



FACULTY OF HUMANITIES AND SOCIAL SCIENCES

SCHOOL OF SOCIAL AND CULTURAL STUDIES

*Te Kura Mahinga Tangata*

**Institute of Criminology**

**CRIM 312**

**Punishment and Modern Society**

**20 POINTS**

**TRIMESTER 2, 2013**

**Important dates**

**Trimester dates:** 15 July to 17 November 2013

**Teaching dates:** 15 July to 18 October 2013

**Mid-trimester break:** 26 August to 8 September 2013

**Study period:** 21–25 October 2013

**Examination/Assessment Period:** 25 October to 16 November 2013

Note: students who enrol in courses with examinations must be able to attend an examination at the University at any time during the scheduled examination period.

**Withdrawal dates:** Refer to [www.victoria.ac.nz/home/admisenrol/payments/withdrawalsrefunds](http://www.victoria.ac.nz/home/admisenrol/payments/withdrawalsrefunds)

If you cannot complete an assignment or sit a test or examination (aegrotats), refer to [www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat](http://www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat)

## Class times and locations

**Lectures:** Mondays 4- 6 pm HULT 220

**Tutorials:** Wednesdays 4- 6 pm HULT 220

## Names and contact details

**Course Coordinator:** Professor John Pratt

Murphy building, MY 1116

Tel: 463 5327

E-mail: john.pratt@vuw.ac.nz

**Office Hours:** Mondays 3-4pm

If you are not able to make this time please contact Professor Pratt to arrange an alternative time.

## 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. You will automatically receive all Blackboard announcements as an email sent to your @myvuw.ac.nz email address. If you are not going to use this Victoria email address set up for you, we strongly encourage you to set a forward from the Victoria email system to the email address you do use.

## Prescription

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

## Course content (Teaching Programme)

	Date	Monday 4-6pm	Wednesday 4-5pm and 5-6pm
1	15 July	The Death Penalty and its Decline (JP)	No tutorials
2	22 July	Imprisonment (JP)	No tutorials
3	29 July	Prison Culture (JP)	Tutorials
4	5 August	Private Prisons (JP)	Tutorials
5	12 August	Penal Populism (JP)	Tutorials
6	19 August	Penal Contrasts: Scandinavia (JP)	Tutorials
<b>MID-TRIMESTER BREAK 26 August – 8 September</b>			

7	9 September	Dangerousness (JP)	Tutorials
8	16 September	Parole (JP)	Tutorials
9	23 September	Prisoner Reintegration and Resettlement (AO)	Tutorials
10	30 September	Restorative Justice (KW)	Tutorials
11	7 October	Punishment in the Community (JP)	Tutorials
12	14 October	Public Opinion and Punishment (JP)	Tutorials

**JP = John Pratt**

**KW = Kim Workman**

**AO = Anne Opie**

## Course learning objectives (CLOs)

Students who pass this course should have:

1. an understanding of the historical development of modern punishment systems.
2. an understanding of important contemporary issues relating to penal policy.
3. insights into the dynamics of penal change and the contrasts in punishment between different Western penal systems.
4. 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.

## Teaching format

The teaching format for this course will be as follows: Professor Pratt will give weekly, interactive seminars with the students, who are encouraged to participate in the intellectual exchanges. On two occasions, visiting speakers will give the seminars. From the third week, there will be weekly, compulsory tutorials that students need to prepare for, as indicated, to discuss and further develop the seminar topics.

## Mandatory course requirements

In addition to achieving an overall pass mark of 50%, students must:

1. submit the book review,
2. attend 7 out of 9 tutorials
3. submit the essay, and
4. sit the final examination.

## Workload

Taking into account class attendance, reading for seminars, book report, 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.

## Assessment

Assessment items and workload per item	%	CLO(s)	Due date
1 Book review (up to 2000 words)	30	1, 2, 3, 4	Friday 23 <sup>rd</sup> Aug 2013
2 Essay (up to 2000 words)	30	1, 2, 3, 4	Friday 11 <sup>th</sup> Oct 2013
3 Final examination (2 hours)	40	1, 2, 3, 4	25 <sup>th</sup> October -16 <sup>th</sup> November 2013 (within this period)

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 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 Professor Pratt or Dr. Sedgwick. Due date: 4 pm, **Friday 23 August 2013**.

