



SCHOOL OF SOCIAL AND CULTURAL STUDIES

Te Kura Mahinga Tangata

Institute of Criminology

CRIM 312

Punishment and Modern Society

Course Outline

CRN 1107: 20 POINTS: TRIMESTER 2, 2011

Teaching dates: 11 July – 14 October 2011

Mid-trimester break: 22 August – 4 September 2011

Study week: 17 – 21 October 2011

Examination period: 21 October – 12 November 2011

COURSE COORDINATOR: DR CHARLES SEDGWICK

Room 1115, Murphy Building

Tel (04) 463 9453 ext 9453

Email: charles.sedgwick@vuw.ac.nz

LECTURE: MONDAY 9 – 11AM: HU LT119

Institute of Criminology

CRIM 312

Punishment and Modern Society

TEACHING PROGRAMME

	Date	Monday (Lectures) 9-11am in HULT 119	Friday (Tutorials) 9–10am and 10-11am in HULT 119
1	11 July	The Spectacle of Punishment and its Decline (CS)	Tutorials (15 July)
2	18 July	The Birth of the Prison (CS)	Tutorials (22 July)
3	25 July	Imprisonment Today (CS)	Tutorials (29 July)
4	1 August	Prison Culture (CS)	Tutorials (5 August)
5	8 August	Dangerousness (CS)	Tutorials (12 August)
6	15 August	Parole (CS)	Tutorials (19 August)
MID-TRIMESTER BREAK 22 August – 4 September			
7	5 September	Punishment in the Community (CS)	Tutorials (9 September)
8	12 September	The reintegration of prisoners (KW)	Tutorials (16 September)
9	19 September	Restorative Justice (MoJ)	Tutorials (23 September)
10	26 September	Penal Populism (CS)	Tutorials (30 September)
11	3 October	Sentencing Commissions (WY)	Tutorials (7 October)
12	10 October	Public Opinion and Punishment (CS)	Tutorials (14 October)

MoJ= to be announced
 CS = Charles Sedgwick
 KW = Kim Workman
 WY = Warren Young

COURSE COORDINATOR: Charles Sedgwick
Murphy building, MY 1115
Tel: 463 9453
E-mail: charles.sedgwick@vuw.ac.nz

OFFICE HOURS: Tuesdays 9-10am
Wednesdays 12-1pm
If you are not able to make these times please contact Charles to arrange an alternative time.

COURSE PRESCRIPTION

The historical development of modern punishment, with particular reference to New Zealand, and its relationship to broader social and political change.

COURSE CONTENT

The course examines the place of such punishments as the death penalty, prison and electronic monitoring of offenders in a modern penal system.

LEARNING OBJECTIVES

By the end of the course students should be able:

- to provide students with an understanding of the historical development of modern punishment systems.
- to provide an examination of important contemporary issues relating to penal policy.
- to provide students with insights into the dynamics of penal change.
- to provide students with an overview of important new developments in penal policy.

To assist students to meet these objectives it is anticipated that a class visit to a local prison will be made in July or August, subject to gaining consent from the Department of Corrections.

COMMUNICATION OF ADDITIONAL INFORMATION

CRIM 312 has information on Blackboard at: <http://www.blackboard.vuw.ac.nz>. There is a student noticeboard outside the lifts on level 11 of Murphy building where general information, which may be of interest to you, is displayed. There is also a School student noticeboard on level 9 of the Murphy building.

COURSE MATERIALS AND READINGS

Student Notes, with readings for all lectures, must be purchased for this course (retail price \$18.80).

All undergraduate textbooks and student notes will be sold from the Memorial Theatre foyer from 4 to 22 July 2011, while postgraduate textbooks and student notes will be available from the top floor of vicbooks in the Student Union Building, Kelburn Campus. After week two of the trimester all undergraduate textbooks and student notes will be sold from vicbooks on Level 4 of the Student Union Building.

Students can order textbooks and student notes online at www.vicbooks.co.nz or can email an order or enquiry to enquiries@vicbooks.co.nz. Books can be couriered to students or they can be picked up from nominated collection points at each campus. Students will be contacted when they are available.

