
There are few books which give a rounded picture of the criminal justice system. There have been studies of individual aspects (such as the police or the courts), legalistic accounts of the law which give little idea of the way the system actually works, and sociological work which relate the system to, say, race, class or gender, which say little about the law. Andrew Ashworth's The Criminal Process breaks this log-jam. He covers topics such as police investigation, prosecution, decision-making, pre-trial remand, mode of trial, and guilty pleas. He integrates traditional legal scholarship with criminological research, drawing on an encyclopedic knowledge of this area.

In his treatment of his chosen topics, Ashworth is concerned with certain general themes, such as accountability, the role of the victim and miscarriages of justice. His most impressive achievement, though, is the development of a framework of ethical principles, derived largely from the European Convention on Human Rights, which he applies throughout. These principles, which include the right to be treated humanely, fairly and without discrimination, form a way of both analysing the system as it is now and a platform on which to base proposals for reform. The book is thus both an objective analysis and an argument for a fairer system, although it does not attempt to cover all the important issues.

Book reviewers generally feel that their job description requires criticism as well as praise, for no book is perfect. There are two critical points which could be made. First, Ashworth sometimes muddies the distinction between discussion of what the system is, and what the system ought to be. Second, some of Ashworth's ethical principles are so vague - 'humane', 'fair' - that I remain unconvinced of their utility. Ashworth claims that his framework is superior to the more commonly used Crime Control/Due Process framework of Packer, but both are flawed and it ought to be possible to employ both. Finally, this book is not really for the beginner who needs a systematic guide to the system, as many important topics are omitted, such as remedies for police misconduct and the relationship between judge and jury.

Ashworth's last chapter is an overview in which the Runciman Commission is castigated for its complacency and pragmatism and yet, for all that, is favourably compared with recent government policy. Ashworth cites the work of Tom Tyler, who found that people generally value fair procedures as much as fair outcomes. We can hope that, in uncovering some of the shortcomings of our current system and in pointing the way to a better one, Ashworth is striking a chord in common with many others who feel that the criminal justice system is in a hole and that the government is making that hole deeper. Many may think that, like the Runciman Commission, Ashworth is too optimistic about both the prospects and value of incremental changes. Whatever your view, though, it will be enriched after reading this book.

Andrew Sanders
Centre for Criminological Research, University of Oxford


The criminal justice system, which is the focus of this book, is understood as an arena where conflicts take place, symbolic resources are appropriated and policies are shaped. Both individual and collective, institutional and social actors play a role in this arena through the exercise of their 'responsibility'. It is indeed the concept of 'responsibility' which is accorded a focal position in this study. It emerges throughout the book and appears in different contexts with a number of connotations. Pitch notes, for example how, in penal law the category of responsibility is applied to those who are deemed recalcitrant and unfit for treatment and rehabilitation. These individuals are regarded as responsible both for their lack of socialisation and for the problems involved in resocialising them. They are labelled dangerous because they ignore the options made available to them by the objective circumstances in which they live.

A similar framework is applied to mentally ill offenders. In these cases responsibility is transferred to official agencies, legislators, administrators and social workers. Here, the notion of responsibility allows agencies to assess the extent to which institutions accept the clients' participation in the treatment process.

The most original and accomplished sections of the book are concerned with an examination of how the category of responsibility can be understood in the specific context of the penal system. This system, it is argued, has lost its legitimacy as a result of almost complete inability to rehabilitate offenders. But despite its human and financial costs, the symbolic power of the penal system is still invoked, even by actors who are not inspired by conventional punitive principles or the desire for summary revenge, as for example, the demand by the ecology movement for stricter controls on pollution and the criminalisation of polluters. Feminists, in similar ways, have sought the elaboration of a 'gendered law' and some sections of the women's movement, while aware of the dangers of dealing with social problems by criminalising them, nevertheless have supported the criminalisation of sexual violence.

Pitch argues that the demands of such movements express an implicit criticism of deep-rooted concepts in certain areas of social science. Among these is the belief that human behaviour is always the mechanistic result of 'objective conditions'. The emergence of 'responsibility' is a reaction to a perceived 'deterministic inebriation' of the past, and seeks to replace it with a subjectivity which makes it possible to recognise new actors and objectives in the political and social arenas. Despite being pursued through the degenerate apparatus of the criminal justice system, the attribution of responsibility is a way of confirming the existence of clearly identified groups and individuals and their needs. What is at stake, one might say, is the 'return of social actors' who are capable of predicting the effects of their own actions.

Vincenzo Ruggiero
Faculty of Social Science, Middlesex University
Psychology, Crime & Law

Editors
Clive Hollin, The University of Birmingham, UK
Peter van Koppen, Netherlands Institute for the Study of Criminality and Law Enforcement at Leyden, The Netherlands
Stephen Penrod, University of Nebraska, USA

Psychology, Crime and Law aims to promote the study and application of psychological approaches to crime, criminal and civil law, and the influence of law on behaviour. The content includes the aetiology of criminal behaviour, studies of different offender groups; crime detection, for example interrogation and witness testimony; courtroom studies in areas such as jury behaviour, decision making, divorce and custody, and expert testimony; behaviour of litigants, lawyers, judges, and court officers, both in and outside the courtroom; issues of offender management including prisons, probation, and rehabilitation initiatives and studies of public, including victim, reactions to crime and legal processes. It publishes empirical studies, reviews and brief reports which make a significant contribution to the psychology of law, crime and legal behaviour.