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 many of the following issues in your review; although which ones exactly will depend on the book you choose.

- 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 other penal sanctions. 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, 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, Pratt, J. (1992) Punishment in a Perfect Society, Pratt, J. (2013), Contrasts in Punishment. Please note, as well, that you are strongly advised 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 2,000 words in length. **Due date: 4pm, Friday 11 October 2013.** 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:
  - coherent in argument;
  - well-articulated;
  - well-presented;
  - adequately referenced; and which

demonstrates your ability to:

- locate your particular research findings within a wider context;
- critically evaluate relevant literature;
- summarise and analyse data;
- 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.

## Essay Topics

In the past, some of the favourite essay topics that students have chosen for this course include the following:

1. Will the death penalty ever be reintroduced in New Zealand?
2. Why does the United States still have the death penalty?
3. Are 'the pains of imprisonment' the same for male and female prison inmates?

4. Why does prisoner culture emerge and how does it affect the conduct of prison life?
5. Why does New Zealand have such a high rate of imprisonment?
6. An explanation of the rise of penal populism. What have been the consequences of this?
7. Explain and account for penal exceptionalism in the Nordic countries.
8. Are private prisons justified? An assessment of the evidence.
9. Is the sentence of preventive detention for dangerous offenders justifiable?
10. Do current conditions in New Zealand prisons make them 'holiday camps'?
11. Why has parole become so controversial in New Zealand?
12. What reintegration difficulties do prisoners face when leaving prison and how might these be resolved?
13. What role should restorative justice play in the New Zealand penal system?
14. Assess the strengths and weaknesses of electronic monitoring of offenders
15. How does community notification (of the release and location of sex offenders) work? Is community notification justifiable?
16. What would penal policy look like if it were driven by 'public opinion' (i.e. social scientific surveys of public opinion)?
17. Should we have a "Three Strikes" law in New Zealand?

You are welcome to choose one of these topics for your essay. If you wish to choose a different topic, please discuss this with John Pratt or Charles Sedgwick.

### **Final Examination**

The two-hour final examination will be scheduled during the examination period of **25 October – 16 November 2013**. More details will be available closer to the date.

### **Tutorials**

Tutorials are compulsory for students, and there is an expectation that at least 7 out of 9 will be attended. 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. Tutorials will be taken by Dr. Charles Sedgwick.

### **TUTORIAL QUESTIONS**

Tutorials begin in the third week of the trimester.

#### **1. The Death Penalty 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 systems of most modern societies?
4. With what kind of society is the presence of the death penalty now associated?

#### **2. Imprisonment**

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 are great pains now taken to hide prisoners from public view? Do you think they should be hidden?
4. If public opposition to prison building begins to decline, what is this telling us about the kind of society in which we are living?
5. Do you agree that the public is "morally indifferent" to what happens in prisons? Explain.

6. If prisons are so expensive and do not rehabilitate criminals, why have they come to be such an important sanction in modern democratic societies?

### **3. Prison 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?

### **4. Private Prisons**

1. What is meant by 'private prisons'?
2. What are the main advantages and disadvantages of private prisons?
3. What do public prisons have to offer that private prisons do not have?

### **5. 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 the influence of penal populism?
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?

### **6. Penal Contrasts: Scandinavia**

1. What are the characteristics of Scandinavian exceptionalism?
2. What are the main differences between Scandinavian and Anglophone prisons?
3. How do you explain Scandinavian difference?
4. Does this difference have any relevance to New Zealand?

### **7. 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?

### **8. 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 and subsequent amendments?
5. What are the Law Commission's proposals for parole reform and what are the reasons for them?
6. What is meant by 'extended supervision'?
7. Should local communities be notified of the release from prison of particular types of offender?

### **9. Prisoner Reintegration and Resettlement**

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

## 10. 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'?

## 11. 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?

## 12. Public Opinion and Punishments

1. What opinion do the general public have about punishing 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 "public opinion" differ from public mood or sentiment?
5. To what extent should public opinion influence the development of penal policy?

