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Reviews

Book Review

The Man They Couldn't Hang: A Tale of Murder, Mystery and Celebrity

A play by Michael Crowley
Publisher: Waterside Press
(2010)
ISBN: 9781872870670
(paperback)
Price: £14.95 (paperback)

If you are going to write a play about a hanging, it's got to be a comedy. So says author and playwright Michael Crowley, who is writer in residence at HMYOI Lancaster Farms. In this case, not just a comedy, but one that takes its cue from the tradition of the Victorian music hall.

The Man They Couldn't Hang is based around the strange but true story of John Lee who, having been convicted of the 1884 Babbacombe murder, stood three times on the gallows and survived to tell the tale. The bungled execution quickly became the stuff of legend as Lee was reprieved to serve 22 years in prison, mostly at hard labour, much in solitary confinement. Throughout that time and after, Lee proclaimed his innocence and, on release, made a living from telling the tale of his escape from the jaws of death.

Crowley's remarkable work conjures up a fictional meeting between the recently released Lee and his would-be executioner, James Berry. The meeting is not by chance, but organised by failing theatre-owner Douglas Fawcett and Berry's theatrical agent Henry Cheetham. Their vision, or at least the vision of the cynical and aptly-named agent, is to produce a show in which Berry and Lee recreate the infamous execution on the music hall stage, working gallows and all.

And when a combination such as this is contrived, you know you

are going to be witness to a catastrophe on a grand scale. But how will it unfold? What will become of the man they couldn't hang? Will it end in comedy, tragedy or sheer farce?

Set in 1907, the year of a strike by music hall artists, *The Man They Couldn't Hang* raises many questions about crime and punishment and their respective entertainment values. The story begins in the office of down-at-heel Fawcett, as the agent Cheetham arrives to sell him his latest act, the former hangman Berry.

Berry, already a stage act, does a turn telling the story of his life as an executioner. He can talk about the men and women he has hanged, the methods and materials he used, as well as describing what he sees as less humane methods of execution, such as the Spanish garrotte and beheading by sword, all aptly illustrated from his collection of grisly artefacts.

After some success with these lectures, tacked on to the usual music hall ribaldry, Fawcett and Cheetham conspire to add a further element to the show — to bring together hangman and hanged man or, rather, hangman and almost hanged man.

Crowley's work is intriguing in its multiplicity of interpretation possibilities. Is it a straightforward historical work, an anti-capital punishment polemic or a critique of modern mass media values? Why, the script begs, is the audience entertained by the prospect of a good hanging? And why are we, the real audience, entertained by the prospect of a fictional audience being entertained by the prospect of a good hanging?

There's plenty of humour in it — gallows humour of course. For instance (if you can imagine the timing of a music hall delivery):-

Berry: 'Sorry about the other night. How is the young lad?'

Henry: 'He's fine, James. Don't you worry about him.'

Douglas: 'You need to be more careful with that sword.'

The dramatic development in the play, as I have read it, is sometimes too contrived, however, and the dialogue more than a little stilted. In places, it doesn't quite flow. Nevertheless, this work would undoubtedly provide a wealth of meaty material for any drama workshop worth its name, whether inside or outside of the prison wall. I hope to have the opportunity to see it performed some time, if only to have a good laugh at a good (or rather bad) hanging.

Question is, who will have the last laugh: the audience in the play, the audience watching the audience in the play, or perhaps the author watching the audience watching the audience in the play?

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Book Review

Female Sexual Offenders Theory, Assessment and Treatment

Edited by Theresa A. Gannon and Franca Cortoni
Publisher: Wiley-Blackwell
ISBN: 978-0-470-68343-9
(paperback) 978-0-470-68344-6
(hardback)
Price: £29.99 (paperback) £65.00
(hardback)

Despite the fact that female sexual offenders have always existed, it has only been in the last 10 or more years that research and treatment efforts designed specifically with women in mind have begun to gain ground. It is

currently thought that women make up 4-5 per cent of all convicted sexual offenders and account for 1 per cent of the prison population. Despite this low figure, the NSPCC estimate that women in all likelihood commit up to 5 per cent of all female abuse and 44 per cent of male abuse. Reports of child sexual abuse by women are also thought to have a lower reporting rate than those committed by men, so in reality abuse rates are probably far higher. It is therefore timely that Gannon and Cortoni have collated together a body of work on female sexual offenders and produced this much needed edited collection.

