**Prison Regulation for Safer Societies: Participatory, Effective, Efficient?**

Dr Philippa Tomczak

# THE PENAL VOLUNTARY SECTOR

PHILIPPA TOMCZAK

# BRISTOL SHORTS RESEARCH

# PRISON SUICIDE

What happens afterwards?

PHILIPPA TOMCZAK
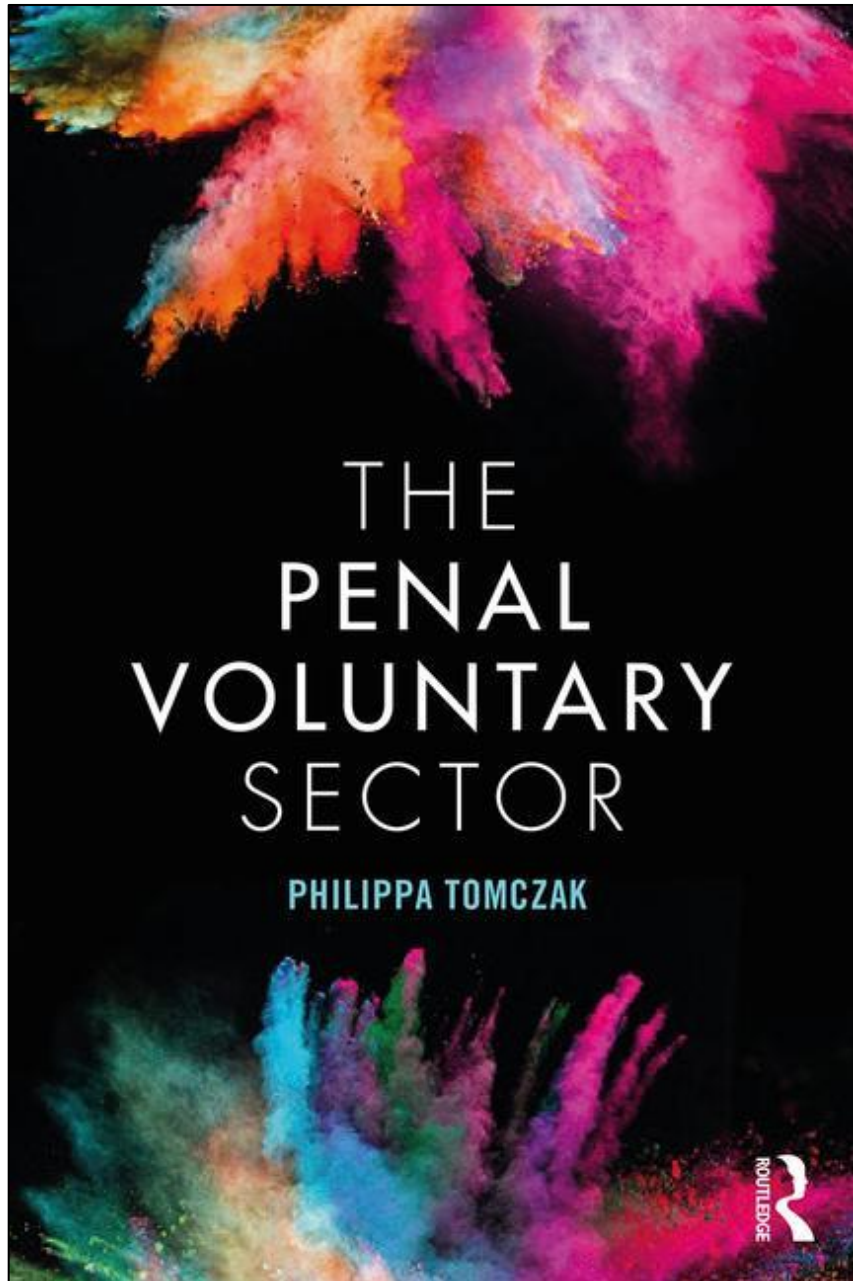
**Winner of the 2017 British Society of Criminology Book Prize**

# Regulation

'steering the flow of events and behaviour' (Braithwaite et al., 2007a), concerned with improving performance

encompasses sanctioning and supporting activities, most frequently involving education and persuasion but potentially escalating to litigation and prizes (Braithwaite et al., 2007b)

can influence conditions and treatment in institutions (Braithwaite et al., 2007b)

*'Good regulation can control problems that might otherwise lead to bankruptcy and war, and can emancipate the lives of ordinary people... Regulation matters, and therefore the development and empirical testing of theories about regulation also matter.'*

# Longstanding interest in (untapped) potential of prison regulation/ oversight

Existing prison regulation apparatuses are extensive and hold substantive, yet unrealized potential to (re)shape imprisonment; for example, by seeking to improve prison health and safety for the benefit of prisoners, staff, families and the societies from which prisoners come and almost always return.

| SCALES | STATUTORY PRISON REGULATION | VOLUNTARY SECTOR REGULATION | F A M I L I E S | C O U R T S | P R I S O N E R S |
|---|---|---|---|---|---|
| LOCAL | Independent Monitoring Board | (e.g. Local Communities Against Prison Expansion, OUT THERE) | | | |
| NATIONAL | Inspectorate, Ombudsmen, Coroner | INQUEST, Prison Reform Trust (Howard League, Women in Prison, Zahid Mubarek Trust) | | | |
| REGIONAL | European Committee for the Prevention of Torture | (e.g. European Prison Observatory) | | | |
| INTER-NATIONAL | UN Subcommittee for the Prevention of Torture; UN Human Rights Committee | (e.g. Human Rights Watch, Amnesty International, Penal Reform International) | | | |

Engaging more imaginatively and expansively with prison oversight in theory and practice could form a productive means for scholars, oversight bodies and community partners to *do more* than documenting the harms of mass incarceration, and thereby map a more optimistic, socially beneficial way ahead (Tomczak, 2021). Utopian perspectives/ processual sociology.

