

European Group for the Study of Deviance and Social Control –
32nd Annual Conference

Date: 16th – 19th September 2004

Venue: *University of Bristol, Badock Hall*

Loosing Control or Taking Control? Heroin Use as Illegitimate Strategy for Coping with Cultural Trauma

Illicit drug use in Estonia is a relatively new phenomenon. Although western countries have witnessed increasing drug use within youth cultural spheres since the 1970s, in Estonia the rapid growth of illicit drug use did not take place until the 1990s alongside significant social change in society in general and the value orientations of youth in particular.

Many young people are initiated into drug use as part of their inclusion into specific youth cultural scenes (for example, club culture) and consider it part of a trendy life-style. This kind of drug use might be understood via a youth *culture model*. For others, however, drug use is an escape from everyday reality; this kind of drug use is better understood through the *marginalisation model*.

The empirical part of this paper draws on observations and open-ended interviews with opiate users. The research questions concentrate on the relationship between the cultural context of drug use and addiction. The majority of opiate users belong to the Russian-speaking minority, who have had marginal status in society after restoration of Estonia's independence. Becoming a drug user might be interpreted as an illegitimate strategy for coping with a *cultural trauma*. Rebellious subcultures, formed in response to structural circumstances, soon become the supportive cultural context for interlinked drug and crime careers. Young people, whose control over their lives is at best limited anyway, quickly lose control of their drug use and become addicted. The paper also considers, however, the possibility that the very process of "getting addicted" might be interpreted as young people taking control of their situation as they 'choose' to live outside mainstream society rather than accept the secondary, and humiliating, status accorded them within it.

Airi-Alina Allaste

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No-one's property? The police investigation of health and safety crimes

Studies on policing hardly ever deal with corporate crime, and research into corporate crime rarely concerns police work. Studies on police culture and practice are overwhelmingly concentrated on patrol officers or enforcement of conventional or street crime. Crime investigation in general is an under-researched field, and hardly any studies on corporate crime investigation exist in the field of police-studies. This remains the case, even though - or maybe because - it is accepted as conventional wisdom that in general, non-enforcement of law designed to control illegal business activity is the norm; enforcement activity tends to focus upon the smallest and weakest individuals and organisations

The aim of the presentation is to introduce some preliminary results of an ongoing research project on the police investigation of health and safety crimes (H & S crimes) in Finland. The research aims to answer the following questions: how is the investigation of H & S crimes organised and resourced within the police; what is the level of readiness to investigate such crimes; what is the position of H & S investigators within the police; how are H & S crimes investigated; what are the particular problems of such work.

Anne Alvesalo

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"Nous accusons"

Revisiting Foucault's comments on the role of the intellectual in the context of increasing processes of 'Gleichschaltung' in Great Britain

This paper will attempt to explore some of the parallels that can be drawn between the historical phenomenon of 'Gleichschaltung' in Nazi Germany and contemporary Britain. In contemporary Britain there can be no mistake about the many ways in which the so-called New Labour government uses language to manipulate and confuse its population. In its historical context 'Gleichschaltung' describes the processes by which all organisations and associations existing in German society were 'nazified' and resisting 'bodies' were simply suppressed and later eliminated.

This paper sets out to argue that contemporary Britain is characterized by similar processes that have so far resulted in opportunistic conformity being the reigning norm of a societal life in which former notions of freedom, civil rights and self-government have become entirely breached.

Given this devastating state the British state should now be openly challenged in the name of basic democratic values. On the basis of a re-reading of Foucault's understanding of the 'specific intellectual', this paper relates its core concerns to specific localised contexts and suggests that we need a non-party space for the public expression of ethically governed politics.

**Andrea Beckmann
Charlie Cooper**

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**Confronted by practice – towards a critical psychology of prison practices in
Nigeria**

This paper sums up some core arguments arising from a 3 year research project exploring prison officers' ways of handling and relating to their jobs and their training. Drawing on 8 months ethnographic research amongst prison staff, and utilising the concept *persons-in-practice*, the key dynamics of prison practice in Nigeria and the challenge they present to intervening agencies are introduced. The project as a whole demonstrates the possibility and importance of conducting research in post-transition, developing countries despite difficulties and dangers. It functions as a critique of the export of penal norms in the form of standard minimum rules and human rights training. In the absence of understandings of what these exports are confronted by they are bound for failure.

Externally sponsored interventions aimed at rehabilitating a deviant State, in this case Nigeria, are confronted by a complex set of practices within which the targets of intervention (prison staff) are caught up. This paper presents the logic of penalty that undergirds prison training and working practices, and shows how this logic, which involves assumptions of guilt and the inevitability of punishment is complimented by practices of discipline and an ideology of corrections. The ideology of corrections, couched in a rhetoric of prisoner rehabilitation, plays itself out in fundamentally corporeal ways and legitimate incidences of mundane violence. At the same time as such incidences of mundane violence are correctional, punitive and disciplinary they are an expression of a practice of othering that reinforces the subordination of prisoners and the particular subjectivities of prison officers.

It is with a grounding in an understanding of these dynamics that possibilities for reform and transformation must be considered.

Andrew M. Jefferson

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**Forensic DNA Evidence in the ‘Suspect Society’:
The End of Presumptive Innocence?**

No-one can deny the power of DNA evidence to assist in the acquittal of innocent defendants as well as the exoneration of those wrongly convicted. However, there are indications that DNA evidence is increasingly used to abbreviate police investigation and support weak circumstantial criminal prosecutions. In addition, the ever-increasing databasing of computerised ‘identities’, of not just those convicted or even suspected of criminal activity but increasingly all citizens, means that suspicion is spreading throughout society. Such suspicion can now be permanently recorded and shared amongst numerous agencies, creating a ‘suspect society’. Reforms to the criminal process, with increased powers to policing and prosecuting authorities and removal of suspect safeguards and protections, means that it is increasingly difficult to defend criminal cases, particularly when facing ‘scientific’ evidence that largely goes unchallenged and is popularly considered to be infallible. The combination of such trends leads inevitably, this paper argues, to a society in which the risk of miscarriages of justice has increased significantly, and takes us a step closer to a permanent reversal of the presumption of innocence.

