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# EUROPEAN GROUP FOR THE STUDY OF DEVIANCE AND SOCIAL CONTROL

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*An international network working towards social justice, state accountability and decarceration*

## NEWSLETTER No 02, 2016

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Front image: The Bench (1758) William Hogarth

## **I. Editorial**

In this month's newsletter David Scott argue convincingly that we need a new language to address abolitionism, the language of structural violence, of state violence. The essence of imprisonment is exactly this, making it a more precise language. It would provide abolitionism with a new tool to build a strong anti-prison counter-hegemony. Further, using a language that is already well known and used among other activist and human rights organizations have the potential to build links between such movements and abolitionism.

It is a lot of motivating activities going on these days. In this newsletter you will find several calls for most interesting conferences and seminars. Particularly, we would like to draw your attention to the upcoming British/Irish section of the European Group's annual conference.

**In solidarity,  
Ida and Per**

## II. Speaking the language of state violence: An abolitionist perspective

David Scott

Of central concern for penal abolitionists today is the fostering of a coherent and politically plausible strategy that can facilitate a decisive shift away from the global expansionist penal trajectory of the last three and more decades. Prison populations in recent years have reached record highs in many countries (Scott, 2013b) and at time of writing, January 2016, the average daily prison population in England and Wales stood at just under 86,000 people, more than double the number of the early 1990s. Strategically, penal abolitionism requires a “name” (Critchley, 2012:9) around which a new anti-prison “social imaginary” can be formulated that can capture the hearts and minds of the populace and as a result create a powerful, sustainable and effective mobilisation of counter-hegemonic oppositionary social forces against hyper-incarceration (Laclau and Mouffe, 1985:155). Contemporary abolitionist social movements must in other words operate like ideological cement binding together currently fragmented groupings of people struggling against domination and exploitation into a single unified alliance (Ibid).

But how should abolitionists frame the issue? What is the best language to use? This article contends that the ‘language of state violence’ may be one way of ‘naming the problem’. This is not to say that violence is the only way that prisons can be analysed and conceptualised, but it may be a politically significant way of expressing the inherent harms of penal confinement and mobilising resistance. For the purposes of this discussion violence is defined as the physical / psychological pain, harm or death resulting from an individual action or a given set of structural arrangements (see further definitions by Cover, 1988:203; Iadicola and Shupe, 2003:23). Violence is the systematic “denial of need” (Galtung, 1994:55) and pertains when the social production of suffering and harm are legalised, institutionalised and endemic within state policy and operational practice. State violence then is understood as a form of coercive power which produces violent outcomes.

The capitalist state has the monopoly on the legitimate deployment of such ‘coercive power [violence] and consequently the law performs an integral role in organising and structuring the *legal institutionalisation of physical repression* that we call the prison. For scholars such as Nicos Poulantzas (1978:76) the assumed split between law and lawless terror is in fact “illusionary”. Prison is terror. Lawful terror. It is a manifestation of *institutional violence*. That prisons are drenched in violence does not mean, however, that physical violence is constantly exercised. Physical violence may well be rare events in certain penal institutions, but this does not mean people live free from the shadow of violence. What is permanently “inscribed in the web of

disciplinary and ideological” rules and practices of penal regimes is the fear of violence. As such, a “*mechanism of fear*” (Poulantzas, 1978:83; emphasis in original; see also Scraton et al, 1991) underscores penal power. Prisons are places of [legal] *repression* (Poulantzas, 1978; Cover, 1988; Scraton et al, 1991). Such repression can be explicit, as for example through the structured humiliations and denials of dignity within the daily role of the prison officer – strip searches; control and restraint; locking people into a cell and so on – or it can be implicit, where prisoners conform because they know physical violence will follow if they do not. In terms of everyday situations, *legal repression* shapes the conduct and acquiescence of prisoners (Cover, 1988). The acquiescence of prisoners can thus be understood in the context of the potential threat of an “overwhelming array” of practices of state violence and the *fear* of state violence: “prisoners walk into prison because they know that they will be dragged or beaten into prison if they do not walk” (Cover, 1988:211).

Ultimately, to speak the ‘language of state violence’ is to insist that irrespective of the conditions, architecture, or general resources available, the prison will always be a place that systematically generates suffering, harm and death. Understanding prisons as a *modus operandi* of *state violence* may help abolitionists gain political momentum, for it leads to focus on both ‘institutional’ and ‘structural’ violence (Scraton and McCulloch, 2009; Ritchie, 2012). Ultimately it provides a name to mobilise around and makes connections between the prison and social inequities.

### **State violence and structural violence**

By speaking the language of ‘state violence’ it may be possible for abolitionists to start to building new networks and alliances beyond the prison walls. The problem the abolitionist opposes is violence: suffering, pain and death (Cover, 1988). Prisons are one institutional site of state violence. If we are against violence, then we should be against the prison, for they are places of suffering, pain and death. To reinforce this message abolitionists can locate imprisonment within the broader context of *structural violence* and the harm it generates (Galtung, 1969). Structural violence refers to the harmful outcomes of an unequal society aiming to establish or reproduce a given “hierarchical ordering of categories of people” (Iadicola and Shupe, 2003:31). Capitalist societies are structured in such a way that access to resources are restricted for certain groups of people which negatively impact upon life chances, health, intellectual, physical and spiritual development. The state, as the orchestrator of social relations, is directly implicated in the existence and consequences of ‘structural violence’. Although he did not use the term ‘structural violence’, in *The Conditions of the English Working Class* Friedrich Engels (1844) gives us a clear indication of the how pain and death can be systematically generated. In a well-known passage, Engels argues that the poor, marginalised and excluded find themselves

... in such a position that they inevitably meet a too early and an unnatural death, one which is quite as much a death by violence as that by the sword or bullet; when it deprives thousands of the necessities of life, places them under conditions in which they cannot live - forces them, through the strong arm of the law, to remain in such conditions until that death ensues which is the inevitable consequence...

Whilst such 'state violence' is "more one of omission than of commission" it nevertheless "undermines the vital [life] force gradually, little by little, and so hurries them to the grave before their time." (Ibid).

Abolitionists in the UK have consistently argued over that the role of the prison is interconnected with the broader structural inequalities of advanced capitalist societies (see for example, Scraton et al, 1991; Sim, 1984, 2009; Scott, 2013b). Prisons house socially excluded people from impoverished social backgrounds. The language of state violence provides a clear conceptual framework through which the pain, harm and death created by social and economic inequalities can be directly linked to the application of penal confinement. It provides us with an interpretive frame and clear narrative that may help abolitionists connect further with socialists, feminists, anarchists, anti-poverty activists, and peace movements.