Opening hours are 8.00am – 6.00pm, Monday – Friday during term time (closing at 5.00pm in the holidays). Phone: 463 5515.

John Pratt's Punishment and Civilization (2002), on sale at the University Bookshop (approx. \$80), and Penal Populism (2006) (approx \$60) are recommended texts.

EXPECTED WORKLOAD

Taking into account class attendance, reading for seminars, book report, extended essay and so on, students are expected to spend approximately 13 hours per week working for CRIM 312. The reading list and other course requirements have been devised with this workload in mind.

MANDATORY COURSE REQUIREMENTS

To successfully complete this course, students must:

- submit the book review,
- submit the essay, and
- sit the final examination.

TUTORIALS

Tutorials are optional for students, although students are advised to attend as many as possible. **The tutorials begin in the first week of the trimester.** Students are free to choose which group they want to attend to in a particular week. There will be an opportunity for students to discuss this arrangement on the first day of the course. All students are expected to participate in the seminars and to be in a position to discuss the reading material.

ASSESSMENT

The assessment requirements for this course, including grade weighting, are as follows:

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|----|--|------------------|
| 1. | Book Review | Weighting: 30% |
| | Due: 4pm, Friday 19 August 2011 | Word Count: 2000 |
| 2. | Essay | Weighting: 30% |
| | Due: 4pm, Wednesday 12 October 2011 | Word count: 3000 |
| 3. | Final Examination | Weighting: 40% |
| | Due: during the examination period 21 October – 12 November 2011 | |

THE RELATIONSHIP BETWEEN ASSESSMENT AND LEARNING OBJECTIVES

These methods of assessment are designed:

- to allow students to explore the ways in which punishment and particularly imprisonment has been investigated in criminological literature and to help them
- develop a focus on a topic of specific interest to them which they can then explore further in an extended essay
- to assess students' broad knowledge of the course in the form of a final examination.

Book Review

Your review should not exceed **2,000 words in length**. The review is worth 30% of your final grade. The book you choose to review must be approved in advance by Charles Sedgwick. **Due date: 4 pm, Friday 19 August 2011.**

It must be submitted in the following format:

- On A4 paper. Please use **one** side of the paper only.
- Text should be **typed** and **double spaced**.
- If you have drawn on other literature in the course of your review, it must be included in a bibliography.

Book Review Guidelines

You should attempt to address the following issues in your review;

- What is the book about?
- What is the book attempting to achieve; does it achieve this?
- What is the theoretical/policy/political context of the book?
- What is new or significant about it?
- What research methods are its findings based on?
- To what extent have the book's objectives been met?
- What, if any, are the book's shortcomings?
- Were there any methodological problems that you became aware of?
- How could the book be improved?
- What is your overall impression of it?
- To what extent does it contribute to/expand criminological knowledge?

Choosing Your Book

Subject to library availability your book should be of both interest to you and of relevance to the general themes of CRIM 312. It should thus be a book which has a strong empirical content with its central concern being the examination/analysis of punishment, prisons or imprisonments. For example there are a number of notable books including Sykes, Gresham M. (1958) The Society of Captives, Crawley, Elaine (2003) Doing Prison Work: the private and public lives of prison officers, Wacquant, Loic (2009) Punishing the Poor, Whitman, James Q (2003) Harsh Justice, Aday, R. and J. J. Krabill (2011) Women Aging in prison: a neglected population in the correctional system, Foucault, M. (1975) Discipline and Punish, Logan C.H (1990) Private prisons: Cons and pros Harding, R. W.(1997) Private prisons and public accountability, Harding, R. W.(1992) Private prisons in Australia, Genders, E. and E Player, (1995) Grendon: A study of a therapeutic prison, Liebling A & Helen Arnold, (2004) Prisons and their moral performance; a study of values, quality and prison life, Liebling, A. and David Price (2001) Prison Officer, Mathiesen, T (2000) Prison on Trial, Mathiesen, T. (1965) Defences of the weak; A sociological study of a Norwegian correctional institution, King R. and Elliott, K. (1977) Albany: Birth of a Prison, Please note, as well, that it is preferable to choose a **book** to review rather than an edited collection of readings.