Carole McCartney

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The overlap between victimisation and offending: issues of gender and agency

This paper will draw on a literature review commissioned by the Women's Estate Policy Unit in 2003, which explored the links between women's experiences of victimisation and their offending (Hooper, 2003). There has been considerable ambivalence about this issue, both in the policy arena (where victims and offenders are seen as clearly distinct groups) and amongst feminists. While feminist research has highlighted women's experience of male violence as part of the context of their offending, one of the gender inequities identified in the criminal justice system has also been the tendency to minimise women's agency and to exaggerate men's, and a narrative of victimisation is one of the ways in which agency may be denied. This paper will first discuss the uses of evidence from both quantitative and qualitative studies to address the links between victimisation and offending, discuss the processes that may be involved, and consider the question of whether abuse may play a different role in pathways to offending for women from men. The paper will then consider two different rationales currently in circulation for a policy response to women offenders which addresses their experiences of victimisation and/or their impacts. The first emphasises the high levels of mental illness amongst women offenders, and argues for diversion from the criminal justice system (an approach which minimises agency). The second advocates a restorative justice approach emphasising remorse, responsibility and reparation (an approach which emphasises agency). The paper will suggest that both approaches have potential and limitations and that a response which combines elements of both with a recognition of the complexity of the impacts of abuse on women's experience of agency, is needed. Furthermore the recognition of the overlap between victimisation and offending needs to be extended to male offenders if gender inequities are not to be reinforced.

Reference:

Hooper CA (2003), *Abuse, interventions and women in prison: a literature review* (Home Office/HM Prison Service)

Carol-Ann Hooper

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The politics of prisoners' rights

Prisoners' rights are often presented as one of the great civil liberties success stories of the late twentieth century. Since the case of *Golder v United Kingdom* in 1975 at the European Court of Human Rights [ECtHR] and the *St Germain* cases in the domestic courts in 1978/9 there have been number of important legal victories for prisoners in England and Wales. The courts have increasingly been portrayed by progressive penal reformers as an important mechanism for penal accountability and reform whilst the introduction of the Human Rights Act (1998) [HRA], which incorporated the European 'Convention Rights' into domestic law, has been promoted as a crucial means for expanding and protecting the legal rights of prisoners. In consequence prisoners' legal rights have never had such a high profile nor invested with such hope for improving the lived experience of prisoners. This paper looks to question some of the optimism around the current purported effectiveness of legal rights in the European and domestic courts. Utilising the insights of 'anti-foundational' thinkers and writers in the critical legal studies tradition such as Griffiths (1997), Ewing and Gearty (1991) and Campbell et al, (2001) the role of law and the judiciary as impartial adjudicators are critically interrogated whilst the actual content of the 'Convention Rights' for citizens both inside and outside of prison is scrutinised. Focussing on the recent domestic cases of *Simms & O'Brien* and *Daly* and the successful cases in the ECtHR of *Edwards*, *Stafford*, *Ezeh* and *Connors*, and *Hirst* the paper points to the potential and limitations of existing rights jurisprudence and its impact on creating both procedural and substantive rights. In conclusion the paper considers an alternative neo-abolitionist approach to prisoners' rights, which calls for a radical rearticulation of existing rights coupled with calls for greater social justice, democratic accountability and greater recognition and clarification of the positive rights of all citizens.

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New War or Old Insurgency? Security and Development Since the Invasion of Iraq

This paper asks whether the occupation of Iraq can usefully be analysed within the framework of the liberal cosmopolitan literature on security, development and global governance exemplified by the work of Mark Duffield and Mary Kaldor. This literature argues that since the 1980s development has been seen as vital to security and vice versa; development aid and security policy have been aimed at the transformation of societies; a new type of war characterised by identity politics, predatory economies dependent on war and the blurring of war, crime and human rights abuses; much of the South has been marginalized from or integrated in a subordinate way into global capitalism; and action on the contents of this new agenda has been networked, polyarchical and non-territorial. The paper will examine how well the liberal cosmopolitan approach works as a description and explanation of events and Coalition policies in Iraq during the period of the occupation of and the initial period after the formal transfer of sovereignty. It will also examine the value of the liberal cosmopolitan policy prescriptions of the reassertion of state power and cosmopolitan law enforcement for the security and development challenges facing Iraq. The basic argument of the paper is that, in the case of Iraq since the invasion in 2003, some elements of new wars and the merger of the development and security agendas can be identified, but the descriptive fit is not a close one. As the liberal cosmopolitan literature posits a clear shift to new wars and merged development-security agendas, it is unable to account for this mixed picture in Iraq. Furthermore, in concentrating on particularist identity politics as its 'Other', it pays insufficient attention to the broader forces of economic neoliberalism and to the role of the United States as a state actor in both challenging liberal cosmopolitanism and unwittingly fomenting particularist identity politics. Both of those themes are crucial to an understanding of the occupation of Iraq and its legacy. The paper argues that liberal cosmopolitan values have much to offer in addressing security and development issues in Iraq, but that understanding the nature of those issues and the barriers to the realization of those values requires one to draw on historical materialist understandings of them as exemplified by the work of scholars such as Stephen Gill, Mark Laffey, Tarak Barkawi. Liberal cosmopolitans argue that the

international community has sought to merge the development and security agendas to transform societies as a means of achieving both security and development. It also - somewhat paradoxically - argues that contemporary wars are new wars but the international community does not understand this and is trying to fight them as old wars, which is why its efforts at achieving either development or security are so unsuccessful. The paper argues that the key actor in Iraq is not a polyarchical policy network but the US as a state; US policy has veered between (and been divided about) aiming at transformation and aiming at something more limited; and the scaling back of transformation efforts and the emphasis on security ahead of development have been because the insurgents have been successful in many ways at fighting an old war.

Eric Herring

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Via Anelli: the Construction of a New Ghetto

The paper is focused on the social, institutional and interethnic relations in a specific area of Padua, one of the most important industrial cities of Veneto region, in the north-eastern part of Italy. Starting from the early nineties -the years in which Italy was interested for the first time by massive movement of immigration from northern African and eastern European Countries- the neighbourhood of Via Anelli is characterized by a growing settlement of migrants, related to the well known processes of inhabitants' substitution (M. Davis) and of property speculation. Crowded together into small apartments, imagined to host a couple of students, now live in Via Anelli approximately 2.500 persons coming mostly from the Maghraeb area and Nigeria. This urban process can be seen as anomalous in a contest, like the Italian one, where the typology of settlement is more oriented to the physical dispersion of the newcomers.

This zone of big buildings, situated close to the commercial area, is therefore represented in the mediatic arena and in the political discourses as an environment in which grows the internal enemy. The deriving social alarm is mainly determined by the presence of small drug dealers and prostitutes, and by the occurring of night dins and fights. Our ethnographic and biographical (interviews) approach to the neighbourhood is oriented to deconstruct this stereotyped image of the inhabitants- most of whom are in fact employed in precarious job places or looking for them, even if irregular- and to analyse the institutional control praxis which we consider to dramatically increase their level of criminalisation and their risks to be victim of measures of expulsion from the Country.