Prisons are not just about wasting life - but about wasting the life of a given segments of the population - for penal incarceration is shaped through complex intersections of class, 'race', gender and sexuality (Barton et al., 2006; Scott, 2013b). A drift towards a greater intensification in the control of the poor has spawned global hyper-incarceration and the substantial penal colonisation of welfare provisions and other sites of state detention. Prison has become a dumping ground for humans with profound difficulties (Scraton and McCulloch, 2009). The language of state violence ties the expansion of the penal apparatus of the capitalist state with the violence ravaged through poverty, for both reflect political and policy agendas of the capitalist state. Here abolitionists can engage with social movements who talk the language of 'state violence' and offer solidarity to the emancipatory struggles of those campaigning against other manifestations of 'structural violence'.

Operating independently of human actions, structural violence has a permanent, continuous presence which in the end produces "lethal effects" (Gilligan, 2000: 193). Today in the UK we find that the richest 10 per cent of households hold 44 per cent of its wealth. The poorest 50 per cent in the UK have possession of just 9 per cent of marketable wealth and one in four live below the average national income. The bottom 10 per cent of the population have less than £12,500 in total wealth, whilst the

top per cent have £1 million or more in wealth. In 2015 18 million people (30 per cent of the UK population) lived in poverty. This is double the number of 1983 (Scott, 2013b; The Equality Trust, 2015). This is in the context of global hyper-inequalities in 2016 where the combined wealth of the 62 richest people is greater than that of the poorest 3 Billion people on the planet (Hardoon et al, 2016). Structural inequalities weaken social bonds, generate false hierarchies, spawn intolerance, create anxieties and suspicion and promote moral judgments based on individual responsibility that subsequently lead to resentment and hostility to those classified as 'Other'. Unequal societies are highly conducive to the attribution of blame and the deliberate infliction of pain and it has long been established that penal severity and income inequality are intimately connected. Prisons and poverty are tied through an umbilical cord of shared violent outcomes.

The extent of poverty and disadvantage of prison populations is staggering. Recent data compiled by the Prison Reform Trust (2015) inform us that 26 per cent of the prison population (21,880 people) are from a Black or Minority Ethnic group; 33 per cent of boys and 61 per cent of girls in custody were formerly in care homes; 27 per cent of men and 53 per cent of women in prison have experienced emotional, physical or sexual abuse as a child; 46 per cent of women in prison have experienced domestic abuse; 25 per cent of women and 15 per cent of men in prison have symptoms indicative of psychosis; 36 per cent of prisoners have a physical or mental disability; 30 per cent of prisoners have learning disabilities; 47 per cent of prisoners have no formal qualifications; 15 per cent of prisoners were homeless before custody (9 per cent sleeping rough); 67 per cent of prisoners were unemployed in the four weeks before custody (13 per cent have never had a job); and 33 per cent of prisoners don't have a bank account. Abolitionists must emphasise the counterproductive nature of a government policy attempting to address the structural violence of poverty through the institutional violence of the prison place. Prisons are filled with the neglected and the impoverished. Prisoners are confronted with violence in prison and through the organisation of society. We cannot address such violence by advocating institutional solutions grounded in violence. The overall message is clear: violence only breeds more violence.

### **Abolitionism: beyond penal reform**

Whilst there is some overlap in understandings of 'violence' between penal reformers and penal abolitionists, there are a number of major differences, especially regarding the meaning of 'state violence' (See Table 1). Whereas penal reformers largely focus on interpersonal violence and advocate reforms they believe will lead to its reduction, for abolitionists violence is an endemic and ongoing process institutionally-structured within the day-to-day workings of the penal regime (Scott, 2015). For abolitionists

there are no simple solutions to the ‘violence of incarceration’ (Scruton and McCulloch, 2009).

**TABLE 1: The differences between reformist and abolitionist approaches to violence in prison**

	PENAL REFORM	PENAL ABOLITION
<b>Conceptualisation of violence</b>	<p>Interpersonal / physical and cultural violence. Focus on violence of prisoners and prison staff.</p> <p>Focus on intention and wilful actions of individuals.</p> <p>Violence is an event / interaction that can be expressive, instrumental, rebellious or adaptive.</p>	<p>Cultural, physical, institutional and structural forms of violence. State violence operates on a continuum and prisons are places of both direct physical ‘interpersonal-institutional violence’ and indirect ‘institutionally-structured violence’.</p> <p>Focus on harmful outcomes and acts of omission and commission. Individuals are not the only perpetrators of violence.</p> <p>Violence is <i>also</i> an ongoing process permeating day to day relations and lived experiences. Violence can be physical and / or psychological harm. Violence is pain and death.</p>
<b>Causes of violence</b>	<p>Explanations linked to individual pathologies, defects and deficiencies and cultural codes of violence among both prisoners and staff. Poor prison design and architecture can lead to an exacerbation of interpersonal conflicts.</p> <p>The full extent of state violence is not always recognised. Rather it is taken for granted as an integral part of the penal machine.</p>	<p>Explanations of all forms of violence focus on social and institutional organisation and structural contexts.</p> <p>Prison cultures may naturalise (and thus fail to acknowledge) institutionally-structured violence. Interpersonal / physical violence by prisoners may be directly generated by penal confinement as a form of individual or collective</p>

		resistance or rebellion.
<b>Violence in prison</b>	<p>Violent behaviour linked to illegal behaviours by individuals or groups.</p> <p>Violence (sexual or physical) is defined by the law and may be remedied through the law and the penal system.</p> <p>Different prisons have different levels of safety, violence and moral performance.</p>	<p>Violence behaviour linked to exploitative power differentials, structural constraints and hierarchies. Prisons are places of dehumanisation and the denial of need.</p> <p>The law itself can be a form of violence. Prisons will always generate pain and death.</p> <p>All prisons are characterised by institutionally-structured violence. Violence is a universal feature rather than something that can fluctuate relative to specific problematic or humane prisons.</p>
<b>Assumptions behind anti-violence strategies</b>	Violence can be greatly reduced / eradicated in the prison by progressive reforms.	Violence (pain and death) is endemic to the prison place. The structures of confinement inevitably produce Iatrogenic penal harms.
<b>Examples of anti-Violence strategies</b>	Prisoner mediation and community forums; smaller and better designed prisons; restorative justice and alternative means of conflict resolution in prisons; challenging the prisoner code; challenging prison office culture; prison officers as peacekeepers; improving prison conditions.	Emancipatory humanitarian interventions which can reduce harm and both contradict and compete with existing penal policies; human rights <i>for</i> prisoners, stressing acknowledgement of inherent dignity and hearing the voice from below; deployment of attrition model as strategy for de-penalisation; non-violent responses to human conflicts, troubles and problematic conduct <i>in place</i> of the prison; social justice responses at societal level that can combat structural violence and meet human need. Anti-violence political activism contesting hierarchies of power.

