectives relating to both general aspects of police work, and to specific police contexts vis a vis various national and contemporary political and economic 'realities'. It will be claimed that the cartoons clarify and celebrate rule bending and 'deviance' amongst officers. Whilst the cartoon material for obvious reasons skates around the more egregious realms of police deviance (violence, racism sexism and corruption) it is highly suggestive with regard to how the socially constructed occupational mindset both enables and justifies self-serving discriminatory and probably inevitable practices.



Scott Poynting
University of Auckland/ New Zealand

Empire Crime, Guantánamo and States of Denial: The Exceptional Case of David Hicks

This paper argues that a concept of ‘empire crime’ can usefully extend that of state crime to better comprehend the unlawful ‘extraordinary rendition’, detention without trial, and torture associated with the US naval base at Guantánamo Bay and other sites where imperial ‘exceptions’ to US and international law are claimed and practised. Other nation states have been complicit in this regime – the UK, Canada and Australia among them. Their state crimes in this respect are inextricably part of the ‘empire crime’ of the US-led empire of capital. This paper considers one case in detail: that of David Hicks, one of the two Australians rendered to and detained at Guantánamo Bay with the connivance of the Australian and other states. The US state has variously denied, rationalised, exceptionalised and blamed the victims of the state crimes in this regime, and the Australian and other states involved have falsely denied knowledge and otherwise followed suit.



Prashan Ranasinghe
University of Ottawa/ Canada

‘(Un)Doing’ Gender and the Production of (In)Security and Fear

While criminology has provided a wealth of knowledge about security and fear, it is hindered by a particular limitation, namely, the failure to explore and explicate the manner in which space and place are crucial to their production and constitution. This paper seeks to highlight the importance of this line of inquiry for criminological analyses and does so by exploring and explicating the manner in which employees at an emergency shelter make sense of their (in)security and fear (or, lack thereof) in their daily work lives. Attention is cast on the manner in which ‘(un)doing’ gender – biography being an important aspect in such thinking and acting – sheds light on the ways that the employees make sense of (in)security and fear and the ways that these feelings are informed by particular norms of security and fear that are inscribed into the space itself.

Key Words: (In)Security; Fear; Space/Place; Gender; Biography; Emergency Shelters



Christina Rauter

Universidade Federal Fluminense/ Brazil

The negative as an obstacle to an understanding of contemporary criminality: a contribution of the philosophy of Spinoza to build transdisciplinary strategies toward criminality in democracy.

Psychologist, Psychiatrists and other specialists often give explanations to criminality based on the existence of internal tendencies toward anti-social behavior, either located “inside” certain individuals, genetically or constitutionally determined, or in poor areas or regions, associating poverty and crime. Some of them are inheritors of Freud’s theory of the death instinct, others are based on current biological psychiatry which proposes diagnostic categories such as anti-social disorder, in which genetic causes can be attributed to anti-social behavior. What we aim to discuss in this paper is that these conceptions, based on primary negative tendencies, do not explain crime, but are obstacles to build any valuable understanding or practical intervention upon the phenomenon. The knowledge of specialists must overcome this limit imposed by ideas that are only capable of seeing negative tendencies inside the individuals or in collective life which can only lead to false solutions such as repression, intimidation and threat. Penal end police solutions to crime have proved to be highly ineffective and unethical. Brazil experiences today an impressive growth of its prison population and also extraordinarily high mortality rates during police action. If we adopt the point of view of the existence of a primary tendency to crime and destructiveness, we tend to believe also in repressive solutions, either in the field of therapy and treatment, or in the field of public security policies. A contemporary approach to the political philosophy of Baruch Spinoza can bring a new basis to the construction of other strategies to deal with the phenomenon of crime in democracy, since in this philosophy it can only be understood as a secondary effect of multiple causes.



Paddy Rawlinson
Monash University/ Australia

Controlled bodies: how the state curtails freedom through health and medicine.

For centuries, the body has served as a metaphor for the state, as in the ‘body politic’, the ‘head’ of state, and reference to the various roles played by different parts of the political body as described by Hobbes in Leviathan. In turn, war and military metaphors have long been used to describe how the body resists or succumbs to disease as well as the modes of protecting and treating it. Viruses are ‘foreign invaders’, governments ‘stockpile’ vaccines, those who refuse immunisation are ‘conscientious objectors’. With the increasing medicalization of society, in which a more literal sense of the relationship between the state and the body is apparent, health and state security constantly intersect. Moreover political responses to the protection of the body of the state and the bodies of its citizens are becoming even more tightly interwoven with economic imperatives which largely serve the interests of the burgeoning pharma-industry.