Francesco Faiella & Alvise Sbraccia

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International conventions and national law: issues of trafficking for prostitution in South Asia

Each country in South Asia has its own variation of the general trafficking discourse – each generalising ‘the problem’ in different ways. Nepal’s discourse is based on the forced abduction of Nepali girls to Bombay and on the criminality of trafficking rings; the Indian thesis focuses on in-country or domestic trafficking and on the need to make its border less ‘porous’.

The paper will look at the ways in which trafficking for prostitution is constructed within international law and conventions; and the ways in which these are sometimes contravened and sometimes reinforced by domestic laws on trafficking and prostitution. This will look at the United Nations (UN), International Labour Organisation (ILO) and the SAARC Conventions on trafficking and prostitution. I examine the ways in which women in prostitution and prostitution itself are constructed and on issues of the sanctity of the nation state within these documents. Next, I analyse laws on prostitution and trafficking within two South Asian countries, specifically Nepal and India and look at how they construct trafficking and apportion responsibility for trafficking.

Geetanjali Gangoli

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Embedded Academics and the War on Terror

For many university teachers and researchers the academy- the institutional complex in which academic study takes place - represents a sterile safety zone that keeps them above the fray of, and therefore untainted by, political and social struggles. From the outside, we view academic research as segregated from the real world. Academic work takes place in a bubble, or an ivory tower. This paper tells a different story. It highlights the key role that academic research plays in shaping the strategy of, and providing legitimacy for, the current war on terror by analysing the role of one group of academics, based at the St Andrews Centre for the Study of Terrorism and Political Violence (CSTPV) and the wider network of terrorologists that this group forms part of. The paper dissects the historical and contemporary symbiotic links between the St Andrews School and state intelligence and defence agencies, government think tanks, the commercial risk industry and private military companies. It further argues that those linkages are integral to their enterprise. For this reason, we describe the St Andrews School as embedded academics, difficult to disentangle from their lucrative private sponsors or from explicitly neo-conservative Washington think tanks.

**Jonny Burnett
Dave Whyte**

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Racism and the Law - The South African Experience in Labour

South Africa is a country with different ethnic and cultural groups [eleven (11) official languages]. The policy of the previous government (before 1994) was a policy of so-called separate development * better known as apartheid. This policy was underpinned and entrenched by the laws of the country.

The new political dispensation came into effect after the 1994 elections. In a country hitherto divided along racial lines, the changes * peaceful, but profound-can be illustrated by the following example:

*In the civil service, previously mainly staffed by members of the white minority group, job opportunities have been created for black people through affirmative action.

These changes have also influenced the labour market. I shall briefly outline the legal environment before 27 April 1994, then discuss the important changes since then, and finally focus on their effect on the Labour market.

The 'old' constitutional law (before 1994).

Before the Constitution of the Republic of South Africa came into effect in 1994, the South African constitutional law was dominated by parliamentary sovereignty. As part of the Westminster system of government, one of the features of parliamentary sovereignty is, that Parliament can make any law it wishes, and no person or institution, including the courts, can challenge the validity of those laws. In this regard, the sole function of the South African courts was to interpret a statute so as to give effect to the intention of Parliament as there expressed.

The position after the implementation of the interim Constitution in 1994

The first important change was the replacement of the doctrine of parliamentary sovereignty with the doctrine of constitutional supremacy. According to this doctrine

the Constitution is the Supreme law of the Republic and any law or conduct inconsistent with it is invalid.

Constitutional supremacy can only work if the judges can enforce the constitution. The Constitution provides for the courts to be independent and subject to only the Constitution and the law.

The second important change from the previous dispensation was the introduction of the Bill of Rights in the Constitution. This Bill of Rights is a cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom. Its important role in the application and interpretation of laws in South Africa is confirmed by section 8(1): it 'applies to all law and binds the legislature, the executive, the judiciary and all organs of state'.

The effect of the changes on labour

(a) Legislation

It is against this background of a new legal environment that legislation, rules, and regulations should be implemented and reviewed. One of the rights embodied in the Bill of Rights that affects the labour market is the principle of equality. The importance of this right for the post-apartheid constitutional order is obvious, because '[t]he apartheid social and legal system was squarely based on inequality and discrimination'.

The provisions of the Constitution and other legislation like the Labour Relations Act, 1995, the Employment Equity Act, 1998 and the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 make it clear that racism in the workplace is no longer tolerated. According to the principles embodied in these Acts, any act involving racism (as well as a number of other grounds) shall be regarded as unfair discrimination. The focus now is that no employer must discriminate unfairly against any employee inter alia on the grounds of race or colour.

(b) The courts

The constitutional Court as well as the Labour Court have in a number of decisions give clear guidelines as to the interpretation of the Constitution and labour legislation with regard to racism.

"The new Constitution is a map for the future and seeks to redress past injustice".

J V du Plessis

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The Birmingham School Thirty Years On

Policing in Crisis is widely seen as a high point in the development of critical criminology. It includes in one volume a whole series of themes: a Marxist framework of crisis, Gramscian ideas about hegemony, moral panics, the development of an authoritarian state, subcultures and racism. The purpose of this paper is to ask how well these themes fit together and how well they have lasted. My particular concern is to what extent it is possible to produce a coherent Marxist framework for criminological theory.

Mark Cowling

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Violences against women involved in street prostitution

The paper examines violences against women in the context of street prostitution, discussing the contrary implications of violence from male clients and violence within relationships. The paper draws on a recently completed overview for the Home Office on 'Tackling Street Prostitution', involving findings from 11 evaluations of projects funded within the Crime Reduction Programme (Hester & Westmarland, 2004). There is a growing body of literature concerns violence experienced by women involved in street prostitution, which has found differences in incidence related to whether on-street or off-street, and that the majority of street prostitutes have had multiple experiences of violence. The earlier studies did not, however, compare violence from male clients and other (in particular 'domestic') violence experienced by women involved in prostitution. From the Home Office evaluations detailed information regarding violence was available for 140 women, and case studies were available for 23 women. The experience of women in contact with the Home Office funded projects echoed the extensive levels of violence against women involved in prostitution found in the other studies, although the level of violence appeared to be even higher. The perpetrators in the sample were found to be mostly kerb crawlers and/or a boyfriend/ pimp/ partners. Moreover, the violence was found to have quite different impacts in the different contexts. While the women spoke of how violence from boyfriends/pimps tended to keep them in prostitution (that is, acted as a barrier to exiting) violence from kerb crawlers was more likely to serve as 'crisis points' leading them to pursue exiting. The paper examines these findings and the issues arising with regard to the contextualising of violence and regarding policy.

