

homogenising developments and indigenous practices.

The future of criminal justice in Scotland, as in any jurisdiction, is difficult to predict, as this book concludes. However, Scotland stands at an interesting stage in its history. The Scottish Prisons Commission published its report *Scotland's Choice* in 2008, making the radical call for a reduction in the prison population of almost 50 per cent, drawing comparisons with Scandinavian rather than UK neighbours, and advocating an alternative approach to criminal justice rooted in social justice. Since then the prison population has started to fall, albeit slowly and falteringly. Whether this marks a temporary blip or a more fundamental change remains to be seen. What it does illustrate is that the tensions and challenges, which are amply illuminated in this book, shape not only national identity and institutions but also have real consequence for individuals in Scotland.

This is an excellent book that not only fills a gap by providing an overview of the Scottish criminal justice system, but also provides an accomplished insight into the dynamics of globalisation and localism.

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#### Book Review

#### **Crime and Risk**

By Pat O'Malley

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In less than 100 pages this lively book by Pat O'Malley, Professor of Law at the University of Sydney, explores the concept of

risk and how it has become a pervasive feature of crime and criminal justice.

The book opens by describing how as the post-War consensus fell away in the 1970s and 1980s, the predominant welfare-orientated approach focusing on rehabilitation was replaced by a concern with managing risk. This could be seen in assessments that emphasised individual pathology rather than social context; in new approaches to sentencing based on deterrence and incapacitation; and a focus on crime prevention through making crime more difficult to commit and easier to detect with the growth in alarms, cameras and other security devices. This has resulted in more people being imprisoned; new sentences being developed (including automatic and indeterminate sentences); new forms of punishment (such as electronic monitoring); and the emergence of new categories of punitive pre-criminal interventions such as anti-social behaviour orders.

In his exploration of risk as a mode of governance, O'Malley recognises the obvious and much discussed problems including how this can mask and even entrench the social problems that underlie crime such as inequality, poverty and discrimination. However, he also avoids the polemical and highlights how risk-based approaches are the site of resistance and adaptation by professionals, who can remould them into more progressive activities. For example he discusses how approaches to drug misuse have had to recognise the public health risk and as a result there has been a rebalancing of the punitive aspects of public policy. He also describes how interventions and programmes have been designed to reduce the risk of reoffending and effectively rejuvenate the idea of rehabilitation.

O'Malley also recognises that risk is not a one-way or one dimensional issue but individuals respond and act with agency. He discusses how risk is not merely a concept used to disempower and control, but is a consequence of giving people greater choices and less restrictions in their lives. Some risks have become institutionalised such as gambling whilst consumer choices have also generated new risks from over-consumption. He also highlights that economic risk is generally celebrated in a capitalist society. In terms of crime, he also discusses how the attempt to reshape crime control as a rational, risk-based approach is not always effective because the excitement and thrill of crime is part of the appeal to some people.

In closing the book, O'Malley argues for a more imaginative response from criminologists to the issue of risk. He argues that direct resistance is likely to be futile and that by identifying and encouraging small scale local initiatives and capitalising on the pragmatism of risk management, new opportunities for alternative approaches could open up.

This book is compact but is also sophisticated and nuanced. It presents an important challenge to criminologists examining the contemporary criminal justice system.

**Jamie Bennett** is Governor of HMP Morton Hall.