A final point. You are expected to provide a critical review. That is, you must try to **summarise the book's strengths and weaknesses**. It is not sufficient to simply tell me what the book is about – and nothing more than this.

Essay

The essay is worth **30% of your final grade**. Your essay should not exceed **3,000 words** in length. **Due date: 4pm, Wednesday 12 October 2011**. It is most important that you do not exceed the word limit – words that exceed the 10% maximum word limit will not be assessed. Students are advised that failure to keep to the word limits set for each assignment can result in examiners refusing to read that part of the essay which is in excess of the word limit. Students are advised that tutors and other Institute staff members are not allowed to comment or provide feedback on draft essays. It is possible, however, for students to discuss assignments in general terms.

Because of time limitations, it is highly unlikely that you will be able to undertake any detailed empirical research, (aside from issues of getting permission from the University Ethics Committee which is needed before such research can be undertaken) and we therefore require that you base the essay on secondary sources/ library readings.

In assessing your essay, we will be looking for evidence of your ability to:

1. select an essay topic related to the course;
2. identify appropriate information sources;
3. utilise these sources to obtain relevant data;
4. structure an argument based on your findings;
5. present an essay which is:
 - I. coherent in argument;
 - II. well-articulated;
 - III. well-presented;
 - IV. adequately referenced; and which
 - V. demonstrates your ability to:
 - (i) locate your particular research findings within a wider context;
 - (ii) critically evaluate relevant literature;
 - (iii) summarise and analyse data;
 - (iv) present a suitable conclusion which, depending on your topic, either summarises the principal argument, makes policy recommendations, suggests directions for future research, or concludes your essay in some other appropriate way.

Final Examination

The two-hour final examination will be scheduled during the examination period of 21 October – 12 November 2011. More details will be available closer to the date.

IDENTIFYING YOUR ESSAY OR ASSIGNMENT - FRONT SHEET

Please include the School's Assignment Cover Sheet (a sample is attached at the back of this Outline) when submitting your assignments. This ensures that you have provided essential information. You may wish to have a front page of your own on your assignment, but the top sheet must be the School's Assignment Cover Sheet. Further copies can be found at the School's Administration office and also on the School's assignment box, on level 9 of Murphy building.

EXTENSIONS AND PENALTIES FOR LATE SUBMISSION

Assignments must be handed in **by the due date**. You are expected to keep to this deadline, as otherwise it is unfair to other students. Extensions will be granted only in exceptional circumstances, and should be sought from Charles Sedgwick (course co-ordinator). An example of an exceptional circumstance would be illness, supported by a letter from a medical practitioner. Please note that lack of

organisation, word-processing failures and other work demands are not “good reasons”. Late submission of work without permission will be penalised by the following deductions:

One grade = period up to and including 24 hours past due date.

Two grades = period from 24 hours up to and including 72 hours past due date.

Work that is handed in later than 72 hours without prior permission will not be accepted.

SUBMITTING WORK THAT HAS BEEN SUBMITTED FOR ANOTHER COURSE

It is not acceptable for students to re-submit, in part or in whole, work that they have submitted for another course. If a student submits an essay which is textually the same, or partly the same, as that submitted for another course, then the Institute reserves the right to not accept the essay in question, which may result in the student failing terms.

ACADEMIC INTEGRITY AND PLAGIARISM

Academic integrity means that university staff and students, in their teaching and learning are expected to treat others honestly, fairly and with respect at all times. It is not acceptable to mistreat academic, intellectual or creative work that has been done by other people by representing it as your own original work.

Academic integrity is important because it is the core value on which the University's learning, teaching and research activities are based. Victoria University's reputation for academic integrity adds value to your qualification.

