

The Pains of Hope: Families of Indeterminate Sentenced Prisoners and Political Campaigning by Lay Citizens

Harry Anison and Rachel Condry*

*Harry Anison, Southampton Law School, University of Southampton, Highfield, Southampton, UK; h.anison@soton.ac.uk; Rachel Condry, Centre for Criminology, Faculty of Law, University of Oxford, St Cross Building, Oxford, UK.

This paper examines the politics of crime and insecurity as experienced ‘from below’. We draw on in-depth interviews with families of indeterminate-sentenced prisoners, and policy participants, in order to understand families’ experiences of their relative’s imprisonment under the discredited English Imprisonment for Public Protection (IPP) sentence and their public campaigning against it. We situate these experiences within broader structural trends, which we conceptualise as penal-familial assemblages. We argue that the experiences cause ‘pains of hope’ for families through a double liminality: first, due to the uncertainties caused by the indeterminate sentence, which brings neither closure nor release. Second, meaningful state action on campaigners’ demands remained elusive, with moments when change appeared close but ultimately remained just out of reach. In conclusion, we draw out the lessons from our study for analysing penal politics. We argue, in particular, for a humanistic recognition of the centrality, and the pains, of lay citizens’ efforts to seek to achieve progressive penal policy change.

KEY WORDS: penal politics, prisoners’ families, hope, assemblage theory

INTRODUCTION

This article examines the experiences of families of people serving a discredited indeterminate sentence—the IPP—in England and Wales, families who have campaigned publicly and doggedly against it, as a ‘way in’ to analyse how penal politics is experienced ‘from below’. It is a ‘micro’ analysis (a close study of how penal politics is experienced by a group of lay citizens) that speaks to, and informs, extant ‘macro’ accounts of penal change. In so doing, this article brings into dialogue two bodies of literature that have tended to remain distinct¹: the nature and dynamics of penal change (for an overview see [Simon and Sparks, 2012](#)) and the experiences of families and prisoners (see [Condry and Smith 2018](#)).

1 There are signs that this is beginning to change. See, for example, [Tomczak \(2021\)](#) and [Cook \(2021\)](#).

In service to these aims, the analysis presented here is situated within a Deleuzian framework that centres the concept of ‘assemblage’. This approach sees even apparently fixed states of affairs (and policies within this) as in fact being made up of heterogenous dynamics that always hold within them the potential for change (or stasis) (Deleuze and Guattari 1987). It is an ‘anti-reductionist position that understands assemblages as defined by relations of exteriority and as generative of emergent properties’ (Savage 2020: 324).

It is an approach that is therefore positioned in contrast to influential theoretical approaches within the sociology of punishment, which have tended to be underpinned by conceptual frameworks that focus on broad cultural and structural dynamics and their interplay with—and conditioning role on—penal politics (Garland 2001; Pratt 2021). A growing body of literature has raised concern that such analyses, for all their theoretical heft, fail to take seriously ‘the “local” political and cultural struggles out of which “global” change is fashioned’ (Loader and Sparks 2004: 17). And that this analytical approach, at a normative level, risks ‘political defeatism’ (Zedner 2002: 365), leaving us without the conceptual means by which to develop a better politics of crime control (Loader and Sparks 2020).

In this paper, we first briefly set out our methodology and provide details of the particular form of indeterminate sentence in England and Wales, the IPP sentence, that underpins our case study. We then sketch what we term ‘sightings’ of penal and familial assemblages: scholarly accounts that together portray the context that families affected by the IPP sentence encountered, both in supporting their relative and in campaigning against the sentence. This initial account of dominant trends is provisional, not fixed; conditional and conditioning, but not determinative.

We then report on our research, in-depth interviews with families of people sentenced to IPP, and policy participants who experienced their campaigning efforts. We provide an analysis of the families’ experiences, their efforts to bring about policy change and how these efforts were received by policy participants and reflected upon by campaigning family members. We show that families of people sentenced to IPP suffered negative experiences and ‘symbiotic harms’ common to families of prisoners (Condry and Minson 2021), but that these were exacerbated by the perceived injustice of the IPP sentence; an injustice recognised by successive governments, but which has not led to relief for their relatives who remain subject to this abolished sentence. We detail their substantial and prolonged campaigning actions and the ways in which their efforts have contributed to shifts in public debate and policy positions on the IPP sentence. Set against this, we show that families tended ultimately to feel deflated by the lack of significant change taken by relevant authorities, notwithstanding their public words of support.

We argue that these experiences can be understood as causing ‘pains of hope’, via a double liminality. First, families experience the liminality of the indeterminate sentence itself. This led many to feel hopeless but unable to abandon hope, hopeful but worn down by constant setbacks. Second, campaigning families experienced the liminality of political activity—and in their case specifically the lack of alignment between supportive talk and substantive action—and the unpredictability of the political process, with multiple opportunities passing by without reform being achieved.

We demonstrate thus a cruel irony. We show that, notwithstanding our account that shows the substantive value of families’ campaigning and the limited but not insignificant state action that eventuated (and the much more effective legislative changes that might have come to pass) – in short, the agency of these families seeking to effect penal change—such lay citizens can tend to experience the situation as powerfully ‘fixed’ in place and immovable.

We conclude by drawing out lessons for the study of penal change, and in particular the sociology of punishment. First, we argue that the ultimately negative experiences of lay citizens we report here do not provide support for, and are analytically distinct from, accounts that present

the nature and course of penal politics as structurally determined. Normatively, we argue for a substantively political approach to penal change: both in the analysis of *what is*, and in the consideration of *what might be*. We argue that there is great value for the sociology of punishment in engaging with grounded experiences of penal politics, and efforts by lay citizens to challenge, influence and otherwise affect it.

The IPP sentence and its long tail

Our specific focus here is the controversial, widely discredited Imprisonment for Public Protection (IPP) sentence. It is the English apotheosis of risk-based sentencing,² with offenders convicted of relevant offences and identified by the trial judge as dangerous subjected to an indeterminate sentence, with release only being possible when the prisoner persuades the Parole Board that their ongoing detention is no longer necessary for the protection of the public. The IPP sentence has thus been cast variously as exemplary of the 'preventive turn' in criminal justice (Ashworth and Zedner 2014), of the rise of the 'security state' (Ramsay 2012) and the emergence of a neo-liberal 'security sanction' (Pratt 2021).

The IPP was introduced by the Criminal Justice Act 2003, and implemented in 2005, with this indeterminate-sentenced population swelling to over 8,000 by 2012. That year marked the *prospective* abolition of the sentence, action taken due to administrative concerns about its contribution to an increasingly sclerotic prison system and parole process (HM Chief Inspector of Prisons 2016) and principled concerns about its unfairness. The government action effecting its abolition made no legislative changes to assist those already sentenced to IPP. Nor did it deal with the emerging issue of released IPPs struggling to achieve resettlement, not helped by an increasingly threadbare social safety net amidst a decade of austerity and the persistent threat of recall to prison for technical breaches of often-stringent licence conditions (Edgar *et al.* 2020).