Marianne Hester

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The Swedish Law Prohibiting the Purchase of Sexual Services Five years on

In January 1999 the 'Law of the Prohibition of the Purchase of Sexual Services' took effect in Sweden. This was the first time ever a country criminalized the purchase only. The motives behind the law were mainly symbolic - to emphasise that purchase of sexual services is not accepted in a democratic society. The law has been claimed to be very successful, one proof is that street prostitution has decreased markedly. On the other hand, critics point out that prostitution has moved indoors, underground and online. However, the law has inspired debate in other Scandinavian countries, and suggestions to bring it out to Europe have been voiced.

Maria Kaspersson

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The ‘war’ on Terror at home: the role of EU Pillar 2 and Pillar 3

In the 1999 Tampere Meeting, co-operation against crime between Member States' authorities was discussed, when investigating cross-border crime in any Member State. Mutual recognition of judicial decisions and judgements and the necessary approximation of legislation would facilitate this co-operation in criminal matters. In October 2001, the Heads of EU Member States discussed how to increase cooperation in the “Follow-up to the September 11 Attacks and the Fight against Terrorism”, in line with the ‘Action Plan against terrorism’. A review of the progress already made, like the European arrest warrant, Europol, Eurojust, a common definition of terrorist offences and the freezing of assets, was also in their agenda. But the EU was too slow to implement such decisions and did not consider its pillared structure. Madrid March 11 2004 brought home ‘elsewhere-generated’ terrorism – imported terrorism, in a reality more used to internally-generated terrorism – home-generated terrorism. This difference may have massive consequences when considering that the first type of terrorism is dealt with Pillar two, under ‘security and defence policy’, broadening the concept of ‘security concern’. The second type of terrorism is dealt with the Pillar three, “Police and Judicial Collaboration in Criminal Matters”. Pillar two is the communitarian space, where the EU takes decisions, whilst, Pillar three is the intergovernmental space, where the EU member states take decisions, with consistent different role of the EU and the nation states. In this paper I will address the consequences of this organisational status and the difficulty in managing this new crisis. In 2004, at the dawn of the attack in Madrid, EU interior ministers agreed a package of measures, including the creation of an anti-terrorism co-ordinator in Brussels. However, the contraposition between the two Pillars, and between home-generated and imported terrorism, may require a better organisation of what ‘security’ and ‘police and judicial collaboration’ imply, above all in light of a just-enlarged EU and of what the European Constitution may mean in this case.

Marinella Marmo

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The Complicity of Masculinity in Male Interpersonal Violence

It is an incontrovertible fact that interpersonal male violence against women and children is a significant social problem. The statistics show that one in four women will experience domestic violence at some point in her life and that two women are killed each week by a current or former male partner (Home Office, 1998, 2003; Wang, 2000/2001). This paper will focus on the fact that this is a gendered phenomenon with the majority of perpetrators male and the majority of victims female. As such, the prevalence, incidence and normalisation of male violence suggests that normative heterosexual male gender identity, or 'masculinity', needs to be re-examined from a critical perspective. Whilst recently there has been a significant increase in the number of studies on 'masculinities' this paper argues that the literature often does not adequately account for male violence. Where it does it often diminishes the role of men in this violence through, for instance, problematising 'masculinity' as a disembodied phenomenon. This conceptual separation of men from 'masculinity' engenders a situation in which men can be absolved from the responsibility of their violence (McMahon, 1993).

This paper draws on empirical data from a qualitative research project, which was conducted with young people (aged between 15 – 18 years) in Glasgow, 2003. The findings suggest that these young people are accepting of a hegemonic form of masculinity, which perpetuates power differentials between women and men, and girls and boys. The tolerance, acceptance and justification of male violence is integral to this hegemonic masculine gender construction. This has implications for challenging male violence because if young people are accepting this as part of what men 'do' then it suggests that strategies for prevention will have to challenge not only gendered behaviour but gender constructions themselves.

Melanie McCarry

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**Public crisis of confidence in the criminal justice system: progressive promise
and regressive risks**

This paper identifies an intrinsic relationship between high profile miscarriage of justice cases that failed to be overturned through routine appeal procedures, public awareness of the injustice that had occurred, the harm caused to the victims and their families and the progressive reform of the criminal justice system to reduce the occurrence of such injustices in the future. On the other hand, however, it cautions that the public can just as easily be induced to support regressive reforms of the criminal justice system in response to other instances of apparent injustice when they believe that the present arrangements are too protective and restrict the conviction of the guilty.

Michael Naughton

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Separated Child Asylum Seekers

Children have always constituted a significant proportion of the international refugee population. But, apart from the distinct mid to late twentieth century episodes of the exodus of 14,000 Pedre Pan Cuban children and the Vietnamese Boat Children, separated children trafficked or traveling on their own to seek asylum in distant countries have received scant scholarly attention. Systematic research on the efficacy of asylum as a mechanism for protecting separated children simply does not exist. Yet, the distinctive problems facing separated child asylum seekers are at the heart of asylum policy discussions in several states and regions. How effective are the legal mechanisms that seek to protect child asylum seekers separated from their families because of persecution or trafficking?

How well has the Refugee Convention worked for children seeking asylum in their own right?

Nadine Finch

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Risk and Male Violence against Women and Children in the Home

Whilst theories on risk society (Beck, 1992; Giddens, 1990, 1991), and risk theories more generally, have been highly influential in the social sciences, there has been relatively little theorising on risk in relation to gendered lives. This paper reconsiders risk from the perspectives of women and children experiencing ‘domestic’ violence, and is based empirically on a re-consideration of qualitative interview data from doctoral research carried out in the mid 1990’s. Male violence against women and children in the home is clearly not a product of science and technology, nor is it a phenomenon limited to late or reflexive modernity, yet it is a global, as well as personal, problem with far reaching, devastating effects on all those involved (women, children and male perpetrators¹) posing a greater risk in day-to-day lives than techno-economic hazards. Women and children face a constellation of risks (potentially lethal) when in a violent relationship and an equally, if not more, complex constellation of risks in trying to leave if they fail to get the violence stopped. It is illuminating to explore the extent to which the experiences of women and children suffering male violence in the home run counter to the model of risk society; the social relationships of women in violent heterosexual relationships are intensified rather than dis-embedded; most women find that trust in an interpersonal relationship has failed them and they have to turn to ‘expert’ systems to resolve such violence. I argue that one outcome of the focus on risk society theory has been to divert attention away from the global problem/s of male violence against women and children. Moreover, the impact of risk theory on practice may have contributed towards the cultural tendency to shift responsibility for such violence away from male perpetrators and onto women.