The University defines plagiarism as presenting someone else's work as if it were your own, whether you mean to or not. 'Someone else's work' means anything that is not your own idea. Even if it is presented in your own style, you must acknowledge your sources fully and appropriately. This includes:

- Material from books, journals or any other printed source
- The work of other students or staff
- Information from the internet
- Software programs and other electronic material
- Designs and ideas
- The organisation or structuring of any such material

Find out more about plagiarism, how to avoid it and penalties, on the University's website: <http://www.victoria.ac.nz/home/study/plagiarism.aspx>

CLASS REPRESENTATIVE

A class representative will be recruited in consultation with the class at the beginning of the course. The class representative's name and contact details will be available to the Victoria University of Wellington Students' Association (VUWSA), the course coordinator and the class (on BlackBoard). The class representative provides a communication channel to liaise with the course coordinator on behalf of students.

COURSE WITHDRAWAL

Information on withdrawals and refunds may be found at:

<http://www.victoria.ac.nz/home/admisenrol/payments/withdrawalsrefunds.aspx>

WHERE TO FIND MORE DETAILED INFORMATION

Find key dates, explanations of grades and other useful information at www.victoria.ac.nz/home/study. Find out how academic progress is monitored and how enrolment can be restricted at www.victoria.ac.nz/home/study/academic-progress.

Most statutes and policies are available at www.victoria.ac.nz/home/about/policy, except qualification statutes, which are available via the *Calendar* webpage at: www.victoria.ac.nz/home/study/calendar.aspx (See Section C).

Other useful information for students may be found at the website of the Assistant Vice-Chancellor (Academic), at: www.victoria.ac.nz/home/about_victoria/avcacademic.

SCHOOL CONTACT INFORMATION

Head of School:	Dr Allison Kirkman, MY1013 Tel: 463 5676 E-m: Allison.Kirkman@vuw.ac.nz
International Student Liaison:	Dr Hal Levine MY1023 Tel: 463 6132 E-m: Hal.Levine@vuw.ac.nz
Maori and Pacific Student Liaison:	Dr Trevor Bradley, MY1101 Tel: 463 5432 E-m: Trevor.Bradley@vuw.ac.nz
Students with Disabilities Liaison:	Dr Russil Durrant, MY1120 Tel: 463 9980 E-m: russil.durrant@vuw.ac.nz
School Manager:	Carol Hogan, MY918 Tel: 463 6546 E-m: Carol.Hogan@vuw.ac.nz
School Administrators:	Monica Lichti, Alison Melling, Helen Beaglehole MY921, Tel: 463 5317; 463 5258; 463 5677 E-m: sacs@vuw.ac.nz

REFERENCING GUIDELINES

The following format for referencing is from the 6th Publication Manual of the American Psychological Association (2009). We encourage you to learn and use the format for referencing as part of the coursework done for the Institute of Criminology. If you need further information, please consult the latest edition of the Manual in the library.

1. Journals (Periodicals)

The referencing format for the articles are identical in general and yet they slightly differ from one another depending upon the publication formats such as print articles, electronic articles with DOIs (digital object identifiers) or electronic articles without DOIs.

(a) Electronic articles - two authors

Bingham, C. R., & Shope, J. T. (2004). Adolescent problem behavior and problem driving in young adulthood. *Journal of Adolescent Research, 19*(2), 205-223. doi.: 10.1177/0743558403258269

In text, use the following each time the work cited: (Bingham & Shope, 2004). Or, Bingham and Shop (2004) have argued...

(b) Electronic Article without DOI - one author publication

Henderson, L. N. (1985). The wrongs of victim's rights. *Stanford Law Review, 37*(5), 937-1021.

In text, use the following each time the work is cited: (Henderson, 1985). Or, Henderson (1985) has suggested... (note: this style applies to all those below as well).

(c) Print only articles - Three or more author publication

Lang, A. R., Goeckner, D. J., Adesso, V. J., & Marlatt, G. A. (1975). Effects of alcohol on aggression in male social drinkers. *Journal of Abnormal Psychology, 84*(5), 508-518.

In text, use the following the first time the work is cited: (Lang, Goeckner, Adesso & Marlatt, 1975), and every time after this first citation as: (Lang et al., 1975).