## Submission and return of work

Work should be submitted to the Essay Box, School Administration Office which is on the 9<sup>th</sup> Floor of the Murphy Building. 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 Essay Box table, on level 9 of Murphy building. Marked assignments not collected in lectures or tutorials can be collected at the Murphy 9<sup>th</sup> floor reception desk, between **2.00 and 4.00 pm only** from Monday to Friday.

## Penalties

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 John Pratt (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.**

## Set texts

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



Students can order textbooks and student notes online at [www.vicbooks.co.nz](http://www.vicbooks.co.nz) or can email an order or enquiry to [enquiries@vicbooks.co.nz](mailto:enquiries@vicbooks.co.nz).

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.

John Pratt's Punishment and Civilization (2002), on sale at the University Bookshop (approx. \$80), and Penal Populism (2006) (approx. \$60) are recommended texts His new book, Contrasts in Punishment (2013) (approx. \$150) will also be of great interest.

## Class representative

The class representative provides a useful way to communicate feedback to the teaching staff during the course. A class representative will be selected at the first lecture of the course. Students may like to write the Class Rep's name and details in this box:

Class Rep name and contact details:
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## Student feedback

Student feedback on University courses may be found at [www.cad.vuw.ac.nz/feedback/feedback\\_display.php](http://www.cad.vuw.ac.nz/feedback/feedback_display.php).

## Other important information

The information above is specific to this course. There is other important information that students must familiarise themselves with, including:

- Academic Integrity and Plagiarism: [www.victoria.ac.nz/home/study/plagiarism](http://www.victoria.ac.nz/home/study/plagiarism)
- Aegrotats: [www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat](http://www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat)
- Academic Progress: [www.victoria.ac.nz/home/study/academic-progress](http://www.victoria.ac.nz/home/study/academic-progress) (including restrictions and non-engagement)
- Dates and deadlines: [www.victoria.ac.nz/home/study/dates](http://www.victoria.ac.nz/home/study/dates)
- FHSS Student and Academic Services Office: [www.victoria.ac.nz/fhss/student-admin](http://www.victoria.ac.nz/fhss/student-admin)
- Grades: [www.victoria.ac.nz/home/study/exams-and-assessments/grades](http://www.victoria.ac.nz/home/study/exams-and-assessments/grades)
- Resolving academic issues: [www.victoria.ac.nz/home/about/avcacademic/publications2#grievances](http://www.victoria.ac.nz/home/about/avcacademic/publications2#grievances)
- Special passes: [www.victoria.ac.nz/home/about/avcacademic/publications2#specialpass](http://www.victoria.ac.nz/home/about/avcacademic/publications2#specialpass)
- Statutes and policies including the Student Conduct Statute: [www.victoria.ac.nz/home/about/policy](http://www.victoria.ac.nz/home/about/policy)
- Student support: [www.victoria.ac.nz/home/viclife/student-service](http://www.victoria.ac.nz/home/viclife/student-service)
- Students with disabilities: [www.victoria.ac.nz/st\\_services/disability](http://www.victoria.ac.nz/st_services/disability)
- Student Charter: [www.victoria.ac.nz/home/viclife/student-charter](http://www.victoria.ac.nz/home/viclife/student-charter)
- Student Contract: [www.victoria.ac.nz/home/admisenrol/enrol/studentcontract](http://www.victoria.ac.nz/home/admisenrol/enrol/studentcontract)
- Turnitin: [www.cad.vuw.ac.nz/wiki/index.php/Turnitin](http://www.cad.vuw.ac.nz/wiki/index.php/Turnitin)
- University structure: [www.victoria.ac.nz/home/about](http://www.victoria.ac.nz/home/about)
- VUWSA: [www.vuwsa.org.nz](http://www.vuwsa.org.nz)

## School Contact Information

Head of School: Dr Allison Kirkman, MY1013

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School of Social and Cultural Studies: [www.victoria.ac.nz/sacs/](http://www.victoria.ac.nz/sacs/)