Speaking the language of state violence, within a broader understanding of the structural contexts and social and economic inequalities detailed above, clearly distinguishes prison abolitionists from penal reformers. Abolitionists and anti-prison activists in organisations such as *Critical Resistance* and *INCITE! Women of Colour Against Violence* in the USA already follow a strategy by naming state violence as the problem to be addressed (Davis, 2006; Ritchie, 2012; Oparah, 2013). American ‘new abolitionists’ turn conventional logic on its head: they argue that rather than offering excluded and marginalised communities safety and protection, the ‘penal industrial complex’ in fact perpetrates harms and violence against them (Oparah, 2013). Through speaking the language of state violence *Critical Resistance* and *INCITE* have been able to connect with feminists, anti-racists, socialists, anti-capitalists and anti-violence activists to build a new broad based coalition against the penal apparatus of the capitalist state. This approach in many ways transcends the divides between reformers and abolitionists – the objective is to visibilise, critique and end violence. This strategy has also led to mainstream anti-violence activists becoming more conscious about the limitations of the penal law as a means of responding to violence, especially violence against women (Ritchie, 2012). Speaking the language of state violence does though mean moving beyond reformist strategies which look to tinker with the existing criminal processes. Instead of focussing on the limitations of the criminal process alone, by speaking the language of violence important links are made between poverty, workplace harms, racial violence, sexual violence, imprisonment and other varieties of state harm. Naming ‘the problem’ as state violence demonstrates beyond any doubt that penal abolitionists take violence seriously and provides a language to articulate and critique domination, exploitation and subjugation in capitalist, patriarchal and neo-colonial societies.

For abolitionists, the only way to end the ‘violence of incarceration’ (Scruton and McCulloch, 2009) is by abolishing the prison. But reformers and abolitionists need not always be in opposition, for like reformers, abolitionists are compelled to promote emancipatory and humanitarian initiatives in the here and now. Critique of prison place does not mean that the daily problems and difficulties of prison life are downplayed or neglected. Abolitionists, however, must be much more ambitious than a purely descriptive account and instead attempt to not only deepen and extend understanding of prison violence but also aim to direct existing struggles towards abolishing violence in all its manifestations.

### **State violence and Institutionally-structured violence**

Like penal reformers and indeed many penal practitioners, abolitionists are concerned by the nature and extent of interpersonal physical violence in prison (Scott,

2015). Accounts, like the testimony cited below from a recently release prisoner from HMP Liverpool in February 2015, are bone chilling.

Everything is solved with violence. And if you're not of that attitude, then you're soft .... There's an average of five fights every day. The showers are normally the place where disputes and debts are sorted out. I have seen inmates leave with bust lips, blood pouring from their nose and with other injuries ... I have seen three inmates enter a cell, leave a few minutes later and watch as a prisoner comes out with cuts, slashes and stab wounds ... The officers watch everything and are fully aware of what's happening, but do not get involved. Either because it makes their shift easier or they fear attacks on them ... Violence is the fluent language of the prison. You have to learn to speak it quick at Walton or you will get eaten alive (Ex-prisoner, cited in Siddle, J., 2015)

Much of the penological literature concentrates on physical violence, especially violence perpetrated by prisoners on other prisoners (Cohen et al, 1976; Edgar et al, 2003; Levan, 2012; Trammell, 2012), although there has for some time been considerable evidence of prison officer violence (Kauffman, 1988; Edney, 1997). Whilst the physical violence of prisoners should not be downplayed or ignored, it is only one kind of violence and by no means the most harmful (Scott, 2015). One of the most pertinent moral, political and intellectual tasks of abolitionism is to move the debate beyond simply a focus on the physical violence of prisoners and in so doing help establish a new broader counter-hegemonic cultural understanding of penal violence.

Violence is considered by many people to be immoral and the perpetration of physical violence is considered problematic in most circumstances. Prisons though are distinct moral places where normal moral conventions can sometimes be neutralised in daily interactions between prisoners and penal authorities (Scott, 2008). There are, of course, official condemnations of prisoner physical violence (see for example special issue of *Prison Service Journal*, September 2015 on 'violence reduction'), but often the official critique of violence is reduced to explanations of individual pathology, alongside references to the deprived nature and inherent violence of the perpetrators (Levan, 2012). Such analysis dislocates physical violence from the permanent and irremovable situational contexts of penal confinement. Interpersonal physical violence by prisoners is taken most seriously by penal authorities and this may well be because it is the most visible form of violence and as such presents a direct threat to the states monopoly on the use of force. By contrast, abolitionists

should directly locate interpersonal physical prisoner and prison officer violence within the organisational structures of penal institutions.

Interpersonal-institutional violence is often taken for granted as a part of prison life and it is regularly accepted that physical violence can and will be deployed by prison officers where and when deemed necessary (Iadicola and Shupe, 2003:28). Prison officer violence is also connected to the asymmetrical hierarchies of the penal institution. Although staff cultures differ in its intensity across and within prisons, the hierarchical nature of the prison place exacerbates the 'us and them' mentality. Further, through a narrow focus on specific objectives, such as key operational indicators, targets and outcomes, prison officers may fail to question or evaluate the ends of their given role or function. This clouding of the 'big picture' can lead to social separation, negative stereotyping and dehumanising classifications neutralising moral commitments to the prisoner. Bauman (1989) refers to those institutional practices eroding their membership of a shared moral community 'adiaphorization'. Such social distancing can generate ill-treatment and scenarios where exclusion of the Other is considered unproblematic: the Other is forgotten, invisibilised or met with cold indifference.

Dividing practices categorising people as either deserving or underserving, worthy or unworthy, eligible for care and support or less eligible are often deeply engrained in prison officer occupational cultures (Kaufmann, 1988; Scott, 2008). The 'superior' prison officer identify becomes reliant upon the debasing of the 'inferior' Other - the prisoner. The good, law-abiding and honourable prison officer should be treated with respect, whereas the inadequate prisoner should not. The prisoner is no longer perceived as a genuine victim but rather can be blamed for their own suffering. Johan Galtung (2013:57) refers to this as the "Self Other gradient", for the badness of the prisoner (the Other) has to be emphasised so that the goodness of the prison officer (the Self) becomes more apparent.

Physical violence against prisoners is sometimes viewed by staff as not only necessary but also morally justifiable. Violence is used for the right reasons to control the less eligible prisoner, something which has been referred to as "righteous violence" (Edney, 1997:291). Prisoners are placed beyond the realm of understanding and common humanity. They are Othered. Using violence against prisoners can be a means of gaining respect and status as well as providing 'excitement' in the otherwise bleak and monotonous routine (Scruton and McCulloch, 2009).

For prison officers the location and timing of physical violence is often carefully chosen (Edney, 1997). Sometimes it takes place in concealed and isolated spaces of the prison where the officer cannot be easily seen; other times officers may utilise the opportunities given to them by prisoners - such as targeting unpopular prisoners

during prisoner disturbances or on the way to the segregation unit or applying greater force than necessary when applying restraints (Dawkins, 2006). More indirectly, prison officers can facilitate prisoner-on-prisoner interpersonal violence by turning a blind eye, such as leaving the cell of a potential victim open; failing to patrol hot-spot areas known for prisoner assaults; or failing to intervene when physical violence erupts between two prisoners (Levan, 2012).

