

Penal Policymaking: A collaborative symposium

Summary Report

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Introduction

The event ‘Penal Policymaking: A collaborative symposium’ was held on 14 April 2016, at the Institute for Government. It was attended by a range of policy participants and academics. It was held under the Chatham House rule. This report provides summaries of the discussion in each session, along with the briefing papers distributed in advance. The sessions were as follows:

1. Developing Sentencing and Penal Policymaking
2. Practitioners, Policymakers and Penal Policy
3. Localism, Markets and Criminal Justice Policy

This event, and the ‘Interpreting Penal Policymaking’ initiative of which it forms part, was co-funded by the Economic and Social Research Council (ESRC) and the Political Studies Association (PSA). It is underpinned by the view that questions of criminal justice are ineluctably bound up with questions *inter alia* of politics, evidence, expertise, ethics, morality and practicality. Deliberation upon, and debate between, differing perspectives on these issues is a crucial means of fostering effective and appropriate penal policymaking.

Looking Forwards: Towards a better understanding of penal policymaking

Efforts to understand and thereby improve penal policymaking are undermined by the dearth of substantial and sustained empirical research into the practice of penal policymaking – how it is conducted and experienced in specific locations and contexts.¹ The careful analysis of the beliefs and practices underpinning policymaking is capable of yielding important insights, of value both to scholarly and policymaker audiences. Addressing this situation requires active engagement by researchers, and a spirit of openness on the part of policymakers.²

A special issue for an international scholarly journal, titled ‘Interpreting Penal Policymaking’, is currently being produced. A workshop will be held in April 2017 to bring together contributors and a select group of policy participants.

The symposium has prompted suggestions from a number of attendees, identifying profitable further activities and sites of research analysis. If you wish to discuss your own thoughts in this regard, please do make contact using the details below.



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¹ There are important exceptions to this, including my own work in this field: Annison, *Dangerous Politics* (2015, Oxford: OUP).

² Published findings in political science demonstrate the considerable fruits that such engagement can provide: see for example Rhodes, *Everyday life in British Government* (2011, Oxford: OUP); Crewe, *Lords of Parliament: Manners, rituals and politics* (2005, Manchester: MUP) and *House of Commons: An anthropology* (2015, London: Bloomsbury); Vos J & Wagenaar H, ‘The Münchhausen Movement: Improving the Coordination of Social Services Through the Creation of a Social Movement’, *American Review of Public Administration* (2014); and Wagenaar et al, *Practices of freedom: Decentred governance, conflict and democratic participation* (2012, Cambridge: CUP).

Time to Act

Political obstacles will always exist in criminal justice policymaking

- The dissonance between long term policy goals and short term political timescales is a substantial impediment to policymaking
- There will always be risk of harm in criminal justice but the public have been encouraged to desire its elimination
- Legislative change is too often treated as a good in itself – legislative churn poses substantial challenges to good practice ‘on the ground’

But the time to act is now

- The relative decline of crime as a matter of significant public concern represents an opportunity for changes at the level of policy and rhetoric
- It is a timely moment for policymakers to consider how – and why – to engage with the public
- Continued ‘austerity politics’ provides an opportunity to consider the appropriate apportioning of limited public funds
- Taken together, this may present an important moment for historic change

And in doing so we need to embrace new ways of dealing with familiar obstacles

- ‘Feedback loops’ are essential – sustained engagement between practitioners in policymaking, in a climate of trust and respect
- ‘Healthy subversion’ is potentially a valuable component of policymaking-in-practice, to be accommodated within appropriate parameters
- There is a clear need for structures that support reflexivity by policymakers and deliberation between the full range of policy participants
- Careful analysis of particular ‘dilemmas’ in penal policymaking may provide important insights¹
- Interpretive research of policymaking, and its underpinning beliefs and practices, is well-placed to serve as a valuable instrument of reflection and reform

¹ In the language of interpretive political analysis, we can usefully conceive of political structures as ‘traditions’ (the ‘Westminster tradition’, for example), with moments of truth being ‘dilemmas’ that cause policymakers to reaffirm or perhaps reassess these underlying traditions and the beliefs of which they are comprised (Annison, 2015; Rhodes, 2011).