(d) Journal article in press

Corcoran, D. L., & Williamson, E. M. (in press). Unlearning learned helplessness. *Journal of Personality and Social Psychology*.

In text. Use the following each time the work is cited: (Corcoran & Williamson, in press).

(e) Magazine Article

Reid, B. (1993, September 20). Looking into a child's future. *Time*, 589, 34-44.

In text, use the following each time the work is cited: (Reid, 1993).

(f) Newspaper article, no author

Jail terms vary for bank robbers (1992, November 7). *Dominion*, p. 3.

In text, use a short title following each time the work is cited: For example ("Jail Terms", 1992) or (Dominion, 7.11.92).

2. Books

(a) Reference to one author

Pratt, J. (1992). *Punishment in a perfect society*. Wellington: Victoria University Press.

In text, use the following each time the work is cited: (Pratt, 1992)

(b) Reference to a two author book, second edition

Downes, D. & Rock, P. (1982). *Understanding deviance* (2nd ed.). Oxford: Clarendon Press.

In text, use the following each time the work is cited: (Downes & Rock, 1982)

(c) Reference to a chapter in an edited book

Ford, D. A., & Regoli, M. J. (1993). The criminal prosecution of wife assaulters: Process, problems, and effects. In N. Z. Hilton (Ed.), *Legal responses to wife assault: Current trends and evaluation* (pp. 127-164). California: Sage.

In text, use the following each time the work is cited: (Ford & Regoli, 1993)

3. Research Reports

(a) Government reports

Ministerial Committee of Inquiry into Pornography. (1989). *Pornography*. Wellington: Ministerial Committee of Inquiry into Pornography.

In text, use the following each time the work is cited: (Ministerial Committee of Inquiry into Pornography, 1989).

(b) Report available from government department, private author

Brown, M. M. (1992). *Decision making in district prison boards*. Wellington: Department of Justice.

In text, use the following each time the work is cited: (Brown, 1992).

(c) University research report

Deane, H. (1988). *The social effects of imprisonment on male prisoners and their families* (Study Series No.2). Wellington: Victoria University of Wellington, Institute of Criminology.

4. The Internet

Where possible follow the format as for printed pages; that is, author, date, title, publication and so on. While this detail is not always provided, what is provided should be referenced. Additional information required is the address or location of the information and the date on which you viewed or downloaded it.

Rethinking Crime and Punishment (2010) *Restorative Justice in New Zealand*. Retrieved from: <http://www.rethinking.org.nz/restorative%20justice.htm>. 15 August 2009.

When citing a work that has no author, use the first few words of the reference list entry, usually a short version of the title: (Restorative Justice, 2010)

5. Quoting Sources

Use quotation marks (“ ”) for direct quotes and also provide a page number. For example:

Macpherson (1999: 28) defines institutional racism as “The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin”.

If the quotation is more than three lines long, it should be indented and does not require quotation marks. For example:

Macpherson (1999: 28) states that institutional racism is:

The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people.

READINGS

The student notes contain a full reading list for CRIM 312. They should be brought to the seminars where they are being discussed. The student notes also indicate the supplementary readings for the course, most of which are available on either three day loan or closed reserve in the main library.

WEEK 1 – THE SPECTACLE OF PUNISHMENT AND ITS DECLINE

Essential Reading

Laqueur, T. (1989), Student Notes Reading 1.
Pratt, J. (2002), Punishment and Civilization, Ch 2.

Supplementary Reading

Hood, R. (1989), The Death Penalty, pp. 117-158.
Gatrell, V. (1994), The Hanging Tree, Ch 3.
Newbold, G. (2007) The Problem of Prisons, Ch 11.

WEEK 2 – THE BIRTH OF THE PRISON

Essential Reading

McGowen, R. (1998), Student Notes Reading 2.
Pratt, J. (2002), Punishment and Civilization, Ch 3.