4 Issues per Volume • ISSN: 1068-316X • Current Subscription: Volume 2 (1996)

Policing and Society
An International Journal of Research & Policy

Editors
Rod Morgan, University of Bristol, UK
Robert Reiner, The London School of Economics, UK

Policing & Society is concerned with the activity of policing and the factors which affect it. A major part of this material will concern the police - social scientific investigations of police policy, legal analyses of police powers and their constitutional status, and management orientated research on aspects of police organisation - but space will also be devoted to the relationship between what the police do and the policing decision and functions of community groups, private sector organizations and other state agencies. The journal will concern itself with the political economy of policing. As such it will be of interest to academics from most of the social science disciplines as well as police and other practitioners involved in social regulation and control.

Policing & Society aims to provide a genuinely international forum and will have correspondents in most countries where there is a tradition of research and academic inquiry into all aspects of policing. The journal is committed to rigorous policy debate and the highest standards of scholarship.

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Social Changes, Crime and the Police

Edited by
Louise Shelley, The American University, USA and
József Vigh, Eötvös Loránd University, Hungary

Social Changes, Crime and the Police studies the relationship of social change and crime, the role of the police amidst changing social conditions, and the reaction of society and the state to the criminal problem.

In recent years, many areas of Europe have experienced a period of rapid technological development which has changed economic and cultural structures, creating temporary instability. Within a relatively short period of time traditional values and beliefs have been undermined. National boundaries and geographical differences have been gradually losing their significance and the opening of frontiers has created easier conditions for crime. The nature of crime itself has been transformed by the increasingly close relationships between countries.

The editors and contributors also examine the kinds of new policing concepts which may be formulated and the new practices which may develop during the next few decades. Governments must determine the role of the police and the law in accordance with public demands for powerful policing combined with the individual's rights, thus maintaining the vital balance between personal freedom and social peace.

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New from Wiley...

Handbook of Psychology in Legal Contexts
Edited by Ray H.C. Bull, University of Portsmouth, UK and David Carson, University of Southampton, UK
While law and psychology are both concerned with analysing, understanding and predicting human behaviour, the relationship between these professional disciplines, particularly in court, is still controversial. This book, written by practitioners and academics from the UK, Europe and worldwide, including North America, highlights and emphasises both the extent to which psychologists are already assisting and informing the legal system, and the potential for collaboration between lawyers and psychologists outside the artificially adversarial glare of courtroom proceedings.
The editors - one a psychologist specialising in legal applications of psychology, the other a lawyer with special interests in developing practical approaches to the prevention of legal problems - have ensured that each chapter is relevant to, and easily readable by, both professions. Presenting an authoritative commentary on key legal procedures and issues together with practical reviews of psychological concepts, research and practice that bear on these topics, this book will prove a valuable resource for those working in all fields where the law and behavioural sciences interact.
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Theory, Research and Practice
Ronald Blackburn, Ashworth Hospital, Liverpool, UK
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Edited by Clive R. Hollin, University of Birmingham, UK
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Notes for Contributors

- Each quarterly issue of CJM focuses on a special area of criminological interest. CJM 22 will be entitled 'Courting Justice' and will consider the work of the criminal courts. Contributions are welcome and will be considered for publication if sent to Julia Braggins by November 30th 1995.
- Articles (max preferred length: 1000 words) should be jargon free, with minimal use of footnotes and references, and designed to appeal to a broad, reasonably well informed audience. Graphical or photographic illustrations are particularly welcomed. Publication, even of invited articles, cannot be guaranteed and we reserve the right to edit where necessary. Articles and letters can only be accepted on this basis.
- Editorial policy for CJM is determined by the Editorial Board, which in turn is accountable to, and appointed by, the Council of ISTD. The views expressed by contributors are not necessarily, and need not be, the views of ISTD.
- CJM is sent free to all members of ISTD, and additionally to a growing number of independent subscribers, both nationally and internationally. Advertising is welcomed. Please contact Julia Braggins at ISTD.

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ADVANCE NOTICE

ISTD's Annual international residential conference is to be held at the University of Keele in Staffordshire from 26th-28th June 1996

The theme will be

TACKLING DRUGS TOGETHER: ONE YEAR ON

The Government White Paper on drugs policy was launched in May 1995. What progress have we made in interdisciplinary strategies for harm reduction and enforcement? Have the Drug Action Teams been allowed to function effectively at a local level? How can senior police officers reconcile conflicting pressures from some of their own colleagues for decriminalisation with their duties before the law?

Speakers confirmed to date include:

Paul Hayes (South East London Probation Service)
Keith Hellawell (West Yorkshire Police)
Roger Howard (SCODA) and Howard Parker (Manchester University)
and a spokesperson from the Government's Central Drugs Co-ordinating Unit

There will be a wide range of workshops, from both the UK and abroad. Further details from Carol Martin, ISTD, King's College London, Strand, London WC2R 2LS. Tel: 0171 873 2822.