The paper looks at the dangers raised by the current, and apparently innocuous, conflation of the body with politics, arguing that this assimilation has the potential, and is already witness to, the erosion of human rights and individual freedoms. The paper employs Foucault’s concept of biopower, Esposito’s work on immunity and violence and revisits Illich’s seminal work on iatrogenesis (the medical establishment inflicting harm through treatment). It argues that as public health is drawn increasingly into the arena of securitisation, the authoritarian impulses that have curtailed rights and liberties in the fight against threats such as terrorism and the punitive responses against those seen as a risk to political stability, are now operating on a micro-scale in relation to the autonomy and safety of individual bodies, leaving a trail of suffering and injustice in their wake.



Marte Rua
University of Oslo/ Norway

Punishment meets Welfare: Exploring the Norwegian ‘Guarantee of Return to Society’

Since the 1950’s criminologists have understood prisons and crime policy in the context of welfare policy, and revealed that it is the poor who are imprisoned. Their critique however, was recognized by the new Norwegian red-green three-party coalition government in 2005, when they launched the so called ‘tilbakeføringsgarantien’ (‘the guarantee of return to society’ or ‘the reintegration guarantee’). The overall perspective in the guarantee is to reduce recidivism by strengthening the prisoners’ possibilities to live a law-abiding life. The guarantee provides no new legal rights, nor is it a legal guarantee. It should rather be understood as a political and inter-ministerial commitment to the existing rights of prisoners – and their lives after release – as a responsibility of the welfare state as a whole, not just the justice sector. The guarantee, which is about to be implemented, represents a new way of thinking about responsibility and handling prisoners’ well-known welfare and health problems, and is unique in the Nordic welfare states. It connects the prison system and the welfare system politically and institutionally in a new way, and I’m interested in what goes on in the meeting places which arise. In this paper I will present a forthcoming PhD-project exploring the reform from the standpoint of people affected by it. Prison practices are connected and coordinated in relation to other large institutions in society. Both prisoners and employees are hooked up to these structures in a variety of ways and modes. By following individual release processes – interviewing prisoners and employees (inside and outside the prisons) involved in such processes, and also looking for texts that are entering in and affecting these local practices – I seek to unravel and map this complex of ruling relations. The design is inspired by Institutional ethnography, a method of inquiry formulated by the Canadian sociologist Dorothy E. Smith. To contextualize the project, I will outline some central aspects of Norwegian prison policy (the Principle of normality, the Principle of rights and the Norwegian import model). This research project will hopefully open up for new knowledge about how control, help, punishment and welfare interact with and against each other in Norway anno the 2010s.

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Vincenzo Ruggiero
Middlesex University/ UK

'Creative Destruction' and the Economy of Waste

Starting off with some examples of illegal dumping of waste, the author examines the relationship between the official economy and organised crime. At the core of 'creative destruction', in his argument, are not only conventional illegal practices, but entrepreneurial initiative per se, revolving around notions of limitless growth and obsessive, infinite, development. Ultimately, it is economic thought itself which may be held ideologically and empirically responsible for an economy of waste and the destruction of the environment.



Iuliia Rushchenko
University of Kent/ UK
Universität Hamburg/ Germany

Naturalization in the European Economic Area through Marriage: Response to Policing Marriage Migration

Marriage itself, whether “fake” or “genuine”, has traditionally been considered an option by irregular migrants seeking to regularize their status in the EEA, and likewise by potential migrants from economically weaker non-EU countries who strive for higher economic level of life and civil liberties and intend to permanently stay in the country of their choice.

In the UK it has recently been announced by investigators about “unprecedented scale” of marriages of convenience¹, including “mail-order brides”, arranged marriages due to family connections and matchmaking agencies that organize “sham” marriages² inside the country. If matrimonial union is proved to be fraudulent, both parties can be penalized and accused of migration fraud which may lead to fines, short term in prison, and revocation of citizenship or deportation.

However, what is the border line between “bona fide” and “fake” relationships? How do the actors involved in marriages between EU and non-EU citizens respond to the policing marriage migration and government’s intervention into their intimate life stories? This paper, while viewing critically marriage legislation, focuses on brides’ and grooms’ reaction to the punitive approach towards marriages.



Sveinung Sandberg
University of Oslo/ Norway

Stories in action: The cultural influences of school shootings on the terrorist attacks in Norway

Stories are central to crime in two ways: they promote criminal acts, and action tells a story. This article uses cultural and narrative criminology to study stories told by the terrorist attacks in Norway in 2011. Based on Behring Breivik's manifesto, these events have previously been interpreted as inspired by anti-Islamic rhetoric and political terrorism. Relying too much on offenders' stories, however, is problematic methodologically and ethically. It risks producing a reductionist picture of the cultural influences of crime, defined by the perpetrator. Terrorism and crime should instead be conceptualized as a *cultural bricolage*. The attacks in Norway, for example, not only mirrors previous terrorist attacks, but also share many similarities with school shootings. In short, the perpetrators of such attacks are socially isolated and live their lives online. They target youths/children in social/educational contexts and try to kill as many people as possible using firearms—much as in a video game. Preparation is extensive, including cultural products that are distributed online, and notoriety is the perpetrators primary objective. The stories that actions tell sometimes differ from the stories that the offenders tell. That makes it important to study both the stories of offenders - and action - to get the full picture of the importance of stories for crime.

