

International Journal for Crime, Justice and Social Democracy



Special Edition: Critical Criminology Guest Editors' Introduction

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This issue of the *International Journal for Crime, Justice and Social Democracy* stems from selected papers delivered at the 2013 and 2014 Critical Criminology conferences convened in, respectively, Adelaide (Flinders University) and Melbourne (Monash University). This was the final occasion when the Critical Criminology event would be held in successive years. In future, this conference will alternate with the Crime, Justice and Social Democracy Conference (hosted biennially by the Queensland University of Technology). As guest editors and the conferences' facilitators, we examined the abstracts across both events and listened to as many speakers as possible with the view to inviting submissions from a mix of Australian and international delegates, including a selection of postgraduate and early career researchers.

The papers published in this issue provide solid evidence of not only the liveliness of critical criminological thought, but also its relevance to the twenty-first century problems besetting various governments and communities around the world.

In her opening chapter to *The Critical Criminology Companion*, Julie Stubbs (2008: 15) made the following observation:

Critical criminology/ies are diverse and subject to ongoing development likely to be influenced by borrowings from and dialogue with allied disciplines, and innovations generated by inter-disciplinary work. Like criminology generally, critical criminological research confronts conceptual and methodological challenges arising from factors such as: transnational and global developments in the social order; the shift to a 'pre-crime society' as conceived within crime control and scholarship in the domain of security ...; reconsidering subjectivity; and constructions of and responses to difference.

The papers in this issue map neatly onto each of these dimensions. We were particularly struck by the strength of the moral tenor characterising each contribution. The authors have taken a stand for or against particular ways of defining crime, of policing its (non)occurrence, and/or of the methods used to punish, 'correct' and/or deter (would-be) offenders. We believe these papers are strong reminders of the important place of critical criminology in contemporary debates.

In the opening article, **Professor Phil Scraton** lays bare the pains of imprisonment experienced by women in Northern Ireland. He carefully dissects the manner in which expressions of women's agency – specifically, their resistance to the rules and practices that would oppress and objectify them – find their way into various dossiers regarding prisoner behaviour and subsequent classification. Scraton elucidates an insidious world where the struggle to retain a sense of humanity is used against each prisoner; where, as he writes, 'human rights [are] traded as "privileges"'. Perhaps most importantly, Scraton highlights the context in which social research comes to the fore as one of the few vehicles for shedding light upon the dark dimensions of prison life.

The exposure of prison life continues in **Carolyn McKay's article** which takes us to the periphery of custodial spaces through an examination of the problems and possible advantages of video technology in court. Drawing on primary interview data, McKay carefully depicts how video links substantially change the spatial and auditory dimensions of the court and other legal processes: things once private become more public; the quiet and/or considered exchanges between lawyers and prisoners become a thing of the past; and, indeed, any communication between prisoners and the legal world (the court, legal representatives, the judiciary) becomes a challenge. A focal point of the piece is McKay's observations of experiencing the isolation, confusion and alienation of video links with prisoners, including the unintended use of the mute button and the 'audio bleed' (for example, the noise from other prisoners and the clanging of doors and keys), which prevents clear apprehension of what is transpiring in court. While acknowledging the potential benefits of this technology given the complications associated with prisoner transport and movement, McKay argues that video links may be changing the nature of justice in fundamentally unfair and damaging ways.

In an alternate reflection on the changing nature of justice, **Maggie Hall and Dr Kate Rossmannith** skilfully show how the criminal justice system requires offenders to align themselves to particular scripts in order to 'access justice', when being sentenced, 'managed' within prison, and/or deemed suitable for parole/release. Using the concept of self-narrative, Hall and Rossmannith argue that the 'real' person – the person behind the crime – is typically not the individual depicted (and constructed) in prosecution briefs, pre-sentence reports, prisoner admission documentation and sentence management plans. Instead, they argue that offenders become the artifice produced through a series of 'imposed stories' spanning the criminal justice process. Here, the person who 'did the crime' – the person with an infinitely complex biography and set of behaviours and emotions – is made to disappear. Critically, this more complex person is never really permitted to re-emerge, as each part of the system seeks only to engage with the person who 'matches' the narrative strung together by the imposed stories. In describing this 'Alice-in-Wonderland world', Hall and Rossmannith lament the subsequent 'real world' effects on prisoner well-being and rehabilitation.

Questions of appropriate rehabilitation and treatment are also key themes running through **Dr David Scott and Helena Gosling's article**. Here, they turn their attention to the benefits of therapeutic communities as alternatives to imprisoning people for drug and/or alcohol related offences. To support this contention, Scott and Gosling draw on data showing the importance of non-custodial settings for helping heroin users address their criminogenic needs, arguing that such settings also work to restore and maintain the dignity of the 'client'. Significantly, Scott and Gosling's paper casts doubt on the appropriateness of medicalised solutions to offending, and they advocate for a greater and renewed focus on 'the broader structural contexts generating social harms'.