But this is not the only form of institutional violence. Another silent, invisible yet potentially deadly form of state violence is '*institutionally-structured violence*' (Iadicola and Shupe, 2003; Scott, 2015). Rather than a perverse or pathological aberration, institutionally-structured violence is an inevitable and thoroughly legal feature of prison life. Institutionally-structured violence is constructed through the operation of the daily rules, norms and procedures of penal institutions and impacts upon how interactions are formed and performed. It pertains when autonomy and choices are severely curtailed; human wellbeing, potential and development are undermined; feelings of safety and sense of security are weak; and human needs are systematically denied through the restrictive and inequitable distribution of resources (Sykes, 1958; Sim, 1984; Galtung, 1994; Gilligan, 2000; Scraton and McCulloch, 2009).

Prisons are structured according to the dictates of domination and exploitation. Hierarchical and antagonistic relationships result in an 'unequal exchange' between people ranked differently. This creates a form of structural vulnerability. Systemic exploitation takes many different forms in the prison place, such as through the informal prisoner code or bullying. For prisoners, physical violence can be a way of acquiring goods and services, keeping face or fronting out problems. In social hierarchies there are always winners and losers, with the losers open to physical (and sometimes sexual) exploitation. Though the physical violence of prisoners is often relatively minor (there are only small numbers of prisoner homicides) victimisation and exploitation is routinised and part of the social organisation of the prison (Edgar et al, 2003).

A person can never be truly free in prison - everywhere they will be restricted by invisible (and sometimes quite visible) chains that place significant limitations upon human movement. Restrictions on prisoner contact and relationships are structurally organised and whilst physical violence is relational and dependent upon a number of contingencies, it is embedded in, and socially produced by, the situational contexts of daily prison regimes (Cohen, 1976). Most obviously, we think of this in terms of prison conditions, crowding and the spatial restrictions created by the architectural dimensions of the prison place itself. Prisons are a specifically designated coercive spatial order controlling human freedom, autonomy, choices, actions and relationships (Sykes, 1958). External physical barricades regulate the conditions of social existence through sealing the prisoner from their previous life, whilst internal

control mechanisms survey constraints on the minutiae of the prison day. Security restrictions on prisoner movements – such as access to educational and treatment programmes; religious instruction; work and leisure provision – are carefully structured and regimented around predetermined orderings of time and space. The architecture of the prison place determines the location of events and distribution of bodies and in so doing also highly regulates relationships, and subsequently physical violence.

The general lack of privacy and intimacy; the ‘forced relationality’ between prisoners sharing a cell; insufficient living space and personal possessions; the indignity of eating and sleeping in what is in effect a lavatory; living daily and breathing in the unpleasant smells of body odour, urine and excrement; the humiliation of defecating in the presence of others, these are all institutionally-structured situational contexts (Nagel, 1976). Yet if these visible daily spatial constraints were all there was to institutionally-structured violence then prison reformers’ calls for improved prison conditions, greater forms of autonomy and enhanced resources allowing prisoners to choose how they live their lives might be considered sufficient. But they are not.

In one way or another, the sense of loss and wasting affects all prisoners (Medlicott, 2001). The acute pains created through saturation in time consciousness can be overwhelming and as a result prisons become places of death. The literal death of a person – corporeal death (the death of the body) – has haunted the prison place throughout its history. For centuries 100s of people have died in prison every year (Sim, 1990). In recent times deaths in prisons have once again taken an upward turn. Between 2012 and 2013 self-inflicted deaths rose from 60 to 74 deaths – a 23 per cent rise – and this number increased to 83 self-inflicted deaths in 2014. There were 242 deaths in total in prison in 2014, approximately one third of which were self-inflicted (MoJ, 2015:7). The picture was even worse in 2015. 257 prisoners died this year, 89 of which were self-inflicted (Bowcott, 2016). The deadly outcome of a self-inflicted death needs not the intentional hands or actions of another. Rather it is a harm directly produced by the structural arrangements of the prison place. This constrains prisoners so much some literally suffocate.

Historically prisons have produced two other forms of ‘death’: civil death and social death. Civil death means a person is ‘dead in law’. Talk of the legal or civil death of prisoners inevitably draws parallels with slavery, for which the concept was first deployed (Guenther, 2013). Though the removal of the legal rights of prisoners is no longer entirely complete in English law, prisoner rights are still very restrictive (Scott, 2013a). Since the 1970s the legal recognition of prisoner rights have been placed on ‘life support’ and though the judicialisation of penal power has allowed access to the courts and strengthened prisoner due process rights, successful prisoner petitions are still relatively rare, especially with regards to living conditions (Scott, 2013a). The

continued denial of prisoners right to vote<sup>1</sup> and the political controversy calls for political enfranchisement has engendered is evidence that the legal death of prisoners still holds some weight and that the prison sentence continues to defines the person. As Prime Minister David Cameron put it on the 3<sup>rd</sup> November 2010 (cited in Horne and White, 2015:25):

It makes me physically ill even to contemplate having to give the vote to anyone who is in prison. Frankly, when people commit a crime and go to prison, they should lose their rights, including the right to vote.

Civil death has become entwined with the third form of 'death' produced through imprisonment: social death. Social death is 'symbolic death' rather than physical death, where the former self is consciously extinguished as a worthy and moral subject. Social death is about the 'death' of human relationships, status and moral standing and at its extreme refers to the non-recognition of the prisoner as a fellow human. Whilst in prison the prisoner is treated like an outcast (Guenther, 2013). The prison sentence is a moral judgement that leads to the construction and distancing of a perceived morally inferior person. The person imprisoned is denounced and censured. The prisoner label is a category of blame, shame and humiliation – and, irrespective of their offence, the label prisoner carries with it the weight of social and moral condemnation. In a hierarchical and antagonistic environment the prisoner is a subject whose views, opinions and voice can be refused or ignored, making them increasingly vulnerable to exploitation. The former self has died. Consequently the prisoner may be required to find new ways to securing respect.

The long term harmful consequences of social death come from the literal severing of the prisoner from previous relationships in the wider community. An individual's self-identity is shaped through relations with other people and a person can only recognise themselves through engagement with fellow humans. Prisons remove previous positive foundations of personhood. Living relationships become dead ones. The elimination of relationships constituting the self-identity can result in the demolition of the former personality (Scott and Codd, 2010). The estrangement of imprisonment removes mechanisms of support and mutual aid, undermines family life and damages the ability to live in normal human society. It takes people out of their familiar situational contexts and subsequent damage to the self can prevent re-socialisation (Guenther, 2013). For abolitionists the long-term harmful consequences wrought by social death are further evidenced by high recidivism rates and the difficulties in successful resettlement.