Session 1

Developing Sentencing and Penal Policy

This session began with discussion of the lessons to be learned from the history of the Imprisonment for Public Protection (IPP) sentence, and progressed into broader issues around policymaking. Contributions included the following:

Success and failure

- There must be clarity around what is being sought to be achieved
- Different ‘lenses’ must be considered: political and policy goals do not necessarily align

Evaluating policies and understanding the consequences

- Interpretive accounts are crucial in evaluating policy, by providing an accurate account of how policy is developed
- There would be great value in mechanisms for testing the impact of sentencing policy changes. Is greater involvement of judges in predicting, for example, the demand for prison places part of the solution?
- Beware of the unintended consequences of good intentions. For example, suspended sentences have often been imposed on offenders who were clearly going to breach their conditions, leading to a rise – not a fall – in imprisonment
- The recruitment of more judges to the Parole Board is one example of ways in which ‘feedback loops’ can be established, which enable and encourage sentencers to understand the long-term effect of disposals
- Political timescales pose substantial challenges to the development of policies whose long-term benefits may not be apparent for some time

Risk

- Politicians must accept that there will always be risk. Risks of reoffending, risks of harm, cannot be completely removed
- Communication is essential: public and professional assumptions about criminal justice often differ significantly
- Has Ministry of Justice rhetoric begun to shift from incapacitation towards rehabilitation?
- Can we learn lessons from other sectors? For example, how does the health sector address emotive debates around the use of very expensive treatments versus wider public interest in cost-effectiveness and competing priorities?

The role of the media and public opinion

- The influence of the 24 hour news cycle cannot be over-stated: it has fundamentally changed policymaking
- Are we coming out of a period of “illusory democratization”? A persistent desire by policymakers to speak with, and for, ‘the public’ but a failure to develop mechanisms by which this could consistently be achieved
- Crime no longer dominates social and political life in the same way that it did during the 1990s and 2000s – this may open up possibilities for penal policymaking
- That said, while there might be a lull in public opinion towards crime, the opinion itself hasn’t actually changed
- A generation has been taught that the way to deal with problems is by tough punishment.

Responses: deliberation and expertise

- It was acknowledged that there were many problems with the Imprisonment for Public Protection (IPP) sentence
- It makes clear the need for reflexivity by policymakers and deliberation between the full range of policy participants: sentencing officials, risk experts, practitioners, prison governors and so on
- There was agreement that engagement between practitioners and policymakers could be greatly improved. There was less agreement on the causes of the present situation, which some termed one of ‘mutual antipathy’
- Select committees are one means by which practitioner voices can be heard, but their influence is limited
- We should not assume that expertise is absent; rather, we must examine carefully the forms of expertise that are involved in policymaking, and the beliefs and practices that flow with this
- Do political structures such as ‘first past the post’ play a key role at ‘moments of truth’ in penal policymaking?
- Would a ‘Consultative Council’ bringing together a range of experts – policymakers, practitioners, researchers, service users – be a valuable addition to current structures?
- The Westminster model casts the Secretary of State as near-omnipotent, but this risks obscuring the important role of the underlying ‘machinery of government’

Session 2

Practitioners, Policymakers and Penal Policy

This session began with discussion of the lessons to be learned from the history of youth justice, and the role of practitioners as ‘on the ground’ policymakers. Contributions to the ensuing broader discussion around practitioners and policymaking included the following:

Trust and Power

- Trust between practitioner groups is crucial in supporting the development and maintenance of appropriate policies and practice
- For some, practitioners have become ‘passengers’, swept along by central policymakers
- For others, practitioners maintain an important policymaking role
- ‘Policy overload’ is a huge problem for practitioners. It should be considered whether better outcomes could be achieved by less policy
- For example, the official threshold for child custody did not change during decades of substantial variation in custody use
- Practitioner and service-user led initiatives can quickly become hindered if ‘captured’ by managerial bureaucracy
- The speeding-up of reform timescales tends to exclude meaningful practitioner involvement

Impact of austerity politics

- Funding cuts make it difficult for practitioners to influence policymaking. All efforts are used simply to keep the show on the road
- This also makes it difficult to build trust because there is less time for magistrates, for example, to engage with other practitioners
- “Policymaking by budget” is a problem. There has been lots of money saved in, reduced spend on youth imprisonment, for example, but this money does not always find its way back into the youth justice system
- It is a two-edged sword. Less money may mean there is less inclination to use youth custody, but it also may mean that there is less money to spend on research, civil servants, policy development and so on

Service user involvement

- Effective policy development also requires service user involvement, not just practitioners
- In order to be fully effective, there must be empowerment of those at each ‘level’: practitioners who feel empowered to contribute to policy discussions will in turn likely show greater openness service users having a voice

Localism

- Does localism in part involve institutions being able to ignore central policies?
- ‘Healthy subversion’ may have important value

Session 3

Localism, Markets and Criminal Justice Policy

The briefing considered the centralising tendencies of the New Labour era, set against the longer history of localism. The important differences between “marketization” and “localism” were discussed, not least as demonstrated by the *Transforming Rehabilitation* agenda. Subsequent discussion included some of the following themes:

‘Marketization’ and ‘Privatization’; ‘Localism’ and ‘Centralism’

- Debates around these concepts require precision and clarity
- For example, marketization ought to provide service users with options. By contrast, contracting out to private providers is management from the top down
- Forms of localism vary greatly. Local government has a long history and established procedures, but the approach since 2010 has been to pursue localism via Police and Crime Commissioners (PCCs), mayors and other novel measures
- Localism and deliberative democracy should go hand in hand. It should be about engaging citizens – including practitioners and service users – in decisions that affect them. *Transforming Rehabilitation* was perceived as an initiative that did not meet this goal
- *Transforming Rehabilitation* demonstrates the gulf that can emerge between policymakers’ notions of success, and those of practitioners and service users. These disconnects, between ‘the centre’ and on-the-ground experience, pose significant dangers

Marketization and trust

- *Transforming Rehabilitation* shows how reforms can undermine working relationships. For example, judges now have direct contact with National Probation Service (NPS) staff; not those in the Community Rehabilitation Companies (CRCs) who supervise community sentences
- Partnership working is extremely challenging in the context of competition, financial pressures and central policy demands
- Further, relationships between probation and the voluntary sector have been damaged

Policies in principle, experience in practice

- Policymakers must recognise that systems and processes are not an end in themselves. For example, notwithstanding considerable change, probation service users have not experienced a great deal of practical change



Localism, centralism and austerity

- Service reductions, redundancies and concentration of contracts in a small number of private sector providers can undermine measures that potentially would facilitate localism
- Localism presents substantial challenges for central government: does its role become one of oversight and regulation?
- Localism and centralism are not easily divided. For example, nationally agreed service contracts complicate policy discussions surrounding the empowerment of local prison governors

Why marketize?

- There was robust discussion around the role and responsibilities of the state in relation to punishment and rehabilitation
- It was observed that rehabilitation is a philosophy of punishment; a clear distinction between punishment and rehabilitation is not easily achieved
- More broadly, what do we want to achieve? There must be clarity on how policies should be assessed and recognition of the plurality of views that should be taken into account (service users, practitioners, researchers, publics, and so on)

Reforming Sentencing and Penal Policymaking?¹

Session 1 Briefing Paper | Dr Harry Annison | 14 April 2016

This paper summarizes the research published as *Dangerous Politics* (OUP, 2015), which utilizes the Imprisonment for Public Protection (IPP) story as a case study of sentencing and penal policymaking. It is widely recognised as ‘one of the least carefully planned and implemented pieces of legislation in the history of British sentencing’.² Research findings highlighted the variable (and generally limited) engagement by policymakers with experts in risk assessment and management; a general limitation in deliberation on the substantive issues raised; and a failure to integrate discussions and decisions around sentencing with decisions relating to penal policy and practice. The IPP case study may be rooted in a specific time and place, but it points to more fundamental structural issues with penal policymaking.