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Simone Santorso
University Carlo Bò/ Italy

Abolitionism as political strategy

The abolitionist perspective on crime and prison system is based on the moral conviction that social life should not be regulated by criminal law and therefore the role of the criminal justice system should be reduced or drastically replaced by other more rational way of dealing with crime.

The aim of this paper isn't to discuss the abolitionist stance toward crime or punishment, but to analyse the abolitionism as a political strategy. The radical changes in the prison population, the expansion of the prison system and the so called “punitive turn” are the elements that shape the contemporary prisons all over the world. These are the signals of the adaptation of the penal system to the new economic and social order, that leads to a more harsh punitive system. This is the situation the abolitionism, as political practice, has to deal with, hence it needs to adapt its action to the complexity of the reality in order to revitalise its praxis.

In this paper I want to stress out how the prison system is part of the governmentality net, as Foucault describes it, therefore the theory and the praxis of the abolitionism should overcome the univocal relation with the criminology as its only field of action.

Therefore I am going to argue that the abolitionist movement could refer for instance to the concept of zemiology, as a science of harm, that defines harm as “non-fulfilment of the needs” of an individual. This theoretical shift could represent a first step to redefine the political action of the abolitionist movement.

As Christie states the restorative justice or mediation, as main alternative to the penal system, should not just restore the conditions prior to the conflict; a simultaneous and fundamental change in the punishment system requires to be predated by the radical transformation of the power structure.

To conclude the quiescence of the abolitionism praxis lies in the failure to step outside the traditional way of framing the issue only into the criminological instance. According to Mathiessen the abolitionism strategy should aim to changing the repressive and power system of the capitalism step by step to abolish the prison system. The new social movements might be the framework in which the prison abolitionism could redefine its own action.



David Scheer

Université Libre de Bruxelles/ Belgium

Internal flows in prison: the quest to the missed Discipline?

By analysing the internal circulations in detention, this paper aims to study the structure of prison's spaces in terms of ownership, monopoly on the use, control, etc. The organisation of flows of prisoners (individually or collectively) can interestingly reveal some forms of power and their mutations - by formalisation, by performativity places, or by adaptation - in prison.

Two ethnographic immersions (four months each) will be presented in order to dissect the procedures and practices of traffic and circulation in two contrasting prisons: a prison from the 19th century built on the Ducpétiaux model, and a prison recently built in a similar architectural style. Furthermore, an architectural project designed for a future prison (in the context of a public/private partnership) will also be analysed to illustrate - through the design this time - a new way of internal mobility in detention.

The analysis of the flows' management in the first prison (prison N, 1876) illustrates the adaptation of all actors - inmates, wardens and other professionals within an obsolete building and hardware devices. Those adjustment practises enlighten, in this case, some informal actions and movements (erratic in appearance), but codified and known to all. The study of the circulations in the second institution (prison I, 2002) shows a meticulous management and a formal organisation of internal flows - constrained by the architectural space and the professional practices of surveillance. In this case, the performativity of the architecture (in design) and the security injunctions (in practice) demonstrate the orchestration of movements in the detention area. Finally, the study of specifications and plans for a future prison (prison H, scheduled for 2016) interrogates the overall and individualised care of the slightest movement of each inmate. Here, an individual geolocation within the prison complex (perhaps) anticipates a consistent mutation of internal management flows. These three prisons (from different periods) permit or constrain procedures and management practices of internal flows and circulations of the captive population; it might show - through the gap between the rhetoric about the emancipation of prisoners and the concrete actions for the traffic control - a quest to the missed discipline in prison ... and in society.



Isabel Schoultz
Stockholm University/ Sweden

Holding states accountable – the much-criticized process of seeking asylum

Sweden's reputation as one of the most encompassing welfare states in the world is maintained by means of a good self-image, not least in relation to refugee policies. At the same time, external authorities have been critical of Sweden's handling of the process of seeking asylum. This paper is a qualitative comparison between the work in practice of different agencies of control, representing both formal and informal, as well as internal and external (to a government or a country) forms of control. The paper seeks to understand how state accountability works in practice comparing different controls of the state, by focusing in the question of *accountability for what* in issues related to asylum seekers in Sweden. It further explores the process of holding the state accountable by analyzing the selection process as it is described by various NGO's working with these issues. The paper is based on qualitative content analysis of reports (from UN, Parliamentary Ombudsman, the European Court of Human rights and NGO's) as well as qualitative interviews with representatives from human rights organizations.