Growing recognition of the long tail of this sentence has led to renewed efforts by researchers, campaigning charities and others, to identify specific issues and recommend further reforms. This paper reports on our own work, which sought specifically to understand the experiences and needs of families of IPP prisoners. In addition to examining the 'pains of imprisonment' experienced by this group (reported in detail Anison and Condry 2018 and Anison and Straub 2019), our project examined the campaigning efforts of (some) families of people serving IPPs.

The kind of high profile and sustained campaigning amongst prisoner families we discuss below is unusual within the wider population of prisoners' families, though there are other specific exceptions which usually centre on a strong feeling of injustice, such as the families of those bereaved by prison suicide (Tomczak 2021) or subject to joint enterprise law (Williams and Clarke 2016). To understand it further, and to gain greater analytical insights regarding the political dynamics in play, we examined the response to this campaigning by actors we term 'policy participants' (individuals who have responsibility for, or are well-placed to influence, penal policy in this area).³

Methodology

The research comprised in-depth interviews and an online survey, supported by analysis of a range of relevant documentary materials. In-depth interviews were conducted with 15 family

2 By which we mean post-criminal conviction sentencing; for holistic discussion of risk-based sentencing see Ashworth and Zedner (2014: Chapter 7).

3 We use this generic term here in order to preserve anonymity for these respondents. They included leaders of organisations, high level civil servants and political actors.

members of indeterminate-sentenced prisoners.⁴ These were obtained by posting invitations (with permission) on relevant Facebook groups and contacting prominent family campaigners directly. Interviews lasted from 40 min to over 3 h. Interviews were conducted in person at the participant's home, or in another location requested by them, with a small number conducted by phone. Interviews were also conducted with nine senior policy participants, lasting 30–90 min; three were conducted by phone, the remainder in person.

An online survey of families of people sentenced to IPP was also conducted to understand their experiences and to understand the level of engagement in campaigning activities. This was promoted via prison newspaper *Inside Time*, Twitter and relevant Facebook groups. Family members were asked open questions relating to how they were affected by the IPP sentence; organizations or individuals who may have provided support to them; possible involvement with campaigns relating to the IPP sentence; and demographic information. In total 119 people responded to the survey, with an average of 70–80 responses to each individual question.⁵ We do not claim that the findings presented here are generalizable to all families of people sentenced to IPP. Rather, our focus here is primarily those who were motivated to take public action.

The project received ethical approval from the University of Southampton ethics committee (Ethics ID:28613). Information was provided to participants explaining the nature and goals of the research and emphasised their freedom to consent (or not) to participation in the research, and the anonymisation of responses. Some quotes presented have had identifying information redacted to ensure anonymity.

SIGHTINGS OF PENAL-FAMILIAL ASSEMBLAGES

We now sketch what we term 'sightings' of penal-familial assemblages: a sketch orienting us to the context encountered by those in our case study. For Deleuze and Guattari, an assemblage is an analytical concept that enables us to identify a set of connections that come together for a period of time and which, when taken together, produce a recognisable behaviour or effect (Deleuze and Guattari 1987: Chapter 13). It is an analytical orientation towards complexity, heterogeneity and instability (Crockett Thomas 2020: 69), identifying particular gatherings together of 'political imaginations, rationalities, technologies, infrastructures and agents towards steering individuals and groups in particular directions' (Savage 2020).

There is a tension in seeking to sketch an assemblage: one risks inadvertently, and ironically, providing a reified structuralist account that effaces heterogeneity and the possibility of change. Here we seek to bring together scholarly accounts of dynamics and trends that are widely recognised to have shaped and informed penal policy and family policy in England and Wales (and indeed other, especially Anglophone, Western nations) over recent decades. These sightings—these penal and familial assemblages—are inherently subjective and contestable, intended here as a provisional statement rather than asserting a fixed and final structural landscape.

Many scholars broadly concur with an analytical view that penal trends can be summarized as comprising the dominance of a risk averse, individualizing logic; a prison-oriented public protection paradigm; and a populist anti-political approach to public discussion of penal issues (Pratt 2007; O'Malley 2010). The period 1993–2012 saw significant growth in the prison population of England and Wales (now relatively stable at a historically high level); the growth of extraordinarily long (and extended/indeterminate) prison sentences by historical standards;

4 The majority of respondents were blood relatives or close partners. But we did not exclude those who fitted a more expansive notion of 'family member', such as close family friends who were primary supporters. Two individuals fitting a more expansive notion of family member were interviewed for this project.

5 Respondents could choose to answer as many questions as they wished and could provide narrative answers which were not restricted in length. Due to the wide range of questions asked, the lower per-question response rate compared to overall survey responses was expected.

an increasingly risk-averse approach to probation work and the recall of prisoners released on licence; and a renewed dominance of entrenched ‘commonsensical’ positions on ‘law and order’.

The predominant scholarly view is that the family and interpersonal realm has been characterised by similar dynamics, trends and shifts; sharing logics and rhetorics of those in the penal sphere. For many observers, these trends seem to be grounded in a neoliberal political rationality pervading market societies from the 1970s onwards: a focus on individual (and familial) responsibility; a reduction in welfare and state services; risk culture and a dominant condition of anxiety about the family, bolstered by the infiltration of expertise into family life; and what could be described as a ‘familial populism’ characterised by political rhetoric marking out failed or feckless families deemed to not be failing to meet their responsibilities (Lemke 2001). This trend has also been described as ‘neoliberal responsabilization’ (Garland 1996), casting social problems as due to individual or familial failings.

In the view of authors such as Wacquant (2009) the developments in the penal and familial spheres do not run in parallel but are intertwined. A deregulated labour market, pervasive market logic, the retraction of welfare and individual responsabilization provide justification for punitive policies that particularly impact upon disadvantaged communities and reach into family lives (see also Pratt 2021).

For many scholars, in a context where sentencing had become increasingly oriented towards public protection (O’Malley 2010), dangerous offenders became folk devils *du jour*, understood through a lens of fear and the concept of individualized risk. The nature of the IPP sentence exemplified two related dynamics: the predominance of an individualized approach to rehabilitation that sees offending as a result of individual ‘needs’ (McNeill 2012: 14) and a tendency within neo-liberal thinking to responsabilise individuals, in this case, for achieving and demonstrating their own non-dangerousness.

It is notable that the New Labour government that created the IPP sentence in England and Wales also developed family policies that formalised responsabilising individuals and families, sought to manage or minimise risk within families and mark out and coerce failing or feckless families. The folk devils *du jour* in the familial realm were those that produced antisocial or criminal members, characterized by ‘risk factors’ such as single or young parenthood, parental criminal history, unemployment, poor parental supervision or child-rearing, large family size and low educational attainment (Farrington 2007).

These dynamics are seen by many scholars to have created particular consequences for the families of prisoners who are responsabilized or instrumentalised in the service of rehabilitation and risk management, and simultaneously marginalized and distrusted in the progression of their relative. Families—and often female relatives such as mothers and partners—step into the void left by support and welfare services, providing care and shouldering responsibility for meeting the needs of their imprisoned relative. This occurs within a context of pervasive familial blame and accountability, with stigmatizing implications for families of those deemed to be ‘dangerous offenders’ (Condry 2007).