Paula Wilcox

¹ However, this paper does not focus on issues around male perpetrators.

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**Living on the margin: differences and similarities in criminalising poor youth in
Brazil and Germany**

Brazil and Germany are countries with different historical, cultural, political and social background and different systems. While Germany has developed during the last 50 years a complex social service system intending to include and not to exclude all parts of the population the situation in Brazil has developed extremely different. A huge gap between a small group of rich and the majority of the society: the poor, has made poverty an every day experience in the country.

In both countries as in all other industrialised countries lots of young people have problems taking over the norms and values of the elder and following the laws. Therefore social systems and institutions are developing prevention strategies to support the young and hinder them to get lost in risky situations and to become criminals. In most cases prevention succeeds and youth crime is to describe just as petty crime and remains just an episode for the individual during the process growing up.

In spite of those strategies of supporting the young and trying to include all both countries have groups of young people being excluded and blamed for that.

In **Brazil** the young generation of the poor living in the Favelas (slums) without any chance of participating in the benefits of the economic and social system is criminalised while trying to survive. They follow their own rules and needs which are different from the ones of the mighty and get into conflict with the system.

In **Germany** a small group of young migrants is excluded from chances and benefits. Their cultural background is violated and they are following their own rules and needs. These are quite different from the official ones and conflict is a result.

Two presentations which are very narrow connected will show that despite the different specification of the groups of poor and ethnic minorities the structures behind the criminalisation are quite similar.

Silvia Mara Corso
Heiner Schaefer

**European Group for the Study of Deviance and Social Control –
32nd Annual Conference**

Date: 16th – 19th September 2004

Venue: *University of Bristol, Badock Hall*

Deviance, mafia and strategic management of identity and reputation: some theoretical assumptions

The paper takes into account the basic theoretical assumptions of an ongoing research in which we embark on the analysis of communicative processes and rules considered as tools for the social construction and the management of identity and reputation. The study mostly focuses on the cultural construction of mafia identity and reputation. Reputation is considered as Cosa Nostra quality mark, this means that the belonging to a deviant (or a criminal) group and the involvement in role performances and deviant behaviours are intertwined. To be a member of a peculiar groups means sharing peculiar normative images and meanings: in brief, to appear and behave as a trustworthy member. To "build" a reputation is a complex and fundamental task: you need to be aware of the appropriate behaviours in various conditions and be able to modify your image in order to offer those acceptable information that contributes to empower your reputation. People use relations and social networks in order to spread information that improve or protect their social image. Reputation is the mark beating the rhythms, either of persistence and evolution or of decline, of Cosa Nostra. The reliability of its mark partly derives from such external actors as media, cinema television, fiction. Mafia and other criminal organizations have been a model of success. Social actors are aware of the reputation or label they can gain. Their actions are thus oriented by the conscious purpose of influencing the outcome of the labeling process. Deviance starts after a coherent choice, expressing a clear and understandable message: as those who operate within a legal framework try hard to appear as law abiding persons, a deviant individual wants to show everyone he does not shun from his choice. This study explores the chances of a socio-cultural analysis of mafia identity and reputational schemata drawing largely from the discussion of role patterns and communicative practices linked to cultural and social representations of the mafioso.

**Salvatore Costantino
Cirius Rinaldi**

European Group for the Study of Deviance and Social Control –
32nd Annual Conference

Date: 16th – 19th September 2004

Venue: *University of Bristol, Badock Hall*

A conceptual framework for analysing immigrants experiences of harassment and intimidation in Finland

Harassment of African immigrant citizens due to their race, colour and national origin is still a disturbing phenomenon in the streets, homes, restaurants, shops, and schools as well as in the universities across the country. This harassment and intimidation which is frequently racially motivated creates fear in the minds of many African immigrants in Turku. My objective in this paper is to try to understand and evaluate racial harassment and the frequency with which African immigrants experience racial hostility on the streets in Turku. In addition, I also attempted to analyse certain characteristics, which tends to create racially motivated forms of harassment. Finally, I will also be exploring the reason why there has been so few official complaint of racial harassment to the police. A prepared questionnaire and a semi-structured interview with African immigrant respondents in Turku were used to examine their experiences of harassment and intimidation. The study revealed that the majority of the respondents have experienced harassment on the streets, outside restaurants and even by their neighbours. In general, males seem to experience a higher level of harassment due to their frequent outings in the evenings and night in Turku. Overall, this study revealed that African immigrants are still sceptical of reporting racially motivated crimes to the police due to the distance between them and the police in Turku. There is a need for awareness-raising on the part of African immigrants in this city in order for the police to win back their confidence that they the Finnish police are their friends not enemies.

Stephen Egharevba

**European Group for the Study of Deviance and Social Control –
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Date: 16th – 19th September 2004
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Partnership working and diversity

A discussion paper on how co-operative implementation of asylum policy in the UK can affect the promotion of diversity and the encouragement of social cohesion

Under the 1999 Asylum and Immigration Act, Asylum seekers in the UK are currently being dispersed to “cluster areas” with ready to supply accommodation. Various reasons have been acknowledged for implementing this new policy including sharing the burden of services across the country, grouping asylum seekers with the same nationalities for gaining internal support, deterring new comers and finally allaying public anxiety caused by over concentration of asylum seekers in London and South East.

In this paper I will try to explore the ways by which liberal democratic states particularly the UK government devolve responsibilities of managing asylum to others in order to localize the control of migration. In a so called “coiled spring” society like the UK’s in which the promotion of multiculturalism and diversity is arguably being institutionalised, efforts need to be made not only to ease the public anxiety and grease the integration machine but also to prevent racial tensions.

It is important to investigate how implementation of new policies that arguably aim to deter new-comers can affect the promotion of diversity and social cohesion. It is also vital to know how and why attacks on asylum seekers are arguable becoming a norm or a “common currency” in the UK and explore the elements that fuel social unrest. Though there is a complexity that causes the emergence of social tensions which is subjected to this discussion but it is evident that the manner in which asylum seekers are treated by the service providers can send a mixed and confusing message to the public and therefore can cope with the emergence of social unrest in a society that has a good history of promotion for diversity and multiculturalism.

Siamak Goudarzi

**European Group for the Study of Deviance and Social Control –
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Date: 16th – 19th September 2004

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Corporate Harms – A South African Perspective on the Activities of Transnational Corporations

Although the contribution of transnational corporations (multinationals) cannot be ignored, this paper will focus on specific corporate harms and crimes committed by transnationals in their profit-making quest. The legal position of transnational corporations are unique in the sense that both public law and private law, as well as national and international law, govern transnational corporations.