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David Scott
Liverpool John Moores University/ UK

Why Prison? Posing the question

Asking the question *why prison?* connects contemporary critical analysis of penal incarceration with an enquiry that has been the attention of some of the greatest thinkers on the 'confinement project' in the past. Indeed, the question *why prison?* has never been more pertinent or compelling than it is today with rates of penal incarceration in many countries around the world reaching record levels and the combined world prison population recently surpassing *Ten Million*. This phenomenon demands serious academic attention. The *why prison?* question can be approached in a number of different ways, but for the purpose of this panel, speakers have been asked to focus on one or more of its following interconnected meanings:

1. Why does the prison continue to persist when there is so much evidence that it fails?
2. Why is the prison so deeply ingrained in popular culture and so widely considered as the most appropriate response to law-breaking?
3. Why are we witnessing the penal colonisation of other sites of state detention and the rise of global prison populations at such an alarming rate?

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David Scott will be giving an introduction and act as chair. For more information on the individual topics see: Emma Bell, Magnus Hornquist, Vanessa Barker, Vickie Cooper, Erica Meiners



Phil Scraton
Queen's University/ Belfast

The Violence of Incarceration and Voices of Resistance

Reflecting the co-edited collection, *The Violence of Incarceration* (Routledge, 2009), this paper proposes that physical and emotional violence are central elements in the incarceration of men, women and children in advanced democratic societies. As prison populations and those held in secure accommodation have expanded, carceral institutions have produced ever-harsher regimes of containment. Exploring the dynamics of interpersonal violence, institutionalised abuses and incarceration it theorises custodial violence as a continuum. With particular reference to the forthcoming book researched and written with Linda Moore, *Breaking Spirits, Punishing Bodies: The Incarceration of Women* (Palgrave Macmillan, 2013), the paper connects routine, punitive responses, undermining prisoners' self-esteem and mental health to the directly brutal and brutalising manifestations of formal and informal punishments. It considers the 'culture of impunity' that enables harsh regimes to persist and institutionalised human rights violations to be rationalised. Finally, through hearing the 'voices of resistance', it considers their significance for abolition.



Puma Shen

University of California/ USA

Saving the Country by Killing the New Enemy: the executions of corrupt officials in China

Corruption is a major social and political issue in China. Instead of hiding cases of corruption in government, China executes officials to show its determination to fight it. In revising its criminal law in 2012, the Chinese government maintained the death penalty for corruption even as it eliminated the death penalty for 13 non-violent economic crimes. What message does the Chinese government send about the war against corruption? What kind of government officials are subject to the death penalty? This paper uses content analysis to analyze corruption death penalty cases (2006-2010) by examining 28 judicial opinions and 328 media reports. The results reveal a strong emphasis on ‘the amount of money’ at issue, and the courts de-emphasize genuine illegality. Moreover, in its reports on these corruption cases, the media depicts the white-collar criminal as greedy, bold as well as arrogant, and generally condemns an extravagant life style, which is associated with the conflict between Confucianism and Capitalism. As a result, although the justification and neutralization of the wealth gap become part of the Chinese culture, executing “greedy” criminals seems to satisfy the uneasiness and anxiety of the status quo of the middle class.

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Alex Simpson
University of York/ UK

The Political Economy of Harm

Reflecting back Mills' (2005 [1859]) principle of harm, this paper presents the argument for a greater articulation of the significance of political economy in understandings of corporate deviance. Imbedded at the heart of the British legal justice system since the nineteenth century is John Stuart Mill's harm principle. Overriding private principles of morality, the harm principle asserted that "*the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others*" (Mills, 2005 [1859], p.9). Thus, Mills' standard outlines an operationalisation of criminal law based on, and limited to, the objectivities of harm (Ashworth, 2006). In calling for a criminology based around the concept of social harm, Tombs and Hillard (2004) offer a valuable perspective that moves back to Mills' axial maxim, identifying the different categorisations of outcomes created by corporate and institutional entities (Tombs & Hillyard, 2004). However, as Pemberton (2007) outlines, the social harm perspective fails to allocate responsibility. As this paper presents, for a fuller articulation of harm and, in particular, responsibility, a focus on the wider collapse of Mills' harm principle in the context of a market society is needed. *Market society*, in the language of Karl Polanyi (2001 [1944]), represents the relentless spread of a societal order which places the pursuit of personal economic gain as the dominant organising principal of social life. In relation to the corporate enterprise, market society promotes a reduced sense of responsibility and reality that not only promotes corporate harm, but leads to its very rationalisation and legitimisation. The result is all issues of ethical, moral or social value are reduced to a rational cost/profit calculation; meaning that they are only instrumental to corporate practice insofar as they aid the furthering of the fundamental goal of capital accumulation (Barnett, 1982; Pearce, 2001). In this light, the aims of the social harms approach need to be allied to broader conception of a political economy of harm.



Ann Singleton
University of Bristol/ UK

"Europe's border controls: the end of the rights agenda?"

The limits of a 'rights-based' agenda in migration policy debates are increasingly evident as the militarisation of Europe's borders and the internalisation of border controls become the norm.

At the same time, the focus of much migration related research is still limited to the policy-driven priorities around the 'integration of migrants'. This paper examines why there is such an ever-widening distance between the realities experienced by recent migrants and the policy priorities of the European governments and the EU.