Penal populism, another critical dynamic in late modern penalty, has been defined by Pratt (2007) as a set of interwoven structural dynamics, resulting in ‘a dramatic reconfiguration of the axis of penal power, with the strategic effect of reversing many of the previous assumptions that had hitherto informed post-war penal policy’ (Pratt 2007: 35). These trends include the rise of insecurity (real and perceived), the decline of deference and of trust in politicians and other elements of ‘the establishment’, the weakening of the civil service and the rise of globalization (Pratt 2007). The predominant assumption in rhetoric, policy and practice, is that the prolongation of imprisonment for a ‘dangerous’ individual (and relatedly, increased levels of imprisonment generally) equates to improved public safety. This penal warehousing is also tied to a logic of risk elimination that operates notwithstanding

the growing evidence of the deleterious effects of indeterminacy and long-term sentences, for prisoners, families and society (Jacobson and Hough 2010; Crewe 2011; Annison and Condry 2018).

More positive elements of populist trends have, equally, been sighted. While the internal dynamics of English penal policy making tend towards centralization and exclusion (Annison 2018), victims, survivors and others affected by crime including families of prisoners have—albeit to varying extents—began to find it (more) possible to have their voices heard. This, alongside growing respect (sometimes from a low base) amongst organisations for expertise gained ‘by experience’, evidences at least the potential, at best partially realized, for the more democratizing elements of late modern trends to be borne out (Loader and Sparks, 2020).

Potentially positive steps regarding the families of prisoners have also been taken in recent years in England and Wales. From 2017 a policy position emerged in England and Wales that prioritised ‘the maintenance and development of prisoners’ relationships with family, significant others and friends’ (Ministry of Justice and HM Prison and Probation Service 2019: 5). This was stimulated in part by the Farmer Review, a report by a Conservative member of the House of Lords which argued that there ‘needs to be a golden thread running through the prison system and the agencies that surround it. That principle is that relationships are fundamentally important if people are to change’ (Farmer 2017: 4). This has begun to have some tangible effects on prisons, and probation, at least in terms of the rhetorical framing of policies and practice.

We can further note liberalism as a persistent undercurrent in debates (and policy discussions) surrounding penal policy in England and Wales. There has been significant change over recent decades: the era of the liberal, elitist ‘Platonic guardians’ is gone (Loader 2006); right-wing political views on crime have come to dominate political debate and electoral contestation. However, liberal views persist among many of those with influence on penal policy. In part, this is due to traditional English Conservative thought involving, for some, a liberal desire for a restrained state and freedom of the individual from its over-bearing tendencies (Loader 2020) and the persistence of liberal views—at least as an orienting consideration—amongst many experts in the penal sphere.

These (relatively) more positive sightings can be understood as representations of Deleuze and Guattari’s concept of ‘lines of flight’. This concept speaks to existing or emergent trends that are part of a dominant assemblage, which appear to be capable of ‘escape’, of having a ‘transformational quality’ on ‘structures’ and practices (Deleuze and Guattari 1987: Chapter 12).

FAMILY EXPERIENCES

Having sketched these sightings of penal and familial assemblages in England and Wales, and elements that may constitute their lines of flight, we now consider the experiences of families of people sentenced to IPP. We report in full the general issues and problems described by our respondents, and recommendations for action, elsewhere (Annison and Condry 2018; Annison and Straub, 2020). Here we focus on our findings specific to their status as IPP families: the impact of the sentence and how this led some to campaign for change.

The nature of the sentence

The abolition of the IPP sentence in 2012 was justified explicitly on the basis that, in the words of then-Justice Secretary Kenneth Clarke:

[IPP sentences are] unclear, inconsistent and have been used far more than was ever intended... That is unjust to the people in question and completely inconsistent with the policy of punishment, reform and rehabilitation.⁶

Understandably, the decision not to make the abolition retrospective, or to take some other form of action,⁷ caused considerable difficulties for the families of the thousands of prisoners still serving these sentences⁸. Respondents' comments often were not abolitionist, nor seeking to downplay the crime committed by their relative: while some pointed to specific concerns about their case (for example mental health issues that problematised the initial decision to imprison), many believed that a relatively short determinate prison sentence might have been appropriate.

The government's position generated a legitimacy deficit: statements that the sentence was inherently wrong clashed with a refusal to pursue this to its logical conclusion for electoral reasons caused respondents anger and confusion:

I feel bitter towards the justice system knowing worse crimes are committed with much lesser sentences. (Survey)

I may be naïve, but I don't understand how they can just ignore the truth of the deep injustice of it. (Family interview)

There was a sense of being trapped:

You've got all these people, right, all these people around the top of the funnel [who] can recall you, stick you in, and at the bottom of it, it's only the Parole Board that can get you out. So, this funnel is just getting fuller and tighter and tighter (Family interview).

Some described feelings of hopelessness:

On the last visit, he wasn't too well ... When my parents had left the table, he said to me, "Do you know, this is my last parole hearing, regardless. If I'm out, good." He said, "If not, I'm ending it" ... It sort of broke us apart. (Family interview)

However, predominant for many was what we might more accurately describe as *pains of hope*. While tempered by knowledge of the tragic deaths of a number of IPP prisoners, the possibility for a prisoner's situation to improve meant that 'every single one of us has got that little bit of hope that something's going to change' (Family interview):

I have that little bit of hope every time I open something new, I'm thinking, "Please say that they're gonna look at them retrospectively" or "Please say that anybody under four-year tariff they're gonna look at [release with electronic] tagging or..." (Family interview)

One family member reflected on the difference between bereavement, where the passage of time had helped and supporting their relative serving an IPP:

6 Hansard: HC Deb 1 November 2011, col 785–787.

7 For example, conversion to determinate sentences or introduction of a maximum period of imprisonment.

8 In 2012 there were approximately 6,000 people sentenced to IPP in prison; this had reduced to 2,700 by 2016, and at time of writing in 2021 there are still 1,900 people who have never been released from prison. The number of recalled IPP prisoners has increased and continues to do so, currently adding a further 1,400 to the overall IPP prison population (Prison Reform Trust 2021: 30).