The book is made up of 11 chapters, divided into two main parts: general contextual and background information and practitioner focused chapters. These are written by world-leading experts in the field of female sexual offenders, including Saradjian, Ford, Blanchette, Rose and of course, the two editors Gannon and Cortoni. Taking each chapter in turn, chapter 1 is a general introduction and explains not just the importance but also the need for and organisation of the book. It also sets out two significant questions:

1. *To what extent are female sexual offenders similar, to, and different from, male sexual offenders?*

2. *To what extent are female sexual offenders similar to, and different from, females who offend non-sexually?*

These questions are referred to and answered in the remainder of the book.

Chapter two, written by Saradjian, reviews the prevalence of female-perpetrated sexual abuse and the impact of such abuse on victims. This is an extremely interesting chapter with up to date data collated from a variety of sources. It explains why as a society we are more reticent to believe that women could or even would commit sexual offences and also

explains that when they do how often we are more judgemental than we are with men. This is because such woman have committed a double taboo; not only have they committed a crime but they have also gone against the stereotype of women as carers and nurturers. This is followed by chapter 3 which describes and evaluates the available typologies and theoretical perspectives for explaining female-perpetrated sexual abuse. As the editors explain in chapter 1, this chapter is the first focused evaluation of current theories which attempts to explain the phenomenon of female-perpetrated sexual offences and by synthesising the literature documents some individual or single-factor theories associated with female sexual offending. When it is necessary to know why offenders offend, so that treatment programmes and other forms of intervention can be developed, the contents of this chapter are imperative.

Following this is chapter 4, which provides a comprehensive summary and evaluation of the characteristics, research, assessment and treatment strategies available for juvenile sexual offenders. On the basis that this is generally another under researched area, this is a further important and very interesting chapter which looks not just at juvenile female sexual offenders but also compares them with other offender populations, including juvenile male sexual offenders; juvenile female non-sexual offenders and non-offenders. The chapter concludes with some useful guidelines regarding treatment strategies and also provides directions for future research. The final chapter in the first part then goes on to look at the available evidence regarding the mental health characteristics of female sexual offenders. Whilst it is often thought that female offenders suffer from very high levels of

mental health needs, Rousseau and Cortoni question this fact, suggesting that the recording of conditions such as psychopathology may be influenced by societal bias (we would rather believe that a female sexual offender was 'mad' as this would help us to understand why she would sexually abuse) and may also be due to over-reporting by the women themselves. Further research in this area is therefore crucial.

Part two of the book opens with chapter 6 which looks at the assessment of female sexual offenders and provides readers with crucial information regarding the assessment of risk of reoffending amongst this group of offenders. Taking into account some of the problems faced by practitioners, including low base rates, a lack of validated risk factors and a dearth of tools designed specifically for women, the chapter provides guidance on which approaches should be used. On the basis that the evidence suggests that female sexual offenders have more in common with female offenders than they do with male sexual offenders, it is suggested that rather than using tools designed for men, it is better to use tools designed for general offending. Linked with risk assessment is chapter 7 which looks at the potential treatment needs of female sexual offenders and compares each identified need with current knowledge regarding male-perpetrated sexual offending. In particular the chapter identifies the important factors of offence supportive cognitions, deviant sexual interests, previous victimisation, male dependency, social and sexual relationships, empathy, coping skills and mental health difficulties as being important. As with many of the chapter in this book, the overall warning is that females are different to men and therefore need to be assessed and managed with these differences in mind.