Peter Scharff Smith

The Danish Institute for Human Rights/ Denmark

Imprisonment and Internet-Access Redefining the Prison Experience through New Technologies?

The use of internet and mobile phones has, during the last two decades, become ingrained in our practices and culture in modern societies at an incredible rate. How this remarkable transformation in society has affected our prisons has, however, not been the subject of much discussion or research. But the role of modern communication technologies has arguably had a very significant impact on the prison experience and furthermore carries a potential to redefine the whole concept of imprisonment. On the one hand, by virtue of being largely shut off from these developments prisoners have clearly become increasingly isolated along with the rise of the internet and mobile phones. In that sense these new technologies have brought increased marginalization and more effective social control with them. On the other hand internet access and the use of mobile phones clearly has the potential to normalize the experience of imprisonment by allowing more effective contact with the outside world, including family and friends, places of education and work – all possible avenues of rehabilitation.

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In this paper, examples of prison practices allowing prisoner internet access will be described and analysed by highlighting the principle of normalization and the question of prisoner reintegration into society. The way that media, politicians and penal populism influence discussions on prisoner internet access will also be described. One issue of particular interest is the question of how freedom of speech and access to information translates into a prison setting. Finally the question will be raised of whether or not prisoner internet use can potentially justify a need to re-evaluate the whole concept of imprisonment and the rights of prisoners.



Ragnhild Sollund
University of Oslo/ Norway

The illegal wildlife trade from a Norwegian outlook: Tendencies in law enforcement and practices

Since 1976, Norway has been a party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). To date, Norway has clearly not prioritized the control or prevention of the trade in endangered species, nor has it sought to ensure that those guilty of partaking in the trade are punished. There is no overview of court or police decisions in terms of fines, verdicts or suspended cases relating to CITES cases, as these cases are not consistently recorded. Customs are poorly trained and are politically guided to look for drugs, rather than wildlife products. In this paper, I examine confiscation reports and verdicts to particularly look at two topics: 1) how fractures of the CITES regulations are reacted to by the police and the judicial system; and 2) how these fractures of CITES are connected to the international, illegal wildlife trade.

It appears that those who are fined or sentenced have breached other laws and regulations, rather than just the CITES regulations. For example, twenty-six verdicts concerning drugs and violence also contained a sentence or two indicating that the person had also been found guilty of breaching the Animal Welfare Act and the regulation against the introduction of exotic species, as they had brought reptiles to Norway and kept them; the CITES regulation was not mentioned in any of these verdicts. Only in a very few cases was the name of the reptile species mentioned, and in those situations, the reference was general (e.g., “lizard,” “snake”).

Judges and police lawyers show great variation in how serious they consider violations of CITES to be, and one man was on one occasion sentenced to four months prison in 1997 for the smuggling of more than fifty parrots in addition to reptiles. In 2012, after smuggling 25 parrots to Norway in 2011, he was only fined NOK 10 000. In the second decision, the CITES regulation is not even mentioned.

The CITES animal species which appear most often in the confiscation reports and verdicts/decisions are reptiles and parrots, yet a large number of other species are also found in parts or turned into products. Through an examination of these confiscations, the second part of the paper will demonstrate the wide range of motivations behind the wildlife trade, as well as some of the consequences of the trade. These will be discussed from the perspectives of ecological justice, animal rights and species justice.



Claire Spivakovsky
Monash University/ Australia

Constructing and Controlling the Civil and Criminal Lives of People with Disabilities: The Need for Critical Criminology

In the last decade, criminology has begun to engage with issues of disability and impairment. To date, this engagement has taken the form of exploring how and in what ways the lives of people with disabilities intersect with criminal justice systems. While these explorations are a major first step, there are a range of issues that have taken shape beyond the confines of traditional criminal justice which are in dire need of critical criminological engagement. I refer here to the civil laws which emerged in the wake of deinstitutionalisation, and which, for example, enable civil tribunals to chemically castrate and detain people with intellectual disabilities who are deemed ‘violent’, ‘dangerous’ and ‘a significant risk of serious harm to others’.

This paper argues that the emergence of these coercive and restrictive responses to the lives of people with disabilities has been largely obscured from criminology due to their location in civil law. And yet, embedded within these responses are a range of problematic assumptions about people with disabilities, risk and criminality that require critical criminological analysis. This paper begins this process of analysis. It illustrates how these civil responses emerged as a legitimate mechanism for ensuring the ongoing control of people with disabilities in the wake of deinstitutionalisation. It further argues that the sustained appeal of these civil responses comes from their capacity to appear as modern, rights-based approaches to dealing with people with disabilities on the one side, while continuing to engage with archaic beliefs about abnormality and pathology on the other.



Maryja Šupa

Vilnius University/ Lithuania

Everyday life and discourses of control: the Lithuanian case

The proliferation of social control in contemporary Europe is defined by several ubiquitous processes: increasing regulation and criminalisation of everyday life activities, waves of moral panics, the growing prison-industrial complex, and an ambivalent portrayal of violence in the media.