Time isn't a healer, in this case, because it's just that constant waiting game, but you don't know what you're waiting for ... It honestly is like nothing I've ever felt or experienced before ... Honestly, when people say they've got heartache, that's exactly what it is, it makes my heart ache. (Family interview)

There are echoes here of Crewe's depiction of the 'tightness' of (especially indeterminate) imprisonment: 'the feelings of tension and anxiety generated by uncertainty' and the hurt of (potential) prolonged imprisonment (Crewe 2011: 522). This liminality experienced by families of people sentenced to IPP—hopeless but unable to abandon hope, hopeful but worn down by constant setbacks—led some respondents to report being in a condition of what one described as 'chronic loss' (Survey):

... it's exactly the same feeling as when you've lost somebody. [But] It don't go away and you can't move on from it. (Family interview)

Campaigning

For most of the history of the IPP sentence, the voices of family members had been notably absent. But interventions by family members in the public debate swelled from 2014 onwards and have been particularly intensive from 2016. In part, family campaigners were motivated by the injustice of the situation and simply the need to do *something*; to physically respond to and in some sense to seek to expel the ongoing stresses being experienced.⁹ They sought to exert some agency in a context of substantial disempowerment:

I had spent years writing to [my family member] about "a light at the end of the tunnel" and felt a hypocrite in doing so. I wrote to whoever was fronting up the [Ministry of Justice] and my local MP, the prisoner's local MP, the MP for the constituency where the prison is set, the Parole Board Chief. (Survey)

The ubiquity of social media played a central role, providing a means by which individualised families could bind together with dispersed others to generate a collective:

I found a lot of people on Twitter, going through the same experience—both families and even prisoners on Twitter. It was like finding a community, people I could speak with openly and share information with. (Family interview)

One spoke about sharing experiences with other families allowing, in part, 'a release of sorrow... about the terrible things that are happening' (Family interview).

The campaigning work undertaken by IPP families comprised a range of activities. Online petitions were set up; there were marches on Parliament, on the Ministry of Justice and at prisons. Letters were written to ministers, the Parole Board, parliamentarians and others. This led to meetings with local MPs, and multiple meetings between families and national policy-makers, all within the context of and often directly supported by, the creation of various IPP-related groups on Facebook, a proliferation of Twitter accounts and some websites created by campaigners.

Common themes ran through these activities: the principled injustice of the sentence; the unfairness in practice; and the resultant harms for prisoners and their families. These themes

9 On the mental health implications, including stress, of the IPP sentence for families, see [Straub and Annison \(2020\)](#).

are exemplified by some of the most popular petitions, which between 2014 and 2018 had been signed over 32,000 and 44,000 times respectively¹⁰:

Release the remaining IPP prisoners

The High Court abolished indefinite prison sentences (IPP sentences) in 2012,¹¹ yet there are still 3,500 IPP prisoners, stuck in the prison system with no hope of release, even if they've served their prison term and passed the necessary training. It should also be noted that apart from the IPP prisoners themselves, the real losers are their family and friends who are often left struggling to understand the realities of an IPP sentence [and] often at a loss as to what to do about the nightmare situation in which they find themselves.¹²

Signs displayed at some of the marches on Parliament included:

IPPs: THE FORGOTTEN PRISONERS
MAJOR TIME FOR PETTY CRIME. FREE MY IPP
FREE MY IPP DAD: 8 YEARS OVER TARIFF

Supportive news coverage—often focusing on the impact of the IPP sentence on family members—emerged, with both BBC News (Conway 2016) and *The Guardian* (Weaver 2017) bringing concerning cases to public attention. Perhaps more unexpectedly, local newspapers began to run pieces that cast particular IPP prisoners (and their families) as victims of the system, notwithstanding their assigned status as a 'dangerous offender' (see for example Hutchinson 2017). Some of the most prominent campaigners therefore found themselves increasingly in demand:

I actually talk to [journalists] all the time. I've spoken to... or I put forward another person with an IPP relative... let's have a look. Those who have been supportive of the IPP have been: BuzzFeed ...; Vice News ...; I've spoken to Sky News; BBC One, ...; BBC Four, Dispatches, ...; BBC Radio 5, ... Radio York, ... Inside Time, ...; Howard League; LBC Radio as well. (Family interview)

Some found value in the roles they could play within the emergent campaign groups. One family member spoke with satisfaction of the valuable niche she held in a group, based on the skills she could offer. Another, more high-profile campaigner said that 'I have become a bit of a "name", people know who I am and others look me up. That's nice, it becomes a supportive community' (Family interview).

This was, however, not without significant burdens. Those closely involved in some of the most active groups reflected on a range of difficulties. Discussion on social media could become fractious, reflecting the strains being experienced by individual family members. One family campaigner spoke with weariness of the need 'to tolerate it, because [the IPP sentence] is frustrating. There is frustration' (Family interview). Others spoke of the significant labour involved in their work, considerable technological and administrative burdens and the emotional and psychological strains this could engender. One campaigner talked us through her experiences, which progressed from a (pen and paper-based) write-in campaign to setting up Facebook

10 It is not argued that the petitions in themselves necessarily have had a separate causal effect on policy development. Rather, the success of the campaigners in convincing tens of thousands of people to sign the petition is an indication of their persistence and resolve and relative success in raising the public profile of the problem.

11 This is presumably a reference to the High Court judgment in *R. (Wells) v Parole Board*; *R. (Walker) v Secretary of State for the Home Department* [2007] EWHC 1835; [2008] 1 All ER 138. This did not abolish the sentence but did rule it unlawful. For detailed analysis of the history of this line of case law, see Annonis (2014).

12 Source: <https://you.38degrees.org.uk/petitions/free-the-remaining-ipp-prisoners> Petition set up in 2014.

groups and a Twitter account, organising a ‘38 Degrees’ online petition and writing directly to prominent policy makers and journalists.

Reception, reflections

Campaigns about a particular issue, if to be successful, are ultimately about influencing those who have the ability to change policy, and those who operate in that policy sphere. Some respondents—both family members and policy participants—were sceptical about the ability of some of the campaigning activity to achieve policy change. One policy participant considered that marches on Parliament and similar efforts ‘don’t make the blindest bit of difference... we’re used to people shouting outside windows’, while one family member worried that ‘it’s the *Telegraph* readers you need’ (Family interview)¹³ and that their efforts were in danger of merely preaching to the converted.

Many of the policy participants we interviewed were more supportive. But even then, they spoke of the difficulties of involving families in the process of influencing policy change. Concerns were expressed that an expert’s well developed understanding of how to ‘play the game’ could seem problematic to families who were understandably impatient to achieve tangible change: ‘There’s a responsibility on people like me to manage expectations’ (Policy participant). Some worried that efforts by family members might disrupt the quieter, less visible actions they believed were more likely to lead to success:

[Doing things ‘under the radar’] is [often] the right approach, and I think it’s necessary, because of the nature of the issue and the potential public perception. It just doesn’t necessarily sound to the individuals, particularly the family members, like a substantial effort. (Policy interview)

The specific size and strength of the main family campaign groups waxed and waned, shifting over time from being relatively sporadic, organic and heterogenous to being more structured, networked and strategic and back again. Disputes and disagreements between individuals surfaced; sometimes about individual relationships or misunderstandings, sometimes reflecting different views on the appropriate nature, scope and scale of campaigning demands that should be made. Some groups, for example, focused on placing public pressure on specific prison governors about individual prisoners, while others took a more systemic view and targeted senior policy makers. A resulting complaint made by more than one respondent was that ‘people don’t seem able to get together to be an overarching organisation’ (Family interview).

In the period featuring sustained campaigning efforts by families, important developments did occur. A joint HM Prisons and Probation Service (HMPPS) and Parole Board ‘IPP Action Plan’ was set up in 2016: its initial priority was reducing and eliminating the backlog of parole cases that had stood at over 3,000 at its peak ([Parole Board for England and Wales 2018](#)). Subsequently, a review was conducted, led by HMPPS Psychology, of all IPP prisoners who were not considered to be making suitable progress towards release.¹⁴ Progression regimes have been developed at a number of prisons seeking to assist prisoners struggling to progress through the usual routes ([Liebling et al. 2019](#)).