The overall contribution by transnationals to the creation of jobs; increase in gross national product; increase in investment; transfer of skill and technology; movement of people, capital and goods in a developing country must be seen in a positive light. However, the bad face of the transnational corporation can be seen in, among others, child labour, unfair labour practices, slavery, harm to the environment, abuse of indigenous knowledge and customs, bribery and corruption

The influence of transnational corporations on the economy as well as the politics of developing countries is very important. Because the money available to most multinationals is usually more than the annual budget of the developing country in which they function, unwanted activities such as bribery, are hard to ward off. The bribe is the first corporate crime, but usually the activities following the bribe are even worse.

A number of international conventions and other agreements try to ensure that the actions and activities of the multinationals are legal and moral. The private codes some multinationals adhere to also aim to ensure that the transnationals do good, rather than bad. However, the failure of the international law to regulate and control multinationals contributes to the increase in corporate crimes and harms in especially the developing countries and need to be addressed urgently.

Elizabeth van Snyman

**European Group for the Study of Deviance and Social Control –
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Freetrading in the Bazaar economy

The informal economy has grown enormously in the past 30 years with as many as 1 billion workers worldwide (Davis 2004). United Nations researchers have found that neo-liberal market policies have led to informal economy growth around the world. Out-sourcing and the creation of the diffused factory are supplemented with diffused marketing. There is a blurring of criminal/non criminal boundaries and social spaces. However, what has been called orthodox Marxism has viewed the informal economy as politically marginal, rather than see marginalisation as political and economic. This view is increasingly harder to sustain.

The nature of the UK informal economy is examined in detail covering fields such as tobacco smuggling and shoplifting, its characteristics, and social relations. Morals are more than economic, as protest, and resistance, have been found to be part of some peoples' motivations. This points towards a conceptualization of informal economy workers as Freetraders in the bazaar economy (Ruggiero & South, 1997). Experience of the New Deal as it is based in neo-conservative social discipline will also be examined as compatible with neo-liberalism and associated economic marginalisation. As part of the penal – welfare (Garland 2001) super-panopticon, creating further need, and demands for, informal economic practice.

Trevor Bark

**European Group for the Study of Deviance and Social Control –
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Drug users as objects of police control and support

At least on a strategic level, interprofessional co-operation and networking are considered an important part of crime and drug prevention. In recent years the need for intensification of harm reduction measures such as low-threshold drug treatment services and substitution treatment and police powers have evoked a lot of discussion in Finland. Threatening images of organised crime have also spread to Finland, but latest law reforms have still concerned drug abusers: drug possession and drug abuse.

New narcotics abuse offence law was launched in 09/2002. The aim of the reform was among other things to rationalize the use of authority resources, facilitate rapid intervention by the criminal justice system and intensify the use of alternative punitive measures to fining. According to the new legislation, under-aged drug users and experimenters must attend a questioning with her/his parents and problem-abusers will be offered treatment counselling. This social approach to crime and drug prevention contains many problems due to the police, drug abusers and treatment system. To summarize, treatment and support have not replaced more punitive approach, which still prevails.

This presentation concentrates on giving a qualitative analysis of different values, interests and logic which prevent the movement from interrogation room to drug treatment. Research data consisted of police survey, pre-trial investigation records and interviews (of police officers, social workers and drug users).

Tuula Kekki

European Group for the Study of Deviance and Social Control –
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State Crime In The Heart Of Darkness

It is exactly a century since E.D. Morel published *King Leopold's Rule in Africa*, which could be considered the first systematic analysis of state (or state-corporate) crime. Morel's focus on the economic rationality of terror in the so-called Congo Free State can be contrasted with another famous account of the same country, Joseph Conrad's *Heart of Darkness* (1899), in which terror is seen to emanate from dark forces deep within the human psyche. Michael Taussig has similarly contrasted Conrad's work with that of Morel's close ally, Roger Casement, on the rubber industry in the Putumayo (Columbia). Whereas Taussig largely comes down on the side of Conrad, this paper defends a view closer to Morel's, arguing that the apparently irrational excesses characteristic of state terror and genocide are intelligible in the context of essentially rational policies.

Tony Ward

**European Group for the Study of Deviance and Social Control –
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From Preppies to Cobras: The Social Construction of Sex Crimes in Italian Society

Rape, paedophilia and sex crimes are defined through a social construction, wherein the historical, social and political context play a capital role. This paper will focus on two cases of sex crimes that, in two different ages of Italian history, drew the attention of public opinion and triggered two different kind of social reaction.

In 1975, two 17 year old working class girls were kidnapped and raped by a mob of upper-class youngsters from Rome. Within a contexts of rising social movement, such as feminism, working class and student, all the media emphasised the belonging of the youths to a fascist organisation, as well as linking their deviant behaviour to the arrogance and the lack of value of upper – class people. Sex offence was overshadowed by class and politics – related reasons.

In 2001 the situation changed. A Serbian youth was found guilty of raping and killing her 9 years old sister in law. The crime happened within a familiar domain of social deprivation. Yet the social and political frame had changed. Immigrants were held responsible for the economic precariousness and social fragmentation produced by globalisation. Zero tolerance policies were shared by most of Italian society. By this token, the media shared the emphasis on the nationality of the murder. The case was constructed in such a way as to depict a conflict between locals and migrants, and the life sentence issued by the judge was celebrated as the re-tracing of social borders.

Vincenzo Scalia

**European Group for the Study of Deviance and Social Control –
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Where's the best place to make money – London or New York?

This paper is concerned with the regulation of capital in the US and UK. Despite, the recent corporate scandals in the US the Securities and Exchange Commission has long been characterised as the most exacting, legalistic and austere system of financial regulation in the developed world. The creation of the Financial Service Authority has been represented as an attempt to create a similar system of corporate governance in the UK – another sign of regulatory convergence within an increasingly internationalised financial system. This has occurred at the same time as a number of steps have been taken to decriminalise commercial fraud control. The conventional wisdom is that the latter has been possible because of the former. Greater regulatory rigor in a system historically characterised by the classic hallmarks of self-regulation – secrecy, understanding and forgiveness – at the expense of less censure, less denunciation and less reprobation. But how does the Financial Service Authority compare with the Securities and Exchange Commission? Is it as rigorous or does enforcement in the UK reflect the greater reliance of the UK economy on highly mobile financial capital? This paper addresses some of these questions by systematically comparing the enforcement records of the US and UK.