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<sup>1</sup> See the decision of the European Court of Human Rights on the 6<sup>th</sup> October 2005 in *Hirst v United Kingdom (No.2)*.

Prisons then are places of enforced estrangement. They will always be places that take things away from people: they take a persons' time, relationships, opportunities, and sometimes their life. Prisons are places which constrain the human identity and foster feelings of fear, *alienation* and emotional isolation. For many prisons are lonely, isolating and brutalising experiences. Prisons are places of dull and monotonous living and working routines depriving prisoners of their basic human needs (Sykes, 1958; Galtung, 1969). For prisoners this can lead to a disintegration of the self and corporeal death. For prison officers, this can lead to a culture of moral indifference (Scott, 2008). Such indifference is socially produced in a culture where prisoner humanity is neutralised and pain ignored. Through distantiation and institutionalised 'adiaphorization' (Bauman, 1989) the prisoner is no longer considered a member of our shared moral community. To be certain, the institutionally-structured violence of the prison place is much more conducive to producing indifference and neglect than a commitment to an ethics of care (Scott, 2008).

### **Abolish Violence**

Abolitionists need to build a political powerbase which can effectively challenge penal expansionism. This article has called for abolitionist activists to strategically adopt the language of state violence as a first step towards building a new anti-prison counter-hegemony. Abolitionism must build links with socialist, anarchist, feminist and anti-violence peace activists and connect with social justice, pro-democratic and human rights groups and organisations. By speaking the language of state violence political alliances joining together the above grassroots movements and NGOs can be built.

The starting point for a new abolitionist counter-hegemonic social movement is to name the prison place for what it actually is - an institution of legalised and officially sanctioned violence. This entails denaturalising taken for granted deprivations organisationally structured within daily penal regimes. Abolitionists must debunk current myths around the *virtuous* and *morally performing prison* and instead acknowledge that prisons produce a specific moral climate that is more likely to dehumanise and debilitate than positively transform an individual. Articulating the brutal mundaneness of everyday prison life that is so corrosive to human flourishing and wellbeing can help facilitate a new culture that can assist in making state violence more visible.

Abolitionists must emphasise how prisons are the enemy of the people, not their protector. Prisons are a human tragedy for all those caught up in exploitative and oppressive relations. Focusing on prisons as state violence also highlights the tensions

around promoting the criminal law as a means of responding to social harms such as rape and sexual violence. Indeed the punishment of sexual violence has not only led to the reinforcement of state legitimacy but in the USA at least to further expansion of the penal net among poor, disadvantaged and marginalised women (Ritchie, 2012). The belief that prisons can be used to 'control' male violence and create greater safety and public protection are today key ways of legitimating the prison place: by focusing on the violence of penal confinement it is possible to challenge this logic. The prison is unlikely to provide a means of increasing the safety and well-being of anyone, be they 'victims', 'offenders' or 'bystanders'.

This does not mean that current patterns of interactions in the prison place cannot be challenged at all. Prison authorities and prison officers should be encouraged to talk openly about the harmful consequences they see on a daily basis: they, alongside prisoners, can bear witness to truth of current penal realities and should be allowed to do so without impunity. Whilst it is impossible to change all the structural arrangements of the prison place, there are still everyday operational practices and cultures that can be transformed. Emancipatory humanitarian changes can be introduced to mitigate the worst excesses of institutionally-structured violence. Some need deprivations can be removed and many daily infringements of human dignity can be greatly reduced. Cultural changes can be made to the prison place: a democratic culture providing first a voice to prisoners and then a commitment to listen to that voice with respect and due consideration can enhance recognition. Finding new non-violent ways of dealing with personal conflicts and troubles in prison would reduce the extent of physical violence and would help de-legitimize cultures of violence.

Abolitionism must be both a movement of both deconstruction and reconstruction: providing a challenge to the penal system and demanding the social, economic and political emancipation of all people. Abolitionism must contribute towards an emancipatory politics and praxis. This requires political changes in the distribution of the social product so that society is organised in a way that can meet human needs. This means naming all forms of violence—including those of imperialism (colonialism), gendered violence, slavery, racism, neo-liberal capitalism, poverty and war - and acknowledging how these forms of violence mutually reinforce each other. The united call must be for the *abolition of violence*.

Yet there remain potential pitfalls with this strategy. Adopting a broad based approach to violence may lead to a decentering of focus away from prisons and punishment, especially if numbers of people with knowledge or experience of imprisonment are small. Further, when focusing on 'institutional structures' abolitionists must be careful that their argument is not reduced to a crude form of social pathology. There is also always the danger that structural analysis can lead to

the denial of human agency. Human choices are constrained by social circumstances, not determined by them. Finally, by recognising that prisons are spaces of legalised violence systematically producing pain, suffering and death privileges 'consequentialist' ethics. But the moral frameworks underscoring penal abolitionism must not be reduced to consequentialism alone. Abolitionists must continue to make principled 'deontological' critiques, noting that 'two wrongs don't make a right'; emphasise the 'virtue' of 'turning the other cheek'; and draw upon the 'ethics of alterity' when proposing alternative ways of dealing with the violent actions of others (Hudson, 1996; 2003).

Prisons can never free themselves of violence entirely. Prisons systematically generated pain, suffering and death. We must once again urgently, vigorously and robustly call for a radical reduction in the use of prison. Quite simply, violence cannot be used as a weapon against violence. But, perhaps, abolitionists can utilise the language of state violence as a way of connecting together emancipatory politics and praxis to help realise such a goal.

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### III. European Group Conferences – call for paper

#### Economic Crisis and Crime: From Global North to Global South



#### *44<sup>th</sup> Annual Conference of the European Group for the Study of Deviance and Social Control*

University of Minho  
Braga, Portugal

**1<sup>th</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> September 2016**

Although economic crisis is a global phenomenon, southern countries of Europe have been particularly affected. In Portugal, for example, quality of life has considerably decreased and the crisis has intensified exclusion, homelessness, emigration and enforced poverty.

Taking into account the different realities of the crisis in the countries of the global north and south, this conference calls for papers exploring various manifestations of the crisis in different sectors of the criminal justice system and other public services. The conference will seek to address the following questions:

Are patterns of crisis different in northern and southern Europe? Are state control and forms of resistance to the crisis different between the north and the south of Europe? How can we promote social justice in times of crisis? How can scholars contribute to reducing social inequality and the policies that promote social exclusion? How are activists and social movements dealing with the crisis in different countries? How can we involve citizens in the fight against state violence?

We welcome papers on the themes below which reflect the general values and principles of the European Group. Please forward short abstracts of 150-300 words to the relevant stream coordinators by **31<sup>st</sup> March 2016**.