In terms of public debate, a growing number of high-profile figures argued for government action, often tied directly to media stories that highlighted the impact on families. Former Home Secretary David Blunkett, who introduced the IPP sentence, expressed ‘regret’ at the ‘injustices’ it caused ([Conway 2014](#)). Parole Board Chief Executive Martin Jones, focusing on the growing numbers of IPP-sentenced people recalled to prison, recognized ‘why IPPs are perceived as creating potential

13 The *Daily Telegraph* is a right-wing tabloid newspaper, which has a close and longstanding relationship with the Conservative Party.

14 Hansard 11 June 2019 <https://hansard.parliament.uk/commons/2019-06-11/debates/2592FEF3-7781-412F-808A-BA500398BD7B/ImprisonmentForPublicProtection>.

injustice' and argued 'there is a compelling case to changing the licensing arrangements, which have the potential to compound the difficulties seen over the last twelve years' (Jones 2017). The Justice Secretary in 2015–16, Michael Gove, considered proposals to take legislative action on the IPP issue; he recognised that 'there are a significant number of IPP prisoners who are still in jail after having served their full tariff who need to be given hope that they can contribute positively to society in the future' (Gove 2016).

More recently, the Prisons Minister, in a parliamentary debate on the ongoing issues presented by the IPP sentence, recognized 'the genuine concerns of the families of people who are subject to that regime',¹⁵ with the views of, and impact on, families of IPP prisoners being raised by a number of parliamentarians in attendance. More recently still, former Home Secretary David Blunkett, and former Justice Secretaries David Lidington and Ken Clarke, pressed the issue once more, describing the high numbers of people still serving IPPs as a 'tragedy' and urging the authorities to review all cases 'as soon as possible' (Derbyshire 2021).

The modest improvements seen in terms of substantive efforts to progress IPP prisoners through the penal estate, and the growth in public attention and political support for change, may have taken place nonetheless. But a number of policy participants considered that families' campaigning efforts had a real effect, that they—in our conceptual language—unsettled the policy assemblage somewhat: 'I don't think there would have been national media coverage of this issue had it not been for the campaigners' (Policy interview). One spoke of meeting with family campaigners:

You're feeling the personal emotion and that's awful for [the families], but it's also painful when you're at the receiving end of it... They didn't need to be horrible to me, because I could feel it. It wasn't necessary for them to go over the top, I got the message. (Policy interview)

Some policy participants, including organisational leaders, spoke of the extent to which families' efforts spurred them on, in addressing the legacy of this risk-based sentence:

They speak incredibly powerfully about their experience of the system. And, for me, personally...it does get an emotional response from me. (Policy interview)

In terms of families' reflections on their campaigning efforts and the ensuing developments, respondents were generally pleased to see the emotional force their campaigning could achieve. One family member spoke of the 'real power' of sharing their human experience directly with policymakers. The shifting view of journalists was seen as another positive aspect. In the early years, it 'infuriated a lot of families of IPP prisoners' that they struggled to get the story 'out into the public domain'. But more recently,

We've started to see such a change [with journalists] and these stories start to get out, which has given me hope that at least the test for release stands a chance of being changed, but I want to see that sentence gone. (Family interview)

The change in the media narrative is remarkable. The general trends discussed above point to the powerful notion of the dangerous offender as a terrifying 'other' in our midst (Brown and Pratt 2000). Here, rather, there has been a marked shift towards the re-framing of such individuals as victims of a failing system.

However, being forced by circumstances to learn how to navigate novel spaces and dynamics was often challenging and could prove to be upsetting. One family member spoke of the

harsh experience of being in communication with a news journalist who had spent some time arranging to run a piece on the IPP sentence involving several affected families. However, ‘with everything that happened with [another prominent case at that time] and how much it had been over the news already, she ended up cancelling on us. Because she said, too much had already got done on IPPs... do you know? And they needed a change’ (Family interview).

Where engagement with the media did come to pass, this was not unproblematic. The individual relatives were on show, exposing their personal experiences to the world: ‘They don’t want a story about IPP prisoners, *they want a story about a particular person*’ (Family interview, emphasis added). One respondent recalled attending an event as an audience member and being unsettled by a panel member unexpectedly asking if there were any IPP family members in the audience who wished to speak. The family member, apparently the only one there, felt torn between a terror of speaking unprepared, ‘of saying the wrong thing’ and missing this opportunity to do their duty, to try to influence the debate on behalf of all family members.

The developments during this period, while welcome, did not represent the substantive legislative changes that families campaigned for. These would have involved, at minimum, reversing the ‘release test’: placing the burden on the state to demonstrate the need for continued incarceration of the IPP prisoner. But most families considered it to be entirely reasonable for the state to go further: for the licence period for released IPP prisoners to be substantially reduced¹⁶; for IPP prisoners to be re-sentenced in line with current sentencing options; and/or for IPP prisoners substantially over tariff to be released on compassionate grounds.

At the same time, there were concerns expressed by some respondents about the harm that campaigning efforts might inadvertently cause their relative serving an IPP:

Q: Have you accessed any organisations for support? (MP, member of the House of Lords, Prison Reform Trust, Howard League [etc])

Respondent: No, I’m scared to flag up my partner’s name and [have the criminal justice system] use it against him. (Survey)

There was also a recognition amongst some family members that ‘high level’ policy talk would not necessarily (and certainly not automatically) result in positive changes to day-to-day practice; and it being the latter that was liable to cause further pain to prisoners and their families:

I feel like they’ve let us down in that meeting at Parliament because, “Yeah, we’ll do this, and the licence should be cut down to four years” and this, that and the other... Little do they know there’s a [probation officer] ready to bang them back inside again, do you know what I mean? (Family interview).

The experiences with the media and with policymakers, discussed above, point in part to the distinctive temporalities and spatialities that are bound up in these penal-familial assemblages. The various participants in this story (including families, policy participants, journalists, prisoners, publics) inhabited different forms and understandings of time-space in ways that were sometimes hard to reconcile. Campaigning family members tended to be operating out of their home: juggling the maintenance of family life, work and the acute stresses caused by the indeterminate sentence, experiencing political engagement often at a distance. They tended to be, physically, geographically and experientially, far removed from the groups who held such power over their lives.

Demonstrating its lingering dominance was a risk-averse, public protection paradigm coupled with longstanding challenges faced by ‘outsiders’ seeking to engage in policy change.

16 The licence period is for life, at present, but can be reviewed and potentially removed after 10 years.

Family members tended to speak positively about how campaigning ‘feels good for me as I’m actually doing something’ (Survey). Another reflected:

It is empowering. Lots of people would message me to say “What is IPP?” You can explain. They’re amazed and shocked. They sign the petition, tell their friends and the word spreads. You’re making a difference. (Family interview)

However, family members (including the same respondents) reported finding themselves coming to feel exhausted and disenchanted: ‘after a while when no results show, you realise no one is even listening nor do they care’ (Survey).