Supplementary Reading

Ignatieff, M. (1978), A Just Measure of Pain, Ch 3.
Brodie, A. et al (1999), The Prison Experience, Ch 1 & 2.
King, R. (1999), "The rise and rise of supermax", Punishment and Society 1, pp. 163-186
Kurki, L. and Morris, N. (2001), "The Purpose, Practices and Problems of Supermax Prisons", Crime and Justice, 21, pp. 385-424.

WEEK 3 – IMPRISONMENT TODAY

Essential Reading

Christie, N. (2002), Student Notes Reading 3.
Department of Corrections (2000) Student Notes Reading 4.
Elias, The Rt Hon Dame Sian (2009). Student Notes Reading 5.
Assorted newspaper articles (2005), Student Notes Reading 6.
Rimutaka and Arohata prison sample menus, Student Notes Reading 7.
Tanczos, N, (2004). Student Notes Reading 8.
Corrections Association of New Zealand (2009). Student Notes Reading 9.
Collins, J, (2003). Student Notes Reading 10.

Supplementary Reading

Cavadino, M. & Dignan, J. (2006). Penal Systems, Ch 16.

Harding, R. (1997). Private Prisons and Public Accountability, pp. 1-15, 150-157.

McConville, S. (1987). 'Aid from Industry? Private Corrections and Prison Crowding': In S. Gottfredson & S. McConville (eds), America's Correctional Crisis, pp. 221-242.

WEEK 4 – PRISON CULTURE

Essential Reading

Sparks, R. et al (1996), Student Notes Reading 11.

Supplementary Reading

Goffman, E. (1984), Asylum, pp. 23-72. (Note: this is the Inmate World section and page numbers will differ from edition to edition).

Sykes, G. (1958), The Society of Captives.

For Prisoner Biographies, see, for example:

Boyle, J. (1977), A Sense of Freedom.

Probyn, W. (1977), Angel Face.

WEEK 5 – DANGEROUSNESS

Essential Reading

Pratt, J. (2001) Student Notes Reading 12.

Supplementary Reading

Pratt, J. (1995), "Dangerousness, Risk and Technologies of Power", Australian and New Zealand Journal of Criminology, 28, pp. 1-31.

Pratt, J. (1998), Governing the Dangerous, Ch 9.

Bottoms, A.E. (1977), "Reflections on the Renaissance of Dangerousness", Howard Journal of Penology and Crime Prevention, 16, pp. 70-96.

Meek, S. (1995), "The Revival of Prevention Detention in New Zealand 1986-93", Australian and New Zealand Journal of Criminology, pp. 225-258.

WEEK 6 – PAROLE

Essential Reading

Newspaper Articles on Graham Burton, Student Notes Reading 13.

Law Commission (2006) Student Notes Reading 15.

Supplementary Reading

Department of Corrections (2005) Parole Fact Sheet

Hood, R and Shute, S (2002) "The Parole System at Work" Home Office.

Hood, R and Shute, S (2002)"Sex Offenders Emerging from Long Term Imprisonment" British Journal of Criminology 42 pp. 371-394

Shute, S (2003) "The Development of Parole and the Role of Research in its Reform.' in Ashworth, A and Zedner, L. (eds). The Criminological Foundation of Penal Policy pp. 377-439

Simon, J (1993) Poor Discipline: Parole and the Social Control of the Underclass pp 138-168

Petersilia, J. (2003) When Prisoners Come Home: Parole and Prisoner Re-entry.

WEEK 7 – PRISONER REINTEGRATION

Essential Reading

Gibbs, A. and King, D. (2002) Student Notes Reading 16.

Supplementary Reading

Nellis, M. (2005), "Electronic Monitoring, Satellite Tracking and the new Punitiveness", in Pratt, J. et al (eds), The New Punitiveness, pp. 167-188.

Lilly, R. and Nellis, M. (2001), "Home Detention Curfew and the Future of Electronic Monitoring", Prison Service Journal, 135, p. 59-69. (Copy available in library on closed reserve.)

Mainprize, S. (1992), "Electric Monitoring in Corrections: Assessing Cost Effectiveness and the Potential for Widening the Net of Social Control", Canadian Journal of Criminology, pp. 161-180.