These have been variously explained in cultural criminology by the precariousness of the late modern condition, middle-class values forming the basis for increasing safety measures, othering out "potentially dangerous" social groups, the vicious circles of consumption. However, these explanations do not fully account for the increasing social control in some social and cultural contexts, such as post-communist societies. In Lithuania, for example, they are problematic for several reasons. First, a difference in social structure. A financially defined, consumption-centered middle class is still in the making; alternatively defined by possession of social and cultural capital, it accounts for the more open-minded and permissive part of the population according to numerous value surveys. Immigration rates are very low, while ethnic minorities have a long local history and are not singled out as criminally dangerous. There is also an important historical relationship with edgework: the late 1980ies – characterised by events leading to geopolitical sovereignty – saw a significant part of the population participating in various transgressive and then-outlawed activities, such as public protests, underground press, religious worship, and symbolic acts of resistance – all of which were too widespread to be interpreted as merely subcultural behaviour.

These and other differences show that the newly instilled culture of control is not created by local circumstances; it is, rather, a global product freely exported and imported despite differing social and cultural contexts. This raises further questions about the differences in their reception and impact on everyday life. Fieldwork on street life conducted in Vilnius and Berlin suggests that while the changes are indeed noticeable, they are viewed as inconvenient rather than immutable, prone to workarounds, informal negotiation and creative smugness.



Steve Tombs

The Open University/ UK

Regulation without Enforcement: business, the state and the end of social protection

The focus of this paper is on the trajectories of state enforcement of regulatory law in the context of three areas of social protection, spanning national and local regulatory bodies in the UK: environmental protection, that is, protection of land, air and waterways through a series of regulations enforced both nationally, through the Environment Agency, and at Local Authority level, through Environmental Health Officers; second, health and safety at work, the protection of the health, safety and welfare of employees and members of the public from harms associated with work related activities, enforced at a national level by the Health and Safety Executive and locally by Environmental Health Officers; and, thirdly, food safety, namely the quality and hygiene standards associated with food bought for consumption in the home or otherwise, formally protected through law enforced at local levels by Environmental Health and Trading Standards Officers, and co-ordinated by the national policy-making and standard setting body, the Food Standards Agency. Specifically, the paper is organised around the presentation of data relating to enforcement activities during the period 2004–2013. On the basis of this data, it argues that the economic, political and ideological attacks on the *idea* of regulation are producing regulatory regimes that are largely based upon state withdrawal and voluntary ‘compliance’.

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Philippa Tomczak
The University of Manchester/ UK

Punishment and Charity: Activism and social control

A number of recent policy developments in England and Wales aim to increase the role of the penal voluntary/charitable sector in criminal justice (e.g. *Breaking the Cycle* Green Paper and *The Corston Report*). These developments have triggered a flurry of academic commentary about the sector (examples include Maguire, 2012; Corcoran, 2011; Gojkovic et al., 2011; Neilson, 2009). This commentary has provided a *marketised* understanding of the penal voluntary sector which has raised legitimate concerns about the detrimental impact of neoliberal reforms and the introduction of penal service delivery contracts on the charitable sector.

However, a *fundamental* question about the relationship between punishment and charity remains unchallenged because the historical and contemporary functions of the penal voluntary sector as an agent of net-widening and surveillance are peculiarly absent from recent literature. This paper provides a *new exploration* of the penal voluntary sector that is both more theoretically complete and politically enabling than the dystopic marketised account. I present an analysis of the relationship between punishment and charity that challenges the dominant idea of charitable 'benevolence', using empirical evidence to demonstrate the potential net-widening, surveillance and control functions of penal voluntary organisations. Integrated with this account, I also present the potential benefits that can arise from charitable involvement in punishment, illustrated with case studies of activism and abolitionist movements from the UK and beyond.

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Sarah Turnbull
University of Oxford/ UK

Discourses of difference: Constituting the ‘ethnic’ offender

For many western countries, the increasing ‘diversity’ of offender populations in recent years has created pressures on penal systems to respond to difference. The growing numbers of non-white, female, and foreign national offenders poses challenges to normative ways of doing things, raising questions about the degree to which corrections and supervision systems can (or should) be responsive to groups marked as ‘different’ by their gender, racial, ethnic, national, and/or cultural identities. Drawing on examples from Canada and the United Kingdom, this paper examines the issue of offender diversities, with specific focus on how discourses of difference constitute the category of the ‘ethnic’ offender as a target of diversity initiatives. The production of the ethnic offender can be situated in the context of institutionalised multiculturalism and larger debates around the limits of tolerance and accommodation in advanced liberal states confronted with mass migration and colonial legacies. The presence of offenders marked by various diversities increasingly necessitates institutional adjustment to accommodate these differences and for compliance with anti-discrimination legislation and policy directives.