It is argued that policymakers must address:

- Whether, and how, to bring relevant publics into the penal policymaking arena
- The relationship between the tabloid media and policymaking
- How to develop a mode of deliberative policymaking that facilitates the productive interaction between a range of expert views, ideological positions, and practical perspectives
- The value, and feasibility, of addressing sentencing and penal policy as a coherent and inter-related whole

1. The Research Project³

Drawing on over 60 in-depth interviews with key policymakers, the research project analysed the creation, contestation, amendment and abolition of the Imprisonment for Public Protection (IPP) sentence, spanning both Labour (2001-2010) and Conservative-led (2010-2015) governments. The IPP sentence stands as one of the most striking examples of the expansion of preventive sentencing. The research sought to investigate the beliefs, traditions and political processes that underpinned these developments, and to consider the wider lessons for academic and policymaker audiences.

2. Key Findings

a) The Disconnection between Policymaking and (Risk) Expertise

The introduction of the IPP sentence was predicated on the assumption that systems for risk assessment and management were sufficiently developed to support this future-oriented preventive sentence. However, respondents consistently noted the lack of expert involvement in the IPP policymaking process. This was seen by some to reflect a general approach to sentencing policy in which, when it is discussed with the Secretary of State, “Never do we have in the room a psychologist or someone who understands risk” (Civil servant). Some respondents raised concerns that the policymaking system, “relies on generalists being able to be on top of the law, [have] an understanding of offender management, and [have] an understanding of risk. That is a big ask of anyone.” (Civil servant).⁴

¹ Briefing funded by the ESRC and the PSA. This briefing paper is also available at <http://eprints.soton.ac.uk/393156/>

² Jacobson and Hough (2010) ‘Unjust Deserts’ London: Prison Reform Trust

³ <https://global.oup.com/academic/product/dangerous-politics-9780198728603>; funded by ESRC grant number ES/G010307/1.

⁴ These findings echo Paul Rock’s earlier work on the ‘small world’ of penal policymaking (OUP: 1990) and RAW Rhodes’s ethnographic study of ‘everyday life in British government’ (OUP:2011).

b) The Absence of the Public

The ‘rise of the public voice’ has become a widely discussed truism in academic discussions of penal policy.⁵ The IPP story is one in which the idea of ‘the public’ acted as a constant reference point: “[Ministers] were not seeking punitive outcomes...but were concerned about managing public opinion” (Political adviser); “It’s right that we have to give the best advice, but we have to be conscious of public perceptions of it” (Sentencing official). However, members of the public were not involved in the ongoing processes regarding its creation, nor other parts of the story: “Everything was done in very small circles” (Civil servant). A desire to establish deep-rooted, meaningful, public engagement in penal policy was common, but there was little clarity on how this might be achieved.

c) The Influence of the Media

The tabloid media were experienced as a powerful force, channelling the policymaking process and constraining policy choice: campaigns by *The News of the World*, The Sun and others “caused great strain” (Home Office official); generating a “climate of fear” (Civil servant) and an “absolutely toxic” climate (Home Office official). A situation in which a problem was framed, and desirable responses identified, by newspaper editors in conjunction with ministers was not uncommon: “that couldn’t be any more exclusionary, because the civil service isn’t even involved at that point until a decision’s been made and they say, ‘Go and implement X’” (Civil servant).

d) Policymaking in Silos

Some respondents observed that there was considerable distance between (and sometimes within) policymaking groups. It was considered that the situation discussed above at (a) was an example of a broader situation in which ongoing deliberation between policy participants was often sub-optimal. Examples cited by respondents included the relationship between national policymakers and local practitioners, between the government and the judiciary,⁶ and between groups and directorates within the Ministry of Justice itself.