It’s like, yeah, I do have a voice, and, yeah, the Parole Board have said exactly what we’re saying, Prison Reform Trust saying, yeah, what we’re saying, but nothing seems to happen. So, really, who’s got a voice? (Family interview)

Many families found themselves facing what we have described as a double liminality. They were at times feeling powerful, hopeful of achieving positive change. Public and policy debate was increasing, and some actions being taken by relevant organizations. But the campaigning families equally could find themselves feeling powerless in the face of recurring setbacks. The passive resistance of the existing system (that is relevant actors choosing to avoid the political risks of further action) won out. And these pains of hope—for action on the IPP sentence—entwined with the pains of hope experienced in each individual case and the painfully tantalizing prospect of release, and successful resettlement, for their relative. This caused many families considerable distress:

It’s very upsetting each time I involve myself...I’m banging my head against a brick wall. (Survey)

One struggled to understand the lack of action in the face of the clear harms being caused:

I’ve always thought it was gonna take something big, like somebody killing themselves, to bring light to [the issues facing IPPs]. But it hasn’t, because people *have* killed themselves. (Family interview)

PENAL-FAMILIAL ASSEMBLAGES AND THE PAINS OF HOPE

We now consider how these specific experiences relate to the broader penal landscape. What do we learn by considering this experience of penal politics ‘from below’, these efforts to engage with and affect the law, policy and practice relating to the discredited IPP sentence? What do we learn about how the ‘machine’ producing this state of affairs ‘works’? (Deleuze and Guattari 1983: 3).

The campaigning families were able to draw upon, and were assisted by, helpful extant dynamics within the broader penal-familial assemblages. These included liberal political attitudes amongst some influential policy participants and developing attention to families within English penal policy. We conceptualised these above as possible lines of flight, existing or emergent trends that are part of a dominant assemblage, which may have a transformational quality (Deleuze and Guattari 1987: Chapter 12).

First, and drawing on the liberal undercurrents that suffuse penal policy debates in England and Wales, we saw that a liberal, injustice argument might have won out, leading to substantive changes that would have significantly altered the course of the IPP story and the experiences of

specific families. We also noted above the ways in which publics have increasingly pressed in on, and at times been welcomed in by, policymakers over recent years. This dynamic, embraced to varying degrees by organizations relevant to our study, again has been propitious for families of people sentenced to IPP; providing more avenues by which they can pursue their aims.

Increasing attention to families within English criminal justice had benefits for those campaigning in relation to the IPP sentence: policy participants were (in some cases) more attuned to their concerns than they otherwise might have been. It ensured institutional support for individual actions, including banal but important matters such as policy participants and criminal justice staff being enabled to attend relevant events and workshops relating to families of IPP prisoners. It also contributed to the freeing up of funds and the establishing of relevant organisational strategic goals, including support for our own project reported on here and the Parole Board's increased focus on families of those subject to parole.

However, these positive trends, these lines of flight, that to some extent provided assistance also contributed to the weakness, the limitations, of the institutional response: in the face of pleas for substantive change, families were provided with 'Information' and 'Guidance' documents ([Parole Board for England and Wales 2020](#); [HM Prison and Probation Service 2021](#)). These documents, having no effect on the underlying problematic policies, could not help but reinforce a broader political position framing all of those sentenced to IPP as 'dangerous offenders':

... as a judge deemed them to be a high risk to the public, the independent Parole Board must decide if they are safe to leave prison. (Ministry of Justice statement, quoted in [Derbyshire 2021](#))

Placing the onus squarely on the prisoner (and by implication their family), the Prisons Minister similarly stated that 'the best approach is for us to continue our successful efforts to help those offenders rehabilitate ... whenever an offender wishes to engage.'¹⁷

This political position held the IPP sentence, and its related underpinning assumptions and structural conditions, firmly in place and rebutted the central arguments made by families campaigning for change. The IPP sentence was a legacy policy from a different political administration. Nonetheless, its maintenance 'worked' for the government and policy makers. To take further action, to prospectively abolish the IPP sentence (in some way or other) would open the governing party to considerable political risk. It would also put the probation service, and other elements of the criminal justice system, in a similarly risky position. Tasked with resettling thousands of released IPPs, they would likely be accused of failing in their public protection responsibilities if a further serious offence were to be committed by a release IPP prisoner.

The abolition of the IPP sentence would, likely, further raise awkward questions about the penal system more generally: if the systems in place to manage, rehabilitate and safely release indeterminate sentenced prisoners are inappropriate for IPP prisoners (determined by a judge to be so dangerous as to require open-ended incarceration), can the public have confidence in those systems' ability effectively to protect the public from other offenders for whom it would continue to be utilised? Lingering in the background was a sense that a fearful public, riled up by a punitive tabloid media, was a force that could not be reasoned with and whose ferocity must be carefully managed; a feature of the political dynamics surrounding the IPP—and English penal politics more generally—from its creation ([Annison 2015](#)).

In this context, the positive, albeit relatively limited, policy actions set out above were welcome steps taken by well-intentioned actors; efforts to make the situation better for families; and at minimum to hear and to amplify their voices. These included interventions by former

¹⁷ Hansard 11 June 2019 <https://hansard.parliament.uk/commons/2019-06-11/debates/2592FEF3-7781-412F-808A-BAS00398BD7B/ImprisonmentForPublicProtection>.

ministers to keep the IPP sentence on the public agenda; efforts by organizational leaders like the head of the Parole Board to shift the policy debate and set out specific possible actions; research and reports by bodies including HM Inspectorates of Prison and Probation, and Prison Reform Trust (and indeed ourselves); and important, but often less visible, actions by Members of Parliament and others to respond to concerned constituents, to support family members, organise parliamentary events and arrange meetings between families and policymakers.

However, these measures did little, to dislodge the simultaneously responsabilising and marginalising effects of the penal-familial assemblages, dynamics that families of people sentenced to IPP experience from both 'sides'. Prisoners, and their families, were—and are—expected to engage with a system, to work with it to demonstrate reduced risk, notwithstanding the multiplicity of problems recognised by elements of the state with the IPP sentence and the penal system on which it depends (HM Chief Inspector of Prisons 2016). The policy position further ignored—and continues to ignore—the illegitimacy of this system as perceived by many prisoners and others, and the fundamental argument that many people serving IPPs should never have received them in the first place (Jacobson and Hough 2010).

In terms of campaigning activities, the potentially positive trends of increasing openness to publics by criminal justice organisations similarly can be argued to have proved to be a double-edged sword: families have been welcomed in by organisations, many of the state institutions: to share their personal stories, to express their pain, to grieve publicly. Family members did so willingly, and with agency. And organisational actors encouraged them to do so in good faith, within a cultural context in which welcoming in public voices has been increasingly valorised. But the effect, for some, was a perpetuation and an exacerbation of the second order pains of hope set out above: wounds re-opened, expectations raised. Their personal lives paraded in front of concerned policy participants and publics, while the political climate drifts further towards a re-cementing of the most regressive, risk-averse and incapacitation-oriented aspects of the dominant penal assemblage.