# 11 million people are now imprisoned globally

- 2006 Optional Protocol to the United Nations Convention against Torture and Inhuman or Degrading Treatment or Punishment (UN OPCAT)

- 90 **ratifiers** must regularly examine detention treatment and conditions



Country Status

State Party (90)  Signatory (13)  No Action (94)
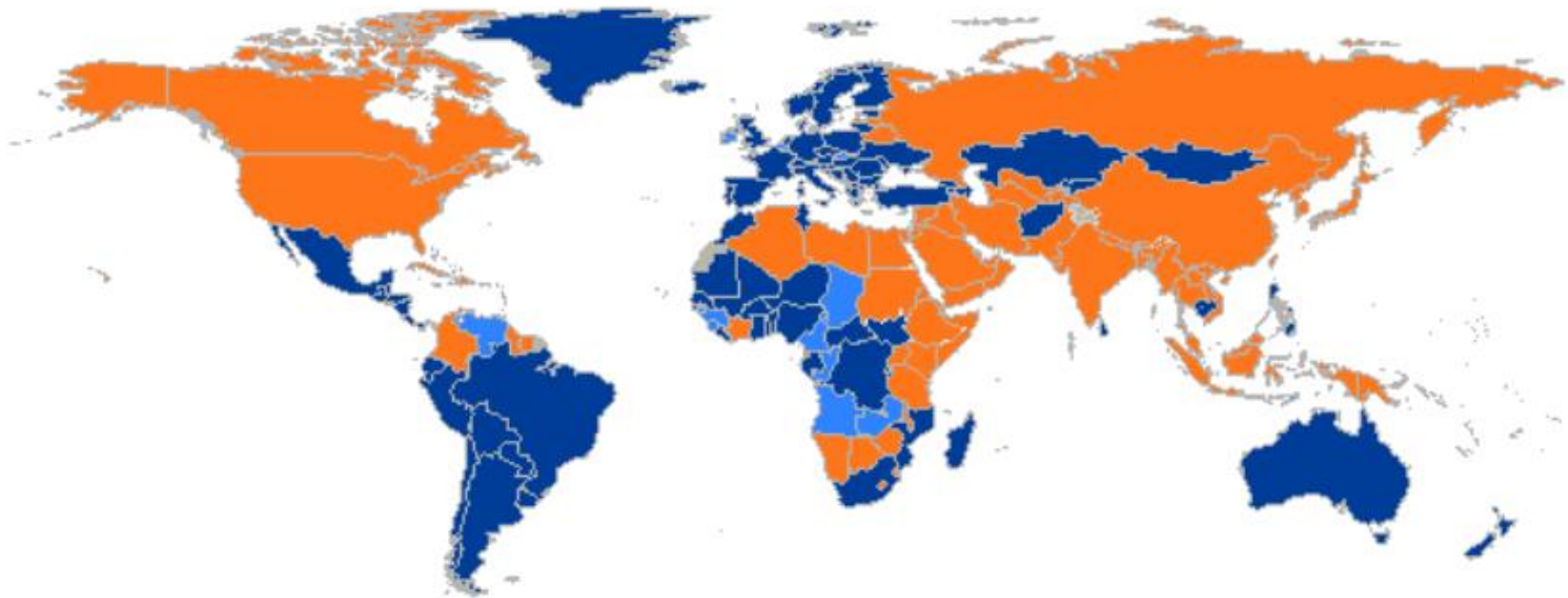
# Why do unsafe prisons = unsafe societies?

Criminal reoffending costs **> £18 billion** annually *(Newton et al 2019)*

Lower reoffending rates correlate with:

- higher **quality of prison life** *(Auty and Liebling 2019)*

- prisoner **health** *(Link et al 2019)*

England and Wales' prisons:

- are **now less safe than ever**

- 2016's *record suicide numbers* drained **~£385 million** from public funds

# Prison regulation is a missing piece of the global societal safety puzzle

Criminologists have exhaustively examined the disproportionate regulation of marginalised groups *through* criminal justice, but largely overlooked **the regulation *of* criminal justice itself**

Proliferating imprisonment involving poor treatment is not inevitable

Inefficient, ineffective prison regulation is not inevitable

# Innovative methodology

| GLOCAL SCALES | (QUASI-)STATUTORY REGULATION |
|---|---|
| LOCAL | INDEPENDENT MONITORING BOARDS |
| NATIONAL | HM INSPECTORATE OF PRISONS |
| | PRISONS AND PROBATION OMBUDSMAN |
| INTER-NATIONAL | European and UN Committees for the Prevention of Torture, Human Rights Committees; Rules |

Developing existing static, **state-centric** accounts
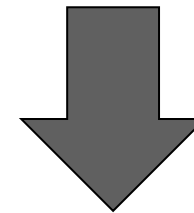
to illustrate how state and **multisectoral** actors (could) regulate imprisonment **across scales**

| SCALES | STATUTORY PRISON REGULATION | VOLUNTARY SECTOR REGULATION | FAMILIES | COURTS | PRISONERS |
|---|---|---|---|---|---|
| LOCAL | Independent Monitoring Board | (e.g. Local Communities Against Prison Expansion, OUT THERE) | | | |
| NATIONAL | Inspectorate, Ombudsmen, Coroner | INQUEST, Prison Reform Trust (Howard League, Women in Prison, Zahid Mubarek Trust) | | | |
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