Following on from assessment and treatment needs is chapter 8, by Blanchette and Taylor, which is an extremely interesting and informative chapter which overviews a range of interventional treatment initiatives available in Canada, the UK, the USA and Australia. Whilst the review shows the shortage of interventions designed specifically for female sexual offenders it does show how interest in this area is increasing and will hopefully encourage the continued and expanded use of such measures through the world. This is then followed by a chapter on the use of polygraphy with female sexual offenders. Believed to be the first review of using the polygraph with female-perpetrators, chapter 9 provides readers with the latest research evidence on its use, including some interesting differences and similarities between men and women. Chapter 10 then details the experiences of practitioners working for the Lucy Faithful Foundation who have worked with female sexual offenders in a therapeutic community environment. Whilst there is currently one therapeutic community for women at HMP Send, little research has been carried out on the use of the therapeutic process with female sexual offenders and so in this sense the chapter is invaluable. Again, the overriding theme is that women are different and need to be treated on this basis.

The final chapter written by the editors and Rose provides a useful summary of the entire book, detailing current knowledge about research and treatment with female sexual offenders. I would highly recommend the whole book as each chapter is of importance in its own right, but if time is pressing then this last chapter is a 'must read'. Mirroring the main point in many of the chapters and mentioned several times in this review, the authors conclude with a

strong yet clear message: 'we must not be tempted to go down the somewhat easier road of adjusting male-informed models and assessments for use with female sexual offenders. To do so may jeopardise our research with female sexual offenders and our establishment of empirically based treatment with this population'. For the sake of both female sexual offenders and their victims, I hope that this warning is heeded by policymakers and practitioners alike.

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Book Review:

Criminal Justice in Scotland

Edited by Hazel Croall, Gerry

Mooney and Mary Munro

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(2010)

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(hardback)

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(hardback)

This excellent collection, which features contributions from leading Scotland-based academics, not only provides an introduction to key contemporary issues in Scotland's criminal justice system but does much more. The book fills a significant gap in the literature caused by 'British' research and publications tendency to focus exclusively on England and Wales.

This book is broken down into four parts. The first, 'Thinking about crime and criminal justice in Scotland: introduction and social context', comprises three chapters that locate the analysis of criminal justice within a wider social context. They discuss how the criminal justice system reflects, reinforces and replicates structures of power and inequality. For

example, they foreground research that highlights how poverty and criminal justice are closely linked. It also draws upon wider welfare and social policies to illustrate how 'problem populations' are portrayed and managed. This part successfully provides a basis for understanding the Scottish system from a wider social justice perspective.

The second part looks at specific issues — including marginalised and less powerful groups such as the young, women and minority racial groups, and discusses crimes of the powerful including environmental and corporate crime. These chapters successfully illustrate the broader social issues discussed in the first part. The third part is concerned with aspects of the criminal justice system and includes fascinating chapters that discuss the police, prisons and courts. The final part of the book provides a discussion of the major themes and future prospects. There is no question that by addressing the neglect of the Scottish system this book has provided an important service.

The chapters in this book illuminate interesting themes about globalisation and localism in criminal justice. They are able to draw upon the genealogy of the Scottish system so as to describe those features that are distinct and also to trace how there has been in some cases an erosion of this difference as a result of global, pan-European and UK trends. In addition, the devolution of power to Scotland has not led to a straightforward assertion of distinctiveness but has instead resulted in a mixed bag with some aspects moving towards convergence with other jurisdictions whilst in others there has been renewed confidence in local solutions. More than simply being descriptive, the discussion gives a sense of the dynamic tensions between these

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.

Jamie Bennett is Governor of HMP Morton Hal.

Book Review

Crime and Risk

By Pat O'Malley

Publisher: Sage (2010) ISBN: 978-1-84787-350-7 (hardback) 978-1-84787-351-4 (paperback)

Price: £50.00 (hardback) £15.99 (paperback)

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.