For all general enquiries please contact Luísa Saavedra at [lisaavedra@psi.uminho.pt](mailto:lisaavedra@psi.uminho.pt). For questions about the European Group, please contact the EG co-ordinator Ida Nafstad at [europeangroupcoordinator@gmail.com](mailto:europeangroupcoordinator@gmail.com)

## Streams

### **Fear and looting in the periphery: Approaching global crime and harm in (and from) the south(s) [*Working group in progress*]**

- Theoretical development of state-corporate crime and social harm on / from the south(s)
- Complex relations and connections between north and south.
- International financial agencies, debt and the production of crime and harm.
- Geographical production of crime and harm
- Resistance from the south(s)
- What is to be done about state-corporate crime?
- Post-colonial criminology

Contact: [aleforero@ub.edu](mailto:aleforero@ub.edu) & [djf@unizar.es](mailto:djf@unizar.es) & [ignasi.bernat@udg.edu](mailto:ignasi.bernat@udg.edu)

### **Crimes of the Powerful Working Group Stream**

- Corporate and State crimes/harms/violence
- Resistance, contestation and class war
- Economic, physical, emotional and social costs of crimes of the powerful
- Power, harm, corruption and violence in institutions
- Eco-harms and green criminology
- Criminal justice, civil law, critical legal perspectives and social justice

Contact: [Samantha.Fletcher@staffs.ac.uk](mailto:Samantha.Fletcher@staffs.ac.uk)

### **Social harm/Zemiology [*Working group in progress*]**

- Social harms of the financial crisis, recession and austerity
- Social harms of neo-liberalism and other forms of social organization
- Social harms of criminalization
- Social harms of 'war on terror' (criminal justice and social policy interventions)
- Social harms of border control
- Social harms relating to gender, sexuality, age, ethnicity etc.
- Methodological, epistemological, theoretical issues

Contact: [C.Pantazis@bristol.ac.uk](mailto:C.Pantazis@bristol.ac.uk) & [S.Pemberton.1@bham.ac.uk](mailto:S.Pemberton.1@bham.ac.uk)

### **Prison, Punishment and Detention Working Group Stream**

- Resistance to control and prison
- Immigration detention and forced removal
- Prison and surveillance
- Surveillance outside the prison
- Semi-penal institutions
- Punishment and structural violence
- Genderisation of practices between prisons
- The institutional genderisation of inmates
- Gendered Violence in Prison

Contact: [Victoria.Canning@open.ac.uk](mailto:Victoria.Canning@open.ac.uk)

### **Policing and Security Working Group Stream**

#### **Post-crash policing: developments, implications and possibilities for resistance**

- Post-crash intensification of coercion and surveillance: criminalizing resistance
- Policing the crisis in southern Europe: developments and comparisons
- Capitalism, pacification and post-crash policing
- Containing the police counterattack: problems and prospects for police accountability
- Citizens, activists, communities, movements: possibilities for resistance and alternative political programs

Contact: [g.papanicolaou@tees.ac.uk](mailto:g.papanicolaou@tees.ac.uk)

### **Criminalizing children and young people**

- From marginalization to crime
- Institutional violence in the care system for children and young people
- Regulating the behavior of youth
- Comparative perspectives in youth justice

Contact: [pcmartins@psi.uminho.pt](mailto:pcmartins@psi.uminho.pt)

## **IV. European Group for the Study of Deviance and Social Control I British-Irish Section I**

### **Defending and Celebrating the Freedom to Dissent: Critical Social Sciences and Praxis University of Abertay, 31<sup>st</sup> March and 1<sup>st</sup> April 2016**

The year 2016 marks the one hundredth anniversary of the constitution of the Spartacus League and the publication of the first issue of the 'Spartacus letters'. On the release of Rosa Luxemburg from her imprisonment in February 1916, it was decided to establish an underground political organization called Spartakusbund (Spartacus League). The Spartacus League publicized its views in its Spartacus Letters the first of whom was published in Berlin in January 1916. Rosa Luxemburg's understanding of freedom is as fundamentally important as ever, in 1918 she asserted: "Freedom is always the freedom of the dissenter."

At a time when Western 'value' systems of order, legitimated violence as well as the intensification of global capitalism present "...the symbolic and pedagogical dimensions of a struggle that neoliberal corporate power has put into place..."(Giroux 2013:13) dissenting voices like those represented by the 'Spartacus Letters' are crucial; all the more so:"...as a market driven media culture strives to please its corporate sponsors and attract the audiences it has rendered illiterate."(Giroux 2008: 164) This conference therefore seeks to invite contributions on the general themes of power, representation and resistance in relation to:

- Synoptic management of perceptions of 'risk' and 'truth'
- 30 years and counting: the Public Order Act (1986), harms and resistances
- 'Democracy' between mystification and reality
- The promotion of antisocial individualism, empathy and the struggle against global capitalism
- Visions of Anarchist and/or abolitionist Criminology
- Unmasking the postfeminist enterprise
- Homo academicus in a context of corporate excess
- Green cultural criminology: 'rupturing normalcy' (Ferrell, 2001)
- The 'political anatomies' of contemporary neoliberal harms: corporate and state crimes

Papers on ongoing projects on these and related topics may also be submitted. For information and/or paper proposals please contact Monish Bhatia [m.bhatia@abertay.ac.uk](mailto:m.bhatia@abertay.ac.uk)] and Andrea Beckmann [[abeckmann94@outlook.com](mailto:abeckmann94@outlook.com)]. The deadline for the submission of abstracts is 27<sup>th</sup> February 2016.



**European Group for the Study of Deviance and Social Control**

**British-Irish Section**

**DEFENDING AND CELEBRATING THE FREEDOM TO DISSENT: CRITICAL SOCIAL SCIENCES AND PRAXIS**

**UNIVERSITY OF ABERTAY, 31<sup>ST</sup> MARCH AND 1<sup>ST</sup> APRIL**

**BOOKING FORM**

(Please send a fully completed form to Andrea Beckmann: [abeckmann94@outlook.com](mailto:abeckmann94@outlook.com) by 27<sup>th</sup> Feb 2016)

Please complete in block capitals and circle/delete where appropriate

First name(s) \_\_\_\_\_ Surname \_\_\_\_\_

Contact address:

\_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_

Telephone No. \_\_\_\_\_

Email address \_\_\_\_\_

Institutional Affiliation (if applicable): \_\_\_\_\_

**SPECIAL REQUIREMENTS**

Vegetarian

Vegan

Others (please specify)

Aids and Adaptations (please mention any specific requirements):

Presentation needs/equipment (please specify):

**REGISTRATION FEE (all non-residential – see accommodation/travel info below)**

Full conference (includes lunches and a conference-dinner at the restaurant ‘Avery’ )

Full Conference Fee £75    £ \_\_\_\_\_

Reduced Rate Fee    £55    £ \_\_\_\_\_

(Students, postgraduates, voluntary sector, activists etc.)