The consideration of social and structural harms carries into **James Petty's examination** of the use of 'hostile architecture' to control the locations of homeless people. Drawing on a London case study in which metal spikes were used in alcoves, doorways and other areas where

homeless people take refuge, Petty shows how these architectural devices can define not only the excluded population, but also those who stand on the legitimate side of these 'dividing practices'. Petty carefully shows how the (eventual) removal of the spikes in London was not simply a matter of neo-liberalism or late capitalist consumer culture showing a more human and compassionate face; rather, it was equally motivated by the need to remove a daily visual reminder that 'Others' (the homeless, the unemployed, the mentally ill) are uncomfortably close to the circuits of wealth and threaten to break through in unseemly fashion (under a blanket in front of a banking corporation), and at inopportune times (when someone is trying to reach their front door in a well-to-do city area).

Also exploring a largely untapped component of social control, **Dr Gavin Smith's article** examines the world of the CCTV operator, in one of very few papers on this topic. Stemming from an ethnographic immersion in the field, Smith extends and challenges some of Michel Foucault's work, arguing that CCTV operators do not simply look at the world, so much as (re)construct it. Using the concept of the flaneurship (Latour), Smith delves into the emotional world of CCTV operators, discussing specifically the 'deep work' undertaken by such persons as they (sometimes) struggle to psychologically deal with the events they witness. As Smith explains, this technologically-oriented world becomes one 'that far exceeds its formal framing as a dispassionate and systematic procedure'. In this way, the assumed outward gaze of the operator is turned back on him or herself in accordance with the trauma of events, such as bashings or suicides, unfolding before them in real time, but which they tend to be powerless to do anything about. Smith's insight into this largely hidden domain brings the human and reflexive dimension back into processes typically perceived as mechanistic and unidirectional.

Our technologically-orientated world also features as a dominant theme in **Dr Nerida Chazal and Adam Pocrnic's examination** of the 'real' nature of social change through socially driven media campaigns. Using the Kony 2012 event as a case study, their article illustrates the range of binaries (chiefly the savage/saviour dyad) which gave this campaign its seductive edge and its considerable momentum, while also showing the dangers associated with a 'clicktivist' approach toward dealing with what, in reality, are very complex social, geographical, political and economic issues. While there is, as they write, 'a "feel good" factor associated with online participation', it is essential that digital dissidents immerse themselves more deeply in some of the nuances of events portrayed as more or less cut and dried in nature. Only in such a manner, Chazal and Pocrnic argue, is it possible to avoid the 'reinforcement of passive activist subjectivities'.

Scarlet Wilcock then moves us towards the rationalities of risk, in a paper that examines the various factors influencing compliance review and fraud investigation decisions at the Australian Department of Human Services (DHS). Referring to the process as 'welfare policing', Wilcock demonstrates that, despite an assumption of neutrality and scientific assessment, the risk formulations for compliance and review decisions remain both highly gendered- and class-based. While acknowledging the link between risk and burgeoning neoliberal ideologies, Wilcock draws on examples of the treatment of two groups commonly identified as 'at risk' – single mothers and unemployed welfare recipients – to argue that 'meanings about gender, poverty and criminality fundamentally shape definitions of riskiness and how welfare surveillance practices play out more generally'. Drawing on compliance breach data and interviews with DHS staff, she shows that the concerns attributed to these groups are not informed by statistics but, rather, are reflective of what she describes as 'entrenched moral anxieties about these payment recipients who have apparently failed to get a job (or keep a man)'. Wilcock's article presents a stark insight into welfare compliance policies, and offers a compelling argument for the re-consideration of 'risk' assessment approaches.

In the final paper, **Dr James Roffee** combines a socio-legal and critical criminological analysis to discuss the discursive tactics used by Members of the then Australian Government to justify the spate of controversial legislative measures introduced as part of the 2007 Northern Territory Intervention. In critiquing the dominant political discourse used to enact a top-down policy imposition on Indigenous Australian communities, Roffee details how the then Government successfully drew upon a 'synthetic necessary truth' – in this instance, the abuse of children – to legitimise the Intervention and create a 'political consensus' to deny opponents the opportunity for rebuttal. Roffee demonstrates how the manipulation of language in the pre-legislative process can be used to gain traction and community support, even in the most controversial areas. He describes this outcome as 'the virtually unhindered enactment of contentious legislation'. Roffee's paper reminds us of the importance of utilising diverse methodological approaches as a tool of critique in contemporary social, political and economic contexts, if we are to expand our knowledge and capacity to challenge and highlight disadvantage, injustice and power.

This collection of papers amply testifies to the continued strength and diversity of critical criminological scholarship. Issues of class, gender and race remain at the forefront of inquiry, but are suitably (and rightly) accompanied by critical analyses of space, power, technology and language. We thank each of the authors for their contributions to this issue and hope that readers will find something new and thought-provoking in each piece.

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