Gary Fooks

European Group for the Study of Deviance and Social Control –
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No one believes a negro!
The relationship between the police and ethnic minorities in Oslo

In this paper I deal with the relationship between ethnic minority men and the police in one central police station in Oslo. The paper is based on data I am currently collecting for an inquiry I am working on, financed by the Police Directorate. The Oslo police have been accused of conducting a disproportionate stop and search practice towards ethnic minority youth, something which is claimed to produce a lack of confidence and trust towards the police.

The purpose of the project is to reveal ethnic minorities experiences with the police as well as the police's attitudes to and experiences with ethnic minorities. This issue I address through in-depth interviews with a strategic selection of ethnic minority men and through field work with the police, basically on patrols and in-depth interviews with police officers on different levels of the organisation.

For some of the ethnic minority men, their frequent meetings with the police lead to frustration and loss of self-esteem. Several of the ethnic minority informants have experiences which indicate that in confrontations where they think they have been treated wrongly, they are given a fine and if the case ends up in court because they refuse to accept the fine, they are not believed, like a Gambian man. He finds it hard to complain on the police's frequent controls of him because given the situation that the police's conduct should be questioned nobody would trust that he were right in his complaints, as he says: *No one believes a Negro*.

There is however a discrepancy between the ethnic minority informants' experiences and what I see through the police field work and the interviews with police officers.

Many of the police officers have accumulated negative experiences with different minority groups. This may lead to what we may define as discrimination in the police's stop and search practice. The question is whether this discrimination is legitimate or illegitimate (Fullinwider 1980) taking into consideration the police's experiences. The interviews reveal stereotyping of different groups, which may in turn lead to different treatment of them and thereby to racism. But the stereotyping seems to be a result of negative experiences over years and the majority of the police officers I have talked to during the field work say they have become more sceptical and negative towards ethnic minorities through their years in the police force than they were to begin with.

Ragnhild Sollund

**European Group for the Study of Deviance and Social Control –
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Immigration Control and the Detention of Asylum Seekers

This paper considers the policy and practice of detaining asylum seekers. Detention and deportation are central to immigration control, which can be seen as a total system. There has been a progressive withdrawal not only of civil and political rights but also economic and social rights of asylum seekers over the last decade. Detention represents the starkest denial of rights and a threat pervading the whole system, but is also more hidden and in various respects less available for scrutiny.

The paper outlines the legislative and policy context for immigration detention and current developments, and the relationship between these policies and international rights covenants. It considers the scope of the detention estate, its management, and expansion, and examines the nature of detention decisions. It looks at the detained population in terms of numbers, age and gender characteristics, the timing and length of detention, and considers the limits of government transparency and the role of NGOs in helping to bring such information into the public domain.

The available research and inspection reports on conditions in detention raise a range of problems, and the impact of these on the health and wellbeing of different groups of asylum seekers including children and families, and unaccompanied young people, is considered. Comparative reference is made to the situation in Australia, a country with even more draconian policies, but where a commission has examined the situation of children in detention centres.

Oppression brings about resistance and struggles for liberation and equality. Asylum seekers have struggled against their detention, their treatment, and deportation, both in detention and in the community, and key facets of these struggles are discussed.

The practice of detention sheds a sharp light on the nature of immigration controls and the treatment of asylum seekers. The paper concludes with a series of questions about such controls in the context of a globalised economy.

**Sarah Cemlyn
University of Bristol**

**European Group for the Study of Deviance and Social Control –
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The KIK-Network Against Domestic Violence

The Cooperation and Intervention Concept of the State of Schleswig-Holstein, Germany, against Domestic Violence (“KIK-NETWORKS”) includes, among other things, a state-wide co-operation and linking up of various counselling and assistance institutions which are concerned with violence against women and children (counselling centres for women and women's and their children's shelters, counselling institutions and meeting points for migrant women, counselling centres for substance addicts and official institutions).

The aim of KIK-NETWORKS is to call the perpetrator into account, to optimise the (social and judiciary) proceedings and to support and facilitate the victimised women and their children. That requires a great deal of energy and agreements because the parties concerned serve different purposes and are stated with different responsibilities. Not even the judiciary interventions are easy to coordinate. The police are only able to intervene in short terms, therefore further steps are necessary. Either the victimised woman proceeds under civil law or the perpetrator will be taken into account by penalty law. Both judiciary proceedings could be done parallelly or they could be combined. Therefore a general aim of the networking activities against domestic violence in the federal state of Schleswig-Holstein is to sensitise all public and non-governmental institutions. With their different competencies, they challenge to cooperate more effectively. In the system of justice, the police law has to be matched with the civil law and the penalty law, if need activating the responsible legislation for eliminating recognised faults.

In December 2002, without dissent from the Opposition, the Law for Protection against Violence, has passed the ‘Bundestag’. This is an important step by the government in fighting domestic violence. It simplifies and extends the powers of the courts when dealing with families, detailing protection measures and the regulation of behaviour of violent men. All forms of living together are taken into account and also separation and divorce stages, according to the length of time those in question have been together. By that the framework will be optimised to support co-ordination. The KIK-NETWORKS have managed that with a proven record of success from the beginning in 1997 up to the present.

One of the key findings of analysing six years of practical work in KIK-NETWORKS shows a constantly high amount of penal proceedings whereas strong (penal) sanctions are reserved only for a small number of cases of non-co-operating perpetrators. By that current anti-discrimination-policies in Germany no longer focus on a 'symbolic' penal law. Moreover reactions differentiate by situational backgrounds and specific characteristics and problems in each individual case in challenge to intervene in and prevent domestic violence effectively.

Bettina Holst

**European Group for the Study of Deviance and Social Control –
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Named, Shamed, Exiled or Shot? ASBOs in Political

The Anti-Social Behaviour (Northern Ireland) Order was introduced on 25 August 2004. Following on from the 1998 Crime and Disorder Act and the 2003 Anti-Social Behaviour Act in England and Wales, the Order defines anti-social behaviour as 'act[ing] in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not in the same household as himself'. In 2003 the Government White Paper, *Respect and Responsibility – Taking a Stand Against Anti-Social Behaviour*, listed six illustrative 'activities': harassment and intimidating behaviour; behaviour that causes alarm or fear; noisy neighbours; drunken and abusive behaviour; vandalism, graffiti and other deliberate damage to property; dumping rubbish or litter. They are civil injunctions decided on the balance of probabilities in magistrates' courts and hearsay evidence is permitted.