WEEK 8 - PUNISHMENT IN THE COMMUNITY

Essential Reading

Uggens, C., Manza, J. & Behrens, A. (2006), Course Materials Reading 14.

Supplementary Reading

Padfield, N. & Maruna, S. (2006). 'The Revolving Door. Exploring the rise in recalls to prison,' Criminology and Criminal Justice 6, 329-352.

Burnett, R. & Maruna, S. (2004), 'So "Prison Works" – does it? The criminal careers of 130 men released from prison under Home Secretary Michael Howard', Howard Journal of Criminal Justice 43, 390-404.

Farrall, S. & Maruna, S. (2004). 'Desistance – focussed criminal justice policy research', Howard Journal of Criminal Justice 43, 358-367.

WEEK 9 – RESTORATIVE JUSTICE

Essential Reading

Daly, K. (2002), Student Notes Reading 17.
Ministry of Justice, (2009). Student Notes Reading 18.

Supplementary Reading

Ashworth, A. (2002), "Responsibilities, Rights and Restorative Justice", British Journal of Criminology, 42, pp. 578-595.
Morris, A. and Maxwell, G. (1993) "Juvenile Justice in New Zealand: A new paradigm", Australia and New Zealand Journal of Criminology, 26, pp. 72-90.
Braithwaite, J. (1999), "Restorative Justice: Assessing optimistic and pessimistic accounts". In M. Tonry (ed.), Crime and Justice: A review of research, 25, pp.1-127.

WEEK 10 – PENAL POPULISM

Essential Reading

Pratt, J. and Clark, M. (2005) Student Notes Reading 19.
Pratt, J. (2006), Penal Populism Ch1

Supplementary Reading

Garland, D. (1996), "The Limits of the Sovereign State", British Journal of Criminology, 36, pp. 445-471.
Garland, D. (2001), The Culture of Control, Ch 8.

WEEK 11 – SENTENCING COMMISSIONS

Essential Reading

Law Commission (2006) Student Notes Reading 20.

Supplementary Reading

M. Tonry (1995) "Sentencing Reform Across National Boundaries." In R. Morgan and C. Clarkson (eds), The Politics of Sentencing, pp 267-282.
A. Doob (1995) "The US Sentencing Commission Guideline: If You Don't Know Where You're Going You Might Not Get There." In R. Morgan and C. Clarkson (eds), The Politics of Sentencing pp.199-250.
A. Freiberg (2007) "The Victorian Sentencing Advisory Council: Incorporating Community Views onto the Sentencing Process." In K. Gelb and A. Freiberg (eds), Penal Populism, Sentencing Councils and Sentencing Policy. (Manuscript form).

WEEK 12 – PUBLIC OPINION AND PUNISHMENT

Essential Reading

Paulin, J, Searle, W. and Knaggs, T, Ministry of Justice (2003). Student Notes Reading 21.

Supplementary Reading

Roberts, J. [et al.] (2002) Penal Populism and Public Opinion. pp. 93-106.

Hough, M. (1996) "People Talking About Punishment" Howard Journal of Criminal Justice 35, pp. 191-214.

Cullen, F. [et al.] (2000) "Public Opinion About Punishment and Correction" Law and Society Review 34, pp. 1-79.

Maruna, S. and King, A. (2004) "Public Opinion and Community Penalties." In Bottoms, A. E. [et al.] (eds) Alternatives to Prisons. pp. 83-112.

TUTORIAL QUESTIONS

Tutorials begin in the second week of the trimester.

1. *The Spectacle of Punishment and its Decline*

1. How would you differentiate between punishment in modern and pre-modern societies?
2. Why did the old system of punishment begin to change around the beginning of the 19th century?
3. Why did the death penalty disappear from the punishment system of most modern societies?
4. With what kind of society is the presence of the death penalty now associated?