**PAYMENT**

Please Invoice:

Purchase Order No. \_\_\_\_\_

Invoice Address: \_\_\_\_\_

\_\_\_\_\_

Cheque/ Bankers Draft:

Please enclose cheque/bankers draft made out to: “Brit/Irish section of the European Group”

Hotel and accommodation suggestions:

There are a variety of hotels close to the conference venue.

From a Malmaisons to Jolly's, apart from Holiday Inn as well as Best Western. In order to ensure a space at a good rate it is recommended to search early on: [booking.com](http://booking.com)/[trivago](http://trivago.com) etc.

Travel to Dundee:

- Fly from e.g. London Stansted to Dundee Airport, to Edinburgh Airport or to Glasgow Airport.
- Trains and coaches run direct from Scottish cities and from many English towns and cities. A trip on a train along the East Coast Line is just beautiful!
- Scottish ferries operate from Ireland to ports on the West Coast
- Ferries also run from the Netherlands to Newcastle.

## V. News from Europe and around the world

### FIRST ANNOUNCEMENT

Eleventh Biennial International Conference on Criminal  
Justice and Security in Central and Eastern Europe

September 26-27, 2016

Faculty of Criminal Justice and Security, University of Maribor, Ljubljana,  
Slovenia

Dear All,

The Faculty of Criminal Justice and Security, University of Maribor,  
Slovenia, and Conference Partners are pleased to announce

The eleventh Biennial International Conference

**Criminal Justice and Security in Central and Eastern  
Europe**

**Safety, Security, and Social Control in Local  
Communities**

to be held at the Faculty of Criminal Justice and Security, University of Maribor,  
Ljubljana, Slovenia, September 26-27, 2016.

The primary aim of the eleventh biennial Conference is to exchange the latest  
views, concepts, and research findings from criminal-justice studies on safety,  
security, and social control in local communities among scientists, researchers,  
and practitioners from all over the globe. The conference will also highlight  
new ideas, theories, methods, and findings in a wide range of research/applied  
areas relating to local safety/security.

In the light of current challenges in local community safety/security  
management, security strategies ought to be driven not only by mainly subjective  
assessments of what does or does not work and/or what is promising in  
maintaining safe and secure communities, but also by knowledge, facts, and  
research expertise unveiling the causes of security problems.



University of Maribor

Faculty of Criminal Justice and Security



**University of  
Leicester**  
Department of Criminology



**TRANSCRIME**



REPUBLIKA SLOVENIJA  
MINISTRSTVO ZA NOTRANJE ZADEBE



Information on the conference, including call for papers, guidelines for submission, possibility of publishing, and registration is available on a website

<http://www.fvv.um.si/conf2016/>.

The abstracts should be submitted by way of the submission form available at the conference web page. The abstracts may also be submitted in the Word-for-Windows format to the following e-mail address: [gorazd.mesko@fvv.uni-mb.si](mailto:gorazd.mesko@fvv.uni-mb.si). Submissions must be received on or before **March 18, 2016**.

Papers should be submitted in a Word for Windows format to [gorazd.mesko@fvv.uni-mb.si](mailto:gorazd.mesko@fvv.uni-mb.si). The papers are to be submitted as full-page versions by **June 15, 2016**, to be timely peer-reviewed and included in the conference proceedings (CPCI-SSH listed) published before the Conference. Submission of a paper implies commitment to presentation at the conference. Please note that you must be registered for the conference by July 1, 2016 to be included in the conference proceedings and the conference program.

If you wish to be a session chair, please email your request to [gorazd.meško@fvv.uni-mb.si](mailto:gorazd.meško@fvv.uni-mb.si) and indicate the topic area in which you are interested.

We would be grateful if you are willing to inform your partners and colleagues about our conference.

We are looking forward to seeing you in Ljubljana!

Spain

## **Crises, Economy and Punishment: The influence of the Great Recession on crime and penalty**

**International two-day conference  
15-16 September 2016  
Law School, University of A Corunna  
A Corunna, Spain  
([www.ecrim.es/crises\\_economy\\_and\\_punishment/](http://www.ecrim.es/crises_economy_and_punishment/))**

### **CALL FOR PAPERS**

Over the last decades, a significant number of path-breaking contributions have read the evolution of crime and penalty from a politico-economic perspective. Most remarkably, the analytical framework of the Political Economy of Punishment has been pivotal in reframing critical thought on penalty, by relating punishment to economic variables, such as unemployment, economic cycles or the level of exploitation of the workforce. Along with those works, over the last fifteen years or so another line of inquiry has been unfolding, which is aimed at explaining the rise of punitiveness (and sometimes the evolution of crime) from the standpoint of the rise of neoliberalism, understood as an economic *doxa* but also as a political project. Moreover, all throughout the last century key criminologists have widely analysed the relation between economic variables and crime. However, those challenging literatures have rarely addressed the concept of economic crises and their implications for crime and penalty.

It appears, though, to be particularly timely to reflect on the evolution of crime and the contours of penalty from the standpoint of the current economic crisis. Not in vain, what has been named the Great Recession, that from 2007 affected wide regions of the Global North in particular, has entailed era-defining economic, political, social and cultural transformations. The field of crime and punishment has not been immune to these mutations. In the US context, key authors have recently pointed out that the economic crisis has crucially contributed to the momentum of an emergent new –and less punitive– common sense on penalty. By the same token, in Europe the decades-long cycle of increasing punitiveness seems to have come to a halt during the recession period, especially in countries such as Italy and Spain, but also in the UK and Nordic countries. By contrast, South American countries, which so far have been scarcely affected by the Great Recession, have witnessed a most prominent and uninterrupted rise of punitiveness throughout the last decade. As regards the crime issue, the economic recession has not led to an increment of crime rates, but rather the opposite, at least in the Global North.

In sum, the Conference aims to debate the influence of economic crises, and particularly of the Great Recession, on crime and punishment. Likewise, the Conference seeks to contribute thereby to the rich academic tradition which develops a politico-economic reading of crime and penalty. Moreover, the

Conference is aimed at reflecting on the allegedly arising new common sense on punishment, and on its forthcoming consequences.