In sum, the research concludes that this was a period of ‘illusory democratization’. Whereby the public was a constant reference point for policymakers, a loss of public confidence in the penal system was a constant concern and there was a perceived need to pursue policy outcomes that satisfy public demand. However, this was a story in which there were no forums in which sustained deliberation between publics and policymakers could occur.

3. Recommendations

a) Bring in the Public?

Some scholars argue that policymaking processes should be altered to facilitate penal policy becoming ‘a matter of ongoing public contestation.’⁷ The likely continued devolution of budgets and decision-making to Police and Crime Commissioners (PCCs) and other local actors⁸ may facilitate a shift in this direction. However, political scientist Gerry Stoker warns us that ‘one person’s “big issue” can mean nothing to another’; the pool of engaged ‘publics’ may quickly become skewed and substantially (self-)limited.

⁵ See, for example, Ryan (2005) ‘Engaging with Public Attitudes Towards Crime and Punishment’ in Pratt et al (eds) *The New Punitiveness*. Cullompton: Willan.

⁶ But see, for example, Lord Thomas, Lord Chief Justice (2014) ‘The Judiciary, the Executive and Parliament’ London: Institute for Government.

⁷ Loader (2010) ‘Is it NICE? The Appeal, Limits and Promise of Translating a Health Innovation into Criminal Justice’ *Current Legal Problems* 63: 72–91.

⁸ The devolution of some powers over the criminal justice system to Greater Manchester was announced in March 2016: <http://www.bbc.co.uk/news/uk-england-manchester-35824234>

b) Resist the Media?

The abolition of the IPP sentence in the face of sustained media pressure suggests that a broader range of policy options are attainable than is generally considered to be the case. In a policymaking environment in which the ‘Westminster model’ continues to dominate, ministers as recognised legitimate leaders of their department should be encouraged to ‘call the media’s bluff’ when developing progressive solutions to policy problems. Clarke’s tenure may be something of an aberration, his ‘soft’ actions only possible because the ‘well-oiled [government] machine’ (Civil servant) had been disrupted by the novelty of the 2010-15 coalition government. However, this only makes clearer the problems with the policymaking ‘machine’.

c) Deliberative Policymaking

The research findings suggest that there may be considerable value in facilitating discussions amongst policy participants, focusing upon the beliefs, traditions and practices that are prevalent in relevant organisations. Interpretive political analysis may play a key role as part of this process in two related ways:

- Evidential
 - draw together, interweave and contrast the different perspectives of those engaged in a particular policymaking process
 - support feasible, realistic proposals for reform, thereby avoiding ‘civil service reform syndrome’⁹
- Collaborative
 - Engage in ‘recursive collaboration’,¹⁰ where researchers ‘test’ their initial interpretations of policy goals and processes with policymakers and practitioners. This supports the identification of ways in which policymaking processes might be improved and problems arising from different working practices and logics may be ameliorated
 - Thereby facilitate the creation and maintenance of ‘a relatively durable community that is action oriented and that is in sustained interaction with opponents’¹¹

Proposing a Penal Policymaking Forum

A small number of case studies – encompassing policies ranging in their perceived level of success – are utilized as a prompt for collaborative learning. Researchers analyse the logics and practices that appear to underpin the policymaking processes, drawing on research interviews and/or ethnographic study. Researcher interpretations of the logics and practices of relevant policymakers are presented and debated. This facilitates the refining of these interpretations, and consideration of their implications for criminal justice policymaking. As part of this, pragmatic difficulties faced by policymakers are brought out into the light and addressed as prompts for collaborative responses.