2. *The Appearance and Disappearance of the Prison*

1. Where are prisons built today?
2. How do you explain the shifts in the location of prison buildings that took place during the 19th and 20th centuries?
3. Why were the gothic and classical prison architecture of the early 19th century replaced by the functional austerity design associated with later prison building?
4. Why are great pains now taken to hide prisoners from public view? Do you think they should be hidden?
5. If public opposition to prison building begins to decline, what is this telling us about the kind of society in which we are living?
6. Do you agree that the public is “morally indifferent” to what happens in prisons? Explain.
7. Are supermax prisons in any way justifiable?

3. *Imprisonment Today*

1. If prisons are so expensive and do not rehabilitate criminals, why have they come to be such an important sanction in modern democratic societies?
2. What is meant by ‘private prisons’?
3. What are the main advantages and disadvantages of private prisons?
4. What does make the public interested in prisons and prisoners?

4. Prisoner Culture

1. How does most of the public think prisoners spend their time?
2. What is meant by 'the pains of imprisonment'?
3. Do all prisoners experience these?
4. How do prisoners go about surviving prison?
5. What are the advantages and disadvantages of the existence of prisoner culture for prisoners and the prison authorities?

5. Dangerous Offenders

1. What do you understand by the term "dangerousness" as it relates to penal affairs?
2. What is "preventive detention"?
3. Until recently, judges had been very reluctant to use sentences of preventive detention. Why was this?
4. What is meant by the concept "the renaissance of dangerousness"?
5. What are the dilemmas involved in assessing dangerous offenders for parole?

6. Parole

1. What are the various ways of obtaining early release from prison?
2. Do you think prisoners should be allowed parole?
3. What are the criteria for assessing parole eligibility?
4. What are the rules governing eligibility for parole as set out in the Parole Act 2002?
5. What are the Law Commissions proposals for parole reform and what are the reasons for this?

7. The reintegration of prisoners

1. This tutorial will discuss the visiting speaker's seminar.

8. Punishment in the Community

1. How do you explain the growth of interest in community-based sanctions in the last two decades?
2. What are the advantages and disadvantages of electronic monitoring of offenders?
3. Why do prison populations continue to grow despite the availability of a large number of sanctions designed to act as alternatives to custody?
4. What does Cohen mean when he refers to the 'net-widening' potential of many community-based sanctions?

9. Restorative Justice

1. What do you understand by the term 'restorative justice'?
2. How would you summarise its strengths and weaknesses?
3. To what extent is it now being used for adult offenders in New Zealand?
4. Are there some criminals for whom restorative justice should never be offered as a way of resolving their 'conflicts'?

10. Penal Populism

1. What is meant by the concept 'Penal Populism'?
2. What do you understand by the term 'Axis of penal power'?
3. Why has New Zealand been particularly vulnerable to its influence?
4. What effect does the media have on people's attitudes to crime and punishment issues?
5. What impact has penal populism had on penal policy in New Zealand and elsewhere?

11. Sentencing Commissions

1. How do sentencing commissions work?
2. Why is sentencing not left to judges to decide?
3. What are the reasons for the proposals for a sentencing commission in New Zealand?
4. What sort of people should serve on sentencing commissions and why?
5. Do you see any disadvantages to sentencing commissions?

12. Public Opinion and Punishments

1. What opinion do the general public have about punishing the offenders?
2. What distinctions are there between their general views about punishment and their opinion regarding the punishments of individual offenders?
3. Are the general public as punitive as some politicians think they are?
4. How does the public opinion differ from public mood or sentiment?
5. To what extent should public opinion influence the development of penal policy?

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School of Social and Cultural Studies

Te Kura Mahinga Tangata

CULTURAL ANTHROPOLOGY

CRIMINOLOGY

SOCIOLOGY & SOCIAL POLICY

Assignment Cover Sheet

(please write legibly)

Full Name: _____
(Last name) *(First name)*

Student ID: _____ Course (eg ANTH101): _____

Tutorial Day: _____ Tutorial Time: _____

Tutor's name: _____

Assignment Due Date: _____

CERTIFICATION OF AUTHENTICITY

*I certify that this paper submitted for assessment is the result of my own work,
except where otherwise acknowledged.*

Signed: _____ Date: _____