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In this paper, I argue that ethnic difference poses a challenging set of diversities to be negotiated into penal policy and practice, and is especially complicated by its intersection with gender. For policy makers and practitioners, ethnic difference is often nebulous and difficult to conceptualize in concise terms. The construct of ‘ethnic’ may include a variety of different racial, cultural, national, and/or religious minority groups that do not share common histories, traditions, or cultural practices. These diversities represent a complication to inclusion and accommodation because penal institutions must select particular identities (e.g., Muslim offenders) in order to rationalise and develop diversity initiatives. If, as will be argued, the institutionalisation of diversity is about making exceptions to dominant practices, the challenge posed by ethnic offenders is determining which and how many exceptions to make.



Sarah Van Praet
University of Brussels/ Belgium

Troubles in the family: parents turning to the police of educational aid.

Since the 1970s and the development of a critical literature in sociology, criminology and history, child welfare systems have been mainly analyzed through the perspective of social control (Platt 1969, Donzelot 1977). The critical approach, rejecting a simplistic vision of compassionate humanitarianism, has had many opportunities to underline the increasing anxiety of the middle and superior classes towards “dangerous” working classes and their obsession to discipline them. But, there is also historical evidence available that suggests that, rather than being the passive object of control, working-class men and women came to use State institutions, soliciting them for their own purposes (Brenzel 1983, Davis 1984, Katz 1978, Quincy-Lefevbre 1997, Myers 1999).

This paper proposes to look at this specific form of social control: the one of parents who recur to the police when facing certain difficulties with their children. It also aims to do so from a longer time perspective. Based on a qualitative analysis of over 40 files of the Public Prosecutor in juvenile affaires, opened between 1965 and 2005 in Brussels, on the demand of a parent, in order to focus on what they find intolerable and why turn for aid to the police or the Public Prosecutor, but also what has been done with this complaint by the institutions of control, how they speak about those families.

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Brenzel Barbara, *Daughters of the State*, Cambridge (Mass.), MIT Press, 1983.

Davis Jennifer, « A Poor man's System of Justice. The London police Courts in the Second half of the Nineteenth Century », *The Historical Journal*, 27, n° 2 (jun. 1984), pp. 309-335.

Donzelot, *La police des familles*, Paris, Editions de minuit, 1977.

Katz Michael, “Origins of the Institutional State”, *Marxist Perspectives*, 1 (4), 1978, 14.

Myers Tamara, “The Voluntary Delinquent: Parents, Daughters and the Montreal Juvenile Delinquents'Court in 1918”, *The Canadian Historical Review*, 30, n° 2 (June 1999), pp. 242-268.

Platt Anthony, *The Child Savers*, Chicago, University of Chicago Press, Second Edition 1977.

Quincy-Lefevbre Pascale, *Familles, institutions et déviances. Une histoire de l'enfance difficile*, Paris, Economica, 1997.



Minna Viuhko
University of Helsinki/ Finland

Human trafficking victims and restricted agency

Although human trafficking has been extensively discussed, studied and debated during the past few years, there still exist plenty of misleading images and stereotypes concerning trafficking, its victims and perpetrators. Despite the research, anti-trafficking efforts and the criminalisation of human trafficking in many European countries, the debate continues on exactly what is trafficking and on exactly what is exploitation related to trafficking.

For example, public debate, international instruments and policy statements stress that there are strong links between human trafficking and organised crime. It is often claimed that human trafficking is essentially organised crime. However, e.g. in Finland trafficking operations are often “small-scaled” and organised by people who are not career criminals or members of criminal groups. Furthermore, human trafficking is often linked with human smuggling. In many cases, however, the victims (and perpetrators) are legally in a country where the exploitation takes place. Moreover, trafficking is still conflated with prostitution and the concept of trafficking victim has, until recently, been related to female victims of trafficking for sexual exploitation. However, on the one hand, female victims are victimised by other types and forms of trafficking as well, and on the other hand, trafficking victims are not solely women but also men.

The paper discusses the control that is imposed on the female and male victims of trafficking by the perpetrators, particularly from the victims’ point of view. I will analyse how the victims describe the control that is imposed on them and how they act within the limits of the control. I argue that trafficking victims are not just “passive victims without agency” but their agency is restricted and they act and make decisions within the limits of restrictions and control imposed on them. The data for the study consist of interviews of trafficking victims and trafficking related court cases.



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Exploring the Social and Cultural Significance of the Yorkshire Ripper Serial Murders

This paper will discuss themes from relevant literature which foreground an ongoing research project, exploring the social and cultural significance of the ‘Yorkshire Ripper’ who murdered thirteen women (the majority of whom were prostitutes) in the North of England between 1975 and 1981. The murders had a significant social impact both locally and more widely in terms of vicarious and collective trauma, particularly with regards women’s well-being, fear of victimisation and withdrawal from public space.