CONCLUSION

At the analytical level, this paper has provided insights into the pains of penal politics as experienced by engaged citizens 'from below'. The families' experiences recounted here align with abolitionist critiques of the tendency for progressive reforms to come to shore up institutions and practice that are the target of criticism (Coyle and Schept 2018). They also share important elements of the experiences of campaigners against miscarriages of justice, and the near-impossibility of altering organisations' underpinning logics to achieve justice (Scraton 2019) and accord with scholarly critiques of the important—and indeed potentially significant—gap between 'civilizing' efforts and genuinely humanizing reforms (Brangan 2019).

Penal politics, as experienced from below, is perhaps 'opening up' a little, some chinks of light showing. But while 'resistance potential is always present' (Savage 2020)—there is always the potentiality for change—ordinary citizens who find themselves subject to the state's penal power, and seek to resist it, can experience the situation as powerfully 'fixed' in place. This is perhaps especially the case in situations where a policy is so closely bound up with dominant political and cultural dynamics of the era, as we have shown the IPP to be. Hope, in this situation, is both central to the possibility of change, but also acutely painful.

Normatively, our findings might be read as providing powerful support for those arguing that the only means of achieving better penal policy is to insulate it from political—and especially election-oriented, party political—contestation (Lacey 2008). Artefacts of the worst elements of the previous decades' punitive trends, such as the IPP sentence in England and Wales are,

insulationists might argue (and have argued: [Lacey 2012](#)), too politically toxic to be unwound by political actors with one eye on re-election.

However, we argue that the agentic actions of the individuals discussed above mattered in tangible ways. For critics of the IPP sentence (and the penal trends it embodies), only comprehensive abolition may be enough. But that should not blind us to the fact that, within significant ideational constraints and counter-pressures, the IPP sentence has been reduced in scope (2008), prospectively abolished (2012) and consequential ‘under the radar’ efforts have been made since then to make a meaningful difference to the lives of those caught up in it. There were moments where significant further legislative action might realistically have been achieved. The families of people sentenced to IPP had considerable success in elevating the issue onto the public consciousness and policy agenda, at a time when, post-2012, much of the establishment would have gladly moved on.

Further, we argue that this paper, and the type of work it embodies, provides empirical and conceptual insights that are well-placed to inform thinking around how one might envisage, in a spirit of utopian realism, ‘spaces of deliberation in which people affected by the practices and decisions of [penal] institutions (including the most marginalised and heavily victimised groups of people) are able to exercise voice, address one another’s concerns and inform decisions’ ([Loader and Sparks 2020](#): 115).

Attention in political theory is increasingly turning away from abstract philosophical discussions of how one might respond to the crises that many consider democracy to be facing, towards a closer engagement with real-world political dynamics and the experiences of ordinary citizens ([Macdonald 2021](#)). One element of this emerging literature is a greater interest in the connections, or lack thereof, between citizens and one another and their democratic institutions. From such a perspective, a greater interest in what might be termed ‘everyday political actors and practices’ holds great value. It turns us away from considering (only) grand constitutional and democratic questions, towards a greater interest in people—including those subject to the effects of penal policy—‘exercising agency, expressing creativity, and finding ingenious ways for citizens to engage in democratic processes’ ([Hendriks et al. 2020](#): 4).

Our study, we suggest, makes a modest but important contribution to such an endeavour in relation to thinking about the politics of crime control. Penal change is an inherently political process, making it incumbent on researchers to unpick and disentangle the dynamics in play, including from the perspective of groups and individuals who are not traditional policy elites. Our analysis points to the agentic potential of families (and others) resisting governable forms and campaigning for more just outcomes. But crucially, our analysis also makes clear the challenges faced by marginalised groups fighting for a voice in the penal policy-making process. It demonstrates the significant burdens that can be placed on individuals campaigning for change, and the pains of hope that ensue.

ACKNOWLEDGEMENTS

The authors would first like to thank all of the individuals affected by the IPP sentence who spoke to us for the fieldwork on which this article draws. The authors hope that our representations have done justice to their experiences. However, the authors are responsible for the interpretations and analyses that appear in the paper. An earlier version of this paper was presented as part of the Informal Seminar Series at the Oxford Centre for Criminology in November 2018, at the European Society of Criminology annual conference in Ghent, September 2019 and as part of the Birkbeck Criminology Seminar Series in November 2019. Thanks to participants at each event for their constructive comments, and especially Lucia Zedner and Sappho Xenakis. Thanks also to Ian Loader, Asif Hameed and Gavin Smith for detailed comments on earlier drafts, and to the anonymous peer reviewers and the editors of the special issue.

FUNDING

The research on which this paper reports was supported by the Southampton Law School strategic research fund.

REFERENCES

- Annisson, H. (2014), 'Interpreting the Politics of the Judiciary: The British Senior Judicial Tradition and the Pre-emptive Turn in Criminal Justice', *Journal of Law and Society*, 41: 339–66.
- Annisson, H. (2015), *Dangerous Politics*. Oxford: Oxford University Press.
- Annisson, H. (2018), 'The Policymakers' Dilemma: Change, Continuity and Enduring Rationalities of Penal Policy', *British Journal of Criminology*, 58: 1066–86.
- Annisson, H. and Condry, R. (2018), *The Pains of Indeterminate Imprisonment for Families of IPP Prisoners: Assessing Harms and Finding Solutions*. Southampton: University of Southampton.
- Annisson, H. and Straub, C. (2019), *A Helping Hand: Supporting families in the resettlement of people serving IPPs*. London: Prison Reform Trust.
- Ashworth, A. and Zedner, L. (2014), *Preventive Justice*. Oxford: Oxford University Press.
- Brangan, L. (2019), 'Civilizing Imprisonment: The Limits of Scottish Penal Exceptionalism', *The British Journal of Criminology*, 59: 780–99.
- Brown, M. and Pratt, J. (2000), *Dangerous Offenders: Punishment and Social Order*. London: Routledge.
- Condry, R. (2007), *Families Shamed*. Abingdon: Routledge.
- Condry, R. and Minson, S. (2021), 'Conceptualizing The Effects of Imprisonment on Families: Collateral Consequences, Secondary Punishment, or Symbiotic Harms?', *Theoretical Criminology*, 25: 540–58.
- Condry, R. and Scharff Smith, P. (2018), *Prisons, Punishment and the Family: Towards a New Sociology of Punishment?* Oxford: Oxford University Press.
- Conway, Z. (2014), 'David Blunkett 'Regrets Injustices' of Indeterminate Sentences', available online at <https://www.bbc.co.uk/news/uk-26561380>.
- Conway, Z. (2016), 'The Prisoner 'trapped' 10 Years into a 10 Month Jail Sentence', available online at <https://www.bbc.co.uk/news/uk-36410539>.
- Cook, L. (2021), *Family Activism in the Aftermath of Fatal Violence*. Abingdon: Routledge.
- Coyle, M. J. and Schept, J. (2018), 'Penal Abolition Praxis', *Critical Criminology*, 26: 319–23.
- Crewe, B. (2011), 'Depth, Weight, Tightness: Revisiting the Pains of Imprisonment', *Punishment & Society*, 13: 509–29.
- Crockett Thomas, P. (2020), 'Crime as an Assemblage', *Journal of Theoretical and Philosophical Criminology*, 12: 68–79.
- Deleuze, G. and Guattari, F. (1983), *Anti-Oedipus: Capitalism and Schizophrenia*. Minneapolis, MN: University of Minnesota Press.
- Deleuze, G. and Guattari, F. (1987), *A Thousand Plateaus*. Minneapolis: University of Minnesota Press.
- Derbyshire, V. (2021), 'Imprisonment for Public Protection Jail Terms "A Death Sentence"', available online at <https://www.bbc.co.uk/news/uk-56445407>.
- Edgar, K. Harris, M. and Webster, R. (2020), *No Life, No Freedom, No Future*. London: Prison Reform Trust.
- Farmer, L. (2017), *The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime*. London: Ministry of Justice.
- Farrington, D. (2007), 'Childhood Risk Factors and Risk-Focused Prevention', in M. Maguire, R. Morgan, R. Reiner, eds., *The Oxford Handbook of Criminology*. Oxford: Oxford University Press.
- Garland, D. (1996), 'The Limits of the Sovereign State: Strategies of Crime Control in Contemporary Society', *The British Journal of Criminology*, 36: 445–71.
- Garland, D. (2001), *The Culture of Control*. Oxford: OUP.
- Gove, M. (2016), *Making Prisons Work*. London: Ministry of Justice.
- Hendriks, C. M., Ercan, S. A. and Boswell, J. (2020), *Mending Democracy: Democratic Repair in Disconnected Times*. Oxford: OUP.
- HM Chief Inspector of Prisons. (2016), *Unintended Consequences: Finding a Way Forward for Prisoners Serving Sentences of Imprisonment for Public Protection*. London: HMIP.
- HM Prison and Probation Service. (2021), *A Guide for the Families and Significant Others of Those Serving Indeterminate Sentences*. London: HMPPS.
- Hutchinson, L. (2017), 'Trapped' prisoner Danny Weatherson Released After 11 Years Nine Months for a 16-Month Jail Sentence', available online at <https://www.chroniclelive.co.uk/news/north-east-news/trapped-prisoner-danny-weatherson-released-13336525>.