4. Author Information

Dr Harry Annison is a Lecturer at the Law School, Southampton University. Previously a Research Officer at the Oxford University Centre for Criminology, his research has been published in leading journals including *Theoretical Criminology* and *The Journal of Law and Society*.

⁹ Reform measures that fail to be implemented; fail to become established; and/or have unintended consequences: Hood and Lodge (2007) Civil service reform syndrome - are we heading for a cure? *Transformation Spring*: 58-59.

¹⁰ Wagenaar et al. (2015) ‘Overcoming Conflicting Logics of Care and Justice’ in Agger et al. (eds) *Collaborative Governance and Public Innovation in Northern Europe*. Bentham Science Publishers.

¹¹ Ibid: 112

Practitioners, Policy Makers and Penal Policy

Session 2 Briefing | Mark Telford | 1 April 2016

Scholarly accounts of criminal justice policy making are often approached from the perspective of structural variables (e.g. social, cultural or economic), or alternatively are focused solely on the policy-making activities of central ‘elites’. The potential for practitioners to shape policy has been relatively neglected. I argue that we can learn a great deal from historical case studies of practitioner-led policymaking. One telling case study is the period of dramatic reductions in the use of custody for juveniles in England and Wales during the Thatcher Governments of the 1980s.¹ Drawing on reflective interviews with key participant-observers, the research provided the following key findings:

- This was a striking example of a ‘ground-up’, practitioner led penal policy transformation;
- Key to the reductions in custody in a variety of local areas was the development of better communication and relationships of trust between practitioners in various agencies;
- The practitioners’ development of innovative community based interventions were crucial, being developed within a framework of proportionality, selectivity and professional judgement as to their appropriate application
- Central government nonetheless remains an important part of the picture –these ‘ground-up’ developments were shaped by reactions of indifference and tolerance (late 1980s/early 1990s), then misunderstanding and hostility (mid to late 1990s)

These findings prompt questions for discussion at the Penal Policymaking: A Collaborative Symposium event including:

- Can we effectively draw lessons for current practice from historical case studies?
- If so, what lessons does the past hold for current developments in criminal justice policy?
- Is it legitimate for practitioners to make policy?
- If so, what systems must be put in place in order to meet basic standards of justice, fairness and equality?
- How can ‘elite’ policymakers ensure that practitioner experience and expertise is fully understood and integrated into policy making processes?
- Can effective inter-agency working be constructed from the top?

Author Information

Mark Telford is Senior Lecturer/Principal Teaching Fellow at the Law School, University of Southampton.

¹ Telford, and Santatzoglou. “‘It was about trust’—Practitioners as policy makers and the improvement of interprofessional communication within the 1980s youth justice process.” *Legal Studies* 32.1 (2012): 58-77; Telford, and Santatzoglou. “No More Excuses: the shaping of community interventions in England and Wales in the 1980s.” *International Journal of Public Law and Policy* 3.4 (2013): 416-443.

Localism, Markets and Criminal Justice Policy

Session 3 Preview | Harry Annison and Mark Telford | 6 April 2016

Localism

A substantial drive towards devolution and localism is apparent. Police and Crime Commissioners (PCCs) and 'Metro Mayors' will likely become increasingly responsible for justice budgets. Prison governors are similarly likely to become responsible for their own budgets. Related to this are efforts better to involve service users in criminal justice policy and practice.

Markets

Related to the localism agenda are moves to open up a wider range of criminal justice activity to the private sector. Transforming Rehabilitation has dramatically re-shaped the landscape for probation, supervision and rehabilitation of ex-prisoners. PCCs, Metro Mayors and prison governors will likely be able – and expected – to draw on a wide range of service providers from the private, charitable and voluntary sector.