In England and Wales the main concerns have been: the broad discretion used by local authorities in bringing cases against children; the targeting of families and their children; the lack of training provided for magistrates; the 'naming and shaming' of children in the media and in local publicity campaigns; the use of long-term ASBOs in addition to sentences following conviction for criminal offences; the extension of ASBOs in length (up to 10 years) and in location (to cover the entire jurisdiction); the expansion in the incarceration of children as a consequence of breaches of orders; the 'threat' made by certain local authorities that should children enter specified areas at specified times unaccompanied by an adult they will be served with an ASBO. Given the tensions within Northern Ireland concerning anti-social behaviour and punishment beatings, the introduction of ASBOs has been controversial.

The Northern Ireland Commissioner for Children and Young People, with unanimous support from the leading children's NGOs challenged the proposed legislation on several grounds. In rejecting the application Justice Girvan stated, '...one wonders in practical and realistic terms what meaningful response could be obtained from children unless they were in a position to understand the legal and social issues to anti-social behaviour, the mechanisms for dealing with it. The shortcomings of existing criminal law and the effectiveness or otherwise of the English legislation and its suitability for transplant to the Northern Ireland context, and the interaction of Convention and international obligations'.

Under the Order where there is no associated conviction a District Council, the PSNI or the NI Housing Executive can apply to a magistrates' court for an ASBO to be issued. ASBOs can also be added to a conviction. Interim ASBOs can be issued prior to the determination of the full order. Breach of an ASBO constitutes a criminal offence carrying a penalty of up to 5 years' imprisonment, a fine or both. ASBOs can be issued to a child aged 10 or over and courts have the discretion to impose reporting restrictions regarding children. There has been considerable resistance by the Government to imposing reporting restrictions as the 'naming and shaming' process is regarded as essential to the impact of ASBOs.

This paper draws on extensive primary research with children and young people, NGOs that represent children's interests, community justice and community development groups, representatives of the Police Service of Northern Ireland, community safety and youth justice bodies. It also considers documentary submissions to the NIO consultation. Locating this 'work in progress' within the context of previous research in England and taking a children's rights perspective, it considers the potential consequences of the introduction of ASBOs in communities in which paramilitary beatings of children and exiling of families have been part of the established process of the policing and regulation of 'antisocial behaviour'.

Phil Scraton
Queen's University

**European Group for the Study of Deviance and Social Control –
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Date: 16th – 19th September 2004
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Comparative Perspective to Economic Crime Policing in Finland

My point of departure in this paper is that efforts put on economic crime policing represents the moral and values of our society. In order to examine the stage of economic crime policing in Finland it is needed to be put against wider international context. In my paper I will present some preliminary results of my on-going comparative research based on multi-method data collection in EU-countries. “What is the current way to combat economic crimes in Finland?” and “Could/should it be different?” are the main questions in my presentation.

Sari Heiskanen

**European Group for the Study of Deviance and Social Control –
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**The 'New' International Economy: states, corporations and the
internationalisation of harm**

This paper attempts to consider some of the claims made for, the realities of, and the significances related to, the 'new' international economy, often understood in terms of 'globalisation', but more usefully explored as an attempt to internationalise (through political, economic and military means) a most virulent form of neo-liberalism. Having set out some of the assumed and actual dimensions of this internationalising political economy, the paper then considers some of its consequences, focusing particularly upon the state-corporate production of various forms of social harm. The paper concludes by asking what relationships criminology has, or might have, to an analysis of and resistance to this internationalising political economy and its consequences.

Steve Tombs

European Group for the Study of Deviance and Social Control –
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“Reasonable” Women Who Kill: Re-interpreting Women’s Responses to Domestic Violence in England and Wales 1900 – 1965

This paper makes a contribution to current debates about gender and punishment by providing an historical analysis of the judicial fate of female domestic abuse victims who eventually killed their male abusers between 1900 – 1965 in England and Wales.

Utilising case-studies of women who stood trial for the murder of their abusive partner during this period when murder was still punishable by hanging – this paper argues that what at first glance appears to be a “lenient” sentence, in fact came at a heavy price for which all women ultimately paid and still pay. That is the maintenance of a gender order which denied women the status of full citizenship. This is because any perceived lenience depended on constructing the woman as less responsible and less culpable, her act of violence lacking intent, rationality of agency.

Such “lenient” sentencing was therefore based on stereotypical images of femininity and while it may have appeared to benefit individual women it did nothing to improve the legal situation of battered women generally. On the contrary, the case-studies examined in this paper demonstrate that the focus on provocation served to reinforce the private nature of domestic violence, and thus also served to reinforce the dominant gender order.

These historical case-studies can therefore help to widen our understanding of current debates about gender and punishment by re-interpreting the women’s act of violence – demonstrating that given the circumstances the woman was in – it was reasonable to kill her abuser, thus adding agency to her act. In short, the paper seeks to shift the focus away from provocation, diminished responsibility and irrationality to issues of rationality and agency – without losing sight of the specific circumstances in which the killing took place, and therefore without inviting harsher punishment.

The paper concludes by arguing that this history raises some important issues concerning the future of domestic abuse victims in that those victims would no longer need to have their retaliation constructed in pathological or vengeful terms, instead they would be understood as having taken reasonable, necessary and justifiable action within the context of the intolerable circumstances they found themselves in.

Anette Ballinger

European Group for the Study of Deviance and Social Control –
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Urban exclusion and criminological thought: “spatializing criminology”

In this presentation, my purpose is to make a particular point: critical criminology has not used its best potential in criticising practical crime prevention measures, partly, because its understanding of *space* is old-fashioned and incomplete. I aim to search for the ‘missing link’ between criminology and urban geography – to ‘spatialize criminology’.

During the 1990s space became an important subject of study in many disciplines. The concept of space or, precisely, the social production of space, is complex. Space is not just ‘a container’ but there are social and symbolic connotations embedded in it. Space is crucial to the exercise of power but, reciprocally, power also creates a particular kind of space. Space provides frames for social interaction but, simultaneously, is *produced in* this interaction. This ‘transdisciplinary spatial turn’ doesn’t seem to have had much effect on criminology.

Paradoxically, the contemporary urban space is being increasingly regulated and designed as exclusionary in the name of safety. Restricted access and increased control make urban space segregated, less lively, less spontaneous, even ‘dead’. Spatial restrictions are used as tools in the ‘purification’ and ‘homogenisation’ processes of urban space. The regulation of public space is also a process of ‘othering’. In a ‘post-Foucauldian’ context, the purification of individuals has been replaced by the *purification of space*. While space becomes a *commodity*, it becomes ever more important to keep it ‘clean’. The practices designed for crime control are increasingly used not just to eliminate crime but to exclude. Space has an increasing role in crime control, but not in a way that we have used to think. The old supremacy of imprisonment – which has been widely discussed in critical criminology – is replaced by the supremacy of *exclusion*.

Hille Koskela