- Jacobson, J. and Hough, M. (2010), *Unjust Deserts*. London: Prison Reform Trust.
- Jones, M. (2017), 'The Parole Board Faces Up to New Challenges', available online at <https://www.russell-webster.com/parole-board-50/>
- Lacey, N. (2008), *The Prisoners' Dilemma: Political Economy and Punishment in Contemporary Democracies*. Cambridge: Cambridge University Press.
- Lacey, N. (2012), 'Political Systems and Criminal Justice: The Prisoners' Dilemma after the Coalition', *Current Legal Problems*, 65: 203–39.
- Lemke, T. (2001), 'The Birth of Bio-Politics: Michel Foucault's lecture at the Collège de France on Neo-Liberal Governmentality', *Economy and Society*, 30: 190–207.
- Liebling, A., Laws, B., Lieber, E., Auty, K., Schmidt, B., Crewe, B., Gardom., Kant. and Morey, M. (2019), 'Are Hope and Possibility Achievable in Prison?', *The Howard Journal of Crime and Justice*, 58: 104–26.
- Loader, I. (2006), 'Fall of the "Platonic Guardians": Liberalism, Criminology and Political Responses to Crime in England and Wales', *British Journal of Criminology*, 46: 561–86.
- Loader, I. (2020), 'Crime, Order and the Two Faces of Conservatism', *British Journal of Criminology*, 60: 1181–200.
- Loader, I. and Sparks, R. (2004), 'For an historical sociology of crime policy in England and Wales since 1968', *Critical Review of International Social and Political Philosophy*, 7: 5–32.
- Loader, I. and Sparks, R. (2020), 'Democratic Experimentalism and the Futures of Crime Control', in P. Carlen and L. Ayres França, eds., *Justice Alternatives*. Abingdon, Oxon: Routledge.
- Macdonald, T. (2021), 'Reviving Democracy: Creating Pathways Out of Legitimacy Crises', *European Journal of Political Theory*, Online First.
- McNeill, F. (2012), 'Four Forms of 'offender' rehabilitation: Towards an Interdisciplinary Perspective', *Legal and Criminological Psychology*, 17: 18–36.
- Ministry of Justice and HM Prison and Probation Service. (2019), *Strengthening Prisoners' Family Ties Policy Framework*. London: MoJ/HMPPS.
- O'Malley, P. (2010), *Crime and Risk*. Los Angeles: SAGE.
- Parole Board for England and Wales. (2018), *Parole Board for England and Wales Annual Reports and Accounts 2017/18*. London: Parole Board for England and Wales.
- Parole Board for England and Wales. (2020), *Information for Family and Friends of Prisoners Having a Parole Review*. London: Parole Board for England and Wales.
- Pratt, J. (2007), *Penal Populism*. Abingdon, Oxon: Routledge.
- Pratt, J. (2021), *Law, Insecurity and Risk Control*. London: Palgrave.
- Prison Reform Trust. (2021), *Bromley Briefings Prison Factfile: Winter 2021*. London: PRT.
- Ramsay, P. (2012), 'A Political Theory of Imprisonment for Public Protection', in M. H. Tonry, ed., *Retributivism Has a Past: Has it a Future?* Oxford: Oxford University Press.
- Savage, G. (2020), 'What is Policy Assemblage?', *Territory, Politics, Governance*, 8: 319–35.
- Scraton, P. (2019), 'The Hillsborough Independent Panel and the UK State', in P. Carlen and L. Ayres França, eds., *Justice Alternatives*. Abingdon, Oxon: Routledge.
- Simon, J. and Sparks, R. (2012), *The SAGE Handbook of Punishment and Society*. London: Sage.
- Straub, C. and Anison, H. (2020) 'The Mental Health Impact of Parole on Families of Indeterminate-Sentenced Prisoners in England and Wales', *Criminal Behaviour and Mental Health*, 30(6) 341–49.
- Tomczak, P. (2021), 'Reconceptualizing Multisectoral Prison Regulation: Voluntary Organizations and Bereaved Families as Regulators', *Theoretical Criminology*, Online First.
- Wacquant, L. (2009), *Punishing the Poor: The Neoliberal Government of Social Insecurity*. Durham, NC: Duke University Press.
- Weaver, M. (2017), 'Justice Secretary Told to 'get a grip' on Prisoners with No Release Date', available online at <https://www.theguardian.com/society/2017/aug/14/liz-truss-get-grip-backlog-prisoners-held-beyond-indeterminate-sentence-ipp>.
- Williams, P. and Clarke, B. (2016), *Dangerous Associations: Joint Enterprise, Gangs and Racism*. London: Centre for Crime and Justice Studies.
- Zedner, L. (2002), 'The Dangers of Dystopia in Penal Theory', *Oxford Journal of Legal Studies* 22: 339–65.