Discussant: Professor Ian Loader (Oxford University)

Professor Loader has written extensively on penal policy and the politics of crime control. His published works include discussions of the role of criminology in democratic politics;¹ localism and criminal justice policy;² and the economic and moral issues raised by private sector involvement in the provision of security services.³

Respondents: Dr Gwen Robinson (Sheffield University)

Dr Robinson has written extensively on offender management and community sanctions. Her ESRC-funded 'Devolving Probation Services' research project (with Matthew Millings and Lol Burke) engages in ethnographic study of the implementation of the Transforming Rehabilitation agenda.⁴

Nicola Drinkwater (Clinks)

Nicola Drinkwater joined Clinks in 2012. She has a background in criminology and has previously worked in both the Policy and Service User Involvement teams at Revolving Doors Agency. The latest Clinks 'State of the Sector' report was published in March 2016.⁵

These developments pose questions for discussion including:

- How should the relationship between local and central criminal justice policymakers be managed, in this emerging landscape?
- Are the localism agenda, and efforts to promote service user involvement, necessarily complementary?
- Is a sustainable and vibrant criminal justice market, featuring a range of providers, possible?
- What steps might be required for voluntary sector organizations to be able to ensure their long-term future?
- How should the benefits and risks of private sector service provision be managed?
- Is the era of 'top-down government' in criminal justice over?

¹ eg Loader and Sparks (2010) *Public Criminology?*

² eg Commission on English Prisons Today (2009) 'Do Better, Do Less'

³ eg Loader and White (2016) 'How can we Better Align Private Security with the Public Interest?' *Regulation and Governance*

⁴ Robinson, Burke and Millings (2016) 'Criminal Justice Identities in Transition: The Case of Devolved Probation Services in England and Wales' *British Journal of Criminology* <<http://bjc.oxfordjournals.org/content/56/1/161.full.pdf>> (freely available via Open Access)

⁵ <<http://www.clinks.org/file/clinks-state-sector-full-reportpdf>>

List of Selected Relevant Publications

Annison, H (2015) *Dangerous Politics*. Oxford: OUP

Annison, H (forthcoming) 'Interpreting Influence: Towards reflexivity in penal policymaking?' in Armstrong, Blaustein and Henry (eds) *Reflexivity and Criminal Justice*, Basingstoke: Palgrave [available from author on request]

Boswell, J (2014) "Hoisted with our own Petard": Evidence and democratic deliberation on obesity' *Policy Sciences* 47(4): 345-365

Boswell and Corbett (2015) Stoic democrats? Anti-politics, elite cynicism and the policy process. *Journal of European Public Policy* 22(10): 1388-1405

Drinkwater, N (2016) 'The State of the Sector' London: Clinks

Frameworks Institute, 'Reframing Crime and Justice Project' < <http://www.frameworksinstitute.org/the-reframing-crime-and-justice-project.html> >

Garside and Ford (2015) *The Coalition Years: Criminal justice in the United Kingdom 2010 to 2015*. London: Centre for Crime and Justice Studies

Gash (2016) *Criminal: The truth about why people do bad things* London: Penguin

Law Commission (2015) 'Sentencing Law in England and Wales: Legislation currently in force' London: Law Commission

Loader, I (2010) 'Is it NICE? The Appeal, Limits and Promise of Translating a Health Innovation into Criminal Justice' *Current Legal Problems* 63: 72-91

Mulcahy, J (2015) 'The General Scheme of the Bail Bill 2015: an analysis of key provisions' *Irish Law Times* 33(18) 274

National Audit Office (2016) 'Transforming Rehabilitation' London: NAO

Rogan, M (2010) 'Yes or No Minister: The importance of the politician-senior civil servant dyad in Irish prison policy' *The Prison Journal* 91(1) 32-56

Robinson, Burke and Millings (2016) 'Criminal Justice Identities in Transition: The case of devolved probation services in England and Wales' *British Journal of Criminology* 56 161-178

Telford and Santatzoglou (2012) "It was about trust" – Practitioners as policy makers and the improvement of inter-professional communication within the 1980s youth justice process' *Legal Studies* 32(1): 58-77

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