The paper will examine literature exploring community trauma in the aftermath of extreme events, drawing upon the work of Alison Young it will question the which communities of victims are constructed. It will also consider how place specificity shapes crime and victimization in particular locales and equally, the way in which criminal events serve to define and mythologise such locations. At a broader level and informed by writers who have emphasized sociological rather than psychological analyses of serial killing, the role of (late) modernity in engendering the serial killer will be explored. However, in light of the frequently gendered nature of the victim/perpetrator relationship and the construction and treatment of victims in cases such as this, it will be argued that such sociological perspectives on serial killing require a fuller and more explicitly gendered analysis informed by earlier feminist work on gender, fear and violence. The case of the Yorkshire Ripper will be used as a reference point to explore the themes identified above.

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The Rise and Rise of In-Country Migration Policing in the UK

In 2008, the United Kingdom Border Agency (UKBA) published a policy document entitled 'Enforcing the Deal' which outlined a strategy for increased enforcement against undocumented migrants. Central to this plan was the advent of Local Immigration Teams (LITs) staffed by 7500 UKBA employees charged with forging local partnerships, thus embedding immigration policing within local communities. Local Immigration Teams were envisaged as engaging with 'partners and the public, replicating the well-established and productive relationships enjoyed by the police service through their neighbourhood policing model'. In addition 'Immigration Crime Partnerships' were formed between the UKBA, local police forces and private and public sector bodies. Immigration Crime Partnerships foreshadowed a drive for extensive data-sharing, such as the sharing of Home Office 'watchlists' with key partners, extending co-operation with government agencies such as the HM Revenue and Customs, the Department of Work and Pensions, the National Health Service, as well as the private sector including telecoms and utility companies. The language of 'partnership' has also included the increasing responsabilization of universities and employers who are co-opted into the labour of in-country migration policing through legislation. The responsabilization of migration control additionally enrolls individuals through the UKBA partnership with the Crimestoppers hotline, and provision on the UKBA website. The engagement of the public was specifically endorsed by Prime Minister David Cameron, who in 2011 called upon the public to 'shop an illegal migrant'. Such arrangements indicate that the work of in-country migration policing is being facilitated attempts to diffuse immigration policing throughout society. Despite the recent dissolving of the UKBA in its current structure, the increasing 'policization' of in-country migration enforcement, twinned with tactics of responsabilization, continues apace. This paper will situate these developments against the broader backdrop of the criminalization of immigration and the blurring of internal and external security within Europe.



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Conventional Criminology 2013

-Definitions are guides to reason. *Self evident*

-We all think in a language. Sometimes our thoughts refer to things that exist, sometimes to that which does not exist. *Self evident*

Using fictitious definitions as premises, upon which reason relies, produces ideologies⁴ from which judicial, legislative and social doctrines and policies are developed. Ideologies can explain everything and every occurrence to the satisfaction of their adherents, becoming an instrument of explanation. The only possible movement in the realm of logic is the process of deduction from a premise. Once ideological logic has gets hold of a premise it becomes a device able to explain away any factual contradiction.

Whenever all judicial, legislative and social doctrines and policies are ideologically comprehended, no experience can teach anything beyond the consistent process of logical deduction that deduces everything to the worst. The premises causing social and political ideological discursive thinking in the general public and in state officials are sometimes entirely false, or sometimes false and sometimes true and often meaningless due to the misuse of language (rhetoric, euphemisms, metaphors, generalizations). This deluded intellectual condition of the general public and state officials, caused in large part by public education systems that do not educate and in part by relentless social and political propaganda renders their legal, political, and social discursive thinking to be similar in content to that of all religious thought: approximately 80% fictional.

Currently US social & political ideologies are used as intellectual tools by the judicial, legislative and domestic military institutions (the sworns)⁵, transmitted to the general public by public education institutions and assisted by the corporate mass media⁶, who functions as a political/social messenger, attempting to control public (the unsworns)⁷ reasoning to (1) support corporate profit interests in extracting money (contracts) from the public treasury and (2) submit to political decision making. Consequently the public treasury paradoxically funds both state officials and corporations who politically and financially oppress the general public (the unsworns). [...]

⁴ Ideologies are the logic of an idea. The application of its logic does not result in a body of statements about something that exists.

⁵ The sworns are those who are required, prior to their employment/service, to take a solemn oath to protect the safety of other sworns from the unsworns behind the façade of protecting/serving the public safety/interest.

⁶ When corporate interests dominate political interests, this social condition is referred to as the political ideology of fascism.

⁷ The exercise of authority or power in a burdensome, cruel or unjust manner.



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The ordered and the bordered society: migration control, citizenship and the Northern penal state

The paper examines the dynamics of contemporary migration control from two perspectives: a) The progressive intertwining of migration control and crime control (i.e. 'crimmigration', Stumpf, 2006) and b) The Northern / Western nature of the production irregularity and its control. By examining how irregularity / illegality is produced (by whom and for whom), and the concrete dynamics of its control, the chapter suggests that the penal and the Northern are the two central elements in the formation of the Northern penal state. Taking the EU as its primary point of departure, the chapter proposes to deconstruct punishment in relation to citizenship, and examine its role as a tool of contemporary global governance, formed by the unequal North - South relations.