Learning outcomes

1. Knowledge & Understanding

By the end of the study-unit the student will be able to:

- Understand the theoretical methodology of sentencing and the practical methods used in different criminal justice systems around the world;
- Describe the legal and extra-legal factors, such as the social and psychological impacts that influence sentencing judicial decision-making; and
- Discuss and assess recent sentencing policy developments and the political debate around sentencing

2. Skills

By the end of the study-unit the student will be able to:

- Analyse the theoretical understanding of international sentencing and penal policies;
- Consider the applied practical methods of sentencing and policy;
- Evaluate the present policies and help improve their future development.

Core reading


**Journals**

*British Journal of Criminology*
*Crime and Delinquency*
*Crime, Law and Social Change*
*Criminal Law Review*
*Criminology and Criminal Justice*
*Crime, Media, Culture: An International Journal*
*Howard Journal*
*New Law Journal*
*Prison Journal*
*Prison Service Journal*
*Probation Journal*
*Punishment and Society*
*Social and Legal Studies*

**UK government websites for statistical and research material**

Home Office Research, Development and Statistics  
[http://rds.homeoffice.gov.uk/rds/](http://rds.homeoffice.gov.uk/rds/)

Home Office  
[www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)

Ministry of Justice  
[http://www.justice.gov.uk](http://www.justice.gov.uk)

National Offender Management Service  
[http://www.justice.gov.uk/about/noms/](http://www.justice.gov.uk/about/noms/)

National Statistics [For information on prison and probation statistics]  

**Other useful websites**

British Library  
[http://portico.bl.uk/](http://portico.bl.uk/)

British Society of Criminology Code of Ethics for Researchers  

Cabinet Office  

Centre for Crime and Criminal Justice  

Convict Criminology  

Criminal Case Review Commission  

Equality and Human Rights Commission  

National association for the care and Resettlement of Offenders (NACRO)  

National Association for Youth Justice  
[http://thenayj.org.uk/](http://thenayj.org.uk/)

Prison Reform Trust  

Prison Service  
[http://www.justice.gov.uk/about/hmps/index.htm](http://www.justice.gov.uk/about/hmps/index.htm)
Assessment

- Identify and justify a prominent issue in contemporary corrections, and point to likely developments together with an analysis of penal policy strengths and weaknesses.

1,500 – 2,000 words maximum, excluding references.
To be submitted by no later than Friday 25th May 2012.

Lecture 1
Justifying punishment: Options for an insecure society

What is punishment? How is it defined? How is it justified? This lecture examines the different theories of punishment – retribution, revenge, rehabilitation and re-integrative shaming – through the ages and considers how justifications for punishment change over time, space and culture.

Lectures 2
Rise and rise of custody: How many more?

This lecture examines the history of incarceration and the nature of prisons from the nineteenth century to the current day, including contemporary trends in the size and nature of prison populations worldwide. Who are the prisoners? Who is in prison and why? What drives prison populations? Why do we talk of the rise and rise of custody, and the exploding prison population?

http://www.pewcenteronthestates.org/
http://www.kcl.ac.uk/depsta/law/research/icps/downloads/wppl-8th_41.pdf/
Lecture 3
Rise and fall of non-custodial penalties: What’s gone wrong?

The development of non-custodial penalties – probation, fines and community service orders – is situated within the changing penal climate and the contours of thinking about punishment and welfare. The dilemma between “care” and “control” is explored. Who gets non-custodial penalties and why? Who doesn’t and why not? The rise of community-based work as an alternative to imprisonment is explored in theory and in practice.


Lecture 4
Ethnic and other minorities and discrimination in corrections

Is justice colour blind? Is justice even handed? Yes, in principle but far from it in practice? What are the implications for offender management, offender reintegration and for society as a whole? Can there be justice when the rich get richer and the poor and the ‘black’ get prison?


Lecture 5
Women and gendered penal policy

Why has criminal justice seemingly been designed around and operated for male offenders, with insufficient account taken of the disproportionate effects probation and prison have on women. Even the concept of justice for women is not simple. Does justice lie in adopting an equal approach or seeking equal outcomes for men and women? Should we focus on the nature of the offence or on the nature and circumstances of the offender?


Lecture 6
Prison cultures, violence and the brutal life inside

What goes on in prison? What are the ‘pains of imprisonment’? How does the prison environment impact on prisoners as a group and as individuals? How do prisoners respond? How far can sociological theories of prison gangs, groups and subcultures explain everyday life – and everyday violence – in prison? What forms does it take – physical, sexual, and psychological violence, or that based on ethnicity, gangs and religious affiliations; and why does it occur. How can it best be eliminated, reduced or managed? What impact do drugs have on prison life?


**Lecture 7**

**Predictive restraint and dangerous offenders**

Contemporary correctional policy is characterised by the “two strikes and you’re out” approach – with very long, indeterminate sentences for repeat offenders, especially those who are deemed to be dangerous and threaten society most. How do we define dangerousness? How do we predict who will become dangerous? How can long incapacitative sentences be justified? When should we release if at all, and under what conditions?


**Lecture 8**

**Effectiveness and corrections: What works in reducing reoffending**

What interventions help to reduce reoffending? Some social and personal factors, such as being unemployed, misusing drugs and poor thinking skills, are associated with offending so addressing those areas can help to reduce reoffending. How do we change offending behaviour? What works, and why? What doesn't and why not? Can we coerce offenders to treatment?

Lecture 9

Corrections and technology: Big brother's watching or playing 'tag' with offenders

In the surveillance society we routinely and increasingly use technology. How and under what circumstances can technology be exploited in corrections? When are electronic tags permissible and useful? Are permanent implants an option? What are the ethical limits of intrusive surveillance? How can we secure a level of monitoring that is consistent with basic freedoms, civil liberties and human rights but also optimised to secure successful reintegration?


http://works.bepress.com/cgi/viewcontent.cgi?article=1050&context=kmichael.


**Lecture 10**

**From prisons today ... to imprisonment tomorrow**

Where next? How will prisons look when the mid-nineteenth century experiment reaches the 200 year mark? Where have we come from and where are we going? Is the penal future dystopian or utopian? How will we control the prison population, if at all? What is the balance between public sector provision and private sector involvement? What are the public expectations of imprisonment? What is the role of the media in shaping public perceptions?


Lecture 11
From non-custodial options today ... to the futures of probation

Where next? Like prisons the penal focus, management, content and perception of non-custodial options has changed considerably over time. The pace of change has been particularly rapid over the last decade as evidence-based practice and ‘what works’ told hold. What is the current state of probation? What is its future? Does case management spell the end of service delivery for offenders? How can the non-custodial sector face-down the strong public belief that only prison punishes. With public sector spending restraint will we see the end of the public sector monopoly on services for offenders?


**Lecture 12**

**Recapitulation and drawing the threads together**

Is it possible to have a unified view of corrections and penal policy? Are there themes that cut across the prison and non-custodial sectors? Are there common denominators for offender populations – female offenders, ethnic minorities? Where are things headed and why? Additional teaching on planning and preparing for examination is included.

*Professor Andrew Willis*