Therefore, we will consider contributions on a wide range of issues that encompass the broad theme of *Crises, Economy and Punishment: The influence of the Great Recession on crime and penalty*, particularly on the themes of:

- Economic crises, crime and punishment
- Contemporary economic transformations and the evolution of crime and penalty
- Great Recession, crime and penal policies
- Economic crisis and penal resources: Public sector cuts and privatisation
- Economy, culture, politics and punishment: Dialogues and conflicts

**Keynote speakers:**

*Patricia Faraldo* (University of A Corunna, Spain)

*Russell Hogg* (Queensland University of Technology, Australia)

*Elena Larrauri* (Pompeu Fabra University, Spain)

*Dario Melossi* (University of Bologna, Italy)

*Jonathan Simon* (UC Berkeley, USA)

*Máximo Sozzo* (National University of the Litoral, Argentina)

**Organization:**

ECRIM, University of A Corunna, Spain ([www.ecrim.es](http://www.ecrim.es))

Academic chairs: *José Ángel Brandariz* (University of A Coruna, Spain), *Russell Hogg* (Queensland University of Technology, Australia) and *Máximo Sozzo* (National University of the Litoral, Argentina)

Organizing committee: *Patricia Faraldo* (University of A Corunna, Spain, Chair), *David Castro* (University of A Corunna, Spain), *Beatriz Cruz* (University of Cadiz, Spain), *Ignacio González* (University of Girona, Spain), *María de los Ángeles Fuentes* (University of A Corunna, Spain), *Daniel Jiménez* (University of Zaragoza, Spain), *Carmen Lamela* (University of A Corunna, Spain), *Silvia Rodríguez* (University of A Corunna, Spain)

The Conference is mainly funded by a research grant awarded by the Spanish Ministry of Economy

**Abstract guidelines:**

Proposals should be titled and should not exceed 250 words. Please include the proposer's name and contact details along with his or her university affiliation.

Please submit abstracts via email to: [dcastrolinares@gmail.com](mailto:dcastrolinares@gmail.com)

The papers presented at the workshop may be eventually published in a book containing the workshop proceedings.

**Closing date:** 5 April 2016

Decisions about the acceptance of the papers will be made by late April 2016.

## UK

### New report on injustices of joint enterprise convictions

A survey of nearly 250 serving prisoners convicted under joint enterprise provisions has found evidence that black and minority ethnic people are serving long prison sentences because of unfair and racist criminal justice practices. The survey results are contained in a new report published today by the Centre for Crime and Justice Studies.

The report - [\*Dangerous associations\*](#) - tracks the complex process of criminalisation through which black and minority ethnic people are unfairly identified by the police as members of dangerous gangs. This apparent 'gang' affiliation' is used to secure convictions, under joint enterprise provisions, for offences they have not committed. The report will be discussed with MPs at a [specialty convened meeting in the House of Commons](#) on Tuesday, 26 January. It will also be debated at separate events with practitioners, activists and campaigners in Manchester and London.

Under joint enterprise provisions, a number of people can be prosecuted collectively for an offence committed by only one person. In many cases it is enough for a defendant merely to be acquainted with the guilty party. A defendant does not need to know the guilty party at all. As one prisoner convicted under joint enterprise provisions told the report authors:

*'I was not a gang member. I know both of the intended victims and I had and do not have any conflict with them'.*

The consequences of conviction under joint enterprise can be devastating for the defendant, their families and the wider community. As another prisoner said:

*'I was a mother studying to be a midwife. My partner was an electrician, we had a life, we did not "hang around" with anyone'.*

*Dangerous associations* also finds evidence that it is black and minority ethnic defendants who bear the brunt of joint enterprise prosecutions. Over half of the prisoners who responded to the survey (53 percent) described themselves as black and minority ethnic. This is much higher than the proportion of all prisoners from black and minority ethnic groups: some 18 percent.

More than three quarters of the black and minority ethnic prisoners told researchers that the prosecution claimed that they were members of a 'gang'. This compared with 39 percent of white prisoners. Yet as the report points out, lists of gang members maintained by the police include people who 'have no proven convictions and... those who have been assessed by criminal justice professionals as posing minimal risk'. The gang lists are also dominated by black and minority ethnic people, as a result of racial stereotyping.

- 89 percent of those on the Manchester Police gang list (Xcalibre) were black and minority ethnic. Yet only 23 percent of those convicted of serious youth violence were black and minority ethnic people.
- 87 percent of those on the Metropolitan Police 'gang matrix' (Trident) were black and minority ethnic. By contrast, only half of those convicted of serious youth violence were black and minority ethnic people.

The report offers a troubling exposé of the use of collective punishment against black and minority ethnic people, based on racism, rumour and innuendo.

Among the recommendations are:

- A rethink of the use of racist 'gang' stereotyping in the policing of serious violence.
- Greater transparency in the use of joint enterprise, through the production and publication of official statistics on the charging and prosecution in relation to joint enterprise, including information on the age, gender and ethnicity of defendants.

Will McMahon, Deputy Director at the Centre for Crime and Justice Studies, said:

*'Prosecutions under joint enterprise all too often seem to involve a dangerous cocktail of innuendo, hearsay and racism. If you have a black skin you are much more likely to be convicted under that law. This report shows that a large number of people may have been given long sentences for offences they did not commit. Regardless of ethnicity, this is an affront to justice. An urgent review is needed.'*

Patrick Williams, lead author on the report said:

*'Serious violence affects all communities irrespective of 'race' and ethnicity, class, gender and age. Our research suggests that the ongoing preoccupation with the gang results in the unwarranted targeting and policing of young black men, which diverts attention away from the wider problem of serious violence throughout England and Wales. The survey responses reveal the human tragedy of young lives disrupted and damaged by the indiscriminate use of collective punishments as currently practiced through the doctrine of joint enterprise.'*

Gloria Morrison, Campaign Co-ordinator at JENGBA, which campaigns for reform of joint enterprise laws, said:

*'Joint Enterprise is a common law used against common people and makes no common sense. This lazy law allows for lazy policing and is the perfect tool for lazy prosecutors. Its continued use has undermined the British legal system to the point that a defendant is now guilty until they can prove themselves innocent. People are serving life sentences for crimes they have not actually committed.'*

CENTRE FOR THE STUDY OF CRIME, CRIMINALISATION AND SOCIAL  
EXCLUSION PRESENTS

**Professor Carol Smart**

**Celebrating 40 years of Women Crime, & Criminology**

March 16th 2016

4.00-7.30pm

Room G01

The John Foster Building

80-98 Mount Pleasant

Liverpool, L35UZ

Please RSVP - [M.Kenny1@ljmu.ac.uk](mailto:M.Kenny1@ljmu.ac.uk)

\* \* \*

**Launch Event**

**A Report on the Policing of the Barton Moss Community Protection Camp**

17:30 - 19:30 Thursday 25<sup>th</sup> February 2016

G01 \* John Foster Building \* 880-98 Mount Pleasant Liverpool \* L35UZ

RSVP to [M.KENNY1@LJMU.AC.UK](mailto:M.KENNY1@LJMU.AC.UK)

**A BIG THANKS to all the European Group members for making this newsletter successful.**



(Photo: Per Jørgen Ystehede, untitled, 2014)

**Please feel free to contribute to this newsletter by sending any information that you think might be of interest to the Group to Ida/Per at : [europeangroupcoordinator@gmail.com](mailto:europeangroupcoordinator@gmail.com) (all attachments in word)**

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